

ORDINANCE NO. 17-_____

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 **David A. Chan**, is the owner 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 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) and other good and valuable consideration, in hand paid to it by **DAVID A. CHAN**, hereinafter referred to as "Grantee", the receipt and sufficiency whereof is hereby acknowledged, does hereby REMISE, RELEASE, QUITCLAIM AND CONVEY unto the said 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 SECTION 7, TOWNSHIP 4 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 9, BLOCK 1 OF WOODMONT SUBDIVISION AS RECORDED IN PLAT BOOK 3, PAGE 202 IN THE PROBATE RECORDS OF SAID MADISON COUNTY; THENCE SOUTH 46 DEGREES 36 MINUTES 22 SECONDS WEST 50.00 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, SOUTH 46 DEGREES 41 MINUTES 01 SECONDS EAST 5.00 FEET TO A POINT; THENCE SOUTH 42 DEGREES 36 MINUTES 22 SECONDS WEST 147.63 FEET TO A POINT; THENCE AROUND A CURVE TO THE LEFT, HAVING A RADIUS OF 255.98 FEET AND A CHORD BEARING AND CHORD DISTANCE OF NORTH 47 DEGREES 25 MINUTES 29 SECONDS WEST 10.0 FEET TO A POINT; THENCE NORTH 42 DEGREES 36 MINUTES 22 SECONDS EAST 147.77 FEET TO A POINT; THENCE SOUTH 46 DEGREES 31 MINUTES 24 SECONDS EAST 5.00 FEET TO THE POINT OF BEGINNING, CONTAINING 0.03 ACRES (315.40 SQ. FT.), MORE OR LESS.

TO HAVE AND TO HOLD UNTO THE SAID GRANTEE, all of Grantor's right, title, interest and claim in and to the above described real estate.

IN WITNESS WHEREOF, the Grantor has caused this quitclaim deed to be signed in its behalf by its Mayor and attested by its Clerk-Treasurer, on this the 14th day of ~~Septemb~~ Sept 2017.

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 14th day of Sept., 2017.

Notary Public
My Commission Expires: _____

Pursuant to and in accordance with Section 40-22-1 of the *Code of Alabama (1975)*, the following information is offered in lieu of submitting Form RT-1:

Date of Sale: August ____, 2017

Grantor's Address: 308 Fountain Circle, Huntsville, AL 35801

Grantee's Address: 3015 Barcode Road SE, Huntsville, AL 35802

Property Address: Easement at 3013 Barcode Road SE, Huntsville, AL 35802

Purchase Price: \$0 – Nominal for vacation of easement

THIS INSTRUMENT WAS PREPARED BASED UPON INFORMATION PROVIDED BY THE GRANTEE. NO TITLE EXAMINATION HAS BEEN PERFORMED BY THE PREPARER OF THIS DEED AND NO OPINION HAS BEEN EXPRESSED OR RENDERED WITH RESPECT TO THE TITLE OR LEGAL DESCRIPTION OF THE ABOVE DESCRIBED REAL PROPERTY.

This instrument was prepared by: ANDREA GULLION
HARRISON, GAMMONS & RAWLINSON, P.C.
2430 L&N Drive
Huntsville, AL 35801
256-533-7711

Ordinance No. 17-_____ (Cont.)

ADOPTED this the 14th day of September, 2017.

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

APPROVED this the 14th day of September, 2017.

Mayor of the City of
Huntsville, Alabama