

RESOLUTION NO. 24-355

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

1. That 113 Oakwood, LLC, and Rishi and Tilak, LLC, are the sole landowners abutting the property hereinafter described, made application for the vacation 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 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 Right-of-Way and that the vacation of the designated 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.

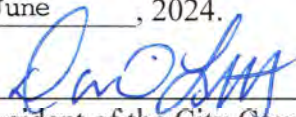
5. That the filing of the resolution with the Judge of Probate of Madison County, Alabama, shall operate as a declaration of the City's vacation of the Right-of-Way as described herein and shall divest all public rights and liabilities, including any rights which may have been acquired by prescription, in that part of the Right-of-Way. Title and all public rights shall vest in the abutting landowners, 113 Oakwood, LLC, and Rishi and Tilak, LLC.

6. That notice of this resolution shall be published in The Speakin' Out News 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 Right-of-Way and that the above described Property be and is converted to public Utility and Drainage Easement, and the same is hereby vacated and annulled and all public rights therein divested of the Property.

RESOLUTION NO. 24-355 (Cont'd)

ADOPTED this the 27th day of June, 2024.



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

APPROVED this the 27th day of June, 2024.



Mayor of the City of Huntsville,
Alabama

EXHIBIT A

Legal Description of Right-of-Way

STATE OF ALABAMA COUNTY OF MADISON

WEST HALF:

All that part of the Southwest Quarter of Section 25, Township 3 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, being the West Half of an Alleyway easement to be vacated, said Alleyway is located along the West Boundary Line of Lot 16 thru 24, Block 2, Kildare Subdivision of McCormick Estates and along the East Boundary Line of part of Lot 25, Block 2, Kildare Subdivision of McCormick Estates as shown by map or plat of said addition, on file and of record in Plat Book 1, Page 164, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama, more particularly described as:

Commencing at a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at Southeast corner of Lot 16, Block 2, Kildare Subdivision of McCormick Estates, said corner is also located on the West margin of an 80 foot right-of-way for Meridian Street, thence leaving said West margin of a 80 foot right-of-way for Meridian Street, North 69 degrees 42 minutes 16 seconds West a distance of 100.00' feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at the Southwest Corner of said Lot 16, Block 2, Kildare Subdivision of McCormick Estates, thence North 69 degrees 42 minutes 16 seconds West a distance of 5.66 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at the Center Line of an Alleyway easement, and the Point Of Beginning.

Thence from the Point Of Beginning continue North 69 degrees 42 minutes 16 seconds West a distance of 5.66 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set on the East Boundary Line of Lot 25, Block 2, Kildare Subdivision of McCormick Estates, said point is also located North 20 degrees 17 minutes 44 seconds East a distance of 65.49 feet from a 1 inch hollow pipe stamped found at the Southeast Corner of said Lot 25, Block 2, Kildare Subdivision of McCormick Estates, thence along said East Boundary Line of Lot 25, Block 2, Kildare Subdivision of McCormick Estates, North 20 degrees 17 minutes 44 seconds East a distance of 161.91 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set on the South margin of an 80 foot right-of-way for Oakwood Avenue, thence along said South margin of an 80 foot right-of-way for Oakwood Avenue, South 88 degrees 33 minutes 01 seconds East a distance of 5.98 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at the Center Line of an Alleyway easement, thence along said Center Line of said Alleyway easement, South 20 degrees 17 minutes 44 seconds West a distance of 163.84 feet to The Point Of Beginning. Containing 921.5 square feet more or less and being a part of an Alleyway located in Block 2 of Kildare Subdivision of McCormick Estates as shown by map or plat of said addition, on file and of record in Plat Book 1, Page 164, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama.

SUBJECT TO all Right of Ways and any easements recorded or unrecord.

GRANTOR hereby EXCEPTS AND RESERVES an Easement for the purpose of a Utility and Drainage Easement in, on, over and under the entirety of the above described property, including but not limited to the existing storm structures and drainage features.

EAST HALF:

All that part of the Southwest Quarter of Section 25, Township 3 South, Range 1 West of the Huntsville Meridian, Madison County, Alabama, being the East Half of an Alleyway easement to be vacated, said Alleyway is located along the West Boundary Line of Lot 16 thru 24, Block 2, Kildare Subdivision of McCormick Estates and along the East Boundary Line of part of Lot 25, Block 2, Kildare Subdivision of McCormick Estates as shown by map or plat of said addition, on file and of record in Plat Book 1, Page 164, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama, more particularly described as:

Commencing at a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at Southeast corner of Lot 16, Block 2, Kildare Subdivision of McCormick Estates, said corner is also located on the West margin of an 80 foot right-of-way for Meridian Street, thence leaving said West margin of a 80 foot right-of-way for Meridian Street, North 69 degrees 42 minutes 16 seconds West a distance of 100.00' feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at the Southwest Corner of said Lot 16, Block 2, Kildare Subdivision of McCormick Estates and the Point Of Beginning.

Thence from the Point Of Beginning continue North 69 degrees 42 minutes 16 seconds West a distance of 5.66 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set at the Center Line of an Alleyway easement, thence along said Center Line of said Alleyway easement, North 20 degrees 17 minutes 44 seconds East a distance of 163.84 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set on the South margin of an 80 foot right-of-way for Oakwood Avenue, thence along said South margin of an 80 foot right-of-way for Oakwood Avenue, South 88 degrees 33 minutes 01 seconds East a distance of 5.98 feet to a 5/8 inch capped rebar stamped (HLSS INC CA0670LS) set on the West Boundary Line of Lot 24, Block 2, Kildare Subdivision of McCormick Estates, thence along Lot 24, 23, 22, 21, 20, 19, 18, 17, and 16 Kildare Subdivision of McCormick Estates, South 20 degrees 17 minutes 44 seconds West a distance of 165.77 feet to The Point Of Beginning. Containing 932.6 square feet more or less and being a part of an Alleyway located in Block 2 of Kildare Subdivision of McCormick Estates as shown by map or plat of said addition, on file and of record in Plat Book 1, Page 164, in the Office of the Judge of Probate of Madison County, Alabama, situated, lying and being in Madison County, Alabama.

SUBJECT TO all Right of Ways and any easements recorded or unrecord.

GRANTOR hereby EXCEPTS AND RESERVES an Easement for the purpose of a Utility and Drainage Easement in, on, over and under the entirety of the above described property, including but not limited to the existing storm structures and drainage features.