

**ORDINANCE NO. 23-838**

**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 an anchor easement; that the applicant has represented to the City of Huntsville that **Vista Huntsville, 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:

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(Space Above Line for Use by Recording Office)

**THIS INSTRUMENT PREPARED BY:**

Samuel H. Givhan  
WILMER & LEE, P.A.  
100 Washington Street, Suite 200  
Huntsville, Alabama 35801  
(256) 533-0202

STATE OF ALABAMA )

COUNTY OF MADISON )

**QUITCLAIM DEED FOR VACATION OF ANCHOR EASEMENT**

THIS INDENTURE made and entered into on this 12 day of October, 2023 by and between, **CITY OF HUNTSVILLE, an Alabama municipal corporation ("Grantor")** and **VISTA HUNTSVILLE, LLC, a Delaware 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:

**See Exhibit "A," attached hereto.**

Said right-of-way to be vacated as depicted on Exhibit "B," attached hereto.

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

[SIGNATURE PAGE TO FOLLOW]

IN WITNESS WHEREOF, Grantor has caused this quitclaim to be signed on its behalf by its Mayor and attested to by its City Clerk, this the 12 day of October, 2023.

CITY OF HUNTSVILLE, an Alabama municipal corporation

By: Tommy Battle  
Tommy Battle, Mayor

ATTEST:

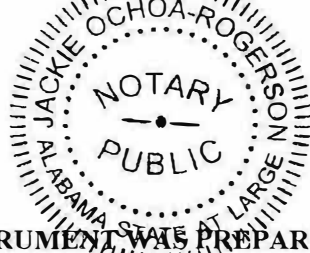
By: S. Edwards  
Shaundrika Edwards, City Clerk

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 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 as of the day the same bears date.

GIVEN under my hand and official seal this the 12 day of October, 2023.



Jackie Ochoa-Rogerson  
NOTARY PUBLIC  
My commission expires: MY COMMISSION EXPIRES 01-05-2027

**THIS INSTRUMENT WAS PREPARED SOLELY FROM INFORMATION PROVIDED TO THE PREPARER OF THIS INSTRUMENT WHO CONDUCTED NO TITLE EXAMINATION AND ISSUED NO TITLE OPINION OR TITLE INSURANCE.**

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: 120 N. Hale Street, Suite 300, Wheaton, Illinois 60187
- Property Address: N/A
- Purchase Price: N/A

Exhibit "A"  
Description of Easement

STATE OF ALABAMA  
COUNTY OF MADISON

ANCHOR EASEMENT TO BE VACATED (DEED BOOK 1073, PG 833)

