

**ORDINANCE NO. 20-\_\_\_\_\_**

**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 the vacation of a utility and drainage easement; that the applicants have represented to the City of Huntsville that **John V. Foreman and wife, Sara E. Foreman**, are the owners of the property across which said easement lies; that said easement, or the 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 for and in consideration of the sum of TEN (\$10.00) DOLLARS, in hand paid to the undersigned **City of Huntsville, an Alabama municipal corporation**, hereinafter called Party of the First Part, the receipt whereof is hereby acknowledged, the undersigned does hereby release, quitclaim, grant, sell and convey to **John V. Foreman and Sara E. Foreman, husband and wife**, hereinafter called Parties of the Second Part, FOR AND DURING THEIR JOINT LIVES AND UPON THE DEATH OF EITHER OF THEM, THEN TO THE SURVIVOR OF THEM IN FEE SIMPLE, TOGETHER WITH EVERY CONTINGENT REMAINDER AND RIGHT OF REVERSION all of the Party of the First Part's rights, title, interest, and claim in or to the following described real estate, situated in Madison County, Alabama, to-wit:

A STRIP OF LAND LOCATED IN THE NORTHEAST QUARTER OF SECTION 4, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUTY, ALABAMA, BEING THE SAME PROPERTY DESIGNATED FOR UTILITES AND/OR DRAINAGE ALONG THE PROPERTY LINE BETWEEN LOTS 6 AND 7 BLOCK 3 OF BUCK'S CANYON SUBDIVISION SIXTH ADDITION AS RECORDED IN PLAT BOOK 16 PAGE 49 AT THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT A FOUND 5/8 INCH REBAR AT THE NORTHWEST CORNER OF SAID LOT 7 BLOCK 3 OF BUCK'S CANYON SUBDIVISION SIXTH ADDITION; THENCE, ALONG THE SOUTH RIGHT-OF-WAY MARGIN OF BOX CANYON ROAD, NORTH 87 DEGREES 40 MINUTES 05 SECONDS EAST FOR 94.89 FEET TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY MARGIN, SOUTH 2 DEGREES 27 MINUTES 28 SECONDS EAST FOR 5.00 FEET TO A POINT ON THE SOUTH SIDE OF A 5.00 FEET WIDE UTILITY AND DRAINAGE EASEMENT ALONG AND PARALLEL TO THE SOUTH RIGHT-OF-WAY MARGIN OF SAID BOX CANYON ROAD; SAID POINT BEING THE TRUE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY AND DRAINAGE EASEMENT;

THENCE, NORTH 87 DEGREES 40 MINUTES 05 SECONDS EAST FOR 5.00 FEET TO A POINT ON THE LOT LINE BETWEEN SAID LOTS 6 AND 7; THENCE NORTH 87 DEGREES 37 MINUTES 30 SECONDS EAST FOR 5.00 FEET TO A POINT; THENCE, PARALLEL TO SAID LOT LINE, SOUTH 2 DEGREES 27 MINUTES 28 SECONDS EAST FOR 168.72 FEET TO A POINT ON THE NORTH SIDE OF A 15.00 FEET WIDE UTILITY AND DRAINAGE EASEMENT ALONG THE SOUTH SIDE OF SAID LOT 6; THENCE, WITH SAID EASEMENT LINE, NORTH 84 DEGREES 25 MINUTES 57 SECONDS WEST FOR 5.05 FEET TO THE LOT LINE BETWEEN SAID LOTS 6 AND 7; THENCE NORTH 84 DEGREES 15 MINUTES 12 SECONDS WEST FOR 5.05 FEET TO A POINT; THENCE, PARALLEL TO THE LOT LINE BETWEEN SAID LOTS 6 AND 7, NORTH 2 DEGREES 27 MINUTES 28 SECONDS WEST FOR 167.31 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.04 ACRES OR 1680.2 SQ/FT, MORE OR LESS.

SUBJECT TO COVENANTS, CONDITIONS, RESTRICTIONS, AND EASEMENTS OF RECORD.

NO TITLE SEARCH AND OR OPINION WAS REQEUSTED, NOR WAS A TITLE SEARCH AND/OR OPINION RENDERED.

TO HAVE AND TO HOLD the above-described lot or parcel of land together with all and singular the rights, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the Parties of the Second Part.

Given under my hand and seal this 11th day of June, 2020.

City of Huntsville, an Alabama Municipal Corporation

BY: \_\_\_\_\_  
Tommy Battle, Mayor

STATE OF ALABAMA        )

COUNTY OF MADISON        )

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Tommy Battle, whose name, as MAYOR of said City of Huntsville, an Alabama municipal corporation, is signed to the foregoing conveyance, who is known to me, acknowledged before me on this day that, being informed of the contents of said conveyance, he, as such officer and with full authority executed the same on the day the same bears date, for and as the act of said corporation.

Given under my hand and seal this 11th day of June, 2020.

My Commission Expires:

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

(SEAL)

Grantor's name and address:

City of Huntsville, an Alabama Municipal Corporation  
308 Fountain Cir SW  
Huntsville, AL 35801

Grantee's name and address:

John V. Foreman and Sara E. Foreman  
10315 Melanie Drive  
Huntsville, AL 35803

Property address:

3034 and 3036 Box Canyon Rd  
Huntsville, AL 35803

Date of Sale:

\_\_\_\_\_

This Instrument Prepared by:

Alan P. Judge, Attorney at Law  
3315 Memorial Pkwy, Bldg 600, Ste. B1  
Huntsville, AL 35801

**Ordinance No. 20-\_\_\_\_\_ (Cont.)**

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

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

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

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Mayor of the City of  
Huntsville, Alabama