



# Huntsville, Alabama

305 Fountain Circle  
Huntsville, AL 35801

## Cover Memo

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**Meeting Type:** City Council Regular Meeting **Meeting Date:** 7/11/2024

**File ID:** TMP-4369

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**Department:** Urban Development

**Subject:**

**Type of Action:** Approval/Action

Resolution authorizing the conveyance of a transmission line easement to the Tennessee Valley Authority (TVA) for the North Huntsville Industrial Park.

Resolution No.

**Finance Information:**

**Account Number:** TBD

**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:** North Huntsville Industrial Park

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

**Additional Comments:**

**RESOLUTION NO. 24-\_\_\_\_\_**

**WHEREAS**, the Tennessee Valley Authority ("TVA") plans to further expand its transmission line facilities and related improvements and appurtenances in order to better serve increasing industrial and economic development within the North Huntsville Industrial Park; and

**WHEREAS**, in order to do so the TVA requires that the City of Huntsville ("City") grant to the United States of America a Transmission Line Easement on, over, and across certain lands owned by the City of Huntsville and located within the North Huntsville Industrial Park, which lands are more particularly described in that Grant of Transmission Line Easement, a copy of which is attached as Exhibit "1" hereto and is incorporated herein by reference ("TVA Transmission Line Easement"); and

**WHEREAS**, the City's conveyance of the TVA Transmission Line Easement provides value and benefit to the growing industrial and economic development within North Huntsville Industrial Park and surrounding areas, and further provides benefit to the general public; and

**WHEREAS**, the City Council of the City of Huntsville, Alabama, finds and determines that the TVA Transmission Line Easement should be granted to the United States of America for the establishment of additional transmission lines for electrical power and communication circuits, and related improvements and appurtenances to be erected, maintained, and operated by the TVA.

**NOW, THEREFORE, BE IT RESOLVED**, in consideration of the foregoing premises, which are incorporated herein, the City Council of the City of Huntsville, Alabama, hereby approves the grant to the United States of America of a TVA Transmission Line Easement on, over, and across those City owned lands described therein, and hereby authorizes and directs the Mayor of the City of Huntsville, to execute the TVA Transmission Line Easement, a copy of which is attached hereto and incorporated herein as Exhibit 1, and to take or cause to be taken such other and/or additional actions as deemed necessary or appropriate to consummate or carry out the granting or conveyance said easement.

**ADOPTED** this the 11th day of July, 2024.

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

**APPROVED** this the 11th day of July, 2024.

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Mayor of the City of Huntsville, Alabama

Exhibit 1,

[Attach Grant of Transmission Line Easement — TVA Tract Nos. GSHS-17 & 20]

Prepared by and return to:

Thomas E. Dixon, Attorney  
Tennessee Valley Authority  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801  
1-888-817-5201

TVA Tract Nos. GSHS-17 & -20

## GRANT OF TRANSMISSION LINE EASEMENT

FOR AND IN CONSIDERATION of the sum of TEN DOLLARS (\$10.00), cash in hand paid, and other good and valuable consideration, receipt whereof is hereby acknowledged, the undersigned,

THE CITY OF HUNTSVILLE,  
a municipal corporation in the State of Alabama,

(hereinafter sometimes referred to as "GRANTOR") has this day bargained and sold, and by these presents does hereby grant, bargain, sell, transfer, and convey unto the UNITED STATES OF AMERICA a permanent easement and right-of-way for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol lines of transmission line structures with wires and cables for electric power circuits and communication circuits, and all necessary appurtenances, including guy wires, in, on, over, and across said right-of-way, together with the perpetual right to clear said right-of-way and keep the same clear of structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards), trees, brush, stored personal property, and fire hazards, to destroy or otherwise dispose of such trees and brush; to prevent the drilling or sinking of wells within the right-of-way, and to remove, destroy, or otherwise dispose of any trees located beyond the limits of said right-of-way which in falling could come within five (5) feet of any line, structure, appurtenance, facility, or conductor; all over, upon, across, and under the land described in Exhibit A, consisting of two (2) pages, hereto attached and by this reference hereby incorporated in and made a part of this instrument as fully as if here written.

The previous and last conveyances of this property are deeds of record in Book 1004, page 655, and Instrument No. 20060414000243250, in the office of the Judge of Probate of Madison County, Alabama.

TO HAVE AND TO HOLD the said easement and right-of-way to the UNITED STATES OF AMERICA and its assigns forever.

GRANTOR covenants with the said UNITED STATES OF AMERICA that it is lawfully seized and possessed of said real estate, has a good and lawful right to convey the easement rights hereinabove described, that said property is free of all encumbrances, and that it will forever warrant and defend the title thereto against the lawful claims of all persons whomsoever.

GRANTOR agrees that the payment of the purchase price above stated is accepted by it as full compensation for all damage caused by the exercise of any of the rights above described; except that the UNITED STATES OF AMERICA shall remain liable for any direct physical damage to the land and annual growing crops resulting from the operations of the construction and maintenance forces of its agents and employees in the erection and maintenance of or in exercising a right of ingress and egress to said transmission line structures.

GRANTOR, for itself, and its successors and assigns, covenants with the UNITED STATES OF AMERICA that no structures (including but not limited to flagpoles, solar panels, buildings, signboards, billboards) or fire hazards will be erected or maintained within the limits of the right-of-way, that the right-of-way will not be used for the storage of personal property, and that no well will be drilled or sunk within the right-of-way, and agree that this shall be a real covenant which shall attach to and run with the land affected by the easement rights and shall be binding upon everyone who may hereafter come into ownership of said land, whether by purchase, devise, descent, or succession.