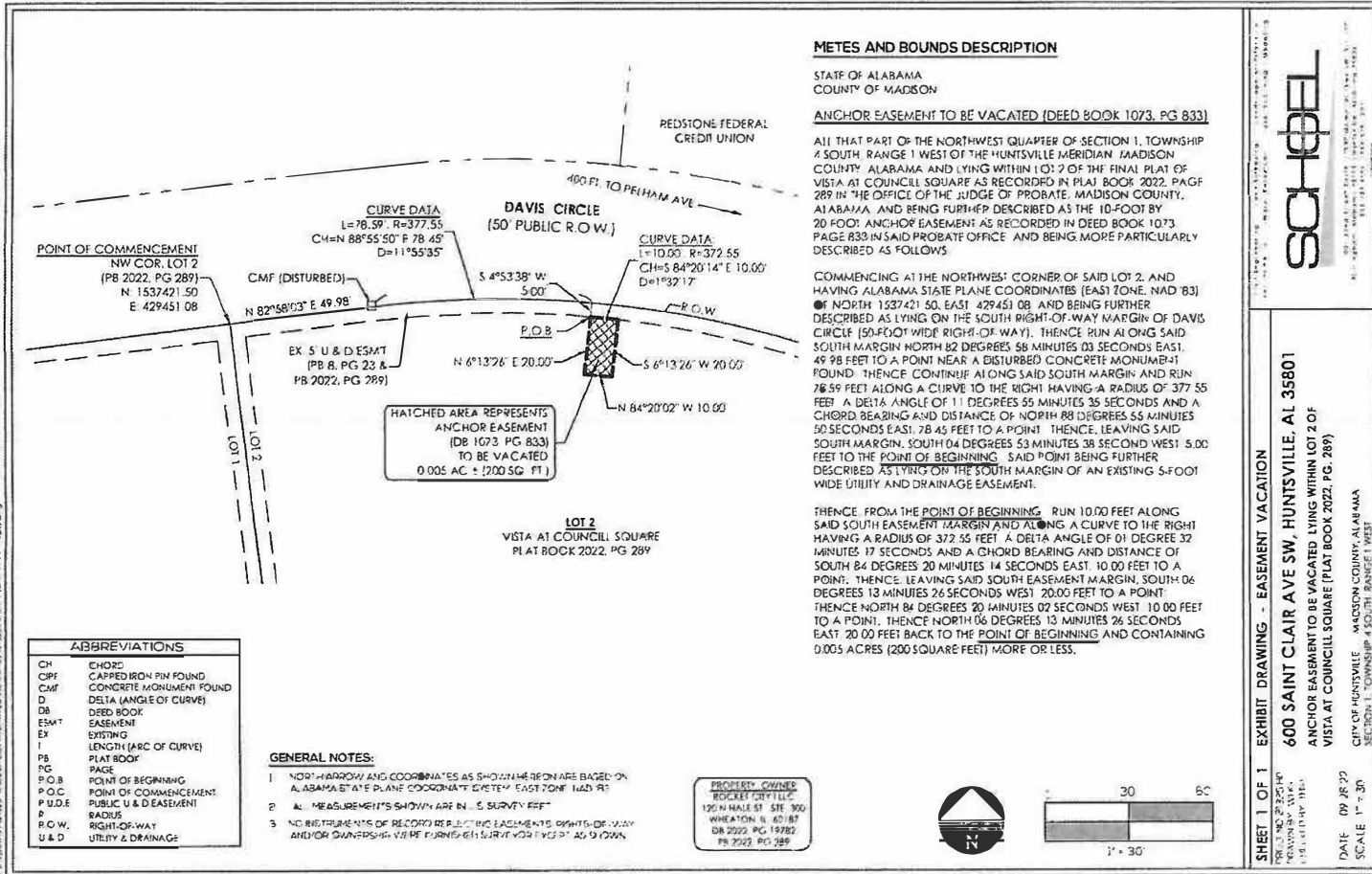
ALL THAT PART OF THE NORTHWEST QUARTER OF SECTION 1, TOWNSHIP 4 SOUTH, RANGE 1 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND LYING WITHIN LOT 2 OF THE FINAL PLAT OF VISTA AT COUNCILL SQUARE AS RECORDED IN PLAT BOOK 2023, PAGE 289 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING FURTHER DESCRIBED AS THE 10-FOOT BY 20-FOOT ANCHOR EASEMENT AS RECORDED IN DEED BOOK 1073, PAGE 833 IN SAID PROBATE OFFICE, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 2, AND HAVING ALABAMA STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1537421.50, EAST: 429451.08, AND BEING FURTHER DESCRIBED AS LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF DAVIS CIRCLE (50-FOOT WIDE RIGHT-OF-WAY); THENCE RUN ALONG SAID SOUTH MARGIN NORTH 82 DEGREES 58 MINUTES 03 SECONDS EAST, 49.98 FEET TO A POINT NEAR A DISTURBED CONCRETE MONUMENT FOUND; THENCE, CONTINUE ALONG SAID SOUTH MARGIN AND RUN 78.59 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 377.55 FEET, A DELTA ANGLE OF 11 DEGREES 55 MINUTES 35 SECONDS AND A CHORD BEARING AND DISTANCE OF NORTH 88 DEGREES 55 MINUTES 50 SECONDS EAST, 78.45 FEET TO A POINT; THENCE, LEAVING SAID SOUTH MARGIN, SOUTH 04 DEGREES 53 MINUTES 38 SECOND WEST, 5.00 FEET TO THE POINT OF BEGINNING; SAID POINT BEING FURTHER DESCRIBED AS LYING ON THE SOUTH MARGIN OF AN EXISTING 5-FOOT WIDE UTILITY AND DRAINAGE EASEMENT;

