

Ordinance 25-388 continued from page B3

or assessed in this division are incorporated herein by reference and made a part hereof as if fully set forth herein. Without limiting the generality of the foregoing, the following are violations of this division:

- (1) Seller to collect tax; seller not to assume or absorb tax. Every such seller, as "such seller" is specified in Code of Ala. 1975 § 40-23-66, making sales of tangible personal property for storage, use or other consumption in this city, not exempted under the provisions of Code of Ala. 1975 § 40-23-62, shall at the time of making such sales or, if the storage, use or other consumption of the tangible personal property is not then taxable hereunder, at the time such storage, use or other consumption becomes taxable hereunder, collect the tax imposed by this division from the purchaser, and give to the purchaser a receipt therefor in the manner and form prescribed by the finance department. The tax required to be collected by the seller from the purchaser shall be displayed separately from the list, advertised in the premises, marked or other price on the sales check or other proof of sales. It shall be unlawful for any such seller to advertise or hold out or state to the public

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or to any customer, directly or indirectly, that the tax or any part thereof imposed by this division will be assumed or absorbed by the seller or that it will not be added to the selling price of the property sold, or if added that it or any part thereof will be refunded. Any person violating any of the provisions of this section shall be guilty of a misdemeanor. The tax herein required to be collected by the seller shall constitute a debt owed by the seller to this city. (see Code of Ala. 1975 § 40-23-67)

(2) Failure to file a return; false return. Any seller or other person failing or refusing to furnish any return required to be made, or failing or refusing to furnish a supplemental return or other data required by the finance department, or rendering a false or fraudulent return, shall be guilty of a misdemeanor and subject to a fine of not exceeding \$500 for each such offense. (see Code of Ala. 1975 § 40-23-88)

(3) False or fraudulent return. Any person required to make, render, sign or verify any report as aforesaid who makes any false or fraudulent return, with intent to defraud or evade the determination of an amount due required by law to be made shall be guilty of a misdemeanor, and shall for each such offense be fined not less than \$50 and not more than five hundred dollars (\$500.00), or be imprisoned in the city jail not exceeding six months or be subject to both said fine and imprisonment in the discretion of the court. (see Code of Ala. 1975 § 40-23-88)

Section 13. The following reference(s) in Chapter 15, Article III, Division 4, Section 15-124 of the City Code are hereby amended as follows:

In Section 15-124 all references to "city clerk-treasurer's office" or "clerk treasurer's office" shall be deleted and in lieu thereof the "city finance department" or "finance department" shall be substituted.

Section 14. Chapter 15, Article III, Division 4 of the City Code is hereby amended to add the following Section 15-127:

Sec. 15-127. Provisions of corresponding state rental tax applicable to city rental tax.

All provisions of the corresponding state rental tax law, including those for collection and enforcement, that are made applicable in section 15-92 of this chapter to the city rental taxes levied or assessed in this division are incorporated herein by reference and made a part hereof as if fully set forth herein. Without limiting the generality of the foregoing, the following are violations of this division:

(1) Penalty for failure to make reports or keep records. Any person subject to the provisions of this division who shall fail to make the reports or any of them, as required, or who shall fail to keep the records as required, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$25 nor more than \$500 for each offense. Each month of such failure shall constitute a separate offense. (see Code of Ala. 1975 § 40-23-11, made applicable under Code of Ala. 1975 § 40-12-224)

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(2) Penalty for willful refusal to make reports or permit examination of records. Any person subject to the provisions of this division willfully refusing to make the reports required, or who shall refuse to permit the examination of his records by the finance department, or its duly authorized agents, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500 for each offense, and in addition may be imprisoned in the city jail for a period not to exceed six months. Each month of failure to make such reports shall constitute a separate offense, and each refusal of a written demand of the department to examine, inspect or audit such records shall constitute a separate offense. (Code of Ala. 1975 § 40-23-12 made applicable under Code of Ala. 1975 § 40-12-224)

Section 15. Chapter 15, Article III, Division 5 of the City Code is hereby amended to add the following Section 15-134:

Sec. 15-134. Provisions of corresponding state lodging tax applicable to city lodging tax.