IN WITNESS WHEREOF, THE CITY OF HUNTSVILLE has caused this instrument to be executed by its duly authorized member on this 11th day of July, 2024.

THE CITY OF HUNTSVILLE,  
a municipal corporation in the State of Alabama

By: \_\_\_\_\_

Title: Tommy Battle, Mayor

STATE OF Alabama )  
 ) SS  
COUNTY OF Madison )

I, \_\_\_\_\_, a Notary Public in and for said county in said state, hereby certify that Tommy Battle, whose name as Mayor of THE CITY OF HUNTSVILLE, a municipal corporation in the State of Alabama, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand this the 11th day of July, 2024.

\_\_\_\_\_  
NOTARY PUBLIC

My Commission Expires: \_\_\_\_\_

The name and address of the owner of the aforescribed easement are:

EASEMENT OWNER: United States of America [Tax Exempt  
**Tennessee Valley Authority** Code of Alabama §40-9-1(1)]  
1101 Market Street, BR 4B  
Chattanooga, Tennessee 37402-2801

The name(s) and address of the legal owner(s) are:

OWNER(S): The City of Huntsville  
P.O. Box 308  
Huntsville, Alabama 35804

EXHIBIT A

HARDING SPRING-GLADSTONE  
TRANSMISSION LINE

City of Huntsville

A strip of land located in the Northeast 1/4 of Section 29, Township 2 South, Range 1 West, of Madison County, Alabama as shown on Sheet P6 of US-TVA Drawing LW-9358, Revision 1, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Beginning at a point where the centerline of the location crosses the common line of City of Huntsville and KRE6-Epic, LLC, at survey station 636+50.8, said point being 99.9 feet, more or less west of a 3x3.5 inch Concrete Monument as measured along the aforementioned property line; thence N05°35'54"E, 492.55 feet to a point of intersection at survey station 641+43.35 and having state plane coordinates of North:1579332.01 East:413197.02; thence N00°23'21"E, 841.55 feet to a point of ending on the centerline of the location at station 649+84.9 and being the property line of Estate of Jerry J. Chesser; the herein described strip being bounded on the south by KRE6-Epic, LLC and on the north by Estate of Jerry J. Chesser, the ends of said strip are shortened or extended to said property lines.

The strip of land described above includes the centerline of the transmission line location for a net distance of 1,334.1 feet and containing 3.06 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structure located at survey station 641+43.35.

The above-described parcel of land is lying in the Northeast 1/4 of Section 29, Township 2 South, Range 1 West, of Madison County, Alabama.

The coordinates, distances and directions of lines are referred to the Alabama East Coordinate System, NAD83(2011) Horizontal Datum, NAVD 88 Vertical Datum.

This description prepared from a survey by:  
Tennessee Valley Authority  
1101 Market Street, MR-4B  
Chattanooga, Tennessee 37402-2801

1/30/2024  
date rec'd 1/30/2024  
Reviewed 04/26/2024 TED

EXHIBIT A

HARDING SPRING-GLADSTONE  
TRANSMISSION LINE

City of Huntsville

A strip of land located in the Northwest 1/4 of Section 28 and the Southwest 1/4 of Section 21, Township 2 South, Range 1 West, of Madison County, Alabama as shown on Sheet P6, Revision 1, and Sheet P7, Revision 0, of US-TVA Drawing LW-9358, the said strip being 100 feet wide, lying 50 feet on each side of the centerline of the transmission line location, the centerline of the location and the end boundaries of the strip being more particularly described as follows:

Beginning at a point where the centerline of the location crosses the common line of City of Huntsville and Pulaski Pike, at survey station 654+99.97, said point being 28.2 feet, more or less north of a rebar and cap as measured along the aforementioned right-of-way line; thence N88°18'34"E, 56.49 feet to a point of intersection at survey station 655+56.46 and having state plane coordinates of North:1580514.00 East:413443.01; thence N01°16'10"E, 2,519.64 feet to a point of intersection at survey station 680+76.10 and having state plane coordinates of North:1583033.02 East:413498.83; thence S88°24'26"E, 2,226.22 feet to a point of intersection at survey station 703+02.32 and having state plane coordinates of North:1582971.14 East:415724.19; thence N05°01'35"E, 178.47 feet to a point of ending on the centerline of the location at station 704+80.79 and being the right-of-way line of Routt Road; the herein described strip being bounded on the west by Pulaski Pike and on the north by Routt Road, the ends of said strip are shortened or extended to said property lines.

The strip of land described above includes the centerline of the transmission line location for a net distance of 4,980.82 feet and containing 11.43 acres, more or less.

Furthermore, the permanent easement rights include the perpetual right to install, maintain, and replace guy wires and necessary appurtenances outside the right-of-way for the transmission line structures located at survey stations 655+56.46, 680+76.10, and 703+02.32.

Furthermore, the easement rights are acquired with respect to such appurtenant right, title, and interest as the owner of the above-described land may have in Tract No. GSHS-19, Madison County, Alabama (Pulaski Pike), and Tract No. GSHS-21, Madison County, Alabama (Routt Road), said rights of way shown on the map referenced above.

The above-described parcel of land is lying in the Northwest 1/4 of Section 28 and the Southwest 1/4 of Section 21, Township 2 South, Range 1 West, of Madison County, Alabama.

The coordinates, distances and directions of lines are referred to the Alabama East Coordinate System, NAD83(2011) Horizontal Datum, NAVD 88 Vertical Datum.

This description prepared from a survey by:  
Tennessee Valley Authority  
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