THENCE, FROM THE POINT OF BEGINNING, RUN 10.00 FEET ALONG SAID SOUTH EASEMENT MARGIN AND ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 372.55 FEET, A DELTA ANGLE OF 01 DEGREE 32 MINUTES 17 SECONDS AND A CHORD BEARING AND DISTANCE OF SOUTH 84 DEGREES 20 MINUTES 14 SECONDS EAST, 10.00 FEET TO A POINT; THENCE, LEAVING SAID SOUTH EASEMENT MARGIN, SOUTH 06 DEGREES 13 MINUTES 26 SECONDS WEST, 20.00 FEET TO A POINT; THENCE NORTH 84 DEGREES 20 MINUTES 02 SECONDS WEST, 10.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 13 MINUTES 26 SECONDS EAST, 20.00 FEET BACK TO THE POINT OF BEGINNING AND CONTAINING 0.005 ACRES (200 SQUARE FEET) MORE OR LESS.

# Exhibit "B"

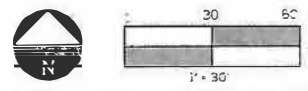
## Depiction of Easement



ABBREVIATIONS	
CH	CHORD
CPF	CAPPED IRON PIN FOUND
CMF	CONCRETE MONUMENT FOUND
D	DELTA (ANGLE OF CURVE)
DB	DEED BOOK
ESMT	EASEMENT
EX	EXISTING
I	LENGTH (ARC OF CURVE)
PB	PLAT BOOK
P.C.	PACE
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.U.D.E.	PUBLIC U & D EASEMENT
R	RADIUS
R.O.W.	RIGHT-OF-WAY
U & D	UTILITY & DRAINAGE

- GENERAL NOTES:**
1. NORTH ARROWS AND COORDINATES AS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE, 1140, 93.
  2. ALL MEASUREMENTS SHOWN ARE IN U.S. SURVEY FEET.
  3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY AND/OR OWNERSHIP WERE FOUND BY SURVEYOR UPON VISUAL SURVEY.

**PROPERTY OWNER**  
ROCKET CITY LLC  
120 N. MALE ST. STE. 300  
HUNTSVILLE, AL 35897  
DB 2022, PG. 19282  
PB 2022, PG. 289



**SCHUBEL**

SURVEYING & ENGINEERING, INC.

1111 W. 10TH AVE., SUITE 100  
HUNTSVILLE, AL 35893  
TEL: 256-833-1111 FAX: 256-833-1112

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**SHEET 1 OF 1 EXHIBIT DRAWING - EASEMENT VACATION**

**600 SAINT CLAIR AVE SW, HUNTSVILLE, AL 35801**

**ANCHOR EASEMENT TO BE VACATED LYING WITHIN LOT 2 OF VISTA AT COUNCIL SQUARE (PLAT BOOK 2022, PG. 289)**

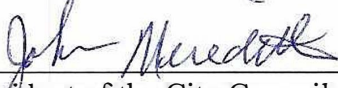
CITY OF HUNTSVILLE MADISON COUNTY, ALABAMA  
RECORD IN TOWNSHIP 4 SOUTH RANGE 1 WEST

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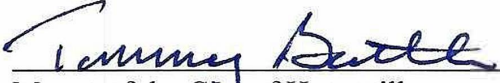
DATE 09/28/22  
SCALE 1" = 30'

**ORDINANCE NO. 23-838 (Cont.)**

**ADOPTED** this the 12th day of October, 2023.

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

**APPROVED** this the 12th day of October, 2023.

  
\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama