

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 portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Michael and Cheryl Kozlowski**, 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

QUIT CLAIM DEED

KNOW ALL MEN BY THESE PRESENT, that the undersigned **CITY OF HUNTSVILLE**, an Alabama Municipal corporation, hereinafter referred to as Grantor, in consideration of the sum of Ten Dollars (\$10.00) in hand paid by **Michael and Cheryl Kozlowski**, husband and wife, hereinafter referred to as Grantee, and other good and valuable considerations, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the Grantee, 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 13 OF LITTLE MOUNTAIN SUBDIVISION, PHASE II RESUBDIVISION OF LOTS 1 THRU 58 AS RECORDED IN DOCUMENT NUMBER 20100513000249310 IN THE PROBATE RECORDS IN MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCEING AT THE NORTHEAST CORNER OF SAID LOT 13 AND ALONG THE NORTH BOUNDARY OF LOT 13, NORTH 88 DEGREES 54 MINUTES 45 SECONDS WEST 25.54 FEET TO A POINT; THENCE LEAVING THE NORTH BOUNDARY OF LOT 13, SOUTH 01 DEGREES 05 MINUTES 15 SECONDS WEST 25.00 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 44 DEGREES 27 MINUTES 07 SECONDS EAST 4.96 FEET TO A POINT; THENCE NORTH 75 DEGREES 26 MINUTES 37 SECONDS EAST 8.37 FEET TO A POINT; THENCE NORTH 53 DEGREES 34 MINUTES 41 SECONDS EAST 5.79 FEET TO A POINT; THENCE SOUTH 85 DEGREES 15 MINUTES 48 SECONDS EAST 4.45 FEET TO A POINT; THENCE SOUTH 48 DEGREES 58 MINUTES 57 SECONDS EAST 1.01 FEET TO A POINT; THENCE SOUTH 20 DEGREES 16 MINUTES 20 SECONDS EAST 6.95 FEET TO A POINT; THENCE SOUTH 22 DEGREES 50 MINUTES 00 SECONDS WEST 8.18 FEET TO A POINT; THENCE SOUTH 00 DEGREES 44 MINUTES 56 SECONDS WEST 3.05 FEET TO A POINT; THENCE SOUTH 22 DEGREES 04 MINUTES 10 SECONDS EAST 15.45 FEET TO A POINT; THENCE SOUTH 17 DEGREES 26 MINUTES 45 SECONDS WEST 6.22 FEET TO A POINT; THENCE NORTH 20 DEGREES 16 MINUTES 20 SECONDS WEST 30.95 FEET TO A POINT; THENCE NORTH 88 DEGREES 54 MINUTES 45 SECONDS WEST 13.85 FEET TO THE POINT OF BEGINNING, CONTAINING 257.8 SQUARE FEET, MORE OR LESS.

TO HAVE AND TO HOLD unto the said grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, this the 11th day of August, 2016.

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation

BY: _____
TOMMY BATTLE, MAYOR

ATTEST:

BY: _____
KEN BENION
CLERK-TREASURER

**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 KEN BENION**, whose names as **MAYOR** and **CITY CLERK-TREASURER**, respectively, of **THE CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing document, and who are know 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 for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the 11th day of August, 2016.

Notary Public
My commission expires: _____

THIS INSTRUMENT PREPARED BY:
WOLFE, JONES, WOLFE,
HANCOCK & DANIEL, LLC
905 BOB WALLACE AVE.
HUNTSVILLE, ALABAMA 35801

Ordinance No. 16-_____ (Cont.)
Kozlowski, Michael and Cheryl

ADOPTED this the 11th day of August, 2016.

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

APPROVED this the 11th day of August, 2016.

Mayor of the City of
Huntsville, Alabama