

ORDINANCE NO. 23-664

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 Anselm 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
COUNTY OF MADISON
VACATION OF EASEMENT/QUITCLAIM DEED

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 Poima 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, 4245 Balmorel Dr. SW, Ste. 303, Huntsville AL 35801

City of Huntsville, an Alabama Municipal Corporation on this 24th day of August, 2023. By: Tommy Battle, Its: Mayor

STATE OF ALABAMA COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Tommy Battle, whose name as Mayor of City of Huntsville, an Alabama Municipal Corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date that, being informed of the contents of this conveyance, he, as such officer, executed the same voluntarily, as the act of said entity, on the day the same bears date.

Given under my hand and official seal this the 24th day of August, 2023.



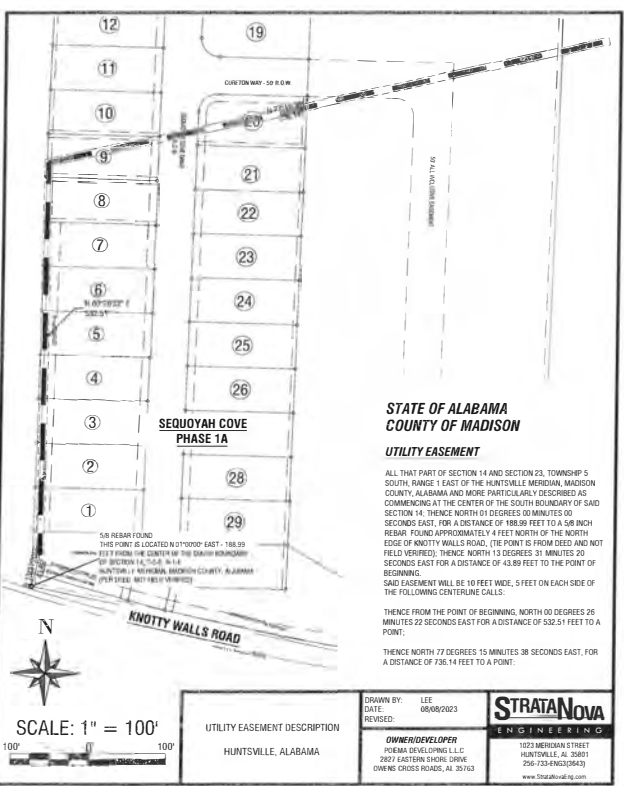
Notary Public My Commission Expires: 01-05-2027

EXHIBIT "A"

EASEMENT AREA PERTAINING TO TRACT 2 SEQUOYAH COVE - ZONING PLAT

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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 642 SQUARE FEET, MORE OR LESS.



STATE OF ALABAMA COUNTY OF MADISON UTILITY EASEMENT

TRACT 2 SEQUOYAH COVE - ZONING PLAT 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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 642 SQUARE FEET, MORE OR LESS.

TRACT 2 SEQUOYAH COVE - ZONING PLAT UTILITY EASEMENT DESCRIPTION HUNTSVILLE, ALABAMA

ORDINANCE NO. 23-664 (Cont.) ADOPTED this the 24th day of August, 2023.

John McCreath, President of the City Council of the City of Huntsville, Alabama. APPROVED this the 24th day of August, 2023.

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

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 Poima 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 COUNTY OF MADISON VACATION OF EASEMENT/QUITCLAIM DEED

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 Poima 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, 4245 Balmorel Dr. SW, Ste. 303, Huntsville AL 35801

City of Huntsville, an Alabama Municipal Corporation on this 24th day of August, 2023. By: Tommy Battle, Its: Mayor

STATE OF ALABAMA COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said county and state, hereby certify that Tommy Battle, whose name as Mayor of City of Huntsville, an Alabama Municipal Corporation, is signed to the foregoing conveyance and who is known to me, acknowledged before me on this date that, being informed of the contents of this conveyance, he, as such officer, executed the same voluntarily, as the act of said entity, on the day the same bears date.

Given under my hand and official seal this the 24th day of August, 2023.



Notary Public My Commission Expires: 01-05-2027

EXHIBIT "A"

EASEMENT AREA PERTAINING TO LOT 8 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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 16.13 FEET TO A POINT; THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 141 SQUARE FEET, MORE OR LESS.

