

RESOLUTION NO. 2023-039-R

**A RESOLUTION AUTHORIZING ACCEPTANCE OF A
DRAINAGE EASEMENT AND A MAINTENANCE AGREEMENT FOR EVERSTEAD AT
MADISON DEVELOPMENT**

WHEREAS, the City's Engineering and Public Works Departments are conducting drainage improvements within the Everstead Development and the City requires a permanent drainage easement 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 a permanent public drainage easement and enter into a maintenance agreement with Everstead at Madison, LLC, on, over, across, and upon the Property known as Everstead of Madison (the "Tract"), which is described in the exhibits attached to this Resolution as "Public Drainage Easement and Maintenance Agreement."
2. The exhibits depicting the Tract are attached hereto and incorporated herein, and copies will be permanently kept on file in the Office of the City Clerk-Treasurer of the City of Madison, Alabama.
3. That the obtainment of the foregoing Tract is necessary to implement drainage improvements, which are 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 donation and dedication of the Tract from owners of its respective portions for purposes of conducting drainage improvements.
5. That the Mayor of the City of Madison, or his designee, is authorized, empowered, and directed to negotiate and execute all documents necessary to execute said drainage easement and maintenance agreement.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 13th day of February 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of February 2023.

Paul Finley, Mayor
City of Madison, Alabama