

**ORDINANCE NO. 2025-253**

**VACATION OF UTILITY AND DRAINAGE EASEMENT LOCATED WITHIN  
LOTS 40-41, 44-45, 47-50, AND 85-86 OF  
HERITAGE HILLS PHASE 3 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 **Tennessee Valley Communities, LLC**, requesting the vacation of a portion of a utility and drainage easement located within Lots 40-41, 44-45, 47-50, and 85-86 of Heritage Hills Phase 3 Subdivision and further described as follows:

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED IRON PIN (2TP) MARKING THE SOUTHWEST CORNER OF LOT 40 AND THE SOUTHEAST CORNER OF LOT 41 OF THE FINAL PLAT OF "HERITAGE HILLS PHASE 3" AS RECORDED IN PLAT BOOK L PAGE 198, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF SHERRY HILL TRAIL (50' PUBLIC RIGHT-OF-WAY) AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,155.94', EAST: 363,111.20'; THENCE LEAVING SAID NORTH MARGIN AND ALONG THE COMMON LOT LINE OF SAID LOTS 40 & 41 OF SAID HERITAGE HILLS PHASE 3 (PB L PG 198), NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 126.00 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,281.04', EAST: 363,126.25';

THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE, NORTH 83 DEGREES 08 MINUTES 31 SECONDS WEST, 5.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 4.00 FEET TO A POINT; THENCE SOUTH 83 DEGREES 08 MINUTES 31 SECONDS EAST, 10.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 4.00 FEET TO A POINT; THENCE NORTH 83 DEGREES 08 MINUTES 31 SECONDS WEST, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 40 SQUARE FEET, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED IRON PIN (2TP) MARKING THE SOUTHWEST CORNER OF LOT 44 AND THE SOUTHEAST CORNER OF LOT 45 OF THE FINAL PLAT OF "HERITAGE HILLS PHASE 3" AS RECORDED IN PLAT BOOK L PAGE 198, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF SHERRY HILL TRAIL (50' PUBLIC RIGHT-OF-WAY) AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,222.37' EAST: 362,736.45'; THENCE, LEAVING SAID NORTH MARGIN AND ALONG THE COMMON LOT LINE OF SAID LOTS 44 & 45 OF SAID HERITAGE HILLS PHASE 3 (PB L PG 198), NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 104.80 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,326.42', EAST: 362,748.97';

THENCE, FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE, NORTH 83 DEGREES 08 MINUTES 31 SECONDS WEST, 5.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 4.00 FEET TO A POINT; THENCE SOUTH 83 DEGREES 08 MINUTES 31 SECONDS EAST, 10.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 4.00 FEET TO A POINT; THENCE NORTH 83 DEGREES 08 MINUTES 31 SECONDS WEST, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 40 SQUARE FEET, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED IRON PIN (2TP) MARKING THE NORTHEAST CORNER OF LOT 47 AND THE NORTHWEST CORNER OF LOT 48 OF THE FINAL PLAT OF "HERITAGE HILLS PHASE 3" AS RECORDED IN PLAT BOOK L PAGE 198, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF SHERRY HILL TRAIL (50' PUBLIC RIGHT-OF-WAY) AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH:

1,533,142.67' EAST: 362,753.92'; THENCE, LEAVING SAID SOUTH MARGIN AND ALONG THE COMMON LOT LINE OF SAID LOTS 47 & 48 OF SAID HERITAGE HILLS PHASE 3 (PB L PG 198), SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 131.82 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,011.79', EAST: 363,738.18';

THENCE, FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE, SOUTH 83 DEGREES 01 MINUTES 08 SECONDS EAST, 5.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 8.00 FEET TO A POINT; THENCE NORTH 83 DEGREES 01 MINUTES 08 SECONDS WEST 10.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 8.00 FEET TO A POINT; THENCE SOUTH 83 DEGREES 01 MINUTE 08 SECONDS EAST, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 80 SQUARE FEET, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED IRON PIN (2TP) MARKING THE NORTHEAST CORNER OF LOT 49 AND THE NORTHWEST CORNER OF LOT 50 OF THE FINAL PLAT OF "HERITAGE HILLS PHASE 3" AS RECORDED IN PLAT BOOK L PAGE 198, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LYING ON THE SOUTH RIGHT-OF-WAY MARGIN OF SHERRY HILL TRAIL (50' PUBLIC RIGHT-OF-WAY) AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,125.78' EAST: 362,943.26'; THENCE, LEAVING SAID SOUTH MARGIN AND ALONG THE COMMON LOT LINE OF SAID LOTS 49 & 50 OF SAID HERITAGE HILLS PHASE 3 (PB L PG 198), SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 142.07 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,532,984.73', EAST: 362,926.30';

THENCE, FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE, SOUTH 83 DEGREES 01 MINUTE 08 SECONDS EAST, 5.00 FEET TO A POINT; THENCE SOUTH 06 DEGREES 51 MINUTES 29 SECONDS WEST, 4.00 FEET TO A POINT; THENCE NORTH 83 DEGREES 01 MINUTES 08 SECONDS WEST, 10.00 FEET TO A POINT; THENCE NORTH 06 DEGREES 51 MINUTES 29 SECONDS EAST, 4.00 FEET TO A POINT; THENCE

SOUTH 83 DEGREES 01 MINUTE 08 SECONDS EAST, 5.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 40 SQUARE FEET, MORE OR LESS.

AND

A PARCEL OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 11, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8" CAPPED IRON PIN (2TP) MARKING THE SOUTHWEST CORNER OF LOT 85 AND THE SOUTHEAST CORNER OF LOT 86 OF THE FINAL PLAT OF "HERITAGE HILLS PHASE 3" AS RECORDED IN PLAT BOOK L PAGE 198, IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND LYING ON THE NORTH RIGHT-OF-WAY MARGIN OF SHERRY HILL TRAIL (50' PUBLIC RIGHT-OF-WAY) AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,139.66' EAST: 363,410.85'; THENCE, LEAVING SAID NORTH MARGIN AND ALONG THE COMMON LOT LINE OF SAID LOTS 85 & 86 OF SAID HERITAGE HILLS PHASE 3 (PB L PG 198), NORTH 00 DEGREES 23 MINUTES 29 SECONDS EAST, 145.23 FEET TO THE POINT OF BEGINNING AND HAVING STATE PLANE COORDINATES (EAST ZONE, NAD '83) OF NORTH: 1,533,284.88', EAST: 363,411.84';

THENCE, FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE, SOUTH 87 DEGREES 45 MINUTES 51 SECONDS WEST, 5.01 FEET TO A POINT; THENCE NORTH 00 DEGREES 23 MINUTES 29 SECONDS EAST, 4.00 FEET TO A POINT; THENCE NORTH 87 DEGREES 45 MINUTES 51 SECONDS EAST, 10.01 FEET TO A POINT; THENCE SOUTH 00 DEGREES 23 MINUTES 29 SECONDS WEST, 4.00 FEET TO A POINT; THENCE SOUTH 87 DEGREES 45 MINUTE 51 SECONDS WEST, 5.01 FEET TO THE POINT OF BEGINNING.

CONTAINING 40 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 **Tennessee Valley Communities, LLC**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

**READ, PASSED, AND ADOPTED** this \_\_\_\_ day of September 2025.

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***John D. Seifert II, Council President***  
**City of Madison, Alabama**

**ATTEST:**

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

**APPROVED** this \_\_\_\_ day of September 2025.

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