

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 McLain Properties, 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)

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 **McLain Commercial Properties, LLC an Alabama limited liability company**, 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 1-A OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE INDUSTRIAL PARK - A RESUBDIVISION OF LOT 1, BOB WALLACE BUSINESS PARK, RESUBDIVISION OF LOT 1, AS RECORDED IN PLAT BOOK 32, PAGE 60, PROBATE RECORDS, MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 1-A; THENCE ALONG THE WESTERLY BOUNDARY OF SAID LOT 1-A, SOUTH 00 DEGREES 33 MINUTES 54 SECONDS EAST 257.44 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

THENCE FROM THE POINT OF BEGINNING, NORTH 89 DEGREES 26 MINUTES 06 SECONDS EAST 15.00 FEET; THENCE SOUTH 00 DEGREES 33 MINUTES 54 SECONDS EAST 241.46 FEET; THENCE NORTH 89 DEGREES 26 MINUTES 06 SECONDS EAST 50.17 FEET; THENCE SOUTH 00 DEGREES 33 MINUTES 54 SECONDS EAST 15.00 FEET; THENCE SOUTH 89 DEGREES 26 MINUTES 06 SECONDS WEST 65.17 FEET; THENCE NORTH 00 DEGREES 33 MINUTES 54 SECONDS WEST 256.46 FEET TO THE POINT OF BEGINNING.

ALSO: ALL THAT PART OF LOT 1-A OF A RESUBDIVISION OF LOT 1 OF BOB WALLACE INDUSTRIAL PARK - A RESUBDIVISION OF LOT 1, BOB WALLACE BUSINESS PARK, RESUBDIVISION OF LOT 1, AS RECORDED IN PLAT BOOK 32, PAGE 60, PROBATE RECORDS, MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF SAID LOT 1-A; THENCE ALONG THE NORTHERLY BOUNDARY OF SAID LOT 1-A AND THE SOUTHERLY RIGHT OF WAY MARGIN OF TENTH AVENUE, SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 225.27 FEET TO THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL.

THENCE FROM THE POINT OF BEGINNING, SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 5.00 FEET; THENCE SOUTH 90 DEGREES 00 MINUTES 00 SECONDS WEST 192.50 FEET; THENCE NORTH 00 DEGREES 00 MINUTES 00 SECONDS EAST 5.00 FEET; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST 192.50 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.,)
McLain Properties, LLC

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