

RESOLUTION NO. 2023-038-R

**A RESOLUTION AUTHORIZING A LANDSCAPE BUFFER AGREEMENT
WITH D&S COWBOYS #1, LLC AND JIM SIBLEY**

WHEREAS, the Zoning Board of Adjustment and Appeals of the City of Madison granted a conditional variance to D&S Cowboys #1, LLC to allow a landscaping buffer within the City's right of way along the southeastern corner of Hughes Road and Portal Lane; and

WHEREAS, D & S Cowboys #1, LLC has since transferred interest of the Property to Jim Sibley;

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized to execute on behalf of the City an Agreement with D&S Cowboys #1, LLC, and Jim Sibley to provide for the placement of a landscape buffer within the City's right of way, said Agreement to be substantially similar in purpose, intent, and composition to that certain document attached hereto and identified as "Landscaping and Buffer Agreement," and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the Agreement, the Mayor or his designee shall be hereby authorized for the entire term of the Agreement to execute any and all documentation necessary to enforce and comply with the terms thereof, subject to the budgetary restrictions set forth by the Council in its duly adopted budget for the then-current fiscal year.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 23rd day of January 2023.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of January 2023.

Paul Finley, Mayor
City of Madison, Alabama