

RESOLUTION NO. 2024-058-R

**A RESOLUTION AUTHORIZING PROPERTY ACQUISITIONS
FOR THE BROWNS FERRY ROAD AND BURGREN ROAD IMPROVEMENT
PROJECT**

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 and/or condemn certain rights-of-way, permanent, exclusive utility and drainage easements, and temporary construction easements, on, over, across and upon the following described parcels of land, to-wit:

See Exhibits "A" through "D" (the "Tract(s)") which are attached hereto and incorporated herein, a copy of each being permanently kept on file in the Office of the City Clerk-Treasurer of the City of Madison, Alabama. A drawing for each parcel is included with the parcel description(s) for each respective Tract.

2. That the obtainment of the foregoing Tracts is necessary for the widening and/or other improvement of Browns Ferry Road and Burgreen Road (the "Project"), which is in the best interests of the citizens of the City of Madison in that the same will contribute to the health and general welfare of the citizens of Madison.
3. That certain owners of the respective Tracts desire and intend to donate and dedicate their respective Tracts to the City of Madison and, in such instance, the City shall hereby accept the donation and dedication of such Tract for purposes of the Project.
4. That in those instances where an owner elects not to donate its respective Tract, the Mayor of the City of Madison, or his designee, be, and is further authorized, empowered, and directed to attempt to acquire by voluntary conveyance the above described Tract(s) for the City for the aforesaid purpose at a fair and reasonable price in accordance with Section 18-1A-22 of the Code of Alabama, as amended.
5. That the Mayor of the City of Madison, or his designee, be, and is hereby authorized, empowered, and directed to cause the above described Tracts, one or more, to be appraised in accordance with Section 18-1A-21 of the Code of Alabama, as amended, to determine the amount that would constitute just compensation for their respective taking.

6. That in case of failure to acquire any of the said Tracts for the purpose aforesaid by voluntary conveyance from the owner or owners thereof, the Mayor is hereby authorized to direct the City Attorney to file a condemnation action and conduct condemnation proceedings on behalf of the City of Madison for the acquisition of such Tract(s) by the exercise of the right of eminent domain.
7. Any prior acts taken by the City toward the acquisition of the properties pursuant to the eminent domain code are hereby ratified and affirmed.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 26th day of February 2024.

Ranae Bartlett, City Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of February 2024.

Paul Finley, Mayor
City of Madison, Alabama