All provisions of the corresponding state lodging tax law, including those for collection and enforcement, that are made applicable in section 15-92 of this chapter to the city lodging taxes levied or assessed in this division are incorporated herein by reference and made a part hereof as if fully set forth herein. Without limiting the generality of the foregoing, the following are violations of this division:

(1) Failure to make reports and keep records. Any person, firm or corporation subject to the provisions of this division who fails to make the reports or any of them as herein required, or who fails to keep the records as herein required, shall be guilty of a misdemeanor and upon conviction shall be fined not less than \$50 nor more than \$500 for each offense. Each month of such failure shall constitute a separate offense. (see Code of Ala. 1975 § 40-26-8)

(2) Willful refusal to make reports or permit examination of records. Any person, firm or corporation subject to the provisions of this division willfully refusing to make the reports herein required, or who shall refuse to permit the examination of his or its records by the finance department, or its duly authorized agents, shall be guilty of a misdemeanor, and upon conviction shall be fined not less than \$50 nor more than \$500 for each offense, and in addition may be imprisoned in the city jail for a period not to exceed six months. Each month of failure to make such report shall constitute a separate offense and each refusal of a written demand of the department to examine, inspect or audit such records shall constitute a separate offense. (see Code of Ala. 1975 § 40-26-9)

(3) Failure to add tax to price of service; refund or absorption of tax prohibited.

It shall be unlawful for any person, firm or corporation engaged in or continuing within this city in any business for which a license or privilege tax is required by this division to fail or refuse to add to the price of the service rendered the amount due by the taxpayer on account of the tax levied by this division. Nor shall any person refund or offer to refund all or any part of the amount collected as tax under this division or to absorb such tax or

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to advertise directly or indirectly the absorption or refund of such tax or any portion of the same. Any person, firm or corporation violating any of the provisions of this section shall be guilty of a misdemeanor and upon conviction shall be fined in a sum not less than \$50 nor more than \$100, or may be imprisoned in the city jail for not more than six months, or by both such fine and imprisonment, and each act or violation of the provisions of this division shall constitute a separate offense. (see Code of Ala. 1975 § 40-26-16)

Section 16. The following reference(s) in Chapter 15, Article IV, Section 15-143, Section 15-144, and Section 15-152 of the City Code are hereby amended as follows:

In Section 15-143, Section 15-144, and Section 15-152 all references to "city clerk-treasurer's office" or "clerk treasurer's office" shall be deleted and in lieu thereof the "city finance department" or "finance department" shall be substituted.

Section 17. The following reference(s) in Chapter 15, Article V, Section 15-193 and Section 15-204 of the City Code are hereby amended as follows:

In Section 15-193 and Section 15-204 all references to "city clerk-treasurer's office" or "clerk treasurer's office" shall be deleted and in lieu thereof the "city finance department" or "finance department" shall be substituted.

Section 18. The following reference(s) in Chapter 15, Article VII, Section 15-302, Section 15-303, Section 15-304, Section 15-306, Section 15-307, and/or Section 15-313 of the City Code are hereby amended as follows:

1. In Section 15-302, Section 15-303, and Section 15-313 all references to "city clerk-treasurer's office" or "clerk treasurer's office" shall be deleted and in lieu thereof the "city finance department" or "finance department" shall be substituted.

2. In Section 15-304, Section 15-306, and Section 15-307 all references to the title "city clerk-treasurer" or "clerk-treasurer" shall be deleted and in lieu thereof the title "city finance director" or "finance director" shall be substituted.

