

ORDINANCE NO. 2025-235

**AN ORDINANCE FOR THE VACATION OF UTILITY & DRAINAGE EASEMENT
LOCATED WITHIN LOTS 4 & 5 OF BLOCK 2 OF CHESTNUT ACRES 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 **3+2 Properties, LLC**, requesting the vacation of a portion of utility & drainage easement located within Lots 4 & 5 of Block 2 of Chestnut Acres Subdivision and further described as follows:

ALL THAT PART OF LOTS 4 AND 5 OF BLOCK 2 OF CHESTNUT ACRES AS RECORDED IN PLAT BOOK 6 ON PAGE 49 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT A 5/8" REBAR FOUND AT THE NORTHWEST CORNER OF SAID LOT 4 OF SAID SUBDIVISION; THENCE, INTO SAID LOT 4, SOUTH 17 DEGREES 02 MINUTES 24 SECONDS EAST 15.79 FEET TO A POINT THAT IS 5 FEET EAST OF THE WEST BOUNDARY OF SAID LOT 4 AND 15 FEET SOUTH OF THE SOUTH MARGIN OF THE 50-FOOT RIGHT OF WAY FOR CHESTNUT DRIVE; THENCE SOUTH 88 DEGREES 51 MINUTES 09 SECONDS EAST 123.20 FEET TO THE POINT OF BEGINNING OF THE EASEMENT HERIN DESCRIBED, SAID POINT BEING ON THE WEST BOUNDARY OF THE 5-FOOT UTILITY AND DRAINAGE EASEMENT WHICH LIES ALONG THE EAST BOUNDARY OF SAID LOT 4;

THENCE, FROM THE POINT OF BEGINNING, ALONG A LINE THAT IS 15 FEET SOUTH OF THE SOUTH MARGIN OF CHESTNUT DRIVE, ACROSS SAID LOTS 4 AND 5, SOUTH 88 DEGREES 51 MINUTES 09 SECONDS EAST 10.00 FEET TO A POINT ON THE EAST BOUNDARY OF THE 5-FOOT UTILITY AND DRAINAGE EASEMENT THAT LIES ALONG THE WEST BOUNDARY OF SAID LOT 5; THENCE, ALONG THE EAST BOUNDARY OF SAID EASEMENT, SOUTH 01 DEGREE 13 MINUTES 33 SECONDS WEST 129.72 FEET TO THE NORTH BOUNDARY OF THE 5-FOOT EASEMENT WHICH LIES ALONG THE SOUTH BOUNDARIES OF THE TWO LOTS; THENCE NORTH 88 DEGREES 47 MINUTES 59 SECONDS WEST 10.00 FEET TO THE WEST BOUNDARY OF THE 5-FOOT UTILITY AND DRAINAGE EASEMENT THAT LIES ALONG THE EAST BOUNDARY OF SAID LOT 4; THENCE, ALONG SAID BOUNDARY, NORTH 01 DEGREES 13 MINUTES 33 SECONDS EAST 129.71 FEET TO THE POINT OF BEGINNING, CONTAINING 1,297 SQUARE FEET, OR 0.0298 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 & drainage easement in favor of **3+2 Properties, LLC**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of August 2025.

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

ATTEST:

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

APPROVED this ____ day of August 2025.

Paul Finley, Mayor
City of Madison, Alabama