

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 **F.C.A. PROPERTIES, INC.**, 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

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 **F.C.A. PROPERTIES, INC.**, a Delaware corporation, 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:

Commencing at the northeast corner of Lot 10 of West Park Subdivision as recorded in Plat Book 17 Page 66 of the Probate Records of Madison County, Alabama. Thence North 66 Degrees 55 Minutes 05 Seconds East 5.36 feet to a point on the north line of Lot 9 of West Park Subdivision as recorded in Plat Book 17 Page 66; Thence South 44 Degrees 05 Minutes 44 Seconds East 8.03 feet to the True Point of Beginning.

Thence from the True Point of Beginning South 44 Degrees 05 Minutes 44 Seconds East 380.34 feet to a point; Thence South 45 Degrees 53 Minutes 27 Seconds West 10.00 feet to a point; Thence North 44 Degrees 05 Minutes 44 Seconds West 382.79 feet to a point; Thence North 45 Degrees 48 Minutes 10 Seconds East 5.00 feet to a point on the boundary line between Lot 10 and Lot 9 of West Park Subdivision as recorded in Plat Book 17 Page 66; Thence North 72 Degrees 03 Seconds 20 Minutes East 5.57 feet to the True Point of Beginning and containing 3,821 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 13th day of October, 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 13th day of Oct., 2016.

Notary Public
My commission expires: _____

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

Ordinance No. 16-_____ (Cont.)
F.C.A. PROPERTIES, INC.

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