

ORDINANCE NO. 2023-118

**AN ORDINANCE FOR THE VACATION OF A UTILITY AND DRAINAGE EASEMENT
LOCATED WITHIN 3 PARK PRESERVE 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 utility and drainage easement located within Common Area 1C and Lot 1 of the Final Plat of 3 Park Preserve Subdivision and further described as follows:

STATE OF ALABAMA
COUNTY OF MADISON

PART OF AN EASEMENT LOCATED ON COMMON AREA 1C OF THE FINAL PLAT OF 3 PARK PRESERVE AS RECORDED IN PLAT BOOK J PAGE 476-477 IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA LOCATED IN SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF LOT 130 OF THE FINAL PLAT OF 3 PARK PRESERVE AS RECORDED IN PLAT BOOK J PAGES 476-477 IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA, THENCE SOUTH 31 DEGREES 11 MINUTES 11 SECONDS WEST FOR A DISTANCE OF 37.24 FEET TO A POINT; THENCE SOUTH 31 DEGREES 20 MINUTES 43 SECONDS WEST FOR A DISTANCE OF 39.26 FEET TO THE POINT OF BEGINNING;

THENCE ALONG A CURVE TO A LEFT, HAVING A DELTA ANGLE OF 11 DEGREES 32 MINUTES 13 SECONDS, HAVING A RADIUS OF 25.00 FEET, HAVING A CHORD BEARING OF SOUTH 52 DEGREES 44 MINUTES 08 SECONDS EAST FOR A DISTANCE OF 5.03 FEET TO A POINT; THENCE, SOUTH 58 DEGREES 30 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT; THENCE, SOUTH 31 DEGREES 29 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 10.88 FEET TO A POINT; THENCE ALONG A CURVE TO A RIGHT, HAVING A DELTA ANGLE OF 27 DEGREES 38 MINUTES 08 SECONDS, HAVING A RADIUS OF 21.48 FEET, HAVING A CHORD BEARING OF NORTH 45 DEGREES 32 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 10.26 FEET TO A POINT; THENCE NORTH 31 DEGREES 29 MINUTES 45 SECONDS EAST A DISTANCE OF 9.08 FEET TO THE POINT OF BEGINNING;

CONTAINING 102 SQUARE FEET MORE OR LESS.

AND

PART OF AN EASEMENT LOCATED ON LOT 1 OF THE FINAL PLAT OF 3 PARK PRESERVE AS RECORDED IN PLAT BOOK J PAGE 476-477 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA LOCATED IN SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3 WEST AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF LOT 1 OF THE FINAL PLAT OF 3 PARK PRESERVE AS RECORDED IN PLAT BOOK J PAGES 476-477 IN THE OFFICE OF THE JUDGE

OF PROBATE OF LIMESTONE COUNTY, ALABAMA, THENCE NORTH 31 DEGREES 29 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 105.00 FEET TO A POINT; THENCE SOUTH 58 DEGREES 30 MINUTES 15 SECONDS EAST FOR A DISTANCE 6.00 FEET TO THE POINT OF BEGINNING;

THENCE NORTH 31 DEGREES 29 MINUTES 45 SECONDS EAST A DISTANCE OF 15.00 FEET TO A POINT; THENCE, SOUTH 58 DEGREES 30 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 10.83 FEET TO A POINT; THENCE ALONG A CURVE TO A LEFT, HAVING A DELTA ANGLE OF 30 DEGREES 00 MINUTES 00 SECONDS, HAVING A RADIUS OF 10.00 FEET, HAVING A CHORD BEARING OF SOUTH 46 DEGREES 29 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 5.18 FEET TO A POINT; THENCE, SOUTH 31 DEGREES 29 MINUTES 45 SECONDS WEST FOR A DISTANCE OF 10.00 FEET TO A POINT; THENCE, NORTH 58 DEGREES 30 MINUTES 15 SECONDS WEST FOR A DISTANCE OF 9.00 FEET TO THE POINT OF BEGINNING;

CONTAINING 137 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 easements 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 April 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this _____ day of April 2023.

Paul Finley, Mayor
City of Madison, Alabama