

ORDINANCE NO. 2023-190

**AN ORDINANCE FOR THE VACATION OF UTILITY AND DRAINAGE EASEMENT
LOCATED WITHIN 103 WILLOW POND DRIVE, LOT 50 OF WILLOW CREEK
SUBDIVISION PHASE 2**

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 Vince Averette, requesting the vacation of utility and drainage easement located within 103 Willow Pond Drive, Lot 50 of Willow Creek Subdivision Phase 2 and further described as follows:

STATE OF ALABAMA
COUNTY OF MADISON

EASEMENT TO BE VACATED

All that part of Lot 50 of WILLOW CREEK, PHASE 2, A RESUBDIVISION OF TRACT A OF WILLOW CREEK, A RESUBDIVISION OF TRACT 1 OF MARVIN STEWART PHASE 1 (20150622000331800) DOCUMENT NO. 20161229000742250 (and corrected by Surveyor's Affidavit recorded as Document No. 20170105000008380), as recorded in Document No. 2018-00027553, in the Office of The Judge of Probate of Madison County, Alabama; Particularly described as commencing at the Northeast corner of said Lot 50; Thence South 60 degrees 25 minutes 59 seconds West 8.56 feet; Thence South 00 degrees 43 minutes 33 seconds East 2.28 feet to the Point of Beginning of the herein described tract.

Thence from the Point of Beginning, continue South 00 degrees 43 minutes 33 seconds East 3.42; Thence South 60 degrees 25 minutes 59 seconds West 112.24 feet; Thence around a curve to the left having a radius of 65.00 feet with a chord bearing and distance of North 26 degrees 28 minutes 23 seconds West 3.00 feet; Thence North 60 degrees 25 minutes 59 seconds East 138.36 feet to the Point of Beginning.

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 **Vince Averette**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of June 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of June 2023.

Paul Finley, Mayor
City of Madison, Alabama