



# Huntsville, Alabama

308 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 10/26/2023

**File ID:** TMP-3534

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**Department:** Planning

**Subject:**

**Type of Action:** Introduction

Introduction of an ordinance annexing 94.82 acres of land lying on the south side of Swancott Road and west of Rabbit Lane.

Ordinance No.

**Does this item need to be published?** Yes

If yes, please list preferred date(s) of publication: November 15, 2023

**Finance Information:**

**Account Number:** n/a

**City Cost Amount:** \$ 0

**Total Cost:** \$ 0

**Special Circumstances:**

**Grant Funded:** \$ 0

**Grant Title - CFDA or granting Agency:** n/a

**Resolution #:** n/a

**Location:**

**Address:** Swancott Rd, Madison, AL 35756

**District:** District 1  District 2  District 3  District 4  District 5

**Additional Comments:** none

## **ORDINANCE NO. 23-**

**WHEREAS**, The Robert E. Hargrave Revocable Trust and The Robert E. Hargrave Family Trust by Tammy Manning and Jeffrey Randolph, as its Trustees, and Tammy Manning, being the owners, as the term is defined by Section 11-42-20, Code of Alabama 1975, of all the property or territory hereinafter particularly described (which property or territory is hereinafter referred to as “the Property”), filed with the City Clerk of the City of Huntsville, Alabama, a signed and written petition requesting that the Property be annexed to the City of Huntsville, Alabama, which petition is on file with the City Clerk of the City of Huntsville, Alabama; and

**WHEREAS**, said petition contained the signatures of the owners of the Property, and filed together with said petition was a map showing the relationship of the Property to the corporate limits of the City of Huntsville, Alabama, which map is attached hereto and incorporated herein by reference; and

**WHEREAS**, the Property is contiguous to the present city limits of the City of Huntsville, Alabama, and the Property does not lie within the corporate limits or police jurisdiction of any other municipality; and

**WHEREAS**, the City Council of the City of Huntsville, Alabama, has determined that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and has further determined that all legal requirements for annexing the Property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama hereby finds that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and assents to the annexation of the Property to the City of Huntsville, Alabama;
2. That the corporate limits of the City of Huntsville, Alabama, be, and the same are hereby extended and rearranged so as to embrace and include the Property, which is particularly described as follows:

All that part of Section 15, Township 05 South, Range 03 West of the Huntsville Meridian, Limestone County, Alabama more particularly described as beginning at a point located at the Southeast Corner of said Section 15; thence North 88 Degrees 18 Minutes 11 Seconds West 1,006.37 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 88 Degrees 33 Minutes 12 Seconds West, 218.21 feet to a point; thence North 88 Degrees 34 Minutes 36 Seconds West, 113.21 feet to a point; thence North 88 Degrees 30 Minutes 20 Seconds West, 295.85 feet to a point; thence North 88 Degrees 35 Minutes 34 Seconds West, 528.86 feet to a point; thence North 01 Degree 24 Minutes 22 Seconds East, 249.84 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 236.97 feet to a point; thence North 01