EASEMENT AREA PERTAINING TO LOT 9 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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 16.13 FEET TO A POINT; THENCE SOUTH 01 DEGREES 39 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.32 FEET TO A POINT; THENCE NORTH 77 DEGREES 15 MINUTES 38 SECONDS EAST FOR A DISTANCE OF 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 141 SQUARE FEET, MORE OR LESS.

EASEMENT AREA PERTAINING TO LOT 20 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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 1445 SQUARE FEET, MORE OR LESS.

EASEMENT AREA PERTAINING TO TRACT A SEQUOYAH COVE - PHASE 1A

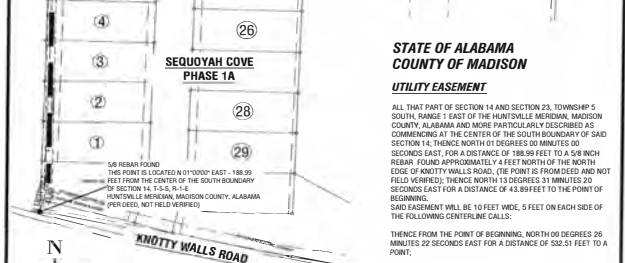
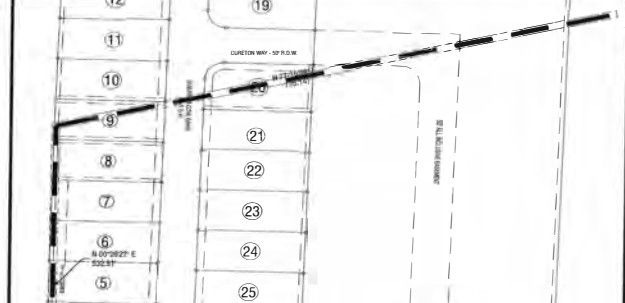
ALL THAT PART OF SECTION 14, TOWNSHIP 5 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE SOUTH BOUNDARY OF SAID SECTION 14; THENCE NORTH 01 DEGREES 00 MINUTES 00 SECONDS EAST, FOR A DISTANCE OF 188.99 FEET TO A 5/8 INCH REBAR FOUND, THENCE NORTH 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 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 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 13 DEGREES 31 MINUTES 20 SECONDS EAST FOR A DISTANCE OF 43.89 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 736.14 FEET TO A POINT; THENCE SOUTH 13 DEGREES 31 MINUTES 20 SECONDS WEST FOR A DISTANCE OF 65.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 1445 SQUARE FEET, MORE OR LESS.