Section 19. With regard to Chapter 2, Article VII, Division 5, Section 2-416 of the City Code:

1. Subsection (6) and Subsection (15) of Section 2-416 are hereby amended to read as follows:

(6) Tax administration; licenses. The finance director shall oversee the administration and enforcement, including auditing, assessment, and collection, of the city's tax laws in accordance with applicable state and city laws, including chapter 15 of this Code. The finance director shall issue city business licenses and shall have general supervision and control over the city's licensing division, which includes the administration and enforcement of business licenses and related regulatory matters associated therewith, including alcoholic beverage licensure, bingo operations, vehicles for hire, and residential solicitation.

(15) Public depository; liability for loss. The city council hereby directs that those qualified

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public depositories, defined and designated as such pursuant to the Code of Ala. 1975, Tit. 41, Ch. 14-A, are depositories where the finance director shall deposit public money, with interest being paid thereon and security given therefor by the depository. As to deposits made under the authority of an ordinance of the council, neither the finance director nor his bondsmen if the finance director has exercised due care shall be further liable for any loss occasioned thereby.

2. The remainder of Section 2-416, including Subsections (1) through (5), (7) through (14), and (16), shall remain in full force and effect.

Section 20. Severability. The severability provisions of section 1-8 of the City Code shall apply to this ordinance.

Section 21. Effective Date. This ordinance shall become effective upon its adoption, approval and publication.

ADOPTED this the 22nd day of May, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 22nd day of May, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

ORDINANCE NO. 25-389

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, that the following described property is hereby declared surplus and no longer needed for municipal purpose:

Equipment #690394 Count Numbermatic M121 Perforator

BE IT FURTHER ORDAINED that the Mayor of the City of Huntsville, for and on behalf of the City of Huntsville, is hereby authorized, requested and directed to dispose of said equipment, per Agreement with Managed Asset Recycling Solutions, LLC. All proceeds will be deposited into an account, to be assigned by the Information Technology Services Department, to be utilized for the purchase of new equipment.

ADOPTED this the 22nd day of May, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 22nd day of May, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

ORDINANCE NO. 25-390

WHEREAS, Southern Trust Capital, LLC, a Delaware limited liability company, by Louis W. Breland, as its Sole Member, being the owner, as the term is defined by Section 11-42-20, Code of Alabama 1975, of all the property or territory hereinafter particularly described (which property or territory is hereinafter referred to as "the Property"), filed with the City Clerk of the City of Huntsville, Alabama, a signed and written petition requesting that the Property be annexed to the City of Huntsville, Alabama, which petition is on file with the City Clerk of the City of Huntsville, Alabama; and

WHEREAS, said petition contained the signature of the owner of the Property, and filed together with said petition was a map showing the relationship of the Property to the corporate limits of the City of Huntsville, Alabama, which map is attached hereto and incorporated herein by reference; and

WHEREAS, the Property is contiguous to the present city limits of the City of Huntsville, Alabama, and the Property does not lie within the corporate limits or police jurisdiction of any other municipality; and

WHEREAS, the City Council of the City of Huntsville, Alabama, has determined that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and has further determined that all legal requirements for annexing the Property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

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

1. That the City Council of the City of Huntsville, Alabama hereby finds that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and assents to the annexation of the Property to the City of Huntsville, Alabama;

2. That the corporate limits of the City of Huntsville, Alabama, be, and the same are hereby extended and rearranged so as to embrace and include the Property, which is particularly described as follows:

