

**RESOLUTION NO. 20-\_\_\_\_\_**

**BE IT RESOLVED** by the City Council of the City of Huntsville, within the State of Alabama, as follows:

1. That Hylis, Inc., is the sole landowner abutting the property hereinafter described, made application for the vacation of a portion of that certain Right-of-Way more particularly described as follows (the "Right-of-Way" or the "Property"):

**See Exhibit "A" attached hereto and incorporated herein.**

2. That notice of the vacation of the Right-of-Way has been given as required by Section 23-4-1 *et seq.* of the Code of Alabama, 1975, as amended, and a public hearing held for purposes of allowing public comments on the proposed vacation before the City Council.

3. That after vacation of the designated portion of Right-of-Way and all public rights therein, convenient and reasonable means of ingress and egress to and from the respective property will be afforded to all property owners owning property in or near the Right-of-Way by the remaining streets, avenues, and highways.

4. That in the judgment and opinion of the City Council of the City of Huntsville that it is in the public interest and necessary and expedient that the City vacate the designated portion of Right-of-Way and that the vacation of the designated portion of Right-of-Way is in the best interests of the citizens of the City in that same will contribute to the health and general welfare of the citizens of the City of Huntsville, Alabama.

5. That the filing of the resolution with the Judge of Probate of Madison County, Alabama, shall operate as a declaration of the City's vacation of that portion of the Right-of-Way as described herein and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the Right-of-Way. Title and all public rights shall vest in the abutting landowner, Hylis, Inc.

6. That notice of this resolution shall be published in *The Huntsville Times* no later than fourteen (14) days from the date hereof.

**NOW THEREFORE**, be it resolved by the City Council of the City of Huntsville that they do hereby assent to the said vacation of the herein described portion of Right-of-Way and that the above described Property be and the same is hereby vacated and annulled and all public rights therein divested of the Property, with the City of Huntsville retaining a public utility and drainage easement over, across and under subject property.

**ADOPTED** this the 11th day of June, 2020.

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President of the City Council  
City of Huntsville, Alabama

**APPROVED** this the 11th day of June, 2020.

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TOMMY BATTLE  
Mayor of the City of Huntsville, Alabama

## EXHIBIT A

STATE OF ALABAMA  
COUNTY OF MADISON

A PART OF THE NORTHWEST QUARTER OF SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS COMMENCING AT A CAPPED REBAR AT THE SOUTHEAST CORNER OF LOT 4 OF HAYSLAND ESTATES FOURTH ADDITION AS RECORDED IN PLAT BOOK 5, PAGE 29 IN THE PROBATE OFFICE OF MADISON COUNTY ALABAMA. THEN NORTH 87 DEGREES 49 MINUTES 18 SECONDS WEST, 237.17 FEET TO A POINT. THEN SOUTH 01 DEGREE 31 MINUTES 35 SECONDS WEST, 908.11 FEET TO A POINT ON THE NORTHERN MARGIN OF A 150.00 FEET WIDE CITY OF HUNTSVILLE RIGHT OF WAY AS DESCRIBED IN DEED BOOK 959, PAGE 708 IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA, THE POINT OF BEGINNING.

THEN FROM THE POINT OF BEGINNING AND ALONG SAID MARGIN SOUTH 88 DEGREES 27 MINUTES 25 SECONDS EAST A DISTANCE OF 792.95 FEET TO A POINT ON THE WESTERN MARGIN OF THE RIGHT OF WAY OF MEMORIAL PARKWAY;

THEN ALONG SAID MARGIN SOUTH 28 DEGREES 07 MINUTES 31 SECONDS WEST A DISTANCE OF 3.90 FEET TO A POINT;

THEN CONTINUE ALONG SAID MARGIN SOUTH 62 DEGREES 20 MINUTES 53 SECONDS WEST A DISTANCE OF 41.98 FEET TO A CONCRETE MONUMENT ON THE NORTHERN MARGIN OF THE RIGHT OF WAY OF WEATHERLY ROAD;

THEN ALONG SAID MARGIN NORTH 86 DEGREES 34 MINUTES 39 SECONDS WEST A DISTANCE OF 44.43 FEET TO A POINT;

THENCE CONTINUE ALONG SAID MARGIN AND ALONG THE ARC OF A CURVE TO THE LEFT WHICH HAS A RADIUS OF 3238.15 FEET AND A DELTA ANGLE OF 03 DEGREES 40 MINUTES 30 SECONDS, A DISTANCE OF 207.70 FEET (A CHORD BEARING AND DISTANCE OF NORTH 88 DEGREES 36 MINUTES 46 SECONDS WEST, 207.66 FEET) TO A CONCRETE MONUMENT;

THEN CONTINUE ALONG SAID MARGIN SOUTH 89 DEGREES 35 MINUTES 48 SECONDS WEST A DISTANCE OF 95.31 FEET TO A CONCRETE MONUMENT;

THEN CONTINUE ALONG SAID MARGIN NORTH 89 DEGREES 18 MINUTES 40 SECONDS WEST A DISTANCE OF 119.51 FEET TO A CONCRETE MONUMENT;

THEN CONTINUE ALONG SAID MARGIN SOUTH 00 DEGREES 22 MINUTES 32 SECONDS EAST A DISTANCE OF 2.59 FEET TO A CONCRETE MONUMENT;

THEN CONTINUE ALONG SAID MARGIN NORTH 89 DEGREES 58 MINUTES 26 SECONDS WEST A DISTANCE OF 287.91 FEET TO A POINT;

THEN LEAVING SAID MARGIN NORTH 01 DEGREES 31 MINUTES 35 SECONDS EAST A DISTANCE OF 38.30 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.50 ACRES MORE OR LESS.