



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 6/12/2025

File ID: TMP-5594

Department: Planning

Subject:

Type of Action: Introduction

Introduction of an ordinance annexing 6.40 acres of land lying on the west side of Segers Road and north of Hardiman Road.

Ordinance No.

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: Ordinance: July 2, 2025

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: Segers Rd, Madison, AL 35756

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

Additional Comments:

ORDINANCE NO. 25-

WHEREAS, Greenbrier Enterprises, LLC, by Mark Russell McDonald, as its Manager, 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:

A tract of land lying in Section 14, Township 4 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama, and being more particularly described as follows: Commencing at a railroad spike in Segers Road, said point being the center of the South boundary of said Section 14, thence from said railroad spike North 88 Degrees 41 Minutes 46 Seconds West a distance of 569.96 feet to 5/8 inch McElroy; thence North 00 Degrees 45 Minutes 03 Seconds East a distance of 546.07 feet to A 1/2 inch capped rebar stamped “Johnson Ca0193ls” And The Point of Beginning of the herein described tract; Thence from said Point of Beginning, South 88 Degrees 41 Minutes 00 Seconds East a distance of 542.93 feet to a 1/2 Rebar; Thence North 01 Degrees 19 Minutes 26 Seconds East a distance of 159.84 feet to a 1/2 inch Athens; Thence North 88 Degrees 40 Minutes 01 Seconds West a distance of 544.55 feet to a 1/2 Rebar; Thence South 00 Degrees 44 Minutes 42 Seconds West a distance of 160.00 feet to the Point of Beginning and containing 2.00± acres, more or less.

INCLUDING

A tract of land lying in Section 14, Township 4 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama, and being more particularly described as follows: Commencing at a railroad spike in Segers Road, said point being the center of the South Boundary of Said Section 14, thence from said railroad spike North 88 Degrees 41 Minutes 46 Seconds West a distance of 569.96 feet to 5/8 inch Mcelroy; Thence North 00 Degrees 45 Minutes 03 Seconds East a distance of 546.07 feet to a 1/2 inch Mcelroy; Thence North 00 Degrees 45 Minutes 07 Seconds East a distance of 160.00 feet to the Point of Beginning of the herein described tract; Thence from said Point of Beginning, North 88 Degrees 40 Minutes 01 Second West a distance of 120.05 feet to a Point; Thence North 00 Degrees 51 Minutes 01 Seconds East a distance of 513.80 feet to a Point; Thence South 88 Degrees 41 Minutes 53 Seconds East a distance of 393.93 feet to a 1/2 rebar; Thence South 00 Degrees 42 Minutes 58 Seconds West a distance of 295.03 To A 1/2 rebar; Thence North 86 Degrees 46 Minutes 18 Seconds West a distance of 4.83 feet to a 1/2 MSG; Thence South 00 Degrees 46 Minutes 55 Seconds West a distance of 179.01 feet to a 1/2 Mcelroy; Thence North 88 Degrees 42 Minutes 02 Seconds West a distance of 254.20 feet to a point; Thence South 00 Degrees 42 Minutes 24 Seconds West a distance of 40.00 feet to a point; Thence North 88 Degrees 38 Minutes 44 Seconds West a distance of 15.86 feet back to the Point of Beginning, and containing 4.40± 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 _____, 2025.

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

APPROVED this the _____ day of _____, 2025.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
)
COUNTY OF MADISON)

**PETITION FOR ANNEXATION TO THE CITY OF
HUNTSVILLE, ALABAMA, PURSUANT TO SECTIONS 11-42-20 THROUGH
11-42-24 INCLUSIVE, CODE OF ALA. 1975 (AS AMENDED)**

**TO: The City Clerk of the City of Huntsville, Alabama, and the
 City Council of the City of Huntsville, Alabama**

**FROM: Greenbrier Enterprises, LLC, by Mark Russell McDonald, as its
 Manager (hereinafter referred to as “the petitioner”)**

