ORDINANCE NO. 23-665

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 applicant has represented to the City of Huntsville that **Poiema Developing**, **LLC**, 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

VACATION OF EASEMENT/QUITCLAIM DEED

COUNTY OF MADISON

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Five Hundred and 00/100 Dollars (\$500.00), the amount of which can be verified by the agreement of the parties and other good and valuable considerations, the receipt of which is hereby acknowledged, City of Huntsville, an Alabama Municipal Corporation, having an address of 308 Fountain Circle, Huntsville AL 35801(hereinafter referred to as Grantor) does hereby vacate the herein described easement, and further remise, release, quitclaim and convey unto Poiema Developing, LLC, whose address is 3827 Eastern Shore Drive, Owens Cross Roads AL 35763 (hereinafter referred to as Grantee), all its right, title, interest and claim in and to the following described real estate situated in MADISON County, State of Alabama, the address of which is 0 Knotty Walls Road, Owens Cross Roads, AL 35763, to wit:

SEE ATTACHED EXHIBIT "A"

This instrument is vacating portions of the easement recorded in Madison County, Alabama, Probate records Book 466, Page 259, more particularly described as follows:

An easement 10 feet in width, 5 feet on each side of the center line of a power line, and anchor rights as per installed anchors on the property recorded in Book 428 page 273, Madison County Records, Madison County, Alabama. All that part of the Southeast quarter of Section 14, Township 5, South, Range 1 East of the Huntsville Meridian, Madison County, Alabama.

Said easement is further described as:

All that part of Section 14 and Section 23, Township 5 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama and more particularly described as commencing at the center of the south boundary of said Section 14; Thence North 01 Degrees 00 Minutes 00 Seconds East, for a distance of 188.99 feet to a 5/8 inch rebar found approximately 4 feet North of the North edge of Knotty Walls Road, (Tie Point is from Deed and not field verified); Thence North 13 Degrees 31 Minutes 20 Seconds East for a distance of 43.89 feet to the Point of Beginning.

Said easement is 10 feet wide, 5 feet on each of the following centerline calls:

Thence from the Point of Beginning, North 00 Degrees 26 Minutes 22 Seconds East for a distance of 532.51 feet to a Point; Thence North 77 Degrees 15 Minutes 38 Seconds East, for a distance of 736.14 feet to a Point;

The portions of the easement to be vacated are described in attached EXHIBIT "A".

This instrument does not vacate any easements, rights of way granted, conveyed or set out on the plat recorded at Book 2023, Page 228, seen in Madison County, Alabama, Probate records, said plat being the final plat of Sequoyah Cove Phase 1A.

Source of Title: Madison County, Alabama, Probate records Book 466, Page 259.

No title opinion requested none rendered.

TO HAVE AND TO HOLD the parcel of land above described, together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining unto the said Grantee, its successors and assigns.

IN WITNESS WHEREOF, the said Grantor has hereunto set its hand and seal on this the 24th day of August, 2023.

Signatures and notary on the following page.

This Instrument prepared by:
Joseph T. Conwell, III
Joseph T. Conwell, III, P.C.
4245 Balmoral Dr. SW, Ste. 303,
Huntsville AL 35801

Battle, whose named as Mayor of City of Hun signed to the foregoing conveyance and who is kn	
NOTARL SON	•

STATE OF ALABAMA COUNTY OF

MADISON

By: Tommy Battle
Its: Mayor

City of Huntsville, an Alabama Municipal Corporation (Seal)

EXHIBIT "A"

EASEMENT AREA PERTAINING TO LOT 8 SEQUOYAH COVE - PHASE IA

ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE I EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 494.88 FEET TO A POINT; THENCE NORTH 46 DEGREES 26 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 7.05 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 50.00 FEET TO A POINT; THENCE SOUTH 88 DEGREES 20 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 2.17 FEET TO A POINT; THENCE SOUTH 00 DEGREES 26 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 50.01 FEET TO A POINT; THENCE NORTH 88 DEGREES 20 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 2.88 FEET TO THE POINT OF BEGINNING AND CONTAINING 141 SQUARE FEET, MORE OR LESS

EASEMENT AREA PERTAINING TO LOT 9 SEOUOYAH COVE - PHASE IA

ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE I EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 46 DEGREES 26 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 7.05 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 21.45 FEET TO A POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 114.86 FEET TO A POINT; THENCE SOUTH 88 DEGREES 20 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 16.13 FEET TO A POINT; THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 6.18 FEET TO A POINT; THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 129.52 FEET TO A POINT; THENCE SOUTH 00 DEGREES 26 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 11.63 FEET TO A POINT; THENCE NORTH 88 DEGREES 20 MINUTES 58 SECONDS WEST FOR A DISTANCE OF 2.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,304 SQUARE FEET, MORE OR LESS.