TRACT A SEQUOYAH COVE PHASE 1A UTILITY EASEMENT DESCRIPTION HUNTSVILLE, ALABAMA



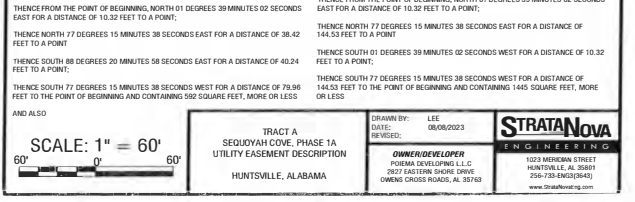
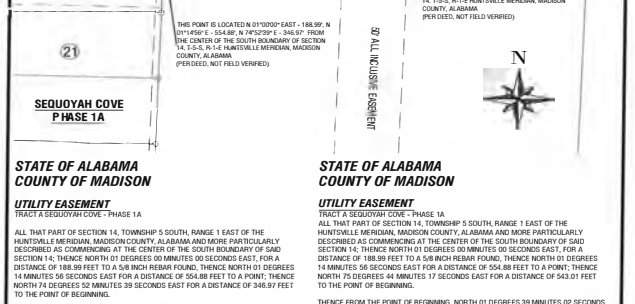
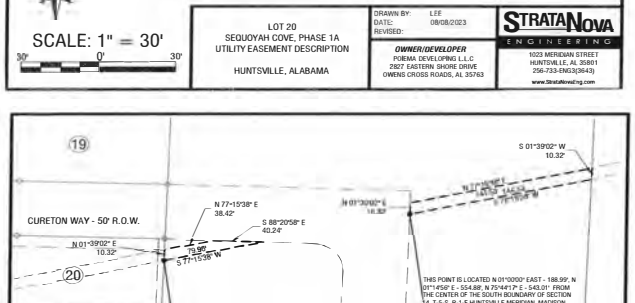
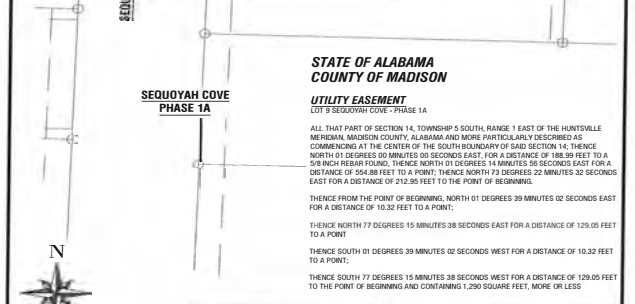
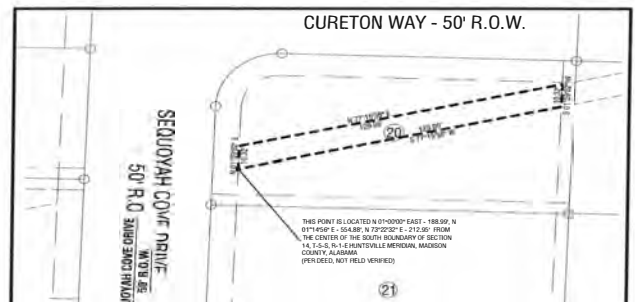
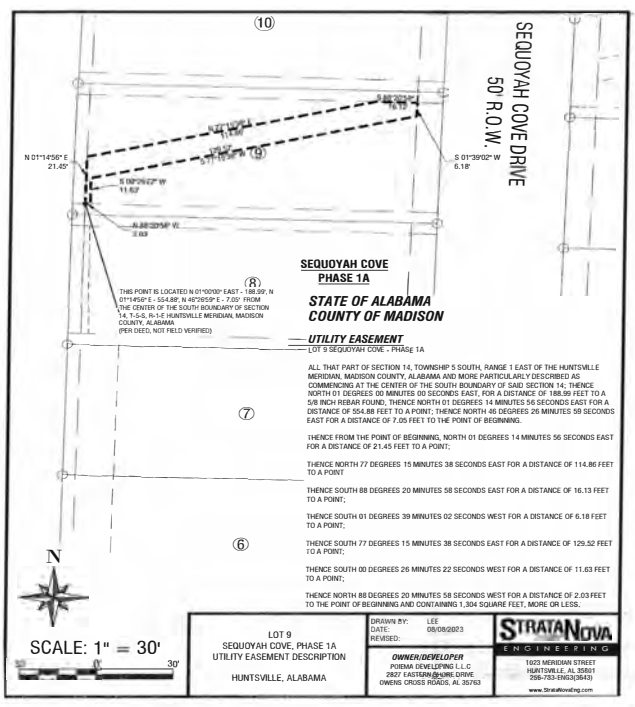
STATE OF ALABAMA COUNTY OF MADISON UTILITY EASEMENT

TRACT A SEQUOYAH COVE PHASE 1A UTILITY EASEMENT DESCRIPTION HUNTSVILLE, ALABAMA

ORDINANCE NO. 23-664 (Cont.) ADOPTED this the 24th day of August, 2023.

John McCreath, President of the City Council of the City of Huntsville, Alabama. APPROVED this the 24th day of August, 2023.

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



ORDINANCE NO. 23-665 (Cont.)

ADOPTED this the 24th day of August, 2023.

John McCreath, President of the City Council of the City of Huntsville, Alabama.

APPROVED this the 24th day of August, 2023.

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

ORDINANCE NO. 23-666

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 gas line easement; that the applicant has represented to the City of Huntsville that MidCity MU, 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:

(Space Above Line for Use by Recording Office) THIS INSTRUMENT PREPARED BY Katherine Amos Beasley, 100 Washington Street, Suite 200, Huntsville, Alabama 35801 (256) 533-0202

STATE OF ALABAMA COUNTY OF MADISON QUITCLAIM DEED FOR VACATION OF EASEMENT

THIS INDENTURE made and entered into on this 24th day of August, 2023, by and between, CITY OF HUNTSVILLE, an Alabama municipal corporation ("Grantor") and MIDCITY MU, LLC, an Alabama limited liability company ("Grantee"),

WITNESSETH: That the Grantor, for and in consideration of Ten Dollars (\$10.00) in hand paid by Grantee, and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby remise, release, quitclaim, and convey unto the 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 (the "Easement"):

See Exhibit "A" attached hereto and incorporated herein, and said Easement being depicted in Exhibit "B" attached hereto.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be duly executed on its behalf by its Mayor and attested by its City Clerk, pursuant to Ordinance 23-666 of this the 24 day of August, 2023.

