

**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**