Degree 24 Minutes 22 Seconds East, 250.03 feet to a point; thence North 88 Degrees 32 Minutes 33 Seconds West, 697.04 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 348.56 feet to a point; thence North 01 Degree 23 Minutes 48 Seconds East, 374.86 feet to a point; thence North 01 Degree 17 Minutes 25 Seconds East, 205.81 feet to a point; thence South 89 Degrees 13 Minutes 34 Seconds East, 196.14 feet to a point; thence North 01 Degree 25 Minutes 39 Seconds East, 444.27 feet to a point; thence North 89 Degrees 04 Minutes 18 Seconds West, 113.83 feet to a point; thence North 01 Degree 42 Minutes 53 Seconds East, 305.51 feet to a point; thence North 89 Degrees 23 Minutes 10 Seconds West, 61.69 feet to a point; thence North 01 Degree 42 Minutes 43 Seconds East, 344.52 feet to a point; thence South 88 Degrees 41 Minutes 27 Seconds East, 638.8 feet to a point; thence North 07 Degrees 45 Minutes 38 Seconds East, 502.58 feet to a point; thence South 88 Degrees 07 Minutes 10 Seconds East, 454.70 feet to a point; thence South 07 Degrees 35 Minutes 08 Seconds West, 286.25 feet to a point; thence South 06 Degrees 21 Minutes 36 Seconds West, 141.51 feet to a point; thence South 00 Degrees 58 Minutes 14 Seconds West, 144.25 feet to a point; thence South 13 Degrees 01 Minute 38 Seconds East, 10.96 feet to a point; thence South 07 Degrees 53 Minutes 30 Seconds West, 773.17 feet to a point; thence South 88 Degrees 34 Minutes 39 Seconds East, 1,061.52 feet to a point; thence North 01 Degree 19 Minutes 31 Seconds East, 1339.83 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 113.10 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 218.21 feet to a point; thence South 01 Degree 22 Minutes 34 Seconds West, 2,664.60 feet back to the Point of True Beginning and containing 94.82 Acres, more or less.

3. That this ordinance shall be published as provided by law, and become effective upon its publication as required by law.

4. That the Mayor and City Clerk of the City of Huntsville, Alabama, are hereby authorized, requested, and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Office of the Judge of Probate of Limestone County, Alabama.

**ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

**APPROVED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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Mayor of the City of Huntsville,  
Alabama



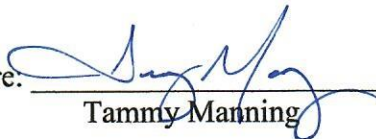
B. This petition may be signed in any number of counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same petition.

THE FOREGOING CONSIDERED, we, the Petitioners hereby petition and request that the City Council of the City of Huntsville, Alabama, adopt an ordinance assenting to the annexation of the Property to the City of Huntsville, Alabama, all in accordance with the statutes herein provided.

IN WITNESS WHEREOF, we, the undersigned Petitioners have hereunto subscribed my name as of the 12 day of October, 2023.

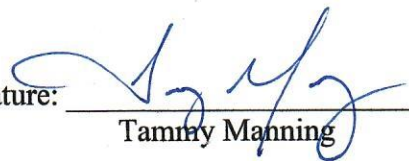
**PETITIONERS:**

The Robert E. Hargrave Revocable Trust and The Robert E. Hargrave Family Trust

Signature:   
Tammy Manning

Signature:   
Jeffrey Randolph

As Its: Trustees

Signature:   
Tammy Manning

STATE OF ALABAMA )  
 )  
COUNTY OF Limestone )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Tammy Manning, whose name as Trustee of The Robert E. Hargrave Revocable Trust and The Robert E. Hargrave Family Trust, is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that being informed of the contents of said petition, she executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 12 day of October, 2023.

Virginia Hargrave (SEAL)  
NOTARY PUBLIC

Expiration Date: 7/31/2024



STATE OF ALABAMA )  
 )  
COUNTY OF Limestone )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Jeffrey Randolph, whose name as Trustee of The Robert E. Hargrave Revocable Trust and The Robert E. Hargrave Family Trust, is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that being informed of the contents of said petition, he executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 12 day of October, 2023.

Virginia Hargrave (SEAL)  
NOTARY PUBLIC

Expiration Date: 7/31/2024



STATE OF ALABAMA            )  
  )  
COUNTY OF Limestone    )

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Tammy Manning, whose name is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that being informed of the contents of said petition, she executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 12 day of October, 2023.

