

RESOLUTION NO. 24-791

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

1. That HABITAT FOR HUMANITY OF MADISON COUNTY, is the sole landowner abutting the property hereinafter described, made application for the vacation of that certain Utility and Drainage Easements and Right-of-Way more particularly described as follows (the "Utility and Drainage Easements and Right-of-Way" or the "Property"):

See Exhibit "A" attached hereto and incorporated herein.

2. That notice of the vacation of the Utility and Drainage Easements and 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 Utility and Drainage Easements and 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 Utility and Drainage Easements and 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 Utility and Drainage Easements and Right-of-Way and that the vacation of the designated Utility and Drainage Easements and 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 Utility and Drainage Easements and 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 Utility and Drainage Easements and Right-of-Way. Title and all public rights shall vest in the abutting landowners, Habitat for Humanity of Madison County.

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 Utility and Drainage Easements and Right-of-Way and the same is hereby vacated and annulled and all public rights therein divested of the Property.

RESOLUTION NO. 24-791 (Cont'd)

ADOPTED this the 21st day of November, 2024.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 21st day of November, 2024.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

EXHIBIT A

Legal Description of Right-of-Way

STATE OF ALABAMA COUNTY OF MADISON

RIGHT OF WAY LOCATED BETWEEN TRACT 1 & 2 OF THE FINAL PLAT OF MUNDY MEADOWS – PHASE 2 AS RECORDED IN PLAT BOOK 2023 PAGE 218 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA THAT IS LOCATED IN THE NORTHEAST QUARTER OF SECTION 24, TOWNSHIP 3 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF TRACT 2 OF SAID PLAT, THENCE NORTH 04 DEGREES 52 MINUTES 24 SECONDS WEST 50.64 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING AND ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 88 DEGREES 34 MINUTES 49 SECONDS, HAVING A RADIUS OF 25.00 FEET, AND HAVING A CHORD BEARING NORTH 43 DEGREES 44 MINUTES 35 SECONDS WEST FOR A DISTANCE OF 34.91 FEET TO A POINT; THENCE, NORTH 88 DEGREES 15 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 65.28 FEET TO A POINT; THENCE, ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 90 DEGREES 00 MINUTES 00 SECONDS, HAVING A RADIUS OF 50.00 FEET, AND HAVING A CHORD BEARING NORTH 43 DEGREES 15 MINUTES 31 SECONDS WEST FOR A DISTANCE OF 70.71 FEET TO A POINT; THENCE, SOUTH 88 DEGREES 15 MINUTES 31 SECONDS EAST FOR A DISTANCE OF 113.84 FEET TO A POINT; THENCE, ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 90 DEGREES 46 MINUTES 12 SECONDS, HAVING A RADIUS OF 25.00 FEET, AND HAVING A CHORD BEARING NORTH 46 DEGREES 21 MINUTES 23 SECONDS EAST FOR A DISTANCE OF 35.59 FEET TO A POINT; THENCE SOUTH 00 DEGREES 58 MINUTES 17 SECONDS WEST A DISTANCE OF 99.82 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.12 ACRES (5280 SQUARE FEET) MORE OR LESS.