

RESOLUTION NO. 2024-296-R

**A RESOLUTION AUTHORIZING PROPERTY ACQUISITION
FOR THE BURGREN ROAD AND HARDIMAN ROAD IMPROVEMENT 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 right-of-way on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by the Tucker Family Fund, LLC (herein "Owner") and identified as Tract One on **Attached Exhibit A: Diagram**.
2. **Exhibit B: Deed** depicts the Tract to be acquired for a right of way for the expressed purpose of improving Burgreen Road and Hardiman Road (herein "the Project"). The Tract is further described in said Deed as follows:

BEING A PARCEL OF LAND SITUATED IN THE NORTHWEST 1/4 OF SECTION 13, TOWNSHIP 4 SOUTH, RANGE 3 WEST, HUNTSVILLE MERIDIAN, LIMESTONE COUNTY, ALABAMA, AND BEING A PORTION OF THAT TRACT OF LAND DESCRIBED IN INSTRUMENT TO TUCKER FAMILY FUND, LLC, IN BOOK 382, PAGE 31 OF THE RECORDS OF LIMESTONE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT AN IRON ROD FOUND MARKING THE NORTHWEST CORNER OF LOT 117 AND THE SOUTHWEST CORNER OF LOT 118, FINAL PLAT OF WHITWORTH FARMS PHASE 4, AND ON THE EASTERLY RIGHT-OF-WAY LINE OF BURGREN ROAD (60' WIDTH PUBLIC R.O.W.);

THENCE, CROSSING SAID BURGREN ROAD, SOUTH 88°05'28" WEST, 60.00 FEET, TO A POINT ON THE WESTERLY PRESCRIPTIVE RIGHT-OF-WAY OF SAID BURGREN ROAD AND THE EASTERLY LINE OF SAID TUCKER FAMILY FUND, LLC TRACT;

THENCE, CONTINUING ALONG THE COMMON LINE OF SAID BURGREN ROAD AND TUCKER FAMILY FUND TRACT THE FOLLOWING THREE (3) COURSES AND DISTANCES:

1. SOUTH 01°54'32" EAST, 71.07 FEET, TO A POINT FOR CORNER;
2. SOUTH 01°54'30" EAST, 128.58 FEET, TO THE **POINT OF BEGINNING** OF THE HEREIN DESCRIBED TRACT;
3. SOUTH 01°54'30" EAST, 37.92 FEET, TO A POINT FOR CORNER ON THE SOUTH LINE OF SAID TUCKER FAMILY FUND, LLC TRACT AND ON THE NORTHERLY RIGHT-OF-WAY LINE OF HARDIMAN ROAD (60' WIDTH PUBLIC R.O.W.);

THENCE, SOUTH 89°16'46" WEST, 43.00 FEET, CONTINUING ALONG THE COMMON LINE OF SAID HARDIMAN ROAD AND TUCKER FAMILY FUND TRACT TO A POINT FOR CORNER;

THENCE, CROSSING SAID TUCKER FAMILY FUND LLC TRACT, NORTH 47°21'10" EAST, 56.74 FEET TO THE POINT OF BEGINNING CONTAINING 815 SQUARE FEET OF LAND AND SUBJECT TO ANY EASEMENTS OF RECORD.

3. That obtaining the foregoing Tract 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 acquire said Tract of property by voluntary conveyance of the right of way for **one thousand three hundred ninety dollars (\$1,390.00)** to justly compensate the owner for conveyance of the Tract and the easement.
5. That said Tract 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 acquisitions 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 the acquisition of the Tract 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.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ___ day of August 2024.

Paul Finley, Mayor
City of Madison, Alabama