A. The Petitioner do hereby sign and file with the City Clerk of the City of Huntsville, Alabama, this written petition requesting that the real property or territory hereinafter described, which real property or territory is hereinafter referred to as “the Property”, be annexed to the City of Huntsville, Alabama, under the authority of and pursuant to Sections 11-42-20 through 11-42-24 of the Code of Alabama 1975; and in support thereof do hereby certify as follows:

1. That the Petitioner is the owner of the Property, as the term “owner” is defined by Section 11-42-20, Code of Alabama 1975.
2. That the Property is situated in **Limestone County, Alabama**, and is accurately described on the attached Exhibit “A”, which exhibit is incorporated herein by reference.
3. That the Petitioner has the right and authority to make and file this petition for annexation.
4. That the Property is contiguous to the existing corporate limits of the City of Huntsville, Alabama.
5. That the Property does not lie within the corporate limits or police jurisdiction of any other municipality.
6. That the Petitioner has attached hereto as Exhibit “B”, which exhibit is incorporated herein by reference, and filed herewith a map of the Property showing its relationship to the corporate limits of the City of Huntsville, Alabama, which said map is further identified as being entitled "McDonald Property to be Annexed."

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, I, the Petitioner 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, I, the undersigned Petitioner have hereunto subscribed my name as of the 3 day of June, 2025.

PETITIONER:
Greenbrier Enterprises, LLC

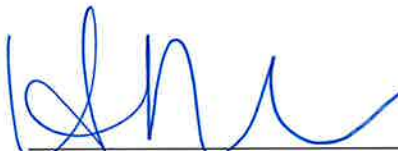
Signature: 
Mark Russell McDonald

As its: Manager

STATE OF Alabama)
)
COUNTY OF Madison)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mark Russell McDonald, whose name is signed to the foregoing annexation petition and who are 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 3rd day of June, 2025.


_____(SEAL)
NOTARY PUBLIC

My notary expires on October 8, 2028



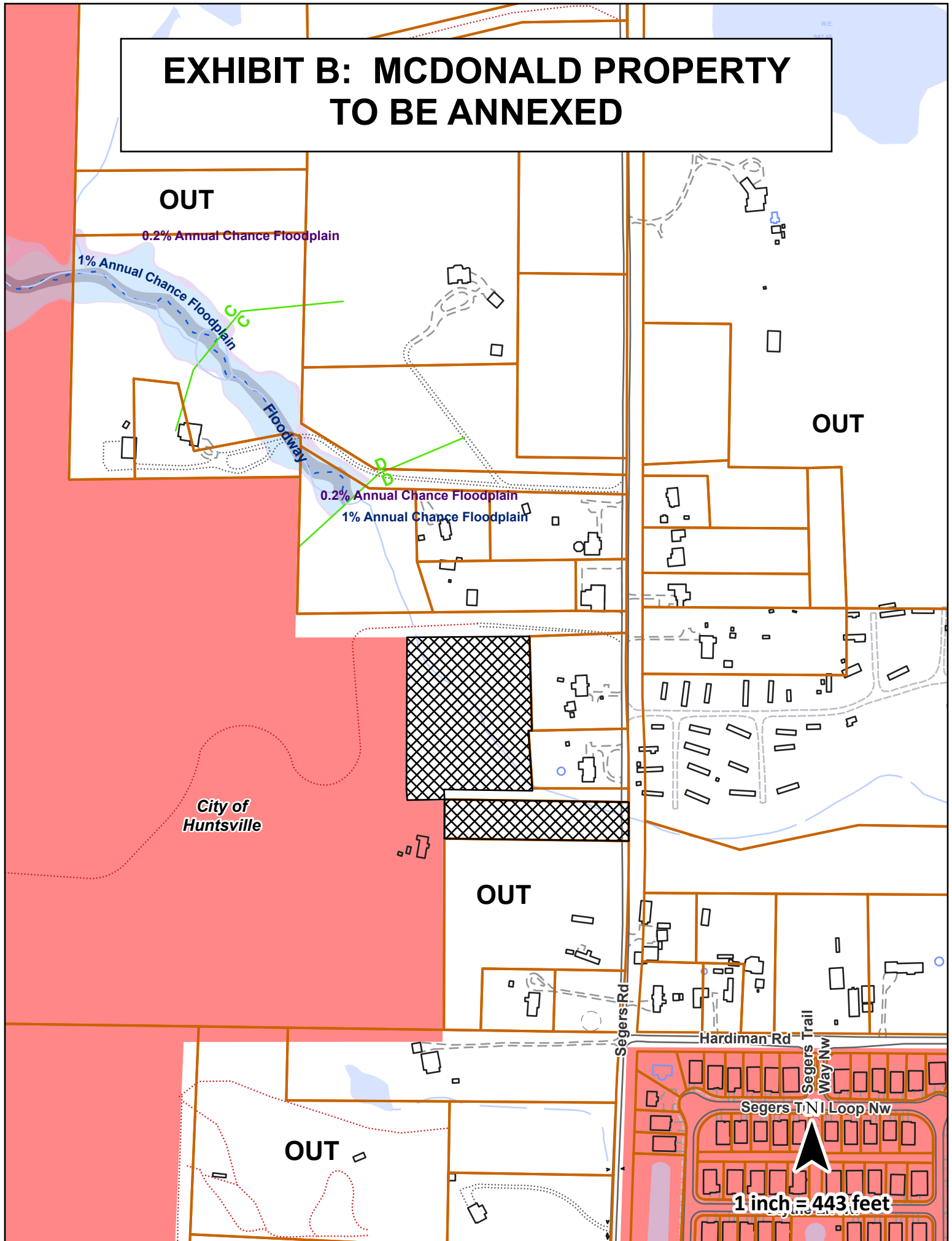
Exhibit "A"
(Legal Description of the Property)

