

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 right-of-way; that the applicant has represented to the City of Huntsville that **JWE PROPERTIES, LLC**, is the owner of the property across which said right-of-way lies; that said right-of-way, or portions being vacated, are not presently used and are 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 right-of-way hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA  
COUNTY OF MADISON

NO TITLE EXAMINATION HAS BEEN  
PERFORMED IN CONNECTION WITH  
THIS TRANSACTION

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF HUNTSVILLE, a municipal corporation, hereinafter referred to as the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by JWE PROPERTIES, LLC, hereinafter referred to as the Grantee, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantee all of its right, title, interest, and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the same unto the said Grantee, and to its successors and assigns, forever.

IN WITNESS WHEREOF, the City of Huntsville, Alabama, has caused this instrument to be duly executed by its Mayor and Clerk-Treasurer, pursuant to Resolution No: \_\_\_\_\_, as of this the 14~~th~~ day of July, 2016.

THE CITY OF HUNTSVILLE, ALABAMA,  
a municipal corporation

By: \_\_\_\_\_ (SEAL)  
Tommy Battle, Mayor

ATTEST:

\_\_\_\_\_  
Kenneth Benion, City Clerk-Treasurer

STATE OF ALABAMA  
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Tommy Battle and Kenneth Benion, whose names as Mayor and City Clerk-Treasurer, respectively, of the City of Huntsville, Alabama, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, Alabama, a municipal corporation.

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

\_\_\_\_\_  
NOTARY PUBLIC  
My Commission Expires: \_\_\_\_\_

THIS INSTRUMENT PREPARED BY:  
Samuel H. Givhan, Esq.  
Wilmer & Lee, PA  
100 Washington Street  
Huntsville, Alabama 35801

Exhibit "A"

STATE OF ALABAMA  
MADISON COUNTY

OCTOBER 8, 2015  
W.O. #15-278

VACATE A PART OF MCMULLEN ROAD

ALL THAT PART OF SECTIONS 7 AND 8, TOWNSHIP 4 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT LOCATED DUE NORTH 4176.20 FEET AND DUE WEST 3942.85 FEET FROM THE SOUTHEAST CORNER OF SAID SECTION 8;

THENCE FROM THE POINT OF BEGINNING SOUTH 57 DEGREES 57 MINUTES 12 SECONDS WEST, A DISTANCE OF 60.00 FEET TO A POINT ON THE ARC OF A CURVE TO THE LEFT HAVING A RADIUS OF 80.00 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 83.01 FEET (CHORD BEARING AND DISTANCE OF NORTH 61 DEGREES 46 MINUTES 21 SECONDS WEST, 79.34 FEET) TO A POINT;

THENCE SOUTH 88 DEGREES 30 MINUTES 06 SECONDS WEST, A DISTANCE OF 248.89 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 822.69 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 483.79 FEET (CHORD BEARING AND DISTANCE OF NORTH 74 DEGREES 39 MINUTES 07 SECONDS WEST, 476.84 FEET) TO A POINT;

THENCE NORTH 57 DEGREES 48 MINUTES 20 SECONDS WEST, A DISTANCE OF 520.43 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE RIGHT HAVING A RADIUS OF 156.16 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 154.36 FEET (CHORD BEARING AND DISTANCE OF NORTH 28 DEGREES 56 MINUTES 02 SECONDS WEST, 147.91 FEET) TO A POINT;

THENCE NORTH 00 DEGREES 03 MINUTES 44 SECONDS WEST, A DISTANCE OF 243.15 FEET TO A POINT;

THENCE NORTH 89 DEGREES 56 MINUTES 16 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT;

THENCE SOUTH 00 DEGREES 03 MINUTES 44 SECONDS EAST, A DISTANCE OF 243.15 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 93.16 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 93.89 FEET (CHORD BEARING AND DISTANCE OF SOUTH 28 DEGREES 56 MINUTES 02 SECONDS EAST, 89.97 FEET) TO A POINT;

THENCE SOUTH 57 DEGREES 48 MINUTES 20 SECONDS EAST, A DISTANCE OF 520.43 FEET TO THE POINT OF CURVATURE OF A CURVE TO THE LEFT HAVING A RADIUS OF 762.69 FEET;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 448.50 FEET (CHORD BEARING AND DISTANCE OF SOUTH 74 DEGREES 39 MINUTES 07 SECONDS EAST, 442.07 FEET) TO A POINT;

THENCE NORTH 88 DEGREES 30 MINUTES 06 SECONDS EAST, A DISTANCE OF 248.89 FEET TO A POINT;

THENCE ALONG THE ARC OF SAID CURVE A DISTANCE OF 145.27 FEET (CHORD BEARING AND DISTANCE OF SOUTH 61 DEGREES 46 MINUTES 21 SECONDS EAST, 138.84 FEET) TO THE POINT OF BEGINNING AND CONTAINING 2.36 ACRES MORE OR LESS.

Ordinance No. 16-\_\_\_\_\_ (Cont.)  
JWE Properties, LLC

**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