All that part of Section 11, Township 5 South, Range 1 East of the Huntsville Meridian, Madison County, Alabama more particularly described as beginning at a point located at the Southwest corner of said Section 11; thence North 16 Degrees 38 Minutes 3 Seconds East 1,457.44 feet to a point; said point is further described as the Point of True Beginning; thence North 1 Degrees 45 Minutes 38 Seconds East 770.19 feet to a point; thence North 89 Degrees 45 Minutes 13 Seconds East 40.28 feet to a point; thence South 88 Degrees 41 Minutes 7 Seconds East 167.84 feet to a point; thence South 88 Degrees 41 Minutes 7 Seconds East 45.63 feet to a point; thence South 88 Degrees 41 Minutes 41 Seconds East 0.37 feet to a point; thence South 88 Degrees 41 Minutes 7 Seconds East 153.63 feet to a point; thence South 88 Degrees 41 Minutes 41 Seconds East 0.37 feet to a point; thence South 88 Degrees 28 Minutes 44 Seconds East 675.47 feet to a point; thence South 89 Degrees 8 Minutes 58 Seconds East 46 feet to a point; thence South 89 Degrees 8 Minutes 58 Seconds East 148.8 feet to a point; thence South 4 Degrees 39 Minutes 26 Seconds West 53.56 feet to a point; thence South 4 Degrees 39 Minutes 27 Seconds West 64.85 feet to a point; thence South 88 Degrees 55 Minutes 25 Seconds East 219.78 feet to a point; thence South 88 Degrees 55 Minutes 25 Seconds East 60.94 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 47.2 feet to a point; thence South 4 Degrees 15 Minutes 22 Seconds West 63.49 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 67.41 feet to a point; thence South 4 Degrees 15 Minutes 22 Seconds West 32.93 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 14.01 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 56.17 feet to a point; thence South 4 Degrees 15 Minutes 22 Seconds West 69.11 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 104.14 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 71.84 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 66.38 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 72.41 feet to a point; thence South 4 Degrees 15 Minutes 20 Seconds West 6 feet to a point; thence South 4 Degrees 15 Minutes 23 Seconds West 12.6 feet to a point; thence North 88 Degrees 16 Minutes 31 Seconds West 566.09 feet to a point; thence South 89 Degrees 54 Minutes 0 Seconds West 182.78 feet to a point; thence South 1 Degree 42 Minutes 38 Seconds West 35.05 feet to a point; thence North 88 Degrees 49 Minutes 54 Seconds West 179.46 feet to a point; thence North 1 Degree 13 Minutes 24 Seconds East 40.8 feet to a point; thence South 89 Degrees 29 Minutes 38 Seconds West 388.08 feet to a point; thence North 78 Degrees 33 Minutes 12 Seconds West 209.9 feet back to the Point of True Beginning and containing 27.61 acres more or less.

3. That this ordinance shall be published as provided by law, and become effective upon its publication as required by law.

4. That the Mayor and City Clerk of the City of Huntsville, Alabama, are hereby authorized, requested, and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Office of the Judge of Probate of Madison County, Alabama.

ADOPTED this the 22nd day of May, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 22nd day of May, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

Public Hearing Notice

In accordance with Section 23-4-1 et seq. of the Code of Alabama, 1975, as amended, you are hereby notified of a public hearing to be held at Huntsville City Hall in the Council Chamber, located at 305 Fountain Circle, Huntsville, Alabama 35801, at 5:30 p.m. on Thursday, June 26, 2025.

The purpose of the hearing is to receive public comments on an application submitted by the City of Huntsville for the vacation of a portion of a Right-of-way which is located at Memorial Parkway and McBroom Avenue, which is more particularly described as follows:

Legal Description of Right-of-Way

ROW VACATION TRACT 1

STATE OF ALABAMA: MADISON COUNTY:

