

ORDINANCE NO. 13-\_\_\_\_\_

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 utility and drainage easement; that the applicant has represented to the City of Huntsville that Jerry Mullins, 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     )

**QUITCLAIM DEED**

**KNOW ALL MEN BY THESE PRESENTS**, 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 **Jerry L. Mullins, a married man**, 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 2 OF A RESUBDIVISION OF LOT 2 & PART OF LOT 3, BLOCK 4, GWYN HOME SITES ADDITION AS RECORDED IN PLAT BOOK 1, PAGE 128, AS RECORDED IN DOCUMENT NUMBER 20120816000516600, PROBATE RECORDS, MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF SAID LOT 2; THENCE ALONG THE WESTERLY RIGHT OF WAY MARGIN OF ALABAMA STREET, NORTH 28 DEGREES 16 MINUTES 34 SECONDS WEST 5.00 FEET; THENCE SOUTH 61 DEGREES 43 MINUTES 26 SECONDS WEST 10.00 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

THENCE FROM THE POINT OF BEGINNING, SOUTH 28 DEGREES 16 MINUTES 34 SECONDS EAST 1.00 FOOT; THENCE SOUTH 61 DEGREES 40 MINUTES 41 SECONDS WEST 130.05 FEET; THENCE NORTH 28 DEGREES 18 MINUTES 18 SECONDS WEST 1.00 FOOT; THENCE NORTH 61 DEGREES 40 MINUTES 41 SECONDS EAST 130.05 FEET TO THE POINT OF BEGINNING.

**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 \_\_\_\_\_ day of \_\_\_\_\_, 2013.

**CITY OF HUNTSVILLE, ALABAMA,**  
a municipal corporation

By: \_\_\_\_\_  
Tommy Battle, Mayor

**ATTEST:**

By: \_\_\_\_\_  
Charles E. Hagood  
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 Charles E. Hagood, 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 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 for and as the act of said corporation on the day the same bears day.

GIVEN under my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

\_\_\_\_\_  
Notary Public

**THIS INSTRUMENT PREPARED BY:**  
McElroy Land Surveying Co., Inc.  
2227 Drake Avenue, Bldg. 10-D  
Huntsville, AL 35805

Ordinance No. 13-\_\_\_\_\_ (Cont.)  
Mullens

ADOPTED this the 11th day of April, 2013.

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

APPROVED this the 11th day of April, 2013.

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