

ORDINANCE NO. 26-793

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 portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Linda Dinges Fulmer**, 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:

This Instrument Prepared By:

Leslie Caren Sharpe, Esq.
Butler Snow LLP
200 West Side Sq., Suite 100
Huntsville, AL 35801
(256) 936-5606

STATE OF ALABAMA)

**QUITCLAIM DEED FOR VACATION OF
PORTION OF EASEMENT**

COUNTY OF MADISON)

WHEREAS, THE CITY OF HUNTSVILLE, ALABAMA, a municipal corporation (hereinafter referred to as the "**Grantor**") is the holder of that certain 10' utility and drainage easement as shown on the Pizitz Subdivision Plat recorded in Plat Book 33, Page 40, recorded in the Office of the Judge of Probate of Madison County, Alabama, portions of which are more particularly described on **Exhibit A** and graphically depicted on **Exhibit B** attached hereto and incorporated herein by reference (the "**Easement Property**"); and

WHEREAS, Grantor has agreed to vacate the Easement Property and to convey all of its right, title and interest in and to the Easement Property to **LINDA DINGES FULMER**, an unmarried woman (hereinafter referred to as the "**Grantee**").

KNOW ALL MEN BY THESE PRESENTS, THAT FOR and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration to the undersigned Grantor, in hand paid by Grantee, the receipt of which is hereby acknowledged, Grantor does hereby remise, release, quitclaim and convey unto Grantee, all of its interest in and to the Easement Property.

Pursuant to the provisions of Ala. Code §40-22-1 (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address:	305 Fountain Circle SW, Huntsville, AL 35801
Grantee's Address:	413 Lowe Avenue, Huntsville, AL 35801
Property Address:	N/A
Purchase Price:	N/A – Vacation of Easement

THIS INSTRUMENT HAS BEEN PREPARED IN ACCORDANCE WITH INFORMATION SUPPLIED TO THE PREPARER. NO TITLE EXAMINATION AND/OR OPINION WAS REQUESTED BY EITHER GRANTOR OR GRANTEE, AND NONE WAS CONDUCTED AND/OR RENDERED.

TO HAVE AND TO HOLD unto Grantee, her heirs and assigns forever.

[Signature Page Follows]

IN WITNESS WHEREOF, GRANTOR has hereunto set its hand and seal, effective as of the 10th day of September, 2026.

GRANTOR:

THE CITY OF HUNTSVILLE, ALABAMA,
A municipal corporation

By: Tommy Battle
Name: Tommy Battle
Title: Mayor

Attest: 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, whose name as Mayor of **THE CITY OF HUNTSVILLE, ALABAMA**, a municipal corporation, is signed 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 for and as the act of said municipal corporation.

GIVEN under my hand and official seal this the 10th day of September, 2026.

Anta Gwin Chagnalay
Notary Public
My Commission Expires 07/10/2028

[SEAL]

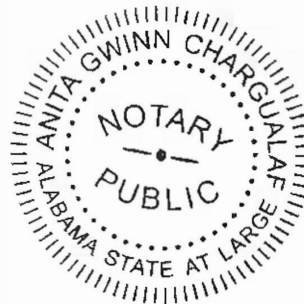


EXHIBIT A

Legal Description

ALL THAT PART OF LOT 1, BLOCK 1 OF PIZITZ SUBDIVISION A RESUBDIVISION OF LOTS 16-20 & 26 OF MOORMAN-NEWMAN ADDITION AND A RESUBDIVISION OF PARCEL A-4-2 OF THE NEIGHBORHOOD DEVELOPMENT PROJECT ALA, A-2 AREA 4, SECTION 1, TOWNSHIP 4 SOUTH, RANGE 1 WEST IN THE CITY OF HUNTSVILLE, ALABAMA, AS RECORDED IN THE OFFICE OF JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT BOOK 33, PAGE 40 AND BEGINNING AT A POINT THAT IS NORTH 33 DEGREES 17 MINUTES 52 SECONDS WEST 5.69 FEET AND SOUTH 85 DEGREES 18 MINUTES 00 SECONDS WEST 5.69 FEET FROM THE SOUTHEAST CORNER OF SAID LOT 1, BLOCK 1 OF SAID PIZITZ SUBDIVISION;

THENCE FROM THE TRUE POINT OF BEGINNING SOUTH 85 DEGREES 18 MINUTES 00 SECONDS WEST 5.69 FEET TO A POINT;

THENCE NORTH 33 DEGREES 17 MINUTES 52 SECONDS WEST 88.22 FEET TO A POINT;

THENCE NORTH 34 DEGREES 46 MINUTES 42 SECONDS WEST 48.85 FEET TO A POINT;

THENCE NORTH 76 DEGREES 07 MINUTES 52 SECONDS EAST 5.35 FEET TO A POINT;

THENCE SOUTH 34 DEGREES 46 MINUTES 42 SECONDS EAST 47.00 FEET TO A POINT;

THENCE SOUTH 33 DEGREES 17 MINUTES 52 SECONDS EAST 91.01 FEET TO THE POINT OF BEGINNING AND CONTAINING 687.73 SQUARE FEET MORE OR LESS.

Depiction of Easement Property

This site plan illustrates the proposed additions and setbacks for a property located on E. 1st Avenue. The plan includes the following details:

- Property Line:** Indicated by a dashed line.
- Building Setback Line:** A red line indicating the required setbacks from the property line.
- Proposed Addition:** A new structure is shown, with a note indicating it is a "PROPOSED ADDITION ENCROACHMENT INTO UTILITY & DRAIN EASEMENT".
- Existing Structure:** The existing building is shown with a note indicating it is an "EXISTING REAR PORTION".
- Setbacks:** The plan shows setbacks of 20 feet from the property line and 10 feet from the building setback line.
- Utility & Drain Easement:** A utility and drain easement is shown, with a note indicating it is a "UTILITY & DRAIN EASEMENT".
- Encroachment:** A note indicates a "PROPOSED ADDITION ENCROACHMENT INTO UTILITY & DRAIN EASEMENT".
- Address:** The address "1200 E. 1st Avenue" is shown at the bottom of the plan.

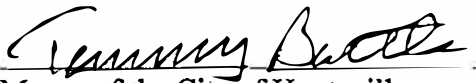
ORDINANCE NO. 26-793 (Cont'd)

ADOPTED this the 10th day of September 2026.



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

APPROVED this the 10th day of September 2026.



Mayor of the City of Huntsville,
Alabama