

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 easement; that the applicant has represented to the City of Huntsville that **MJP INVESTMENTS, LLC**, is the owner 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

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 Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by MJP INVESTMENTS, LLC, an Alabama limited liability company, hereinafter referred to as 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 Limestone, State of Alabama, to-wit:

**That certain 10' Utility and Drainage Easement running parallel and adjacent to the eastern lot line (with 5' on each side) of Lot 5 Chase Farm at Greenbrier, Phase 3, recorded in Plat Book H, Page 80, in the Probate Records of Limestone County, Alabama.**

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 13th day of October, 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 is 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, municipal corporation.

Given under my hand and official seal this 13th day of October, 2016.

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

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

Ordinance No. 16-\_\_\_\_\_ (Cont.)  
MJP INVESTMENTS, LLC

ADOPTED this the 13th day of October, 2016.

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

APPROVED this the 13th day of October, 2016.

\_\_\_\_\_  
Mayor of the City of  
Huntsville, Alabama