Virginia Hargrave (SEAL)  
NOTARY PUBLIC

Expiration Date: 7/31/2024

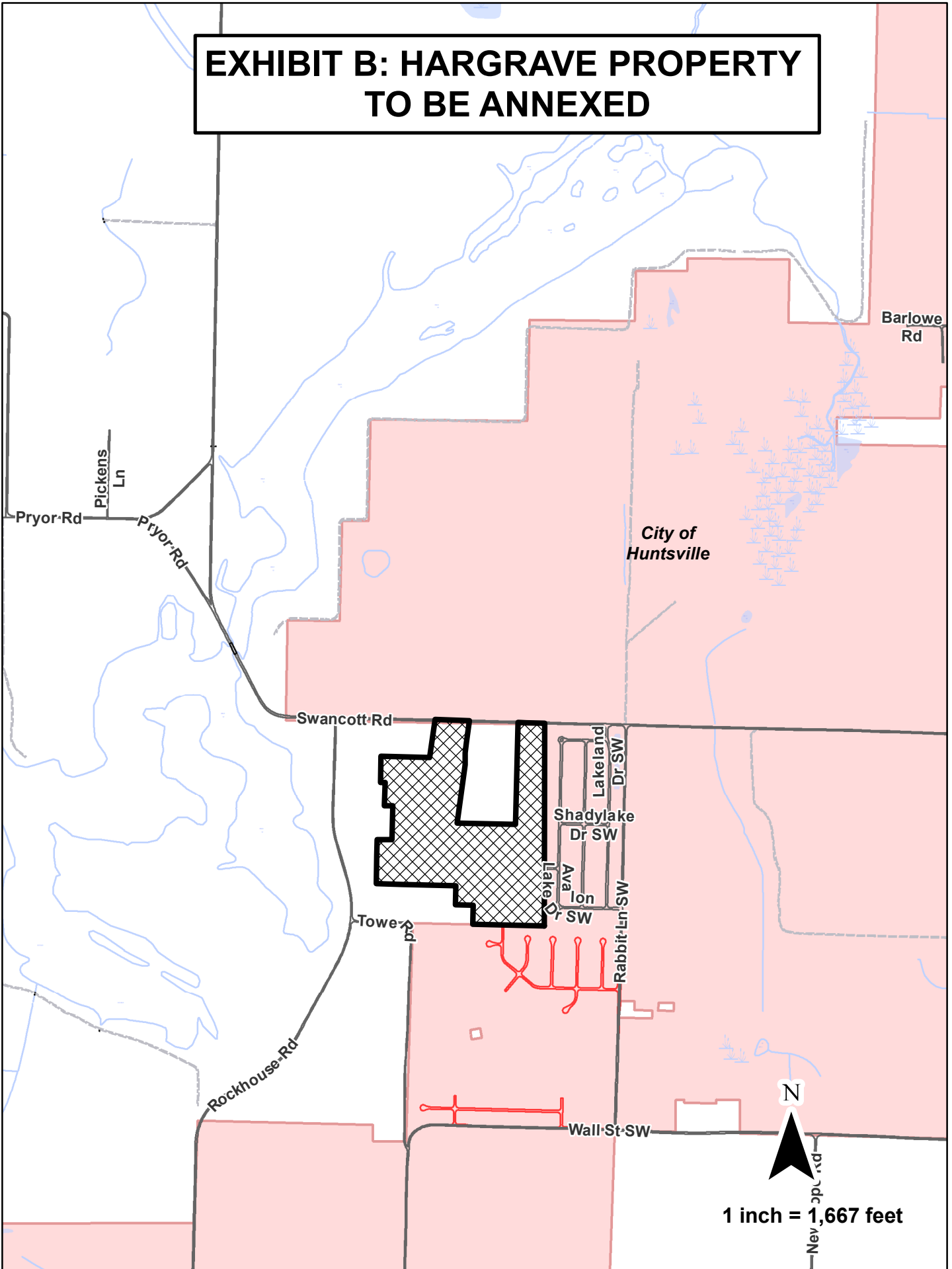


Exhibit "A"  
(Legal Description of the Property)