EASEMENT AREA PERTAINING TO LOT 20 SEQUOYAH COVE - PHASE IA

ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE I EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 73 DEGREES 22 MINUTES 32 SECONDS EAST FOR A DISTANCE OF 212.95 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 39 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 129.05 FEET TO A POINT; THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 129.05 FEET TO THE POINT OF BEGINNING AND CONTAINING 1,290 SQUARE FEET, MORE OR LESS

EASEMENT AREA PERTAINING TO TRACT A SEQUOYAH COVE - PHASE IA

ALLTHATPART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE I EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 74 DEGREES 52 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 346.97 FEET TO THE POINT OF BEGINNING.

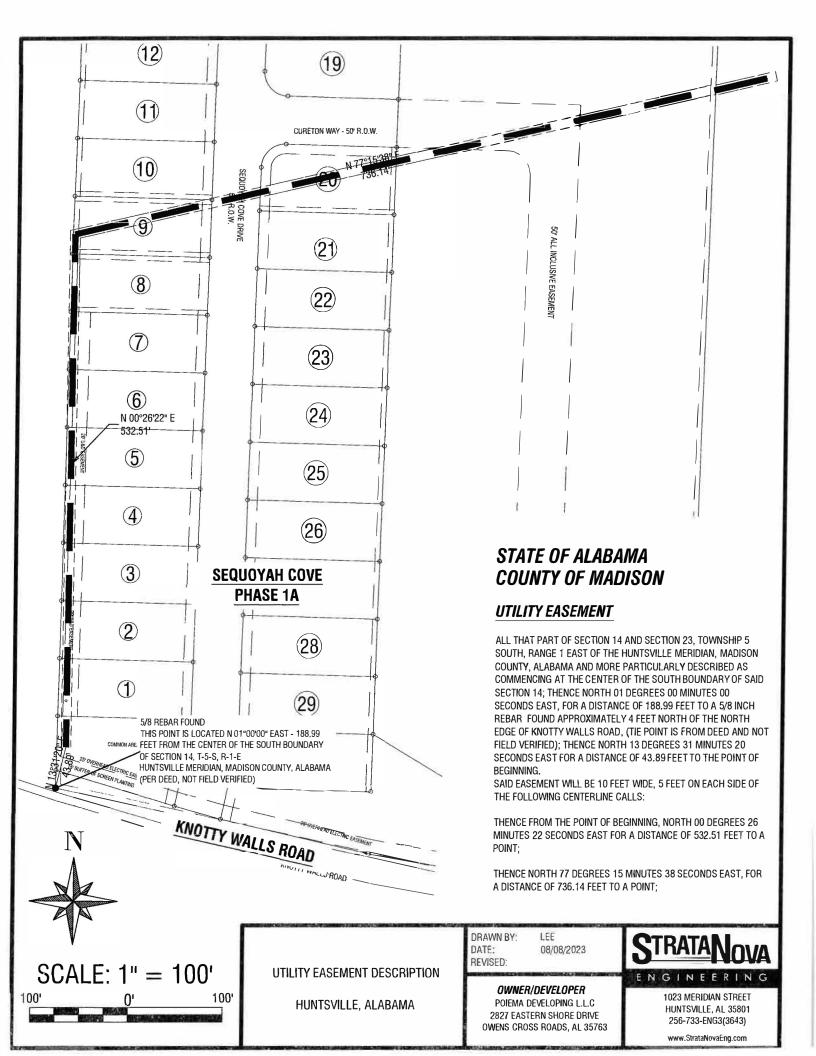
THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 39 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 38.42 FEET TO A POINT; THENCE SOUTH 88 DEGREES 20 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 40.24 FEET TO A POINT; THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 79.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 592 SQUARE FEET, MORE OR LESS

