

ORDINANCE NO. 2023-157

**AN ORDINANCE FOR THE VACATION OF UTILITY AND DRAINAGE EASEMENT
LOCATED WITHIN THE BELLAWOODS 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 Diltina Development Corporation, requesting the vacation of utility and drainage easement located within Tract 2 of Bellawoods, Phase 1 and further described as follows:

STATE OF ALABAMA)
LIMESTONE COUNTY)

PUDE EASEMENT TO BE VACATED

PART OF A 15' PUBLIC UTILITY AND DRAINAGE EASEMENT ON TRACT 2 OF THE FINAL PLAT OF BELLAWOODS - PHASE 1 AS RECORDED IN PLAT BOOK K PAGE 214-216, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LOCATED IN SECTION 35, TOWNSHIP 3 SOUTH, RANGE 3 WEST OF LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF TRACT 2 OF THE SAID PLAT, LOCATED ON THE NORTH RIGHT OF-WAY OF HUNTSVILLE BROWNSFERRY ROAD, THENCE NORTH 01 DEGREE 12 MINUTES 18 SECONDS EAST FOR A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, THENCE ALONG A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 89 DEGREES 59 MINUTES 57 SECONDS, HAVING A RADIUS OF 15.00 FEET, HAVING A CHORD BEARING OF NORTH 43 DEGREES 48 MINUTES 19 SECONDS WEST FOR A DISTANCE OF 23.56 FEET TO A POINT; THENCE NORTH 01 DEGREE 11 MINUTES 42 SECONDS EAST, 5.71 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 05 DEGREES 09 MINUTES 40 SECONDS, HAVING A RADIUS OF 180.00 FEET, HAVING A CHORD BEARING OF NORTH 01 DEGREES 23 MINUTES 08 SECONDS WEST FOR A DISTANCE OF 16.21 FEET TO A POINT; THENCE NORTH 86 DEGREES 02 MINUTES 02 SECONDS EAST, 10.00 FEET TO A POINT; THENCE ALONG A CURVE TO THE RIGHT, HAVING A DELTA ANGLE OF 05 DEGREES 09 MINUTES 40 SECONDS, HAVING A RADIUS OF 190.00 FEET, HAVING A CHORD BEARING OF SOUTH 01 DEGREE 23 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 17.11 FEET TO A POINT; THENCE SOUTH 01 DEGREE 11 MINUTES 42 SECONDS WEST, 10.71 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT, HAVING A DELTA ANGLE OF 89 DEGREES 59 MINUTES 25 SECONDS, HAVING A RADIUS OF 10.00 FEET, HAVING A CHORD BEARING OF SOUTH 43 DEGREES 48 MINUTES 00 SECONDS EAST FOR A DISTANCE OF 14.14 FEET TO A POINT OF BEGINNING;

CONTAINING 0.01 ACRES (347 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 and drainage easement in favor of **Diltina Development Corporation**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of May 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of May 2023.

Paul Finley, Mayor
City of Madison, Alabama