A PART OF THE PATTERSON SURVEY OF THE CITY OF HUNTSVILLE AS RECORDED IN DEED BOOK QQ, PAGE 109 IN THE OFFICE OF THE PROBATE JUDGE, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID SUBDIVISION. THEN SOUTH 64 DEGREES 21 MINUTES 05 SECONDS WEST, 301.05 FEET TO A POINT. THEN SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 202.75 FEET TO A 1/2" REBAR. THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 234.46 FEET TO THE POINT OF BEGINNING. THEN FROM THE POINT OF BEGINNING NORTH 69 DEGREES 44 MINUTES 05 SECONDS EAST A DISTANCE OF 82.42 FEET TO A POINT SET (THIS POINT AND ALL POINTS HEREINAFTER REFERRED TO AS "SET") ARE MAG NAILS WITH A DISC STAMPED "MULLINS LLC / CA #1001). THEN SOUTH 14 DEGREES 41 MINUTES 42 SECONDS EAST A DISTANCE OF 15.39 FEET TO A POINT; THEN NORTH 70 DEGREES 24 MINUTES 17 SECONDS EAST A DISTANCE OF 101.83 FEET TO A POINT SET ON THE WESTERN MARGIN OF THE RIGHT OF WAY OF MEMORIAL PARKWAY. THEN ALONG SAID MARGIN SOUTH 20 DEGREES 49 MINUTES 14 SECONDS EAST A DISTANCE OF 11.32 FEET. THEN SOUTH 71 DEGREES 10 MINUTES 26 SECONDS WEST A DISTANCE OF 102.34 FEET TO A POINT; THEN SOUTH 72 DEGREES 59 MINUTES 33 SECONDS WEST A DISTANCE OF 75.74 FEET TO A POINT SET ON THE EASTERN MARGIN OF THE RIGHT OF WAY OF PLEASANT ROW. THEN ALONG SAID MARGIN NORTH 33 DEGREES 30 MINUTES 55 SECONDS WEST A DISTANCE OF 21.53 FEET TO THE POINT OF BEGINNING AND CONTAINING 2904 SQUARE FEET, MORE OR LESS.

ROW VACATION TRACT 2

STATE OF ALABAMA: MADISON COUNTY:

A PART OF THE PATTERSON SURVEY OF THE CITY OF HUNTSVILLE AS RECORDED IN DEED BOOK QQ, PAGE 109 IN THE OFFICE OF THE PROBATE JUDGE, MADISON COUNTY ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE NORTHEAST CORNER OF LOT 9 OF SAID SUBDIVISION. THEN SOUTH 64 DEGREES 21 MINUTES 05 SECONDS WEST, 301.05 FEET TO A POINT. THEN SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 202.75 FEET TO A 1/2" REBAR. THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 234.46 FEET TO A POINT; THEN CONTINUE SOUTH 33 DEGREES 30 MINUTES 55 SECONDS EAST, 21.53 FEET TO THE POINT OF BEGINNING. THEN FROM THE POINT OF BEGINNING NORTH 72 DEGREES 59 MINUTES 33 SECONDS EAST A DISTANCE OF 75.74 FEET TO A POINT SET (THIS POINT AND ALL POINTS HEREINAFTER REFERRED TO AS "SET") ARE MAG NAILS WITH A DISC STAMPED "MULLINS LLC / CA #1001). THEN SOUTH 71 DEGREES 10 MINUTES 26 SECONDS WEST A DISTANCE OF 102.34 FEET TO A POINT SET ON THE WESTERN MARGIN OF THE RIGHT OF WAY OF MEMORIAL PARKWAY. THEN ALONG SAID MARGIN SOUTH 20 DEGREES 49 MINUTES 14 SECONDS EAST A DISTANCE OF 16.54 FEET TO A POINT. THEN SOUTH 71 DEGREES 55 MINUTES 21 SECONDS WEST A DISTANCE OF 114.03 FEET TO A POINT. THEN SOUTH 68 DEGREES 21 MINUTES 32 SECONDS WEST A DISTANCE OF 59.33 FEET TO A POINT SET ON THE EASTERN MARGIN OF THE RIGHT OF WAY OF PLEASANT ROW. THEN ALONG SAID MARGIN NORTH 33 DEGREES 30 MINUTES 55 SECONDS WEST A DISTANCE OF 21.03 FEET TO THE POINT OF BEGINNING AND CONTAINING 2904 SQUARE FEET, MORE OR LESS.

This notice is being sent by United States mail at least 30 days prior to the scheduled hearing to all abutting owners, if any, and to all entities known to have facilities or equipment within the public Right-of-way of the street to be vacated, as their names and addresses appear on roll in the Madison County Revenue Commissioner's office or Madison County Tax Assessor's office, and shall be posted at the Madison County Courthouse and at Huntsville City Hall. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the City Council or may request an opportunity to be heard at the public hearing held as required by law, any such objection or request may be directed to: Attn: Thomas Nunez, City Planning Department, 305 Fountain Circle, 4th Floor, Huntsville, Alabama 35801 or thomas.nunez@huntsvilleal.gov.

