

**ORDINANCE NO. 2023-419**

**AN ORDINANCE FOR THE VACATION OF UTILITY AND DRAINAGE EASEMENT  
LOCATED WITHIN TRACT 4 AND TRACT 5 OF THE FINAL PLAT OF BELLAWOODS  
SUBDIVISION – PHASE 1**

**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 4 and Tract 5 of Bellawoods Subdivision – Phase 1 and further described as follows:

STATE OF ALABAMA  
COUNTY OF LIMESTONE

**EASEMENT TO BE VACATED**

A PARCEL OF LAND BEING A PORTION OF TRACT 4 AND TRACT 5 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 IS LOCATED IN SECTION 35, TOWNSHIP 3 SOUTH, RANGE 3 WEST OF MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 4, THENCE NORTH 89 DEGREES 57 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 39 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 1684.68 FEET TO A POINT; THENCE NORTH 77 DEGREES 52 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 5.10 FEET TO A POINT; THENCE NORTH 85 DEGREES 16 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 5.01 FEET TO A POINT; THENCE NORTH 00 DEGREES 39 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 1683.28 FEET TO A POINT; THENCE SOUTH 89 DEGREES 01 MINUTE 12 SECONDS EAST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.39 ACRES 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 January 2024.

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***Ranae Bartlett, Council President***  
**City of Madison, Alabama**

**ATTEST:**

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

**APPROVED** this \_\_\_\_\_ day of January 2024.

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***Paul Finley, Mayor***  
**City of Madison, Alabama**