All that part of Section 15, Township 05 South, Range 03 West of the Huntsville Meridian, Limestone County, Alabama more particularly described as beginning at a point located at the Southeast Corner of said Section 15; thence North 88 Degrees 18 Minutes 11 Seconds West 1,006.37 feet to a point; said point is further described as the Point of True Beginning; thence from the Point of True Beginning, North 88 Degrees 33 Minutes 12 Seconds West, 218.21 feet to a point; thence North 88 Degrees 34 Minutes 36 Seconds West, 113.21 feet to a point; thence North 88 Degrees 30 Minutes 20 Seconds West, 295.85 feet to a point; thence North 88 Degrees 35 Minutes 34 Seconds West, 528.86 feet to a point; thence North 01 Degree 24 Minutes 22 Seconds East, 249.84 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 236.97 feet to a point; thence North 01 Degree 24 Minutes 22 Seconds East, 250.03 feet to a point; thence North 88 Degrees 32 Minutes 33 Seconds West, 697.04 feet to a point; thence North 88 Degrees 32 Minutes 23 Seconds West, 348.56 feet to a point; thence North 01 Degree 23 Minutes 48 Seconds East, 374.86 feet to a point; thence North 01 Degree 17 Minutes 25 Seconds East, 205.81 feet to a point; thence South 89 Degrees 13 Minutes 34 Seconds East, 196.14 feet to a point; thence North 01 Degree 25 Minutes 39 Seconds East, 444.27 feet to a point; thence North 89 Degrees 04 Minutes 18 Seconds West, 113.83 feet to a point; thence North 01 Degree 42 Minutes 53 Seconds East, 305.51 feet to a point; thence North 89 Degrees 23 Minutes 10 Seconds West, 61.69 feet to a point; thence North 01 Degree 42 Minutes 43 Seconds East, 344.52 feet to a point; thence South 88 Degrees 41 Minutes 27 Seconds East, 638.8 feet to a point; thence North 07 Degrees 45 Minutes 38 Seconds East, 502.58 feet to a point; thence South 88 Degrees 07 Minutes 10 Seconds East, 454.70 feet to a point; thence South 07 Degrees 35 Minutes 08 Seconds West, 286.25 feet to a point; thence South 06 Degrees 21 Minutes 36 Seconds West, 141.51 feet to a point; thence South 00 Degrees 58 Minutes 14 Seconds West, 144.25 feet to a point; thence South 13 Degrees 01 Minute 38 Seconds East, 10.96 feet to a point; thence South 07 Degrees 53 Minutes 30 Seconds West, 773.17 feet to a point; thence South 88 Degrees 34 Minutes 39 Seconds East, 1,061.52 feet to a point; thence North 01 Degree 19 Minutes 31 Seconds East, 1339.83 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 113.10 feet to a point; thence South 88 Degrees 34 Minutes 28 Seconds East, 218.21 feet to a point; thence South 01 Degree 22 Minutes 34 Seconds West, 2,664.60 feet back to the Point of True Beginning and containing 94.82 Acres, more or less.



# EXHIBIT B: HARGRAVE PROPERTY TO BE ANNEXED



**ANNEXATION SUMMARY: HARGRAVE**

September 14, 2023

**PETITIONER:** The Robert E. Hargrave Revocable Trust and The Robert E. Hargrave Family Trust by Tammy Manning and Jeffrey Randolph, as its Trustees, and Tammy Manning