RESOLUTION NO. 25-398

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to accept that certain Statutory Warranty Deed, Temporary Construction Easement Deed, and an Ingress/Egress Deed, by and between Blue Holes Preserve, LLC, as the Grantors, and the City of Huntsville, an Alabama municipal corporation, as the Grantee, for conveyance by Grantors to the City of Huntsville for certain properties located at The Fields at Hays Farm for the Haysland Road Greenway; and

BE IT FURTHER RESOLVED THAT the City of Huntsville, Alabama, hereby accepts conveyance of the Easements, attached hereto and identified as "Statutory Warranty Deed," consisting of fourteen (14) pages, including exhibits, "Temporary Construction Easement Deed," consisting of four (4) pages, and "Ingress/Egress Easement Deed," consisting of three (3) pages, and the Mayor is hereby directed and authorized to have said Deeds recorded in the Probate Records of Madison County, and an executed copy of said documents to be permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 22nd day of May, 2025.

/s/ John Meredith
President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 22nd day of May, 2025.

/s/ Tommy Battle
Mayor of the City of Huntsville,
Alabama

STATUTORY WARRANTY DEED

STATE OF ALABAMA }
COUNTY OF MADISON }

THIS STATUTORY WARRANTY DEED executed on this the 11th day of April 2025, by Blue Holes Preserve LLC, an Alabama limited liability company, as Grantor; to City of Huntsville, an Alabama municipal corporation, as Grantee.

WITNESSETH:

WHEREAS, Grantor currently owns a fee simple interest in that certain tract or parcel of real property located in Madison County, Alabama (the "Madison County Property"), such Madison County Property being more particularly described below; and

WHEREAS, Grantor desires to sell all of Grantor's interest in the Madison County Property to Grantee;

WHEREAS, Grantee is desirous of purchasing all of Grantor's interest in the Madison County Property.

NOW, THEREFORE, for and in consideration of the sum of Ten Dollars and No/100 (\$10.00), cash in hand paid this day by said Grantee, the receipt of which is hereby expressly acknowledge by Grantor, and other good and valuable consideration, the Grantor has this day given, granted bargained, sold and conveyed and does by these presents give, grant, bargain, sell, and convey unto Grantee, its successors and assigns, the following described lot or parcel of real property, situated and lying and being in the County of Madison, State of Alabama, to-wit:

As shown on the attached Exhibits A, B, C, D, E, F, G, H
And also shown on Exhibit 1

attached hereto and made a part thereof

TO HAVE AND TO HOLD the property unto the said Grantee and to its successors and assigns forever, subject however to ad-valorem taxes for the current tax year [other than any rollback taxes which the Grantor shall remain responsible for], matters that would be reflected by a current, accurate survey of the property, drainage, setback lines and zoning, use, building, utility restrictions, covenants, restrictions and easements, rights of way, all items on any recorded plat pertaining to the Property, and any matters of record or fact, zoning ordinances, laws and recorded restrictions pertaining to said property herein conveyed. Grantor makes no warranty or covenant respecting the nature of the quality of the title to the property herein conveyed other than that the Grantor has neither permitted nor suffered any lien, encumbrance, or adverse claim to the property, except as herein set forth, since the date of acquisition thereof by the Grantor.

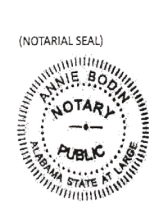
IN WITNESS WHEREOF, the said Grantor has caused this presents to be executed on this the day and year first above written.

GRANTOR:
Blue Holes Preserve LLC,
an Alabama limited liability company
By: John W. Hays, Its Manager

STATE OF ALABAMA
COUNTY OF MADISON

I, the undersigned Notary Public in and for said County and State hereby certify that John W. Hays, whose name is signed as Manager of Blue Holes Preserve LLC, an Alabama limited liability company, to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer, and with full authority, executed the same voluntarily for and as the act of said limited liability company.

