

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 applicants have represented to the City of Huntsville that **Benjamin J. Howard and wife, Kara Howard**, 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)

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by **BENJAMIN J. HOWARD and wife, KARA HOWARD**, hereinafter referred to as "Grantees", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim and convey unto the said Grantees, 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 7, BLOCK 1, ACCORDING TO THE PLAT OF SURVEY OF COVEMONT ESTATES AS RECORDED IN PLAT BOOK 1, PAGE 319, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 7; THENCE ALONG THE WEST BOUNDARY LINE OF SAID LOT 7, NORTH 00 DEGREES 15 MINUTES 00 SECONDS EAST 5.09 FEET; THENCE LEAVING SAID WEST BOUNDARY LINE, SOUTH 78 DEGREES 45 MINUTES 41 SECONDS EAST 9.14 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.
THENCE FROM THE POINT OF BEGINNING, NORTH 11 DEGREES 14 MINUTES 19 SECONDS EAST 23.67 FEET; THENCE SOUTH 78 DEGREES 45 MINUTES 41 SECONDS EAST 1.54 FEET TO A POINT THAT IS 15.00 FEET AS MEASURED AT RIGHT ANGLES TO THE WEST BOUNDARY LINE OF SAID LOT 7; THENCE SOUTH 00 DEGREES 15 MINUTES 00 SECONDS WEST, PARALLEL TO SAID WEST BOUNDARY LINE, 24.11 FEET TO A POINT THAT IS 5.00 FEET AS MEASURED AT RIGHT ANGLES TO THE SOUTH BOUNDARY LINE OF SAID LOT 7; THENCE NORTH 78 DEGREES 45 MINUTES 41 SECONDS WEST, PARALLEL TO SAID SOUTH BOUNDARY LINE, 6.15 FEET TO THE POINT OF BEGINNING AND CONTAINING 91 SQUARE FEET, MORE OR LESS.

TO HAVE AND TO HOLD unto the said Grantees, their heirs and assigns forever.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 3rd day of November, 2016.

ATTEST:

CITY OF HUNTSVILLE, ALABAMA,
a municipal corporation

By: _____
Kenneth Benion, Clerk-Treasurer

By: _____
Tommy Battle, Mayor

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 KENNETH BENION**, whose names as Mayor and Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation are signed to the foregoing instrument, and who are known 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 voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 3rd day of November, 2016.

Notary Public
My Commission Expires: _____

Ordinance No. 16-_____ (Cont.)
Howard, Benjamin J. and Kara

ADOPTED this the 3rd day of November, 2016.

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

APPROVED this the 3rd day of November, 2016.

Mayor of the City of
Huntsville, Alabama