

ORDINANCE NO. 16-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **James R. Ledbetter and Ann M. Ledbetter**, are the owners of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA, an Alabama municipal corporation**, hereinafter referred to as "Grantor", in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **JAMES R. LEDBETTER AND ANN M. LEDBETTER**, hereinafter referred to as "Grantees", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby REMISE, RELEASE, QUITCLAIM AND CONVEY unto the said Grantees FOR AND DURING THEIR JOINT LIVES, AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF LOT 2 OF HIGH MOUNTAIN ESTATES SEVENTH ADDITION A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF TRACT 9 OF A RESUBDIVISION OF TRACTS 9 AND 10 (PLAT BOOK 33 PAGE 31) OF CHAPMAN COVE AS RECORDED IN PLAT BOOK 21, PAGE 69 & 70 (PLAT BOOK 33, PAGE 88) AND A RESUBDIVISION OF LOT 1 OF A RESUBDIVISION OF TRACTS 9 AND 10 OF CHAPMAN COVE AS RECORDED IN PLAT BOOK 21, PAGE 69 & 70 RECORDED IN PLAT BOOK 31, PAGE 31 AND A RESUBDIVISION OF GREEN SPACE AREA 1 OF CHAPMAN COVE AND A RESUBDIVISION OF LOT "A" OF SADDLE TREE, P.B. 17, PG. 100 AS RECORDED IN PLAT BOOK 21, PAGE 69 AS RECORDED IN DOCUMENT NUMBER 20070927000683810 IN THE PROBATE RECORDS IN MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHEAST CORNER OF LOT 2 OF SAID HIGH MOUNTAIN ESTATES SEVENTH ADDITION, THENCE ALONG THE EAST BOUNDARY OF SAID LOT 2, NORTH 16 DEGREES 39 MINUTES 48 SECONDS WEST 59.49 FEET TO A POINT; THENCE SOUTH 61 DEGREES 18 MINUTES 26 SECONDS WEST 10.22 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 61 DEGREES 18 MINUTES 26 SECONDS WEST 310.68 FEET TO A POINT; THENCE NORTH 28 DEGREES 56 MINUTES 16 SECONDS WEST 10.00 FEET TO A POINT; THENCE NORTH 61 DEGREES 18 MINUTES 26 SECONDS EAST 312.85 FEET TO A POINT; THENCE SOUTH 16 DEGREES 39 MINUTES 48 SECONDS EAST 10.22 FEET TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES, MORE OR LESS.

TO HAVE AND TO HOLD UNTO THE SAID GRANTEES FOR AND DURING THEIR JOINT LIVES, AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE, AND TO THE HEIRS AND ASSIGNS OF SUCH SURVIVOR FOREVER, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION, all of Grantor's right, title, interest and claim in and to the above described real estate.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim deed to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 14th day of July, 2016.

ATTEST: **CITY OF HUNTSVILLE, ALABAMA,**
a municipal corporation

By: _____
Kenneth Benion, Clerk-Treasurer

By: _____
Tommy Battle, Mayor

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **TOMMY BATTLE** and **KENNETH BENION**, whose names as Mayor and Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA, a municipal corporation** are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 14th day of July, 2016.

Notary Public

My Commission Expires: _____

Pursuant to and in accordance with Section 40-22-1 of the *Code of Alabama (1975)*, the following information is offered in lieu of submitting Form RT-1:

Date of Sale: _____, 2016

Grantor's Address: 308 Fountain Circle, Huntsville, AL 35801

Grantee's Address: 4000 High Mountain Road, Huntsville, AL 35811

Property Address: Easement at 4000 High Mountain Road, Huntsville, AL 35811

Purchase Price: \$0 – Nominal for vacation of easement

THIS INSTRUMENT WAS PREPARED BASED UPON INFORMATION PROVIDED BY THE GRANTEE. NO TITLE EXAMINATION HAS BEEN PERFORMED BY THE PREPARER OF THIS DEED AND NO OPINION HAS BEEN EXPRESSED OR RENDERED WITH RESPECT TO THE TITLE OR LEGAL DESCRIPTION OF THE ABOVE DESCRIBED REAL PROPERTY.

This instrument was prepared by: JAMES G. HARRISON
HARRISON, GAMMONS & RAWLINSON, P.C.
2430 L&N Drive
Huntsville, AL 35801
256-533-7711

Ordinance No. 16-_____ (Cont.)
James R. Ledbetter and Ann M. Ledbetter

ADOPTED this the 14th day of July, 2016.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 14th day of July, 2016.

Mayor of the City of
Huntsville, Alabama