

RESOLUTION NO. 2023-179-R

**A RESOLUTION AUTHORIZING PROPERTY ACQUISITION
FOR THE MADISON BRANCH BOULEVARD 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, permanent, exclusive utility and drainage easements, and temporary construction easements (the "Tracts") on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by Tucker Family Fund, LLC, by Attached Exhibit A, B and C.
2. **Exhibit A: Warranty Deed** depicts the Tract to be acquired for a right of way for the expressed purpose of constructing the proposed Madison Branch Boulevard Roundabout (herein "the Project"). The Tract is further described as follows:

STATE OF ALABAMA)
LIMESTONE COUNTY)

A PARCEL OF LAND LOCATED IN THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3WEST OF THE HUNTSVILLE MERIDIAN IN MADISON COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBEDAS FOLLOWS:

COMMENCING AT A ROCK MARKING THE SAID NORTHWEST CORNER OF SECTION 13, THENCE SOUTH 87 DEGREES 30 MINUTES 21 SECONDS EAST, FOR A DISTANCE OF 1298.11 FEET TO THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING, SOUTH 71 DEGREES 55 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 39.32 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 11 DEGREES 34 MINUTES 47 SECONDS, HAVING A RADIUS OF 305.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 43 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 61.54 FEET; THENCE, SOUTH 83 DEGREES 30 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 574.66 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH 16 DEGREES 07 MINUTES 10 SECONDS, HAVING A RADIUS OF 262.20 FEET, AND WHOSE LONG CHORD BEARS NORTH 88 DEGREES 25 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 73.52 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH 33 DEGREES 38 MINUTES 49 SECONDS, HAVING A RADIUS OF 33.62 FEET, AND WHOSE LONG

CHORD BEARS NORTH 63 DEGREES 32 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 19.74 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 79 DEGREES 15 MINUTES 22 SECONDS, HAVING A RADIUS OF 102.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 86 DEGREES 21 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 130.11 FEET TO THE BEGINNING OF ANON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 19 DEGREES 54 MINUTES 06 SECONDS, HAVING A RADIUS OF 99.23 FEET, AND WHOSE LONG CHORD BEARS SOUTH 63 DEGREES 57 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 34.29 FEET; THENCE, SOUTH 73 DEGREES 54 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 35.79 FEET TO A POINT; THENCE, SOUTH 89 DEGREES 45 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 272.68 FEET TO A POINT; THENCE, SOUTH 00 DEGREES 12 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 10.90 FEET TO A POINT, POINT LYING ON THE EXISTING NORTHERN RIGHT OF WAY LINE OF HARDIMAN ROAD (PUBLIC RIGHT OF WAY VARIES); THENCE, ALONG SAID NORTHERN MARGIN OF HARDIMAN ROAD, NORTH 89 DEGREES 32 MINUTES 57 SECONDS WEST FOR A DISTANCE OF 204.77 FEET TO A POINT; THENCE, NORTH 86 DEGREES 13 MINUTES 07 SECONDS WEST FOR A DISTANCE OF 106.41 FEET TO A POINT, POINT BEING THE TERMINUS OF THE NORTHERN RIGHT OF WAY MARGIN OF HARDIMAN ROAD AND THE BEGINNING OF THE NORTHERN RIGHT OF WAY OF MADISON BRANCH BOULEVARD (FORMERLY HALSEY DRIVE - PUBLIC RIGHT OF WAY VARIES); THENCE, ALONG SAID NORTHERN MARGIN OF MADISON BRANCH BOULEVARD, NORTH 88 DEGREES 38 MINUTES 41 SECONDS WEST FOR A DISTANCE OF 435.20 FEET TO A POINT; THENCE, NORTH 85 DEGREES 43 MINUTES 50 SECONDS WEST FOR A DISTANCE OF 250.22 FEET TO A POINT; THENCE, SOUTH 06 DEGREES 29 MINUTES 21 SECONDS WEST FOR A DISTANCE OF 20.78 FEET TO A POINT, POINT BEING THE TERMINUS OF MADISON BRANCH BOULEVARD RIGHT OF WAY; THENCE, NORTH 72 DEGREES 44 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 239.96 FEET TO A POINT; THENCE NORTH 00 DEGREES 10 MINUTES 05 SECONDS WEST A DISTANCE OF 20.19 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.57 ACRES (24756 SQUARE FEET), MORE OR LESS.

