

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 utility and drainage easements; that the applicants have represented to the City of Huntsville that **Robert Tanner, Amy Tanner, Jason Williams and Lindsay Williams**, are the owners of the property across which said easements lie; that said easements, 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 easements hereinafter described, said deed being substantially in words and figures as follows, to-wit:

ATTEST:

_____(SEAL)
Ken Benion, as Clerk-Treasurer of
The City of Huntsville, a municipal corporation
within the State of Alabama

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

Before me, the undersigned Notary Public in and for said county and State, hereby certify that Tommy Battle whose name as Mayor of the City of Huntsville, a municipal corporation within the State of Alabama, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date that , being duly informed of the contents of said conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, a municipal corporation within the State of Alabama on the day the same bears date.

GIVEN under my hand and official seal on this the ____ day of _____, 2016.

_____(SEAL)
Notary Public
My commission expires:_____

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

Before me, the undersigned Notary Public in and for said county and State, hereby certify that Ken Benion whose name as Clerk-Treasurer of the City of Huntsville, a municipal corporation within the State of Alabama, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date that , being duly informed of the contents of said conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, a municipal corporation within the State of Alabama on the day the same bears date.

GIVEN under my hand and official seal on this the ____ day of _____, 2016.

_____(SEAL)
Notary Public
My commission expires:_____

Prepared by:
Richard Chesnut
Huntsville, Al. 35801
256-604-8466

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

QUITCLAIM DEED

THIS QUITCLAIM DEED is made and entered into on this the _____ day of _____, 2016, by and between **THE CITY OF HUNTSVILLE, a municipal corporation within the State of Alabama**, as Grantor, and **JASON WILLIAMS and LINDSAY WILLIAMS as joint tenants with the right of survivorship in and to a one half (1/2) undivided interest and ROBERT TANNER and AMY TANNER as joint tenants with right of survivorship in and to a one half (1/2) undivided interest** in the real property described herein as Grantees.

WITNESSETH:

That for and in consideration of the sum of Ten and no/00 (\$10.00) Dollars, and other good and valuable considerations to the Grantor in hand paid by the Grantees, the receipt of which is hereby acknowledged, the Grantor has this day remised, released, quitclaimed conveyed and confirmed and does by these presents remise, quitclaim and convey and confirm unto the Grantees, the undivided fractional interest as set forth above, **FOR AND DURING THEIR JOINT LIVES AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM FOREVER, IN FEE SIMPLE, AND TO THE HEIRS AND ASSIGNS OF SUCH SURVIVOR FOREVER, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION,** the following described property, lying and being in the County of Madison, State of Alabama, to-wit:

All that part of Lot 9 according to the record plat of Clearwater Phase IV as recorded in document number 20060222000109160 in the Office of the Judge of Probate, Madison County, Alabama. Particularly described as commencing at the Southwest corner of said Lot 9, said point is further described as being the most Northerly corner of said Lot 10 and on the right of way margin of Shortline Circle; Thence along the boundary line between said Lot 9 and 10, South 64 degrees 16 minutes 42 seconds East 10.00 feet to the Point of Beginning; Thence from the Point of Beginning, along a curve to the left, having a radius of 60.00 feet, a chord bearing and distance of North 23 degrees 20 minutes 01 second East 5.00 feet; Thence South 64 degrees 16 minutes 42 seconds East 109.57 feet; Thence South 00 degrees 38 minutes 07 seconds West 5.52 feet; Thence North 64 degrees 16 minutes 42 seconds West 111.70 feet to the Point of Beginning and containing 553.0 square feet, more or less.

The purpose of this description is to vacate the northeasterly 5.00 feet of an existing 10.00 foot utility and drainage easement.

To have and to hold to the said Grantees, the undivided fractional interest set forth above **FOR AND DURING THEIR JOINT LIVES AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM FOREVER, IN FEE SIMPLE, AND TO THE HEIRS AND ASSIGNS OF SUCH SURVIVOR FOREVER, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION** all pof the Grantor's right, title, interest, claim and demand in and to the above described parcel of real property.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals on this the day and year first above written.

THE CITY OF HUNTSVILLE,
A municipal corporation
within the State of Alabama

By: _____ (SEAL)
Tommy Battle, as its Mayor

ATTEST:

_____(SEAL)
Ken Benion, as Clerk-Treasurer of
The City of Huntsville, a municipal corporation
within the State of Alabama

STATE OF ALABAMA)
 :
COUNTY OF MADISON)

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GIVEN under my hand and official seal on this the ____ day of _____, 2016.

