

**RESOLUTION NO. 2025-217-R**

**A RESOLUTION AUTHORIZING PROPERTY ACQUISITIONS  
FOR MILL CREEK DITCH ROADWAY STABILIZATION  
AND SOUTH SIDE EROSION CORRECTION**

**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 permanent public utility and drainage easements and temporary construction easements on, over, across, and upon the following described parcels of land for the **Mill Creek Ditch Roadway Stabilization and South Side Erosion Correction Project**, to-wit:
  - a. See Exhibits A (1-9), which contain descriptions for six (6) Tracts (the “Tract(s)”), which are attached hereto and incorporated herein, and copies of which are permanently kept on file in the Office of the City Clerk-Treasurer of the City of Madison, Alabama. Drawings for each Tract are included with the parcel descriptions for each respective Tract.
2. That the obtainment of the foregoing Tracts is necessary for the Mill Creek Ditch Roadway Stabilization and South Side Erosion Correction Project (the “Project”), which is in the best interest 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 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. Furthermore, in the event that certain owners of the respective Tracts desire to donate and dedicate their respective Tracts to the City of Madison, the City shall hereby accept the donation and dedication of such Tracts for purposes of the Project.
4. 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 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.
5. 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 City Attorney’s Office is hereby authorized 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. 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 14<sup>th</sup> day of July 2025.

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***John D. Seifert, II, Council President***  
**City of Madison, Alabama**

**ATTEST:**

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

**APPROVED** this \_\_\_\_\_ day of July 2025.

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***Paul Finley, Mayor***  
**City of Madison, Alabama**