[SIGNATURE PAGE TO FOLLOW] CITY OF HUNTSVILLE, an Alabama municipal corporation

By: Tommy Battle, Mayor

ATTEST: Shaundrika Edwards, City Clerk

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 Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the CITY OF HUNTSVILLE, an Alabama 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 for and as the act of said municipal corporation.

GIVEN UNDER MY HAND AND OFFICIAL SEAL THIS 24 DAY OF August, 2023.

Notary Public Seal for Shaundrika Edwards, My Commission Expires 01-05-2027

THIS INSTRUMENT PREPARED SOLELY FROM INFORMATION PROVIDED TO THE DRAFTER. NO TITLE EXAMINATION HAS BEEN PERFORMED AND NO TITLE OPINION ISSUED IN CONNECTION WITH THIS TRANSACTION.

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:

Grantor's Address: 308 Fountain Circle, P.O. Box 308, Huntsville, Alabama 35801

Grantee's Address: 920 Bob Wallace Ave, Ste. 320, Huntsville, Alabama 35802

Property Address: +/-0.06-acre gas line easement (affecting Lot 13, Block 6 of MidCity Ph. 7)

Purchase Price: N/A

ORDINANCE NO. 23-666 continued from page 11

Exhibit "A" (Legal Description of Vacated Easement)

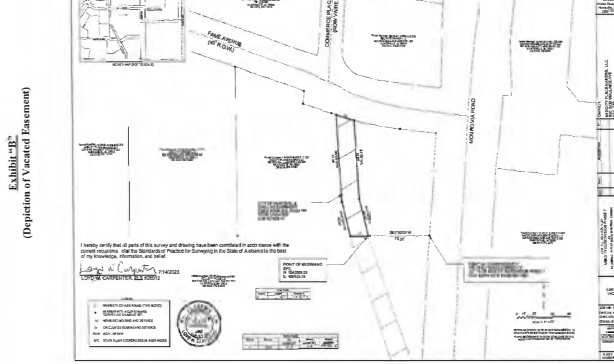
A tract of land lying and being in Section 31, Township 3 South, Range 1 West of the Huntsville Meridian.

Said tract being a portion of an existing gas line easement conveyed to the City of Huntsville in Deed Book 648, Page 464 as recorded the Office of the Judge of Probate of Madison County, Alabama and being more particularly described as follows:

Commencing at a #5 rebar with a cap stamped "GARVER LLC CA-445-LS" (typical) set marking the southeast corner of Lot 13 of MidCity Subdivision Phase 7 as recorded in the Office of the Judge of Probate for Madison County, Alabama in Plat Book 2019, Page 00013667; thence along the south boundary of said lot 13 South 90 Degrees 00 Minutes 00 Seconds West a distance of 70.04 feet to a #5 rebar set marking the east boundary of an existing gas line easement conveyed to the City of Huntsville, Alabama in Deed Book 648, Page 464 as recorded the Office of the Judge of Probate of Madison County, Alabama, said point marking the Point of Beginning of the herein described tract having established grid coordinates of (N) 1542869.28, (E) 406925.79 as defined by the Alabama State Plane Coordinate System Zone East of NAD83;

Thence leaving said east boundary South 90 Degrees 00 Minutes 00 Seconds West a distance of 20.67 feet to a #5 rebar set marking the west boundary of said easement; thence leaving said south boundary of lot 13 and along the west boundary of said easement North 14 Degrees 34 Minutes 41 Seconds West a distance of 36.68 feet to a #5 rebar set; thence North 3 Degrees 25 Minutes 10 Seconds West a distance of 91.90 feet to a #5 rebar set on the south right-of-way of Fame Avenue, said point being on a curve to the left, having a radius of 374.00 feet, the chord of which is South 74 Degrees 14 Minutes 04 Seconds East for a distance of 21.18 feet; thence along said right-of-way and the arc of said curve 21.18 feet to a #5 rebar set on the east boundary of said easement; thence leaving said right-of-way and along the east boundary of said easement South 3 Degrees 25 Minutes 10 Seconds East a distance of 82.98 feet to a #5 rebar set; thence South 14 Degrees 34 Minutes 42 Seconds East a distance of 39.92 feet to the POINT OF BEGINNING.