GIVEN under my hand and official seal this the 11th day of April 2025.



Annie Bodin
Notary Public - Annie Bodin
Commission Expires: 03/17/2027

THIS INSTRUMENT PREPARED BY:
Annie Bodin
10002 Memorial Pkwy SW
Huntsville, AL 35803
256-883-9860

EXHIBIT A

Trail entrance no. 1
State of Alabama
Madison county

A lot or parcel of land located in section 2 township 5 south range 1 west of the Huntsville meridian, in Madison County Alabama, being more particularly described as follows:

Commencing at the south corner of lot 247 (northing: 1505331.71 easting: 4281283.49) of the fields phase 1 at Hays farm, as recorded in plat book 2022 page 370 in the office of the judge of probate of Madison county; Thence, north 69 degrees 29 minutes 04 seconds west for a distance of 2838.50 feet to the point-of-beginning; Thence, South 55 degrees 11 minutes 24 seconds West for a distance of 143.16 feet to a point; Thence, North 34 degrees 48 minutes 36 seconds West for a distance of 25.00 feet to a point; Thence, North 55 degrees 11 minutes 24 seconds East for a distance of 143.16 feet to a point; thence along a curve to the left through 28 degrees 57 minutes 18 seconds, having a radius of 50.00 feet, and a chord bearing and distance of South 34 degrees 48 minutes 36 seconds East for a distance of 25.00 feet to the point-of-beginning.

Said parcel containing 0.08 acres more or less.

EXHIBIT B

Trail entrance no. 2
State of Alabama
Madison county

A lot or parcel of land located in section 2 township 5 south range 1 west of the Huntsville meridian, in Madison County Alabama, being more particularly described as follows:

Commencing at the south corner of lot 247 (northing: 1505331.71 easting: 4281283.49) of the fields phase 1 at Hays farm, as recorded in plat book 2022 page 370 in the office of the judge of probate of Madison county; thence north 54 degrees 12 minutes 16 seconds west for a distance of 1654.88 feet to the point-of-beginning; Thence, South 70 degrees 44 minutes 32 seconds West for a distance of 52.61 feet to a point; Thence, North 19 degrees 15 minutes 28 seconds West for a distance of 135.00 feet to a point; Thence, North 70 degrees 44 minutes 32 seconds East for a distance of 20.00 feet to a point; Thence, South 19 degrees 15 minutes 28 seconds East for a distance of 61.17 feet to a point; Thence, South 43 degrees 05 minutes 11 seconds East for a distance of 78.28 feet to a point; thence South 43 degrees 05 minutes 11 seconds East a distance of 2.42 feet to the point-of-beginning.

Said parcel containing 0.09 acres more or less.

EXHIBIT C

Trail entrance no. 3
State of Alabama
Madison county

A lot or parcel of land located in section 2 township 5 south range 1 west of the Huntsville meridian, in Madison County Alabama, being more particularly described as follows:

Commencing at the south corner of lot 247 (northing: 1505331.71 easting: 4281283.49) of the fields phase 1 at Hays farm, as recorded in plat book 2022 page 370 in the office of the judge of probate of Madison county; thence north 47 degrees 54 minutes 22 seconds west for a distance of 2191.30 feet to the point-of-beginning; Thence, North 43 degrees 05 minutes 11 seconds West for a distance of 130.87 feet to a point; Thence, North 51 degrees 08 minutes 28 seconds East for a distance of 25.07 feet to a point; Thence, North 42 degrees 08 minutes 31 seconds East for a distance of 25.07 feet to a point; Thence, South 43 degrees 05 minutes 11 seconds East for a distance of 130.87 feet to a point; thence along a curve to the left having a radius of 50.00 feet, and a chord bearing and distance of South 46 degrees 54 minutes 49 seconds West for a distance of 50.00 feet to the point-of-beginning.

Said parcel containing 0.15 acres more or less.</