

ORDINANCE NO. 2026-403

**AN ORDINANCE FOR THE VACATION OF A UTILITY & DRAINAGE EASEMENT
LOCATED WITHIN 177 TOWHEE WAY, LOT 32 OF MOORE'S CREEK PHASE 5
SUBDIVISION**

BE IT HEREBY FOUND AND ORDAINED by the City Council of the City of Madison, Alabama, as follows:

SECTION 1. That an application has been presented to the Planning & Economic Development Department of the City of Madison on behalf of **Eric Timothy Kleinhans & Teresa Michele Kleinhans** the vacation of a portion of a utility and drainage easement located within 177 Towhee Way, Lot 32 of Moore's Creek Phase 5 Subdivision and further described as follows :

ALL THAT PART OF LOT 32 OF MOORES CREEK PHASE 5 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA, IN PLAT BOOK K, PAGES 278-279, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 32, THENCE SOUTH 89 DEGREES 23 MINUTES 06 SECONDS EAST AND ALONG THE NORTH BOUNDARY OF SAID LOT 32, 10.00 FEET TO A POINT; THENCE LEAVING THE SAID NORTH BOUNDARY, SOUTH 00 DEGREES 36 MINUTES 54 SECONDS WEST 5.00 FEET TO THE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED;

THENCE FROM THE POINT OF BEGINNING SOUTH 89 DEGREES 23 MINUTES 06 SECONDS EAST, 5.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 36 MINUTES 54 SECONDS WEST, 50.00 FEET TO A POINT; THENCE NORTH 89 DEGREES 23 MINUTES 06 SECONDS WEST, 5.00 FEET TO A POINT; THENCE NORTH 00 DEGREES 36 MINUTES 54 SECONDS EAST, 50.00 FEET TO THE POINT OF BEGINNING AND CONTAINING 250 SQUARE FEET, MORE OR LESS.

SECTION 2. That the easement requested for vacation is not used by the City, and it is no longer needed for public or municipal purposes.

SECTION 3. Pursuant to the findings in this Ordinance, the Mayor of the City of Madison, Alabama, is hereby authorized, requested, and directed to execute a quitclaim deed vacating the easement.

NOW, THEREFORE, BE IT HEREBY ORDAINED by the City Council of the City of Madison, Alabama, that, in accordance with the foregoing, the Mayor of the City of Madison, Alabama, is hereby authorized and directed to execute a quitclaim deed vacating the above-described utility & drainage easement in favor of **Eric Timothy Kleinhans & Teresa Michele Kleinhans** and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of October 2026.

Maura Wroblewski, Council President
City of Madison, Alabama

ATTEST:

Lisa Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of October 2026.

Ranae Bartlett, Mayor
City of Madison, Alabama