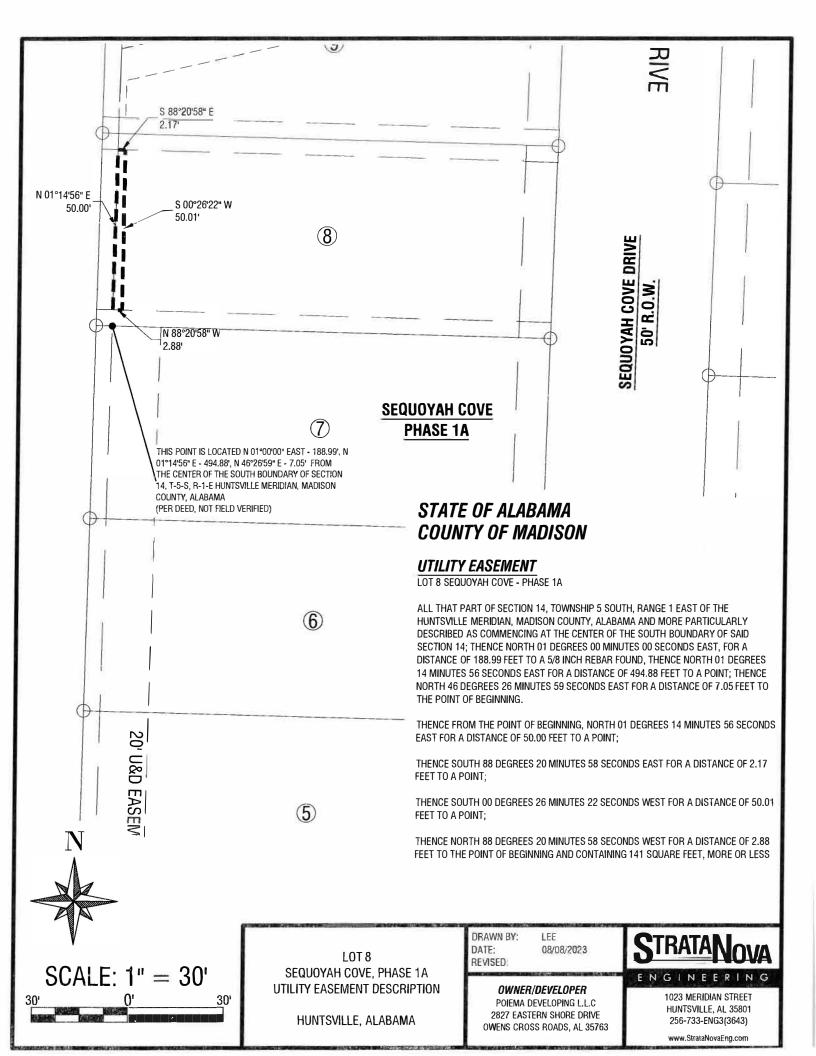
AND ALSO

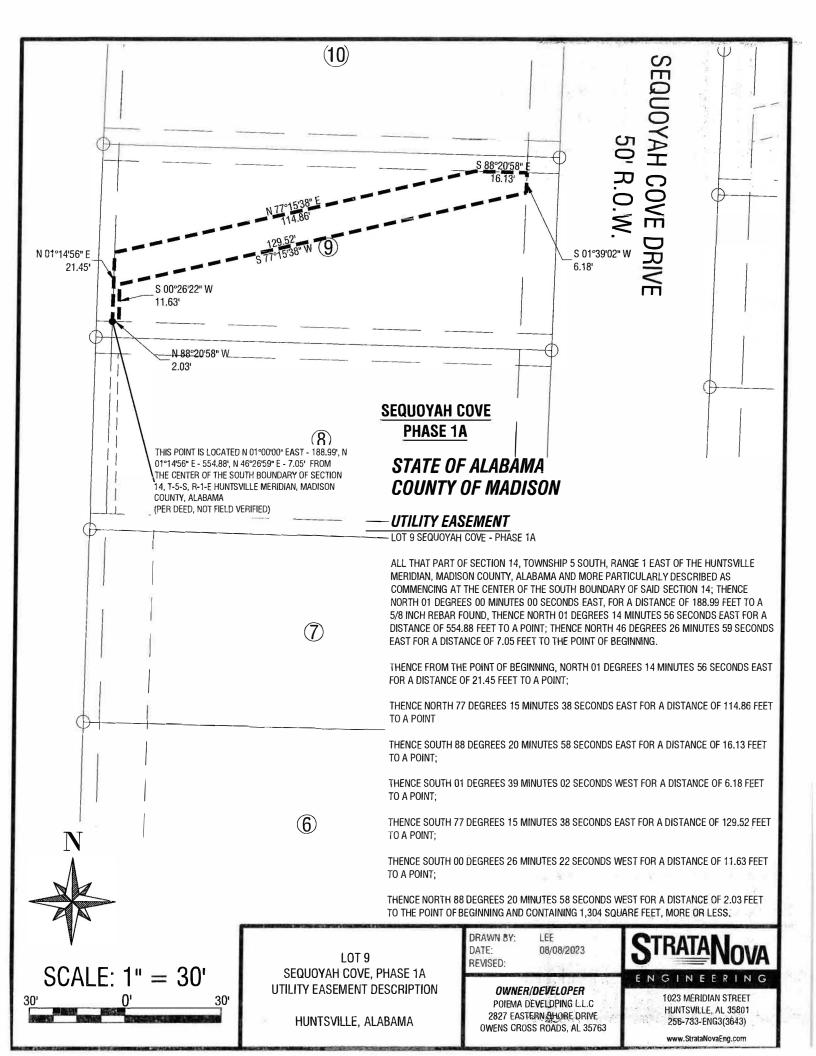
ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE I EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 75 DEGREES 44 