



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 1/8/2026

File ID: TMP-6407

Department: Urban Development

Subject:

Type of Action: Approval/Action

Resolution authorizing the acceptance of a 0.064 acre tract of land from D.R. Horton, Inc.-Birmingham, for a Stormwater Drainage Easement for Highland Hills Phase 1 Subdivision.

Resolution No.

Finance Information:

Account Number: NA

City Cost Amount: NA

Total Cost: NA

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: Highland Hills Phase 1 Subdivision

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments:

RESOLUTION NO. 26-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby authorized to accept that certain Stormwater Drainage Easement, by and between D.R. Horton, Inc.-Birmingham, an Alabama corporation, as the Grantor, and the City of Huntsville, an Alabama municipal corporation, as the Grantee, for donation by Grantor to the City of Huntsville for that certain 0.064 acre (2,800 sq.ft.) tract of land located in Highland Hills Phase 1, as recorded in Deed Book 2025, Page 93, in the Probate Records of Madison County, Alabama (the "Property"); and

BE IT FURTHER RESOLVED THAT the City of Huntsville, Alabama, hereby accepts donation of the Property, attached hereto and identified as "Stormwater Drainage Easement," consisting of three (3) pages, including exhibit A, and the Mayor is hereby directed and authorized to have said Stormwater Drainage Easement recorded in the Probate Records of Madison County, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 8th day of January, 2026.

President of the City Council of the City of
Huntsville, Alabama.

APPROVED this the 8th day of January, 2026.

Mayor of the City of Huntsville, Alabama

**STATE OF ALABAMA
COUNTY OF MADISON**

STORMWATER DRAINAGE EASEMENT

THIS CONVEYANCE made and entered into on this the 15th day of December, 2025, by and between **D.R. Horton, Inc. - Birmingham**, an Alabama corporation, as Grantor, and the **CITY OF HUNTSVILLE**, a municipal corporation within the State of Alabama, as Grantee.

WITNESSETH: That the Grantor for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable considerations to the Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, a perpetual stormwater drainage easement for the purpose of controlling, channeling and/or discharging stormwater and such other acts as the Grantee deems necessary for the purpose of stormwater management, including, without limitation, constructing, installing, operating, inspecting, maintaining, repairing, upgrading, changing the size of and/or relocating, at all or any time(s), stormwater drainage facilities including, without limitation, pipes, berms, swales and ditches, together with the right of ingress and egress to and from said easement for the purposes above-stated in, over, upon, through and under the lands of the Grantor, situated in Madison County, Alabama, particularly described as follows and as depicted on **Exhibit A** attached hereto and incorporated herein by reference, to wit:

A parcel of land situated in Lot 52, Lot 53, and Lot 54, Highland Hills Phase 1 as recorded in Deed Book 2025 Page 93 in the Office of the Judge of Probate of Madison County, Alabama, and in Section 6, Township 3 South, Range 1 East, Madison County, Alabama being more particularly described as follows:

The west 20 feet of said Lot 52 and said Lot 53, and the west 20 feet of the north 30 feet of said Lot 54 being further described as:

Beginning at the northwest corner of said Lot 52; thence run South 88 degrees 36 minutes 57 seconds East 20.00 feet along the north line of said Lot 52; thence run South 01 degrees 23 minutes 03 seconds West 140.00 feet to the north line of an existing P.U.D.E. (public utility and drainage easement); thence run North 88 degrees 36 minutes 57 seconds West 20.00 feet along the north line of said existing 20 foot P.U.D.E. to the west line of said Lot 54; thence run North 01 degrees 23 minutes 03 seconds East 140.00 feet along the west line of said Lot 54, said Lot 53, and said Lot 52 back to the Point of Beginning.

Said parcel contains 0.064 acres (2,800 square feet) more or less.

with all the rights and privileges necessary or convenient for the full enjoyment and use thereof, for all the purposes above stated.

TO HAVE AND TO HOLD the above-described rights, privileges, and easement unto Grantee, and to its successors and assigns, forever.

Grantor does hereby covenant with and represent unto Grantee, its successors and assigns, (a) that Grantor is lawfully seized in fee of the above-described tract(s) or parcel(s) of land which underlies the herein-conveyed easement, (b) that the herein-conveyed easement is free of encumbrances except for ad valorem taxes, easements, rights of way and restrictions of record, and (c) that Grantor will warrant and defend the title to the herein-conveyed easement unto Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed under seal on or as of the 15th day of December, 2025.

GRANTOR:

D.R. Horton, Inc. - Birmingham,
an Alabama corporation

By: 
Calvin A. Cowan
Its Vice President

STATE OF ALABAMA)
MADISON COUNTY)

I, the undersigned, a notary public in and for said county in said state, hereby certify that Calvin A. Cowan, whose name as Vice President of D.R. Horton, Inc. - Birmingham, an Alabama corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said entity.

Given under my hand and official seal this 15 day of December, 2025.



Notary Public

[NOTARIAL SEAL]

My commission expires: 2-14-29

THIS INSTRUMENT PREPARED BY:

Kelly Thrasher Fox, Esq.
Hand Arendall Harrison Sale LLC
1801 Fifth Avenue North, Suite 400
Birmingham, AL 35203
205-502-0122

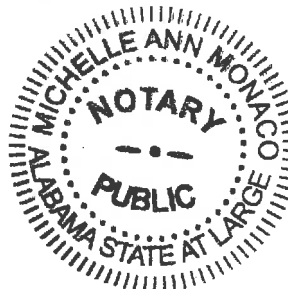


Exhibit A

Depiction

