

RESOLUTION NO. 2023-175-R

**A RESOLUTION AUTHORIZING ACCEPTANCE OF A
RIGHT OF WAY EASEMENT FOR A PORTION OF WISE STREET**

WHEREAS, the Co-Trustees of the Residuary Trust created by the Last Will and Testament of George Walton Hughes (“the Trust”) desire to allow the City of Madison to have a public right-of-way on land owned by the Trust on Wise Street in downtown Madison;

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 the right of way easements, on, over, across, and upon the following described parcels of land (the “Tracts”), to-wit:

ALL THAT PART OF THE WEST HALF OF SECTION 16, TOWNSHIP 4 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA. PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE WEST BOUNDARY OF SAID SECTION 16; THENCE SOUTH 44 DEGREES 00 MINUTES 57 SECONDS EAST 17.70 FEET TO THE POINT OF INTERSECTION OF THE EAST RIGHT OF WAY MARGIN OF SULLIVAN STREET WITH THE NORTH RIGHT OF WAY MARGIN OF MARTIN STREET; THENCE ALONG THE NORTH RIGHT OF WAY MARGIN OF SAID MARTIN STREET, NORTH 70 DEGREES 48 MINUTES 43 SECONDS EAST 312.21 FEET; THENCE NORTH 70 DEGREES 53 MINUTES 39 SECONDS EAST 328.83 FEET TO THE POINT OF BEGINNING; SAID POINT IS FURTHER DESCRIBED AS BEING THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO THE GEORGE WALTON HUGHES RESIDUARY TRUST AS DESCRIBED IN DEED BOOK 574, PAGE 355 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA.

THENCE FROM THE POINT OF BEGINNING AND ALONG THE WESTERLY BOUNDARY LINE OF SAID TRACT, NORTH 18 DEGREES 35 MINUTES 26 SECONDS WEST 198.09 FEET TO THE SOUTH RIGHT OF WAY MARGIN OF MAIN STREET; THENCE ALONG THE NORTH RIGHT OF WAY MARGIN OF SAID MAIN STREET, NORTH 70 DEGREES 50 MINUTES 45 SECONDS EAST 14.00 FEET; THENCE LEAVING SAID STREET AND ALONG THE PROPOSED EAST RIGHT OF WAY MARGIN OF WISE STREET, SOUTH 19 DEGREES 00 MINUTES 43 SECONDS EAST 174.23 FEET TO THE POINT OF CURVE; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 23.77 FEET, A CHORD BEARING AND DISTANCE OF SOUTH 64 DEGREES 03 MINUTES 32

SECONDS EAST 33.58 FEET TO THE NORTH RIGHT OF WAY MARGIN OF SAID MARTIN STREET; THENCE ALONG THE NORTH RIGHT OF WAY MARGIN OF SAID MARTIN STREET, SOUTH 70 DEGREES 53 MINUTES 30 SECONDS WEST 39.23 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.07 ACRE OF 3,039 SQUARE FEET, MORE OR LESS.

2. That the property subject to the public right-of-way easement is further described in a map attached as *Exhibit A*.
3. That the obtainment of the foregoing Tracts is necessary and 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 said permanent public right-of-way easement.
5. That the Mayor of the City of Madison is authorized to execute all documents necessary to acquiring the donation and acquisition of the public right-of-way easement.

READ, PASSED, AND ADOPTED at a regularly scheduled meeting of the City Council of the City of Madison, Alabama, on this 22nd day of May 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this _____ day of May 2023.

Paul Finley, Mayor
City of Madison, Alabama