The above-described tract contains 0.06 acres (2512.671 sq. ft.) more or less and is subject to any existing easements and rights-of-way whether or not recorded in the public records.



ORDINANCE NO. 23-666 (Cont.)

ADOPTED this the 24th day of August, 2023.

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

APPROVED this the 24th day of August, 2023.

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

RESOLUTION NO. 23-621

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain land lying on the east of Rideout Drive and north of Willow Pointe Drive from Residence 1-B District to Residence 2 District.
(2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Speakin' Out News on the 30th day of August, 2023, and the second publication shall be one week thereafter on the 6th day of September, 2023, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, as follows:

- 1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 28th day of September, 2023, in the Council Chambers of the City of Huntsville Administration Building at 308 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 23-622, which is introduced by the City Council of the City of Huntsville on the 10th day of August, 2023, amending the Zoning Ordinance of the City of Huntsville, Alabama.
2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 23-622

AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, BE IT ORDAINED by the City Council for the City of Huntsville, Alabama, as follows:

- 1. That the following area, land lying on the east of Rideout Drive and north of Willow Pointe Drive, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1-B District, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Residence 2 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 30, Township 03 South, Range 01 West of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as beginning at a point located at the Northwest corner of said Section 30; thence South 46 Degrees 00 Minutes 23 Seconds East 3,733.05 feet to a point; said point is further described as the Point of True Beginning; thence South 88 Degrees 31 Minutes 42 Seconds East 109.02 feet to a point; thence South 88 Degrees 57 Minutes 18 Seconds East 117.21 feet to a point; thence South 88 Degrees 50 Minutes 14 Seconds East 157.2 feet to a point; thence South 89 Degrees 01 Minutes 39 Seconds East 230.93 feet to a point; thence South 01 Degrees 53 Minutes 22 Seconds West 188.29 feet to a point; thence South 01 Degrees 53 Minutes 19 Seconds West 22.91 feet to a point; thence North 88 Degrees 59 Minutes 41 Seconds West 616.72 feet to a point; thence North 03 Degrees 28 Minutes 31 Seconds East 71.42 feet to a point; thence North 02 Degrees 02 Minutes 11 Seconds East 141.12 feet to the Point of True Beginning and containing 3.00 acres more or less.

2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.

3. This ordinance shall take effect from and after the date of publication.

ORDINANCE NO. 23-622 (Cont.)

ADOPTED this the ___ day of ___, 2023.

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

APPROVED this the ___ day of ___, 2023.

RESOLUTION NO. 23-621 (Cont.)

ADOPTED this the 10th day of August, 2023.

Signature of John M. ... 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

SITE PLANNED continued from page 1

benefits are an added bonus for the city. The planned development would be in close proximity to North Huntsville Industrial Park, which includes Toyota Motor Manufacturing, Meta data center and Aerojet Rocketdyne among its tenants. Other projects are also planned for the park. The development would also be near Redstone Arsenal and Cummings Research Park.
'The decision to invest in the Huntsville market was driven by its impressive growth and economic diversity,' Greg Wood, president, and COO-Management at IMS, said in the announcement. 'We saw an area of the city that was underserved and believed we could create a project that would enhance the area and introduce new commercial ventures. There are a lot of possibilities that the commercial lots can accommodate, and we are excited to hear from interested parties.'
Crunkleton Commercial Real Estate's Vice President Eric St. John assisted IMS Development with the acquisition. 'We are honored to help bring IMS Development's expertise to the area,' St. John said in the announcement. 'North Valley will elevate the quality of life for its residents and present exciting opportunities for commercial ventures.'