**LOCATION:** On the south side of Swancott Road and west of Rabbit Lane

Township 5 South, Range 3 West, Section 15

Swancott Rd, Madison, AL 35756

**ACREAGE:** 94.82 acres

**REASON FOR  
REQUEST:** City Services

## **ANNEXATION GUIDELINES: HARGRAVE**

1. Annexations that would fill in or make more regular the existing corporate limits should be strongly encouraged.

WOULD CONTINUE ONGOING ANNEXATIONS IN THIS AREA

2. The remaining tax islands should be annexed when ownership changes and redevelopment occurs....

NOT A TAX ISLAND

3. Annexations of land in subdivisions....

NOT PART OF A SUBDIVISION

4. Corridors are discouraged....

NOT A CORRIDOR

5. Point-to-point annexations should be discouraged....

NOT A POINT-TO-POINT CONNECTION

6. Owners living on land expected to be annexed within the ninety-day period preceding a municipal election....

NO MUNICIPAL ELECTION AT TIME OF ANNEXATION

7. Land which is known to be contaminated should not be annexed until such danger has been mitigated.

NO KNOWN CONTAMINATION

8. The annexation of land that would contribute to the city's economic development through an increase in taxes....

RESIDENTIAL LAND

9. The city should require petitions for annexation referenda to satisfy additional conditions....

NOT A REFERENDA

10. City planners will explain to all annexation petitioners the policies under which services are provided.

POLICY STATEMENT SIGNED BY OWNERS; COPY ATTACHED

**STATEMENT REGARDING  
PROVISION OF CITY SERVICES TO NEWLY ANNEXED LANDS**

City services will be provided to all newly annexed lands according to the same policies that already govern in Huntsville. This means that Huntsville police and fire departments will respond to calls; garbage and trash will be collected by city sanitation; and school children will attend city rather than county schools. Transportation for students attending the city schools will be the responsibility of their parents. All applicable city ordinances will be enforced including the implementation of zoning regulations. Please note that the National agency that established the rating schedule for fire insurance premiums (ISO) assigns a higher rate to property that is over 5 road miles from their responding fire station and/or over 1000 feet from a fire hydrant.



Water service is provided by Huntsville Utilities; however if the annexed land is already served by another water authority, the existing situation should be expected to continue until such time as development pressure or legal agreements between water authorities makes it feasible or possible for Huntsville Utilities to assume control of the water lines or extend new mains. The cost of main extensions usually are borne by the property owner.

Likewise, it has long been city policy to expand sanitary sewer service on a cost benefit basis. This policy applies to all land within the city regardless of its annexation date. In addition, the city has adopted a capital improvement plan to guide investment in infrastructure. In order for an area to be considered for road construction, drainage improvements, recreational or community facilities, new fire stations, or sanitary sewer extension, the area must be in the city and then must be prioritized according to need. Newly annexed land will be accorded the same consideration as other city lands.

Lastly, it is important to understand that those autonomous boards, agencies and utilities that have authority over the delivery of specific public services set their own policies and procedures.

\* \* \* \* \*

**I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.**

Petitioner   
 For: \_\_\_\_\_  
 Petitioner   
 For: \_\_\_\_\_

Date 09-11-2023  
 As its: \_\_\_\_\_  
 Date 10-18-2023  
 As its: \_\_\_\_\_



**STATEMENT REGARDING  
PROVISION OF CITY SERVICES TO NEWLY ANNEXED LANDS**

City services will be provided to all newly annexed lands according to the same policies that already govern in Huntsville. This means that Huntsville police and fire departments will respond to calls; garbage and trash will be collected by city sanitation; and school children will attend city rather than county schools. Transportation for students attending the city schools will be the responsibility of their parents. All applicable city ordinances will be enforced including the implementation of zoning regulations. Please note that the National agency that established the rating schedule for fire insurance premiums (ISO) assigns a higher rate to property that is over 5 road miles from their responding fire station and/or over 1000 feet from a fire hydrant.

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Lastly, it is important to understand that those autonomous boards, agencies and utilities that have authority over the delivery of specific public services set their own policies and procedures.

\* \* \* \* \*

**I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.**

Petitioner	 <small>Assigned via ScanlessDocs.com Key: 2f13b03d33c31efaf4c818e00bd5a0b6</small>	Date	09-11-2023
For:	_____	As its:	_____
Petitioner		Date	9/19/23
For:	_____	As its:	_____