

ORDINANCE NO. 2025-185

**AN ORDINANCE VACATING UTILITY & DRAINAGE EASEMENT
LOCATED WITHIN LOT 2 OF MCCURRY 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 **Madison Fair Hotel II, LLC**, requesting the vacation of a portion of a utility & drainage easement located within Lot 2 of McCurry Phase 3 Subdivision and further described as follows:

A PORTION OF THE UTILITY AND DRAINAGE EASEMENT OF AN EXISTING 40-FOOT PUBLIC INGRESS/EGRESS AND UTILITY AND DRAINAGE AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN DOCUMENT NUMBERS 20090318000176480 AND 20170803000449290, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 1/2 INCH CAPPED REBAR STAMPED "JOHNSON CA0193LS" LYING ON THE SOUTHERN RIGHT-OF-WAY MARGIN OF MADISON BOULEVARD AT THE NORTHWEST CORNER OF LOT 2 OF "McCURRY, PHASE 3" SUBDIVISION AS RECORDED IN DOCUMENT NUMBER 20170803000449290 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA, SAID POINT ALSO BEING THE NORTHEAST CORNER OF LOT 1 OF "COMFORT INN & SUITES SUBDIVISION" AS RECORDED IN DOCUMENT NUMBER 20090318000176480; THENCE RUNNING ALONG THE COMMON LINE BETWEEN SAID LOT 1 AND LOT 2 SOUTH 25 DEGREES 34 MINUTES 27 SECONDS EAST A DISTANCE OF 20.00 FEET TO THE POINT OF BEGINNING OF THE UTILITY AND DRAINAGE PORTION HEREIN DESCRIBED TO BE VACATED; THENCE FROM THE POINT OF BEGINNING AND LEAVING SAID COMMON LOT LINE NORTH 64 DEGREES 36 MINUTES 03 SECONDS EAST A DISTANCE OF 5.00 FEET TO A POINT; THENCE RUNNING PARALLEL WITH SAID COMMON LOT LINE SOUTH 25 DEGREES 34 MINUTES 27 SECONDS EAST A DISTANCE OF 112.00 FEET TO A POINT; THENCE SOUTH 64 DEGREES 36 MINUTES 03 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT LYING ON SAID COMMON LOT LINE; THENCE NORTH 25 DEGREES 34 MINUTES 27 SECONDS WEST A DISTANCE OF 112.00 FEET TO THE POINT OF BEGINNING, AND CONTAINING 0.01 ACRES, MORE OR LESS. NOTE: NO PORTION OF THE INGRESS/EGRESS EASEMENT IS TO BE VACATED.

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 **Madison Fair Hotel II, LLC**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

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

Paul Finley, Mayor
City of Madison, Alabama