COLE ARRESTED continued from page 1

Earlier this year, the Alabama Supreme Court ruled that the Alabama Legislature would have to determine whether Cole was qualified to hold the office. The Legislature completed its regular session and a subsequent special session without taking action on Cole's qualification for office.
If found guilty of the felony charge, Cole would automatically lose his seat in the Alabama House. Alabama House Speaker Nathaniel Ledbetter, R-Rainsville, issued a statement about Cole's arrest. 'This afternoon, the Speaker's Office became aware of David Cole's arrest on the charge of fraud—voting at an unauthorized location,' Ledbetter said. 'As this is an ongoing investigation, we are still waiting to learn more details as they become available.
'In recent years, the Alabama House has prioritized legislation that promotes election integrity, and we believe that any allegation of fraud must be addressed regardless of the party, public official, or candidate involved.
'Alabamians may remain confident that their elections are conducted honestly, their votes are cast and counted fairly, and their ballot boxes are secure. Now, it is up to a court of law to determine the validity of the allegations Cole is facing, and I anticipate Alabama's election laws will withstand their true intent.'
Kyle Whitmire of AL.com contributed to this report. This is a developing story and will be updated.

THE BLACK VOTE continued from page 1

the House version. Neither of the maps created a second majority-Black congressional district, but Pringle's map did something perhaps more unusual in Alabama — it created a purple, competitive district.
In a deposition earlier this month, Pringle said he thought his map satisfied the federal court's mandate that Alabama draw a fair map where Black voters would have an opportunity to elect candidates of their choosing.
'G. So the performance analysis that you received from -- from Dr. Hood, do you recall what it said?
A. That democratic candidates would have the opportunity to win in elections. Not guaranteed, but they have an opportunity.
'G. Was it significant that black-preferred candidates won two out of four elections in the second congressional district under Dr. Hood's performance analysis?
A. To me, it was, yes.
'G. What if black preferred candidates had won one out of four?
A. Mine had two out of four, so it gave it a 50/50 shot. When the plaintiffs suing Alabama were before the U.S. Supreme Court, this is what they said they wanted — a district where Black voters would have a chance, not necessarily a guarantee, to elect their candidates. But the Legislature junked Pringle's plan. Pringle is a senior member of the Alabama Legislature, but he wasn't driving the train. Again, that was the state solicitor general and the more complicit members of the Alabama Senate.
The other committee co-chair, state Sen. Steve Livingston, told Pringle that LaCour and the senators upstairs wanted a different plan — one that would make it a lot harder for Democrats to win. But they also wanted to keep Pringle's name on it.
'And I said, no we're not,' Pringle testified. 'If you want to pass a senate plan, you're going to pass the senate on the senate bill number, and you're not going to put my name on it.'

The House and Senate passed competing maps. A conference committee then drew a compromise map, which the Legislature passed along a party-line vote. Democrats howled, and the plaintiffs from the original court challenge took the state right back to court. But Pringle's original House map showed something important — Republicans could have chosen to do better. In fact, one of them did just that.
The original Senate map had a Black voting population (BVP) of 38.3 percent in the Second Congressional District — pretty much guaranteeing Republicans election wins there. Pringle's House plan had a BVP of 42.5 percent — giving Democrats and Republicans closer to even odds. The final compromise map split the difference with a 40 percent BVP, but it shafts Black voters.
One analysis by the Brennan Center showed that the only recent election where Democrats would have prevailed under the current map was the 2017 special election, where Doug Jones defeated Roy Moore. That same analysis showed Pringle's plan wouldn't do much better for Democrats, but it would be somewhat better — and that's the thing that's important here.
What Pringle's map shows is that Republicans could have drawn a better map for Black voters. And then the Republicans junked that plan and passed a map that was tilted wildly in their favor.
No Republican official wants to draw a map that would give up a guaranteed Republican seat in Congress and hand that seat to Democrats, but that's not what the courts have mandated. Pringle's map is proof the GOP lawmakers could have done a better job — perhaps not sufficient, but better — and then they chose not to. They crept up to the line of fairness. Then they spit at the folks on the other side.
Kyle Whitmire is the state political columnist for AL.com and the 2023 recipient of the Pulitzer Prize for commentary. Sign up for his weekly newsletter and get 'Alabama-fication' in your inbox every Wednesday.

