

RESOLUTION NO. 2023-089-R

**A RESOLUTION AUTHORIZING ACCEPTANCE OF A
TEMPORARY CONSTRUCTION EASEMENT FOR DOWNTOWN DITCH PROJECT**

WHEREAS, the City's Engineering Department is conducting repairs and maintenance to a drainage ditch adjacent to the Marion K. Anderson Trust Land, and the department requires access to certain property to complete said improvements;

BE IT RESOLVED by the City Council of the City of Madison, Alabama, a municipal corporation within the State of Alabama, as follows:

1. That in the judgment and opinion of the City Council of the City of Madison, it is in the public interest and necessary and expedient that the City of Madison acquire temporary easements, on, over, across, and upon the following described parcels of land (the "Tracts"), to-wit:

The southeast corner of Marion K. Anderson Trust Land as recorded in Deed Book 2017, Page 249670 in the Office of the Judge of Probate of Madison County, Alabama; thence run along the south property line of said Marion K. Anderson Trust Land and the north right-of-way line of Martin Street S 71°22'54" W, 20.00 feet to the Point of Beginning of the Temporary Construction Easement herein described; said point also lying on the southwest corner of a Drainage Easement recorded in Deed Book 2023, Page 4486, in the Office of the Judge of Probate of Madison County, Alabama; thence continue along said north right-of-way line S 71°22'54" W, 42.00 feet to a point; thence departing said north right-of-way line run N 18°37'06" W, 40.00 feet to a point; thence run N 42°06'40" E, 24.92 feet to a point; thence run N 18°37'06" W, 120.00 feet to a point; thence run N 70°58'30" E, 24.00 feet to a point lying on the west line of the aforementioned Drainage Easement; thence run along said west line S 17°22'36" E, 172.39 feet to the Point of Beginning.

Said Temporary Construction Easement lying and being situated in the northwest quarter of Section 16, Township 4 South, Range 2 West, Madison County, Alabama, and contains 4,814.25 S.F., more or less.

2. That the property subject to the easement is further described in a map attached as **Exhibit A**.
3. That the obtainment of the foregoing Tracts is necessary to implement maintenance and improvements to the drainage ditch which is in the best interests of the citizens of the City of Madison in that the same will contribute to the health, safety, and general welfare of the citizens of Madison.

4. That the City shall hereby accept the dedication of such temporary easements for purposes of the Project.
5. That the Mayor of the City of Madison is authorized to execute all documents necessary to acquiring the donation and acquisition of the easements for the period not to exceed one year for the Project.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 14th 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