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 543.01 FEET TO THE POINT OF BEGINNING.

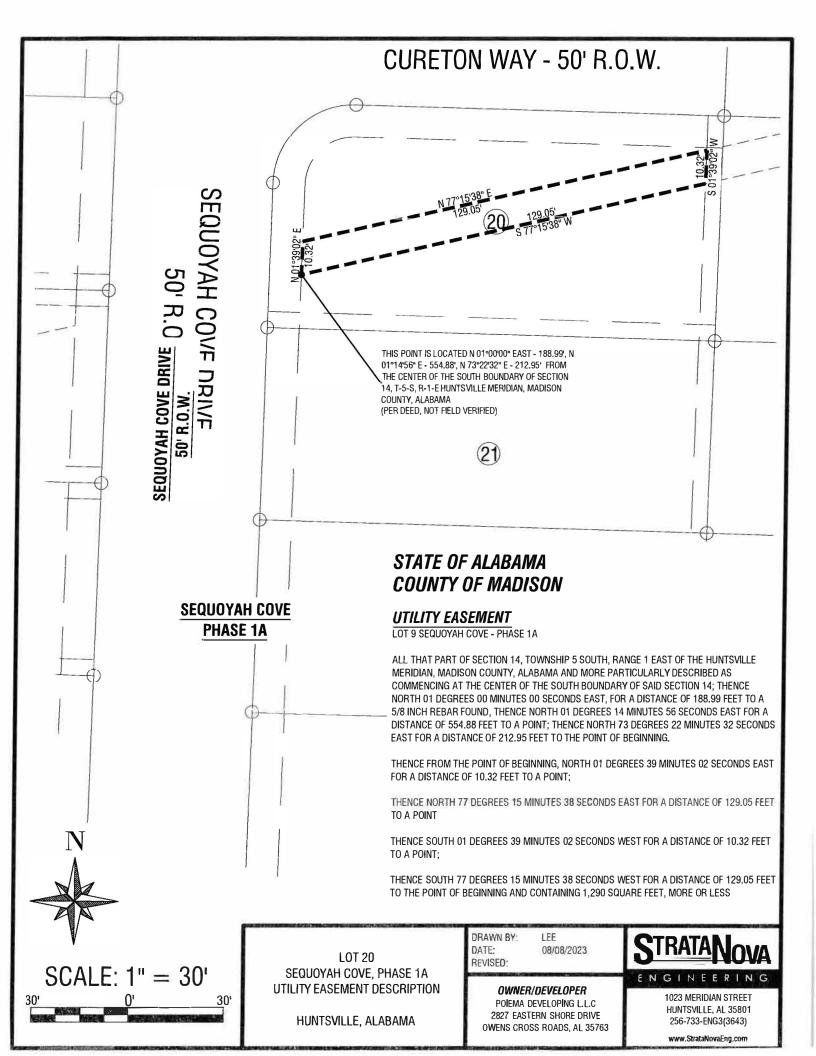
THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 39 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 10.32 FEET TO A

