

## ORDINANCE NO. 23-839

**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 **Brandon Heath Boone**, 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:



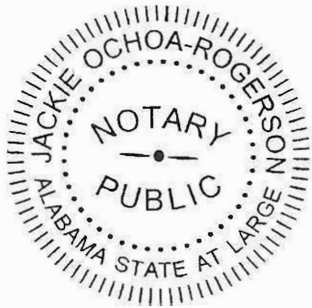
STATE OF ALABAMA )  
:  
COUNTY OF MADISON )

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, ALABAMA, a 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 voluntarily for and as the act of said corporation as of the day the same bears day.

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

  
\_\_\_\_\_  
Notary Public

[SEAL]



My commission expires: \_\_\_\_\_ MY COMMISSION EXPIRES 01-05-2027

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, Huntsville, AL 35801  
Grantee's Address: 124 Westbury Drive, Huntsville, AL 35802  
Property Address: Easement vacation within Lot 9A of The Sovereign Point Ph. II, Piedmont Drive, Huntsville, AL 35802 (Section 7, Township 4 South, Range 1 East)  
Purchase Price: \$0 – Nominal for vacation of easement

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.

*This Instrument prepared by:*  
William H. Galloway  
Schoel Engineering Company, Inc.  
101 Washington St. SE  
Huntsville, Alabama 35801  
(256) 539-1221

EXHIBIT "A"  
Property Description

STATE OF ALABAMA  
COUNTY OF MADISON

10-FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT TO BE VACATED

ALL THAT PART OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 4 SOUTH, RANGE 1 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND LYING WITHIN LOT 9A OF THE FINAL PLAT OF THE SOVEREIGN POINT PHASE II AS RECORDED IN PLAT BOOK 2023, PAGE 226 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING FURTHER DESCRIBED AS A 10-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT LYING ALONG THE FORMER COMMON LOT LINE BETWEEN LOTS 8 AND 9 OF THE FINAL PLAT OF THE SOVEREIGN POINT, AS RECORDED IN PLAT BOOK 2022, PAGE 416 IN SAID PROBATE OFFICE;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 9A, SAID BEING FURTHER DESCRIBED AS LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF PIEDMONT DRIVE AND HAVING ALABAMA STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1528932.35, EAST: 436847.03; THENCE SOUTH 46 DEGREES 36 MINUTES 53 SECONDS EAST, 111.09 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, RUN ALONG THE SOUTH MARGIN OF A 15-FOOT WIDE PUBLIC UTILITY AND DRAINAGE EASEMENT, 10.16 FEET ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, A DELTA ANGLE OF 06 DEGREES 50 MINUTES 47 SECONDS, AND A CHORD BEARING AND DISTANCE OF SOUTH 44 DEGREES 46 MINUTES 15 SECONDS EAST, 10.15 FEET TO A POINT; THENCE, LEAVING SAID SOUTH EASEMENT MARGIN, SOUTH 35 DEGREES 20 MINUTES 39 SECONDS WEST, 272.05 FEET TO A POINT LYING ON THE EAST MARGIN OF A PUBLIC UTILITY AND DRAINAGE EASEMENT; THENCE RUN ALONG SAID EAST EASEMENT MARGIN, NORTH 39 DEGREES 28 MINUTES 17 SECONDS WEST, 10.36 FEET TO A POINT; THENCE, LEAVING SAID EAST EASEMENT MARGIN, NORTH 35 DEGREES 20 MINUTES 39 SECONDS EAST, 271.08 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.062 ACRES (2717 SQUARE FEET) MORE OR LESS.

# Exhibit "B"

Scale: 1" = 50'  
Graphic Scale



ABBREVIATIONS	
AC.	ACRES
ESMT	EASEMENT
EX.	EXISTING
P.O.B.	POINT OF BEGINNING
P.O.C.	POINT OF COMMENCEMENT
P.U.D.E.	PUBLIC U & D EASEMENT
R.O.W.	RIGHT-OF-WAY
SQ. FT.	SQUARE FEET
U & D	UTILITY & DRAINAGE

**GENERAL NOTES:**

1. NORTH ARROW AND COORDINATES AS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATE SYSTEM, EAST ZONE, NAD '83.
2. ALL MEASUREMENTS SHOWN ARE IN U.S. SURVEY FEET.
3. NO INSTRUMENTS OF RECORD REFLECTING EASEMENTS, RIGHTS-OF-WAY, AND/OR OWNERSHIP WERE FURNISHED SURVEYOR EXCEPT AS SHOWN.
4. THIS IS NOT A PROPERTY BOUNDARY SURVEY.
5. SUBJECT PROPERTY OWNER OF RECORD (LOT 9A):  
BRANDON HEATH BOONE  
124 WESTBURY DRIVE  
HUNTSVILLE, AL 35802  
DB 2023, PG 27803

STATE OF ALABAMA  
COUNTY OF MADISON

**10-FOOT WIDE PUBLIC UTILITY & DRAINAGE EASEMENT TO BE VACATED**

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

PROJ. NO. 21006.H1  
DRAWN BY: WHG  
CHECKED BY: BTP

DATE: 08.25.2023  
SCALE: 1" = 50'

**LOT 9A, PIEDMONT DR. SE, HUNTSVILLE, AL 35802**  
**UTILITY & DRAINAGE EASEMENT TO BE VACATED LYING WITHIN**  
**LOT 9A OF THE SOVEREIGN POINT PHASE II (DB 2023, PG 226)**  
CITY OF HUNTSVILLE MADISON COUNTY, ALABAMA  
SECTION 7, TOWNSHIP 4 SOUTH, RANGE 1 EAST

Civil Engineering | Land Surveying | Landscape Architecture  
Environmental | Water Resources | Laser Scanning - Modeling



130 22nd Street South | 7500 Memorial Pkwy SW, Ste 209  
Birmingham, Alabama 35205 | Huntsville, Alabama 35802  
205 323 6166 | 256 539 2211  
www.schofel.com

H:\Projects\21006.H1\21006.H1\Drawings\21006.H1.dwg

**ORDINANCE NO. 23-839 (Cont.)**

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

  
\_\_\_\_\_  
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