

ORDINANCE NO. 23-629 continued from page 10

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they, as Mayor and City Clerk, respectively, and with full authority, executed the same voluntarily for and as the act of the City of Huntsville.

Given under my hand and official seal this 10th day of August, 2023.



Signature of Notary Public, Jackie Ochoa-Rogers.

NOTARY PUBLIC MY COMMISSION EXPIRES 01-05-2027 My Commission Expires:

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they, as Mayor and City Clerk, respectively, and with full authority, executed the same voluntarily for and as the act of the City of Huntsville.

Given under my hand and official seal this 10th day of August, 2023.



Signature of Notary Public, Jackie Ochoa-Rogers.

NOTARY PUBLIC MY COMMISSION EXPIRES 01-05-2027 My Commission Expires:

ORDINANCE NO. 23-631

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 RPI Two - PB South, 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:

PREPARED BY: Brian P. Cain, Esq. Holt Ney Zatzoff & Wasserman, LLP 100 Galleria Parkway, Suite 1800 Atlanta, GA 30339 (770) 956-9600

STATE OF ALABAMA COUNTY OF MADISON

QUITCLAIM RELEASE DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten and no/100 (\$10.00) and other good and valuable consideration, the CITY OF HUNTSVILLE, an Alabama municipal corporation, ("Grantor"), in hand paid by RPI TWO - PB SOUTH, LLC, a Alabama limited liability company ("Grantee"), the receipt whereof is hereby acknowledged, Grantor does hereby remise, release, quitclaim and convey unto the said Grantee all of its right, title, interest, and claim in and to the real estate situated in the County of Madison, State of Alabama and being more particularly described in Exhibit "A" attached hereto and incorporated herein and being depicted in Exhibit "B" attached hereto and incorporated herein ("Property"), to-wit:

TO HAVE AND TO HOLD the same unto the said Grantee, and to its heirs, successors and assigns, so that neither Grantor, nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described Property.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed by its Mayor and City Clerk, pursuant to Ordinance No. 23-631, as of this 10th day of August, 2023.

CITY OF HUNTSVILLE, an Alabama municipal corporation

By: Tommy Battle, Mayor

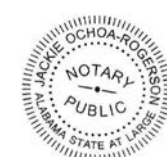
ATTEST:

By: S. Edwards, Shaundrika Edwards, City Clerk

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 1/8/2023)

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they, as Mayor and City Clerk, respectively, and with full authority, executed the same voluntarily for and as the act of the City of Huntsville.

Given under my hand and official seal this 10th day of August, 2023.



Signature of Notary Public, Jackie Ochoa-Rogers.

NOTARY PUBLIC MY COMMISSION EXPIRES 01-05-2027 My Commission Expires:

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 2/8/2023)

EXHIBIT "A"

(Easement No. 2 [Lot 3] being Vacated)

STATE OF ALABAMA MADISON COUNTY

PART OF AN EASEMENT LOCATED IN SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

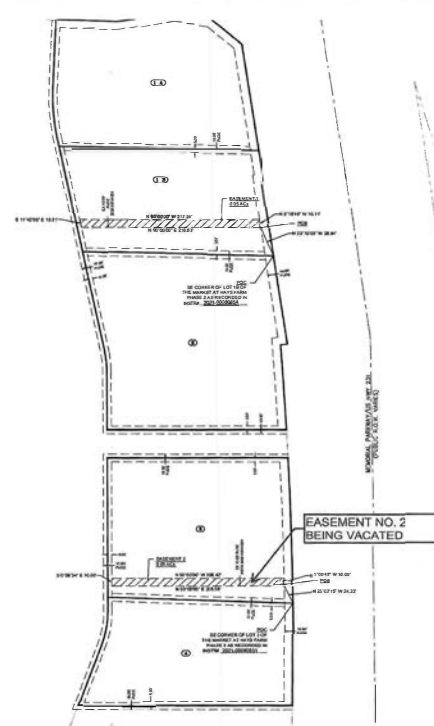
COMMENCING AT THE SOUTHEAST CORNER OF LOT 3 THE FINAL PLAT OF THE MARKET AT HAYS FARM PHASE 3 AS RECORDED IN INSTRUMENT NUMBER 2021-00080851 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, THENCE NORTH 25 DEGREES 07 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 24.32 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 208.58 FEET TO A POINT; THENCE, NORTH 00 DEGREES 06 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 208.42 FEET TO A POINT; THENCE, SOUTH 01 DEGREES 00 MINUTES 45 SECONDS EAST A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.05 ACRES (2085 SQUARE FEET) MORE OR LESS.

EXHIBIT B (Plat of Easement being Released) (2 pages attached)

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 4/8/2023)



Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 5/8/2023)



Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 6/8/2023)

Legal document page for Ordinance 23-631, including sections 1 and 2, and a prepared by block.

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 2 on Lot 3 (Doc. No. 2020-0004624 - Branch_Hays Farm/pg. 8/8/2023)

ORDINANCE NO. 23-631 (Cont.)

ADOPTED this the 10th day of August, 2023.

Signature of John Murrill, President of the City Council of the City of Huntsville, Alabama.

APPROVED this the 10th day of August, 2023.

Signature of Tommy Battle, Mayor of the City of Huntsville, Alabama.

ORDINANCE NO. 23-629 (Cont.)

ADOPTED this the 10th day of August, 2023.

Signature of John Murrill, President of the City Council of the City of Huntsville, Alabama.

APPROVED this the 10th day of August, 2023.

Signature of Tommy Battle, Mayor of the City of Huntsville, Alabama.

ORDINANCE NO. 23-630

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 Branch Hays Farm OP Associates, LP, 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:

PREPARED BY: Brian P. Cain, Esq. Holt Ney Zatzoff & Wasserman, LLP 100 Galleria Parkway, Suite 1800 Atlanta, GA 30339 (770) 956-9600

STATE OF ALABAMA COUNTY OF MADISON

QUITCLAIM RELEASE DEED OF EASEMENT

KNOW ALL MEN BY THESE PRESENTS, that in consideration of Ten and no/100 (\$10.00) and other good and valuable consideration, the CITY OF HUNTSVILLE, an Alabama municipal corporation, ("Grantor"), in hand paid by BRANCH HAYS FARM OP ASSOCIATES, LP, a Delaware limited partnership ("Grantee"), the receipt whereof is hereby acknowledged, Grantor does hereby remise, release, quitclaim and convey unto the said Grantee all of its right, title, interest, and claim in and to the real estate situated in the County of Madison, State of Alabama and being more particularly described in Exhibit "A" attached hereto and incorporated herein and being depicted in Exhibit "B" attached hereto and incorporated herein ("Property"), to-wit:

TO HAVE AND TO HOLD the same unto the said Grantee, and to its heirs, successors and assigns, so that neither Grantor, nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described Property.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed by its Mayor and City Clerk, pursuant to Ordinance No. 23-630, as of this 10th day of August, 2023.

CITY OF HUNTSVILLE, an Alabama municipal corporation

By: Tommy Battle, Mayor

ATTEST:

By: S. Edwards, Shaundrika Edwards, City Clerk

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 1/8/2023

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 2/8/2023

EXHIBIT "A"

(Easement No. 1 [Lot 1B] being Vacated)

EASEMENT 1

STATE OF ALABAMA MADISON COUNTY

PART OF AN EASEMENT LOCATED IN SECTION 31, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBES AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 1B THE FINAL PLAT OF THE MARKET AT HAYS FARM PHASE 2 AS RECORDED IN INSTRUMENT NUMBER 2021-00080854 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, THENCE NORTH 23 DEGREES 15 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 38.84 FEET TO THE POINT OF BEGINNING;

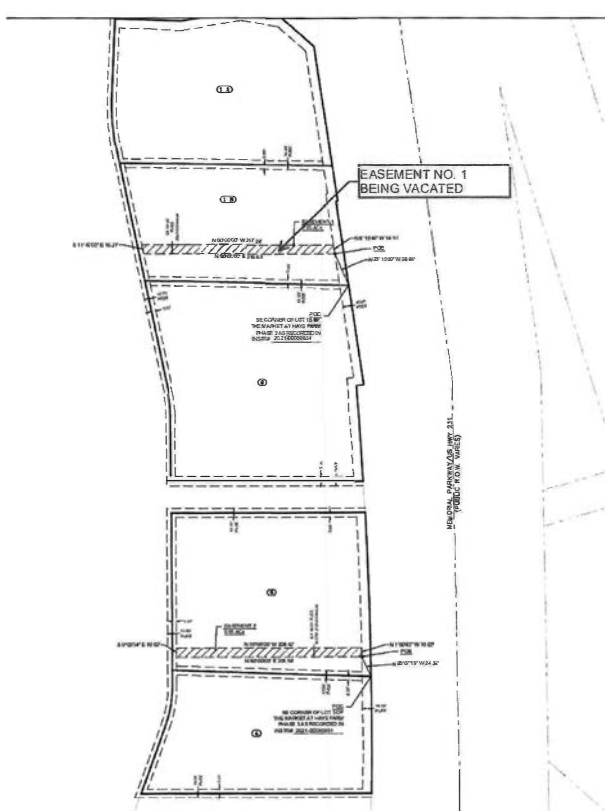
THENCE, FROM THE POINT OF BEGINNING, NORTH 90 DEGREES 00 MINUTES 00 SECONDS WEST FOR A DISTANCE OF 216.63 FEET TO A POINT; THENCE, NORTH 11 DEGREES 42 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 10.21 FEET TO A POINT; THENCE, NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 217.24 FEET TO A POINT; THENCE, SOUTH 08 DEGREES 19 MINUTES 46 SECONDS EAST A DISTANCE OF 10.11 FEET TO THE POINT OF BEGINNING;

CONTAINING 0.05 ACRES (2169 SQUARE FEET) MORE OR LESS.

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 3/8/2023

EXHIBIT B (Plat of Easement being Released) (2 pages attached)

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 4/8/2023



Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 5/8/2023

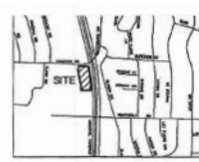


Table with columns for LEGEND, ABBREVIATIONS, and LEGEND. It defines symbols for easement lines, subject property lines, and various survey points.

Legal document page for Ordinance 23-630, including sections 1 and 2, and a prepared by block.

Branch-Hays Farm/Quitclaim Deed to Vacate Easement No. 1 on Lot 1B - Branch_Hays Farm/pg. 6/8/2023

ORDINANCE NO. 23-630 (Cont.)

ADOPTED this the 10th day of August, 2023.

Signature of John Murrill, President of the City Council of the City of Huntsville, Alabama.

APPROVED this the 10th day of August, 2023.

Signature of Tommy Battle, Mayor of the City of Huntsville, Alabama.