

ORDINANCE NO. 2023-419

**AN ORDINANCE FOR THE VACATION OF UTILITY AND DRAINAGE EASEMENT
LOCATED WITHIN TRACT 4 AND TRACT 5 OF THE FINAL PLAT OF BELLAWOODS
SUBDIVISION – PHASE 1**

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 Diltina Development Corporation, requesting the vacation of utility and drainage easement located within Tract 4 and Tract 5 of Bellawoods Subdivision – Phase 1 and further described as follows:

STATE OF ALABAMA
COUNTY OF LIMESTONE

EASEMENT TO BE VACATED

A PARCEL OF LAND BEING A PORTION OF TRACT 4 AND TRACT 5 OF THE FINAL PLAT OF BELLAWOODS - PHASE 1 AS RECORDED IN PLAT BOOK K PAGE 214-216 IN THE OFFICE OF THE JUDGE OF PROBATE OF LIMESTONE COUNTY, ALABAMA AND IS LOCATED IN SECTION 35, TOWNSHIP 3 SOUTH, RANGE 3 WEST OF MADISON COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID TRACT 4, THENCE NORTH 89 DEGREES 57 MINUTES 06 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT; THENCE SOUTH 00 DEGREES 39 MINUTES 56 SECONDS WEST FOR A DISTANCE OF 1684.68 FEET TO A POINT; THENCE NORTH 77 DEGREES 52 MINUTES 10 SECONDS WEST FOR A DISTANCE OF 5.10 FEET TO A POINT; THENCE NORTH 85 DEGREES 16 MINUTES 22 SECONDS WEST FOR A DISTANCE OF 5.01 FEET TO A POINT; THENCE NORTH 00 DEGREES 39 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 1683.28 FEET TO A POINT; THENCE SOUTH 89 DEGREES 01 MINUTE 12 SECONDS EAST A DISTANCE OF 5.00 FEET TO THE POINT OF BEGINNING. CONTAINING 0.39 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 and drainage easement in favor of **Diltina Development Corporation**, and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same.

READ, PASSED, AND ADOPTED this ____ day of January 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this _____ day of January 2024.

Paul Finley, Mayor
City of Madison, Alabama