3. **Exhibit B: Utility and Drainage Easement Deed** depicts the necessary easements the City is required to obtain near the Madison Branch Boulevard Roundabout (herein "the Project"). The Utility and Drainage Easement is further described as follows:

STATE OF ALABAMA)

LIMESTONE COUNTY)

A PARCEL OF LAND LOCATED IN THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN IN MADISON COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ROCK MARKING THE SAID NORTHWEST CORNER OF SECTION 13, THENCE SOUTH 87 DEGREES 30 MINUTES 21 SECONDS EAST, FOR A DISTANCE OF 1298.11 FEET TO THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING, NORTH 00 DEGREES 10 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 15.79 FEET TO A POINT; THENCE, SOUTH 71 DEGREES 55 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 44.26 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 11 DEGREES 34 MINUTES 47 SECONDS, HAVING A RADIUS OF 290.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 43 MINUTES 16 SECONDS EAST FOR A DISTANCE OF 58.51 FEET; THENCE, SOUTH 83 DEGREES 30 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 574.66 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH 16 DEGREES 07 MINUTES 10 SECONDS, HAVING A RADIUS OF 247.20 FEET, AND WHOSE LONG CHORD BEARS NORTH 88 DEGREES 25 MINUTES 46 SECONDS EAST FOR A DISTANCE OF 69.32 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH 33 DEGREES 38 MINUTES 55 SECONDS, HAVING A RADIUS OF 18.62 FEET, AND WHOSE LONG CHORD BEARS NORTH 63 DEGREES 32 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 10.78 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 79 DEGREES 15 MINUTES 22 SECONDS, HAVING A RADIUS OF 117.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 86 DEGREES 21 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 149.25 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 19 DEGREES 54 MINUTES 06 SECONDS, HAVING A RADIUS OF 84.23 FEET, AND WHOSE LONG CHORD BEARS SOUTH 63 DEGREES 57 MINUTES 48 SECONDS EAST FOR A DISTANCE OF 29.11 FEET; THENCE, SOUTH 73 DEGREES 54 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 6.14 FEET TO A POINT; THENCE, NORTH 17 DEGREES 28 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 25.58 FEET TO A POINT; THENCE, SOUTH 72 DEGREES 31 MINUTES 26 SECONDS EAST FOR A DISTANCE OF 5.00 FEET TO A POINT; THENCE, SOUTH 17 DEGREES 28 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 25.46 FEET TO A POINT; THENCE, SOUTH 73 DEGREES 54 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 22.57 FEET TO A POINT; THENCE, SOUTH 89 DEGREES 45 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 270.59 FEET TO A POINT; THENCE, SOUTH 00 DEGREES 12 MINUTES 12 SECONDS WEST FOR

A DISTANCE OF 15.00 FEET TO A POINT; THENCE, NORTH 89 DEGREES 45 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 272.68 FEET TO A POINT; THENCE, NORTH 73 DEGREES 54 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 35.79 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 19 DEGREES 54 MINUTES 06 SECONDS, HAVING A RADIUS OF 99.23 FEET, AND WHOSE LONG CHORD BEARS NORTH 63 DEGREES 57 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 34.29 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH 79 DEGREES 15 MINUTES 22 SECONDS, HAVING A RADIUS OF 102.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 86 DEGREES 21 MINUTES 28 SECONDS WEST FOR A DISTANCE OF 130.11 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 33 DEGREES 38 MINUTES 49 SECONDS, HAVING A RADIUS OF 33.62 FEET, AND WHOSE LONG CHORD BEARS SOUTH 63 DEGREES 32 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 19.74 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 16 DEGREES 07 MINUTES 10 SECONDS, HAVING A RADIUS OF 262.20 FEET, AND WHOSE LONG CHORD BEARS SOUTH 88 DEGREES 25 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 73.52 FEET; THENCE, NORTH 83 DEGREES 30 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 574.66 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 11 DEGREES 34 MINUTES 47 SECONDS, HAVING A RADIUS OF 305.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 77 DEGREES 43 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 61.54 FEET; THENCE NORTH 71 DEGREES 55 MINUTES 52 SECONDS WEST A DISTANCE OF 39.32 FEET TO THE POINT OF BEGINNING.

CONTAINING 0.43 ACRES (18927 SQUARE FEET), MORE OR LESS.

4. **EXHIBIT C: Temporary Easement Deed** depicts the proposed temporary construction easement necessary to access property during the construction of the Project. The location of the Temporary Easement is described as follows:

STATE OF ALABAMA)
LIMESTONE COUNTY)

