

RESOLUTION NO. 2024-116-R

**A RESOLUTION AUTHORIZING THE PURCHASE OF PROPERTY
FOR THE BROWNS FERRY ROAD & BURGEEEN ROAD ROUNDABOUT 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 certain rights-of-way, utility and drainage easements and temporary construction easements (herein the "Tracts") on, over, across and upon the following described parcel of land, to-wit, that certain parcel currently owned by SWR Holdings, LLC, as described in attached Exhibit A, B and C.
2. **Exhibit A: Warranty Deed** depicts the Tract to be acquired for a right of way for the expressed purpose of constructing the proposed Browns Ferry Road and Burgreen Road Roundabout (herein "the Project"). The Tract is further described as follows:

A section of right-of-way being situated in the southwest quarter of Section 36, Township 3 South, Range 3 West, more particularly described as follows:

Commence from Capped Rebar Set said point being the Point of Commencement (said point having the coordinates of N: 1721130.731, E: 2179674.77

Thence N 40°47'51" E a distance of 95.41' to the Point of Beginning (said point offset 38.30' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 74+20.00);

thence N 46°43'04" E a distance of 91.11 feet to a point (said point offset 50' LT and perpendicular to centerline of Burgreen Road at approximate station 56+00.00);

thence N 0°32'39" W a distance of 270.00 feet to a point (said point offset 50' LT and perpendicular to centerline of Burgreen Road at approximate station 59+70.00);

thence N 31°46'52" E a distance of 35.50 feet to a point (said point offset 31.02' LT and perpendicular to centerline of Burgreen Road at approximate station 59+00.00);

thence S 0°41'33" E a distance of 362.72 feet to a point (said point offset 30.08' LT and perpendicular to centerline of Burgreen Road at approximate station 55+37.28);

thence N 89°57'43" W a distance of 86.85 feet to the Point of Beginning, containing .20 acres more or less.

3. **EXHIBIT B: Utility and Drainage Easement Deed** depicts the necessary easements the City is required to obtain for such utilities and drainage needs (herein "the Project"). The Utility and Drainage Easement is further described as follows:

City of Madison
Tract Number 2 – SWR Holdings LLC

A section of right-of-way being situated in the southeast quarter of Section 36, Township 3 South, Range 3 West, more particularly described as follows:

Commence from the Capped Rebar said point being the Point of Commencement (said point having the coordinates of N: 1721201.802, E: 2180259.114

Thence N 89°52'15" W a distance of 222.56' to the Point of Beginning (said point offset 37.84' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 77+20.00);

thence N 89°52'15" W a distance of 128.23' to a point (said point offset 38.29' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 75+91.79);

thence along an arc 38.92' to the left, having a radius of 25.00', the chord of which is N 45°17'20" W for a distance of 35.11' to a point (said point offset 62.02' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 75+66.87);

thence N 0°41'33" W a distance of 278.89' feet to a point (said point offset 28.86' RT and perpendicular to centerline of Burgreen Road at approximate station 58+40.00);

thence S 42°38'24" E a distance of 53.91 feet to a point (said point offset 65.00' RT and perpendicular to centerline of Burgreen Road at approximate station 58+00.00);

thence S 0°32'39" E a distance of 130.00' feet to a point (said point offset 65.00 RT and perpendicular to the centerline of Burgreen Road at approximate station 56+70.00);

thence S 19°52'47" E a distance of 113.94' feet to a point (said point offset 65.00 LT and perpendicular to the centerline of Huntsville Browns Ferry Road at approximate station 76+40.00);

thence N 89°55'47" E a distance of 60.00' feet to a point (said point offset 65.00 LT and perpendicular to the centerline of Huntsville Browns Ferry Road at approximate station 77+00.00);

thence S 36°26'29" E a distance of 33.73' to the Point of Beginning, containing 0.34 acres, more or less.

4. **EXHIBIT C: Temporary Easement Deed** depicts the proposed temporary construction easement necessary to access property during the construction of the Project. The location of the Temporary Easement is described as follows:

City of Madison
Tract Number 2 – SWR Holdings LLC

A section of temporary construction easement being situated in the southeast quarter of Section 36, Township 3 South, Range 3 West, more particularly described as follows:

Commence from the Capped Rebar said point being the Point of Commencement (said point having the coordinates of N: 1721201.802, E: 2180259.114

Thence N 89°52'15" W a distance of 222.56' to the Point of Beginning (said point offset 37.84' LT and perpendicular to centerline of Huntsville Browns Ferry Road at approximate station 77+20.00);

thence N 36°26'29" W a distance of 33.73' feet to a point (said point offset 65.00' LT and perpendicular to the centerline of Huntsville Browns Ferry Road at approximate station 77+00.00);

thence N 89°55'47" E a distance of 20.00' feet to a point (said point offset 65.00' LT and perpendicular to the centerline of Huntsville Browns Ferry Road at approximate station 77+20.00);

thence S 0°04'13" E a distance of 27.16' feet to the Point of Beginning, containing 0.01 acres more or less.

Said Temporary Easement shall expire one year after date of execution or upon the completion of the construction project, whichever occurs earliest.

5. That obtaining the foregoing Tracts and Easements are 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.
6. That the Mayor of the City of Madison, or his designees are further authorized, empowered, and directed to acquire said Tracts and Easements by voluntary conveyance and offer SWR Holdings, LLC a total of **one hundred fifty-seven thousand two hundred twelve dollars (\$157,212.00)** to compensate owner for the conveyances enumerated in Exhibit A, B and C.
7. That said Tracts have 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.
8. 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, B and C.
9. 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 22nd day of April 2024.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

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

APPROVED this ____ day of April 2024.

Paul Finley, Mayor
City of Madison, Alabama