

**RESOLUTION NO. 2023-247-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 the Heritage Station HOA (herein "Owner") and identified as Tract Two 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 26° 14' 33" W a distance of 879.53 feet to the POINT OF BEGINNING: said point being on the existing South Right-Way of Browns Ferry Road and 30.80 feet right of station 12+42.00; thence being a point of curvature of a nontangent curve to the right having a radius of 2897.93, a delta of 02° 20' 35", a chord bearing of S 41° 28' 45" E, and a chord distance of 118.50; thence continue along the arc of said curve and said South Right-of-Way a distance of 118.51 to the point of ending of said curve being 30.90 feet right of station 13+60.51; thence continue along said South-of-Way S 40° 59' 23" E a distance of 81.76 feet to a point being 30.70 feet right of station 14+42.07; thence leaving said South Right-of-Way S 20° 38' 33" W a distance of 23.09 feet to a point being 50.70 feet right of station 14+52.90; thence N 40° 59' 23" W for a distance of 93.03 feet to a point being 50.90 feet right of station 13+60.51; said point being the point of curvature of a tangent curve to the left having a radius of 2877.93, a delta of 02° 20' 35", a chord bearing of N 41° 19' 17" W, and a chord distance of 117.68; thence continue along the arc of said curve a distance of 117.69 to the point of ending of said curve being 50.80 feet right of station 12+42.00; thence N 47° 29' 56" E a distance of 20.00 feet back to the POINT OF BEGINNING.

The above-described tract contains 0.10 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 for **four thousand five hundred dollars (\$4,500.00)** 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 14th day of August 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 August 2023.

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*Paul Finley, Mayor*  
City of Madison, Alabama