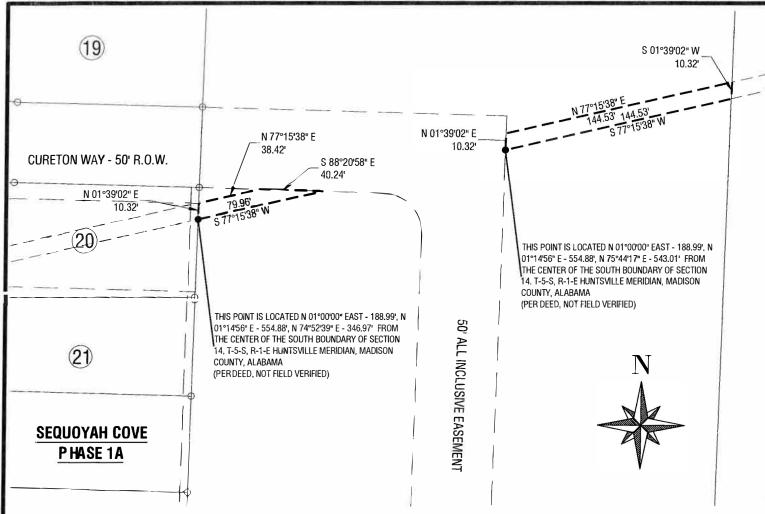
POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 144.53 FEET TO A POINT: THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 144.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 1445 SQUARE FEET, MORE OR LESS.











STATE OF ALABAMA COUNTY OF MADISON

UTILITY EASEMENT

TRACT A SEQUOYAH COVE - PHASE 1A

ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 74 DEGREES 52 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 346.97 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 39 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 10.32 FEET TO A POINT;

THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 38.42 FEET TO A POINT

THENCE SOUTH 88 DEGREES 20 MINUTES 58 SECONDS EAST FOR A DISTANCE OF 40.24 FEET TO A POINT;

THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 79.96 FEET TO THE POINT OF BEGINNING AND CONTAINING 592 SQUARE FEET, MORE OR LESS

STATE OF ALABAMA COUNTY OF MADISON

UTILITY EASEMENT

TRACT A SEQUOYAH COVE - PHASE 1A

ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 01 DEGREES 14 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 554.88 FEET TO A POINT; THENCE NORTH 75 DEGREES 44 MINUTES 17 SECONDS EAST FOR A DISTANCE OF 543.01 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, NORTH 01 DEGREES 39 MINUTES 02 SECONDS EAST FOR A DISTANCE OF 10.32 FEET TO A POINT:

THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 144.53 FEET TO A POINT

THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.32 FEET TO A POINT;

THENCE SOUTH 77 DEGREES 15 MINUTES 38 SECONDS WEST FOR A DISTANCE OF 144.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 1445 SQUARE FEET, MORE OR LESS

SCALE: 1" = 60'
60' 0' 60'

TRACT A
SEQUOYAH COVE, PHASE 1A
UTILITY EASEMENT DESCRIPTION

HUNTSVILLE, ALABAMA

DRAWN BY: DATE: REVISED:

LEE 08/08/2023

OWNER/DEVELOPER

POIEMA DEVELOPING L.L.C 2827 EASTERN SHORE DRIVE OWENS CROSS ROADS, AL 35763



ENGINEERING

1023 MERIDIAN STREET HUNTSVILLE, AL 35801 256-733-ENG3(3643)

www.StrataNovaEng.com

ORDINANCE NO. 23-665 (Cont.)

ADOPTED this the <u>24th</u> day of <u>August</u>, 2023.

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

APPROVED this the <u>24th</u> day of <u>August</u>, 2023.

Mayor of the City of Huntsville,

Alabama