

RESOLUTION NO. 2024-149-R

**A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY
FOR THE BROWNSFERRY ROAD & BURGREN ROAD ROUNDABOUT 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 certain rights-of-way and utility and drainage easements (herein the "Tracts") on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by Fair Land, LLC, as described herein and attached Exhibit A and B.

2. **Exhibit A: Warranty Deed** depicts the Tract to be acquired for a right of way for the expressed purpose of constructing the proposed Brownsferry Road and Burgreen Road Roundabout (herein "the Project"). The Tract is further described as follows:

City of Madison

A section of right-of-way being situated in the southwest quarter of Section 36, Township 3 South, Range 3 West, more particularly described as follows:

Commence from Capped Rebar Set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.77; thence N 46°43'04" E a distance of 91.11 feet to a point (said point offset 50' LT and perpendicular to centerline of Burgreen Road at approximate station 56+00.00); thence N 0°32'39" W a distance of 270.00 feet to a point (said point offset 50' LT and perpendicular to centerline of Burgreen Road at approximate station 59+70.00); thence N 31°46'52" E a distance of 35.50 feet to a point (said point offset 31.02' LT and perpendicular to centerline of Burgreen Road at approximate station 59+00.00); thence S 0°41'33" E a distance of 362.72 feet to a point (said point offset 30.08' LT and perpendicular to centerline of Burgreen Road at approximate station 55+37.28); thence N 89°57'43" W a distance of 86.85 feet to the Point of Beginning, containing .20 acres more or less.

3. **EXHIBIT B: Utility and Drainage Easement Deed** depicts the necessary easements the City is required to obtain for such utilities and drainage needs

(herein "the Project"). The Utility and Drainage Easement is further described as follows:

City of Madison

A section of permanent utility easement being situated in the southwest quarter of Section 36, Township 3 South, Range 3 West, more particularly described as follows:

Commence from Capped Rebar Set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.77 thence N 65°20'29" W a distance of 173.48' to the Point of Beginning (said point offset 38.75' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 72+00.00); thence N 35°08'09" E a distance of 26.01' feet to a point (said point offset 60' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 71+15.00); thence N 89°55'21" E a distance of 205.00' feet to a point (said point offset 60' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 74+20.00); thence N 51°39'18" E a distance of 65.48' feet to a point (said point offset 65.00' LT and perpendicular to centerline of Burgreen Road at approximate station 56+00.00); thence N 0°32'39" W a distance of 305.00' feet to a point (said point offset 65.00' LT and perpendicular to centerline of Burgreen Road at approximate station 59+05.00); thence N 43°31'28" E a distance of 48.71' feet to a point (said point offset 31.12' LT and perpendicular to a centerline of Burgreen Road at approximate station 59+40.00); thence S 00°41'33" E a distance of 40.00' feet to a point (said point offset 31.02' LT and perpendicular to a centerline of Burgreen Road at approximate station 59+00.00); thence S 31°46'52" W a distance of 35.50' feet to a point (said point offset 50.00' LT and perpendicular to a centerline of Burgreen Road at approximate station 58+70.00); thence S 00°32'39" E a distance of 270.00' feet to a point (said point offset 50.00' LT and perpendicular to a centerline of Burgreen Road at approximate station 56+00.00); thence S 46°43'04" W a distance of 91.11' feet to a point (said point offset 38.30' LT and perpendicular to a centerline of Huntsville Browns Ferry Road at approximate station 74+20.00); thence N 89°57'43" W a distance of 220.00' feet to the Point of Beginning, containing .26 acres more or less.

4. That obtaining the foregoing Tracts and Easements are necessary for the development and construction of the Project, which is in the best interest of the citizens of the City of Madison in that it will contribute to the health, safety, and general welfare of the citizens of Madison.

5. That the Mayor of the City of Madison, or his designees are further authorized, empowered, and directed to acquire said Tracts and Easements by voluntary conveyance and offer Fair Land, LLC a total of **one hundred and four thousand one hundred eighty-one dollars (\$104,181.00)** to compensate owner for the conveyances enumerated in Exhibit A and B.
6. That said Tracts have been appraised in accordance with Section 18-1A-21 of the Code of Alabama, as amended, to determine the amount of just compensation required for the acquisitions and it is the judgment and opinion of the City Council of the City of Madison that the offer to the owner represents such just compensation.
7. That the Mayor is authorized to execute any and all documents necessary to complete the acquisition of the Tract and all necessary easements described in Exhibit A and B.
8. Any prior acts taken by the City toward the acquisition of the property 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 13th day of May 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ___ day of May 2024

Paul Finley, Mayor
City of Madison, Alabama