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up a second manufactured home on Hermitage Avenue, and neighbors say they've heard the company plans to construct a third.
A dozen neighbors have since filed a complaint with the Huntsville Board of Zoning Adjustments to stop any further construction plans. They allege the construction violated the city's zoning ordinance and say that Travis Cummings, the zoning administrator illegally allowed it to happen by subdividing the plot of land, and "bypassed both the Planning Commission and the City Council."
In their complaint, the neighbors described the case as a "defining moment," a "watershed moment" for Huntsville, now the most populous city in Alabama. Neighbors say the structures are dragging down home values and creating a "nuisance," in a neighborhood that has for decades largely consisted of single family bungalow and ranch-style homes. They also say they didn't get a chance to speak against the construction before the zoning administrator approved it.
"GSH desires to place a third structure, consisting of even more house trailers on Unified Lot, and the Zoning Administrator has already informed GSH that it may do so," the neighbors allege in the complaint. "In fact... the zoning administrator himself has already obtained a street address, 1005 Hermitage Unit A, for this third building, and amended the zoning map to display this new street address."
Attorneys for the neighbors declined to comment for this story. They are asking the Board to issue "an order restraining the Zoning Administrator from approving a building permit for the construction of a second dwelling on the Unified Lot during the pendency of this appeal."
Everything is on hold for about a month. Ahead of the zoning board meeting last week, attorneys for the neighbors, the city and GSH reached an agreement to postpone the hearing on the issue for 30 days.
The neighbors contend that the city's zoning ordinance does not permit the use of trailers or manufactured homes in the Blossomwood neighborhood, based on its special classification in the city's 1963 zoning ordinance. The ordinance also says that lots in the Blossomwood neighborhood must be at least 60 feet wide. If two or more lots with less than 60 feet width share a boundary and have one owner, they are treated as one and allowed only one home.
The neighbors say 1005 Hermitage Avenue was like that with its two lots, measuring 50 feet wide each, regarded as one.
According to their complaint, the zoning administrator granted an exception for 1005 Hermitage without approval of the Zoning Board.
The zoning ordinance allows exceptions for older lots that predate the creation of the ordinance, but in their complaint the neighbors said the decision to subdivide the lot should have come before the Board of Zoning Adjustment, which is the kind of issue the board regularly decides welcoming comments from the neighbors.
'If not corrected by the Board of Adjustment, this practice has resulted and will continue to result in the creation of incongruous and inconsistent residential districts, not only in our neighborhood, but also throughout the City, with no view to conserving the value of the buildings already standing,' they said. Kelly Schrimsher, the city's communication director, declined to comment, citing the one-month postponement. Patrick Miller, attorney for GSH, said in an email to AL.com, "my client had no comment."

GSH of Alabama is a disaster relief contractor founded in 2008. The company manufactures modular homes and works with the Federal Emergency Management Agency. Huntsville couple Scott and Barbara Stokes own the company. GSH in June of 2022 bought the Hermitage property at auction for \$675,000 after the previous owner moved.
Months after, the city's inspection department issued a permit to demolish the bungalow home, which the Harbaugh & Sons Construction Company executed two days later. GSH later presented the City's zoning department with a site plan for one half of the lot, which the department approved without a public hearing before the board. The City also issued new addresses for 1005 Hermitage Avenue, Units A, and B, and construction began on April 22, 2023.
The Stokes plans to move into one of the modular homes, and build another for another family, Scott Stokes told some neighbors who wrote statements in support of the complaints.
GSH's work includes both modular to on-site construction, Barbara Stokes' website says. "It has worked on land planning and installation of utilities, built housing for school campuses and residential developments, as well as a long list of military projects, including bullet-resistant guard shacks," it added. "In September 2017, post Hurricane Harvey's Texas devastation, GSH was awarded by the federal government a \$28 million modular buildings contract to be completed by March 2018."
Two years before that, a federal judge ordered Scott and Barbara Stokes to refund \$1.6 million for making fraudulent claims of being affected by the BP oil spill under another company, Vision Design Management Inc., which was registered in Florida but is no longer in operation.
The couple had not paid back the fund as of December 2020, a 2021 federal court document suggests.
The Huntsville Board of Zoning Adjustment meets at 6 p.m. every third Tuesday, and the Blossomwood neighbors' complaint is scheduled for hearing at the next meeting, on Sept. 19.
Board Chairman Martin Sisson said that the postponement would allow members to get a full briefing on the matter. He said he expects the City to file a reply ten days before the next hearing.
Sisson said he had not yet reviewed the 23-page complaint, which was filed Aug. 11 by attorneys Patrick Chesnut and John A. Brinkley Jr. on behalf of Blossomwood neighbors Teresa M. Brosemer, Walter Brosemer, Janet Barton, Mary E. Hinkson, Rene P. Moret, Howard R. Reed, Karen Reed, Curtis O. Taylor, Jr, Karen H. Taylor, John T. Towry and Ann S. Towry.

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