_____(SEAL)
Notary Public
My commission expires:_____

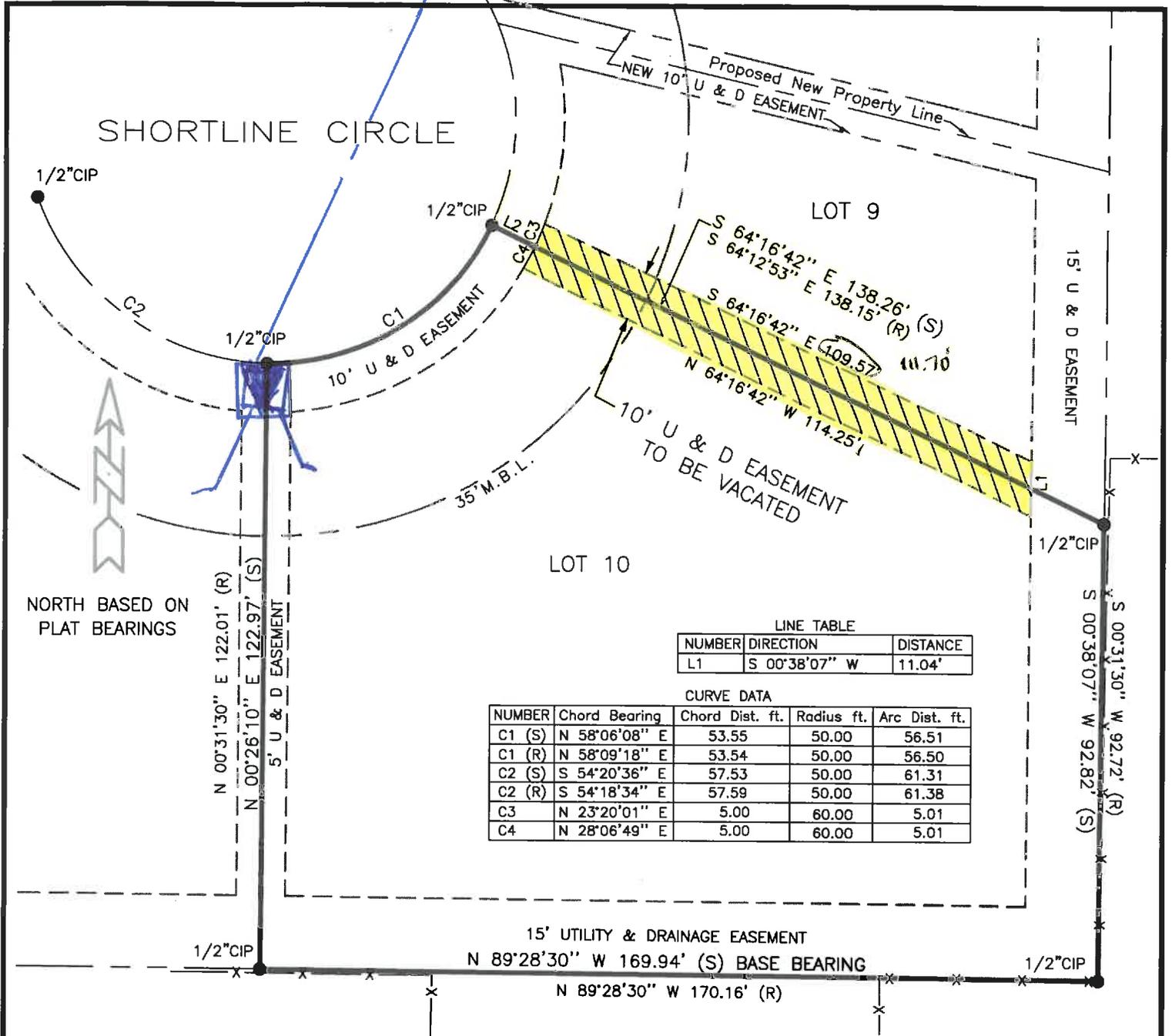
STATE OF ALABAMA)
 :
COUNTY OF MADISON)

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GIVEN under my hand and official seal on this the ____ day of _____, 2016.

_____(SEAL)
Notary Public
My commission expires:_____

Prepared by:
Richard Chesnut
Huntsville, Al. 35801
256-604-8466



NORTH BASED ON PLAT BEARINGS

LINE TABLE

NUMBER	DIRECTION	DISTANCE
L1	S 00°38'07" W	11.04'

CURVE DATA

NUMBER	Chord Bearing	Chord Dist. ft.	Radius ft.	Arc Dist. ft.
C1 (S)	N 58°06'08" E	53.55	50.00	56.51
C1 (R)	N 58°09'18" E	53.54	50.00	56.50
C2 (S)	S 54°20'36" E	57.53	50.00	61.31
C2 (R)	S 54°18'34" E	57.59	50.00	61.38
C3	N 23°20'01" E	5.00	60.00	5.01
C4	N 28°06'49" E	5.00	60.00	5.01

LEGEND

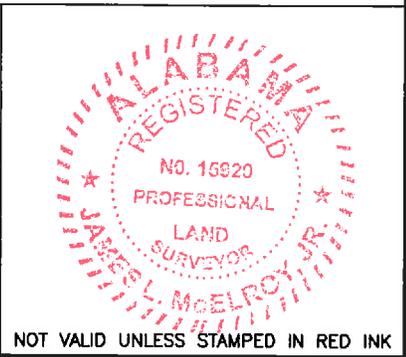
- IRON PIN FOUND (AS NOTED)
- CIP CAPPED IRON PIN (REBAR)
- (S) SURVEYED MEASUREMENT
- (R) ACCORDING TO RECORD
- X — FENCE

I, JAMES L. McELROY, JR., HEREBY STATE THAT THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

James L. McElroy, Jr.
 JAMES L. McELROY, JR.
 AL LLS NO 15920

SPECIAL PURPOSE SURVEY FOR:
 ROBERT TANNER
 4721 SHORTLINE CIRCLE
 OWENS CROSS ROADS, ALABAMA 35763

EASEMENT VACATION
 LOT 10
 CLEARWATER PHASE IV
 DOCUMENT No.20060222000109160
 MADISON COUNTY, ALABAMA



McELROY
 LAND SURVEYING CO., INC.
 2227 DRAKE AVE., BLDG. 10-D
 HUNTSVILLE, ALABAMA 35805
 PHONE: (256) 881-4004 FAX: (256) 881-4007

DRAWN BY: JLM	APPROVED BY: J.L.M.
SCALE: 1"=30'	SHEET 1 OF 1
DATE: 9-20-10	DRAWING NUMBER: 10-388
FIELD WORK COMPLETED: 9-15-10	

NOT VALID UNLESS STAMPED IN RED INK

Ordinance No. 16-_____ (Cont.)
Tanner/Williams

ADOPTED this the 22nd day of September, 2016.

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

APPROVED this the 22nd day of September, 2016.

Mayor of the City of
Huntsville, Alabama