

## RESOLUTION NO. 2023-234-R

### A RESOLUTION AUTHORIZING PROPERTY ACQUISITION FOR THE BROWNS FERRY ROAD CULVERT 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 Christy Nickelson 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 the drainage system along Browns Ferry Road (herein "the Project"). The Tract is further described in said Deed as follows:

A tract of land lying and being in the Southwest Quarter of the Southeast Quarter of Section 6, Township-4-South, Range-2-West, Madison County, Alabama and being more particularly described as follows:

COMMENCE at said Northeast Corner, of the Southwest Quarter of the Southeast Quarter Section 6, thence S 31° 35' 16" W a distance of 791.77 feet to a point on the north Right-of-Way of Brownsferry Road and also being the POINT OF BEGINNING being 28.16 feet left of station 11+40; thence leaving said North Right-of-Way N 45° 31' 06" E a distance of 34.99 feet to a point being 63.15 feet left of station 11+40; thence being a point of curvature of a non-tangent curve to the right having a radius of 2992.93, a delta of 03° 46' 12", a chord bearing of S 42° 34' 49" E, and a chord distance of 196.89, continuing along the arc of said curve a distance of 196.93 to the point of ending of said curve being 63.15 feet left of station 13+36.9; thence S 40° 53' 31" E a distance of 191.03 feet to a point that is 63.15 feet left of station 15+27.9; thence S 49° 06' 36" W a distance of 24.96 feet to a point that is 38.2 feet left of station 15+27.9; thence S 41° 43' 19" E a distance of 189.52 feet to a point that is 40.43 feet left of station 17+12.77; thence S 01° 15' 56" W a distance of 16.32 feet to a point that is 30 feet left of station 17+24.88 and also on the present Right-of-Way of Browns Ferry Road; thence N 41° 09' 27" W along said present Right-of-Way a distance of 392.75 feet to a point that is 30 feet left of station 13+36.9 said point being the point of curvature of a tangent curve to the left having a radius of 2957.93, a delta of 03° 46' 12", a chord bearing of N 42° 34' 49" W, and a chord distance of 194.59; thence continue along the arc of said curve a distance of 194.62 feet to the point of ending of said curve and back to the POINT OF BEGINNING.

The above-described tract contains 0.35 acres more or less

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 and offer Christy Nickelson a total of **nineteen thousand six hundred dollars (\$19,600.00)** to justly compensate the owner for conveyance of the Tract.
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 owner represents such just compensation.
6. 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.
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 24th day of July 2023.

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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 July 2023.

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