

**RESOLUTION NO. 2024-295-R**

**A RESOLUTION AUTHORIZING PROPERTY ACQUISITION  
FOR THE KYSER BOULEVARD 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 a certain temporary construction easement on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by SPMK ZZI Charleston Oaks, LLC (herein "Owner") as described in **Attached Exhibit A: Diagram**.
2. **Exhibit B: Temporary Construction Easement Deed** depicts the Tract to be subject to the temporary construction easement for the expressed purpose of improving Kyser Boulevard (herein "the Project"). The Tract is further described in said Deed as follows:

MADISON COUNTY:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHEAST CORNER OF NORTH KYSER SUBDIVISION, AS RECORDED IN PLAT BOOK 38, PAGE 34 IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA. THEN ALONG THE NORTHERN MARGIN OF THE RIGHT OF WAY OF KYSER BLVD NORTH 82 DEGREES 24 MINUTES 01 SECOND EAST, 23.59 FEET TO THE POINT OF BEGINNING.

THEN FROM THE POINT OF BEGINNING AND LEAVING SAID MARGIN NORTH 07 DEGREES 35 MINUTES 59 SECONDS WEST A DISTANCE OF 5.00 FEET TO A POINT.

THEN NORTH 82 DEGREES 24 MINUTES 01 SECOND EAST A DISTANCE OF 329.74 FEET TO A POINT. THEN NORTH 37 DEGREES 24 MINUTES 01 SECOND EAST A DISTANCE OF 11.19 FEET TO A POINT. THEN NORTH 82 DEGREES 24 MINUTES 01 SECONDS EAST A DISTANCE OF 8.02 FEET TO A POINT. THEN SOUTH 52 DEGREES 35 MINUTES 59 SECONDS EAST A DISTANCE OF 11.19 FEET TO A POINT. THEN NORTH 82 DEGREES 24 MINUTES 01 SECOND EAST A DISTANCE OF 25.38 FEET TO A POINT.

THEN SOUTH 07 DEGREES 35 MINUTES 59 SECONDS EAST A DISTANCE OF 5.00 FEET TO A

POINT ON THE NORTHERN MARGIN OF THE RIGHT OF WAY OF KYSER BLVD.

THEN ALONG SAID MARGIN SOUTH 82 DEGREES 24 MINUTES 01 SECOND WEST A DISTANCE OF 378.97 FEET TO THE POINT OF BEGINNING AND CONTAINING 2020.93 SQUARE FEET, MORE OR LESS.

AND ALSO,

MADISON COUNTY:

A PART OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 4 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEING LOCATED IN COMMON AREA "BI" OF BRADFORD STATION PHASE 2 AS RECORDED IN PLAT BOOK 2023, PAGE 147 IN THE PROBATE OFFICE OF MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS BEGINNING AT THE NORTHEAST CORNER OF SAID COMMON AREA "BI".

THEN FROM THE POINT OF BEGINNING SOUTH 62 DEGREES 05 MINUTES 21 SECONDS EAST A DISTANCE OF 31.62 FEET TO A POINT ON THE NORTHERN MARGIN OF THE RIGHT OF WAY OF KYSER BOULEVARD.

THEN LEAVING SAID MARGIN, ALONG THE EASTERN MARGIN OF RUGBY DRIVE, ALONG THE ARC OF A CURVE TO THE RIGHT WHICH HAS A RADIUS OF 25.00 FEET AND A DELTA ANGLE OF 78 DEGREES 27 MINUTES 47 SECONDS A DISTANCE OF 34.24 FEET (A CHORD BEARING AND DISTANCE OF NORTH 62 DEGREES 05 MINUTES 21 SECONDS WEST, 31.62 FEET TO THE POINT OF BEGINNING AND CONTAINING 121.76 SQUARE FEET, MORE OR LESS.

3. That obtaining the foregoing temporary construction easement is 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.
4. That the Mayor of the City of Madison, or his designees are further authorized, empowered, and directed to justly compensate the Owner for said easement for in the amount of **eight hundred eighty-three dollars (\$883.00)**.
5. That the property has 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 easement and it is the judgment and opinion of the City Council of the City of Madison that the offer to the Owners represents such just compensation.
6. That the Mayor is authorized to execute any and all documents necessary to complete all necessary easements described in Exhibit A and B.

7. 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 26th day of August 2024.

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*Ranae Bartlett, 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 August 2024.

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