A PARCEL OF LAND LOCATED IN THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3 WEST AND THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 4 SOUTH, RANGE 3 WEST OF THE HUNTSVILLE MERIDIAN IN MADISON COUNTY, ALABAMA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A ROCK MARKING THE SAID NORTHWEST CORNER OF SECTION 13, THENCE SOUTH 88 DEGREES 12 MINUTES 09 SECONDS EAST, FOR A DISTANCE OF 1297.47 FEET TO THE POINT OF BEGINNING. THENCE FROM THE POINT OF BEGINNING, NORTH 00 DEGREES 10 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 36.85 FEET TO A POINT ON A LINE; THENCE, SOUTH 71 DEGREES 55 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 55.79 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 11 DEGREES 34 MINUTES 47 SECONDS, HAVING A RADIUS OF 255.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 77 DEGREES 43 MINUTES 15 SECONDS EAST FOR A DISTANCE OF 51.45 FEET; THENCE, SOUTH 83 DEGREES 30 MINUTES 39 SECONDS EAST FOR A DISTANCE OF 574.66 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE LEFT THROUGH 14 DEGREES 50 MINUTES 47 SECONDS, HAVING A RADIUS OF 212.20 FEET, AND WHOSE LONG CHORD BEARS NORTH 89 DEGREES 03 MINUTES 57 SECONDS EAST FOR A DISTANCE OF 54.83 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 77 DEGREES 18 MINUTES 19 SECONDS, HAVING A RADIUS OF 152.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 87 DEGREES 19 MINUTES 59 SECONDS EAST FOR A DISTANCE OF 189.88 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 19 DEGREES 54 MINUTES 06 SECONDS, HAVING A RADIUS OF 49.23 FEET, AND WHOSE LONG CHORD BEARS SOUTH 63 DEGREES 57 MINUTES 45 SECONDS EAST FOR A DISTANCE OF 17.02 FEET; THENCE, SOUTH 73 DEGREES 54 MINUTES 51 SECONDS EAST FOR A DISTANCE OF 28.84 FEET TO A POINT ON A LINE; THENCE, SOUTH 89 DEGREES 45 MINUTES 42 SECONDS EAST FOR A DISTANCE OF 265.69 FEET TO A POINT ON A LINE; THENCE, SOUTH 00 DEGREES 12 MINUTES 12 SECONDS WEST FOR A DISTANCE OF 35.00 FEET TO A POINT ON A LINE; THENCE, NORTH 89 DEGREES 45 MINUTES 42 SECONDS WEST FOR A DISTANCE OF 270.59 FEET TO A POINT ON A LINE; THENCE, NORTH 73 DEGREES 54 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 22.57 FEET TO A POINT ON A LINE; THENCE, NORTH 17 DEGREES 28 MINUTES 34 SECONDS EAST FOR A DISTANCE OF 25.46 FEET TO A POINT ON A LINE; THENCE, NORTH 72 DEGREES 31 MINUTES 26 SECONDS WEST FOR A DISTANCE OF 5.00 FEET TO A POINT ON A LINE; THENCE, SOUTH 17 DEGREES 28 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 25.58 FEET TO A POINT ON A LINE; THENCE, NORTH 73 DEGREES 54 MINUTES 51 SECONDS WEST FOR A DISTANCE OF 6.14 FEET TO THE BEGINNING OF A CURVE, SAID CURVE TURNING TO THE RIGHT THROUGH 19 DEGREES 54 MINUTES 06 SECONDS, HAVING A RADIUS OF 84.23 FEET, AND WHOSE LONG CHORD BEARS NORTH 63 DEGREES 57 MINUTES 48 SECONDS WEST FOR A DISTANCE OF 29.11 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE LEFT THROUGH 79 DEGREES 15 MINUTES 22 SECONDS, HAVING A RADIUS OF 117.00 FEET, AND WHOSE LONG CHORD BEARS SOUTH 86 DEGREES 21

MINUTES 26 SECONDS WEST FOR A DISTANCE OF 149.25 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH 33 DEGREES 38 MINUTES 55 SECONDS, HAVING A RADIUS OF 18.62 FEET, AND WHOSE LONG CHORD BEARS SOUTH 63 DEGREES 32 MINUTES 47 SECONDS WEST FOR A DISTANCE OF 10.78 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 16 DEGREES 07 MINUTES 10 SECONDS, HAVING A RADIUS OF 247.20 FEET, AND WHOSE LONG CHORD BEARS SOUTH 88 DEGREES 25 MINUTES 46 SECONDS WEST FOR A DISTANCE OF 69.32 FEET; THENCE, NORTH 83 DEGREES 30 MINUTES 39 SECONDS WEST FOR A DISTANCE OF 574.66 FEET TO THE BEGINNING OF A CURVE; SAID CURVE TURNING TO THE RIGHT THROUGH AN ANGLE OF 11 DEGREES 34 MINUTES 47 SECONDS, HAVING A RADIUS OF 290.00 FEET, AND WHOSE LONG CHORD BEARS NORTH 77 DEGREES 43 MINUTES 16 SECONDS WEST FOR A DISTANCE OF 58.51 FEET; THENCE NORTH 71 DEGREES 55 MINUTES 52 SECONDS WEST A DISTANCE OF 44.26 FEET TO THE POINT OF BEGINNING.

CONTAINING 1.00 ACRES (43749 SQUARE FEET), MORE OR LESS.

5. 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.
6. 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 Tucker Family Fund, LLC a total of **forty-nine thousand eight hundred forty-two dollars (\$49,842.00)** to compensate owner for the conveyances enumerated in Exhibit A, B and C.
7. 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.
8. 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.
9. 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 22nd day of May 2022.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of May 2022.

Paul Finley, Mayor
City of Madison, Alabama