

RESOLUTION NO. 2024-278-R

**A RESOLUTION AUTHORIZING A PERMISSIVE USE AGREEMENT WITH
MADISON UTILITIES FOR USE OF PROPERTY NEAR
BROWNSFERRY/BURGREEN ROAD ROUNDABOUT PROJECT**

WHEREAS, the City has begun construction of a roundabout traffic improvement at the intersection of Brownsferry Road and Burgreen Road (herein “the Project”); and,

WHEREAS, the City and Water and Wastewater Board of the City of Madison (herein “Madison Utilities”), previously entered a separate permissive use agreement whereby Madison Utilities agreed to allow the City use of Madison Utility property for the Project; and

WHEREAS, the City has now identified various utility lines that will need to be relocated and/or placed beneath the ground of the Property; and

WHEREAS, the parties have determined that the most efficient way to handle the relocation and/or placement of these underground utilities is to install a steel pipe conduit beneath the ground for the purpose of running these lines; and

WHEREAS, Madison Utilities agrees that it will purchased the pipe to be placed beneath the ground of the Property for these utility lines; and

WHEREAS, the City agrees that it will procure contractors to install the pipe below ground of the Property; and

WHEREAS, Madison Utilities agrees that it will share the cost of installing the pipe below ground in an amount not to exceed sixty thousand dollars (\$60,0000).

BE IT HEREBY RESOLVED by the City Council of the City of Madison, Alabama, that the Mayor is authorized and directed to execute a Permissive Use Agreement (“Agreement”) with Madison Utilities for the use of property near the Brownsferry Road and Burgreen Road Roundabout Project; said Agreement to be substantially similar in purpose, intent, and composition as that document attached hereto and identified as “Permissive Use Agreement,” and that the City Clerk-Treasurer is hereby authorized to appropriately attest the same; and

BE IT FURTHER RESOLVED that, except for the extension or cancellation of the Agreement, the Mayor or his designee shall be hereby authorized for the entire term thereof to execute all documentation necessary to enforce and comply with its terms, subject to the budgetary restrictions set forth by the Council in its duly adopted budget for the then-current fiscal year; and

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, City 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