A tract of land lying in Section 14, Township 4 South, Range 3 West of the Huntsville Meridian, Limestone County, Alabama, and being more particularly described as follows: Commencing at a railroad spike in Segers Road, said point being the center of the South boundary of said Section 14, thence from said railroad spike North 88 Degrees 41 Minutes 46 Seconds West a distance of 569.96 feet to 5/8 inch McElroy; thence North 00 Degrees 45 Minutes 03 Seconds East a distance of 546.07 feet to A 1/2 inch capped rebar stamped "Johnson Ca0193ls" And The Point of Beginning of the herein described tract; Thence from said Point of Beginning, South 88 Degrees 41 Minutes 00 Seconds East a distance of 542.93 feet to a 1/2 Rebar; Thence North 01 Degrees 19 Minutes 26 Seconds East a distance of 159.84 feet to a 1/2 inch Athens; Thence North 88 Degrees 40 Minutes 01 Seconds West a distance of 544.55 feet to a 1/2 Rebar; Thence South 00 Degrees 44 Minutes 42 Seconds West a distance of 160.00 feet to the Point of Beginning and containing 2.00± acres, more or less.

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EXHIBIT B: MCDONALD PROPERTY TO BE ANNEXED



ANNEXATION SUMMARY: MCDONALD

May 22, 2025

PETITIONER: Greenbrier Enterprises, LLC, by Mark Russell McDonald, as its
Manager

LOCATION: On the west side of Segers Road and north of Hardiman Road

Township 4 South, Range 3 West, Section 4

Segers Rd, Madison, AL 35756

ACREAGE: 6.40 acres

REASON FOR
REQUEST: City Services

ANNEXATION GUIDELINES: MCDONALD

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....

INDUSTRIAL 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.

CITY OWNED PROPERTY

**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 <u></u>	Date <u>5/22/25</u>
For: <u>GREENBAKER ENTERPRISES LLC</u>	As its: <u>MANAGER</u>
Petitioner _____	Date _____
For: _____	As its: _____