



Huntsville, Alabama

308 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/28/2024

File ID: TMP-3976

Department: Urban Development

Subject:

Type of Action: Approval/Action

Resolution authorizing the City of Huntsville to acquire title to, and to accept a gift deed for, a certain parcel of property for the Swancott Greenway Project.

Resolution No.

Finance Information:

Account Number: n/a

City Cost Amount: n/a

Total Cost: n/a

Special Circumstances:

Grant Funded: n/a

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location: (list below)

Address: Swancott Greenway

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

Additional Comments:

RESOLUTION NO. 24- _____

BE IT RESOLVED by the City Council of the City of Huntsville, 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 Huntsville, it is in the public interest and necessary and expedient that the City of Huntsville acquire title in and to the following described parcel of land, viz:

See Exhibit "A," which is attached hereto and incorporated herein, a copy of the same being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

A copy of the plat is attached for location reference of the parcel being acquired.

2. That the obtainment of the foregoing property is necessary for the Swancott Greenway Project, which is in the best interests of the citizens of the City of Huntsville in that the same will contribute to the health and general welfare of the citizens of Huntsville.

3. That the Mayor of the City of Huntsville be, and he is further authorized, empowered and directed to attempt to acquire the above-described property for said City for the aforesaid purposes and to accept a gift deed for such property.

ADOPTED this the 14th day of March, 2024.

President of the City Council
City of Huntsville, Alabama

APPROVED this the 14th day of March, 2024.

Tommy Battle
Mayor of the City of Huntsville, Alabama

EXHIBIT "A"
Legal Description of Property Being Acquired

Tract 1, according to the Final Plat of Greenbrier Preserve, as recorded in Plat Book L, Page 43, in the Probate Records of Limestone County, Alabama.

LOT 2
287.96 AC.±

1% ANNUAL CHANCE
FLOODPLAIN BOUNDARY
(SFHA) ZONE AE

WHEELER NATIONAL WILDLIFE
REFUGE
ROUTE 1
ATHENS, AL 35611
DB N/A PG N/A

N 0°58'48" E 1249.55'
N 0°58'48" E 1249.82'

S 88°44'31" E 2058.59'
S 88°44'31" E 2058.60'

N: 1498881.67
E: 354063.88

N 1°01'23" E 1333.05'
N 1°01'23" E 1333.29'

S 89°17'11" E 343.31'
S 89°17'11" E 343.48'

FLOODWAY BOUNDARY

1% ANNUAL CHANCE
FLOODPLAIN BOUNDARY

SPECIAL FLOOD HAZARD AREA
(SFHA) ZONE AE

FLOODWAY BOUNDARY

1% ANNUAL CHANCE
FLOODPLAIN BOUNDARY

1% ANNUAL CHANCE
FLOODPLAIN BOUNDARY

FLOODWAY BOUNDARY

25.00'

STATE OF ALABAMA }
LIMESTONE COUNTY }

Surveyor & Owner(s) and/or Lien Holder(s) Certificate:

I, the undersigned surveyor (hereinafter "Surveyor"), do hereby certify that I am a licensed land surveyor and licensed in Huntsville, Alabama, and that I have surveyed the lands embraced in the within plat or map designated as Greenbrier Preserve, all lying within Limestone County, Alabama. It is further certified that said plat or map is a true plat or map of lands embraced therein, giving the length and bearings of the boundaries of each block and lot and block number; showing the streets, alleys and public grounds; giving the bearings, length, width and name of each street, showing the relation of the lands to the government survey, and that monuments shown hereon shall be installed at all lot corners and curve points prior to final inspection by the City Engineer of the City of Huntsville, Alabama.

We/I, the undersigned owner(s) of all or any portion of the lands embraced in/by this plat (hereinafter "Owner(s)") hereby join in this certificate as required by law for the purpose of giving full force and effect to the platting of said lands embraced in said plat as contemplated and required by law.

In witness whereof, said undersigned Surveyor, Owner(s) and/or Lien Holder(s) have caused these presents to be duly executed and hereunto set our hand and affix our seals as of the 12th day of February, 2024, which date is the last date upon which the signatory last to execute the same shall affix his/her/its signature, and which date is intended by the signatory parties as the effective date hereof.

Surveyor:
By: [Signature]
Anthony Seminary
Owner(s):

Noble Investments, Ltd.
By: [Signature]
MIL Partner, LLC
Its: General Partner

By: [Signature]
Susan N. Clark
As Its: Managing Member

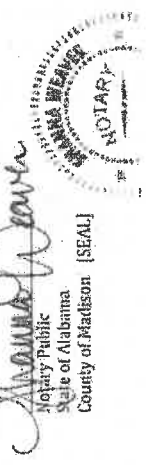
James Fennell Speake Living Trust
By: [Signature]
James Fennell Speake
As Its: Trustee

By: [Signature]
James Fennell Speake

STATE OF ALABAMA }
COUNTY OF MADISON }

I, the undersigned Notary Public in and for said County and State, hereby certify that Anthony S. Manary, whose name is signed to the foregoing Surveyor & Owner(s) and/or Lien Holder(s) Certificate and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing certificate, he/she executed the same voluntarily as of the day the same bears date.

GIVEN under my hand and official seal on this the 12th day of February, 2024.



My Commission Expires:
10-14-2026

HUNTSVILLE UTILITIES

THE UNDERSIGNED, A DULY AUTHORIZED REPRESENTATIVE OF HUNTSVILLE, ALABAMA, HEREBY APPROVES THE SAME IN THE PROBATE OFFICE OF THE COUNTY OF

THIS THE 12th DAY OF February 2024

[Signature]
HUNTSVILLE UTILITIES REPRESENTATIVE

CERTIFICATE OF APPROVAL BY ATHENS UTILITIES

THE UNDERSIGNED, AS A DULY AUTHORIZED REPRESENTATIVE OF THE WITHIN PLAT FOR THE RECORDING OF THE SAME PROPERTY IS SITUATED.

THIS THE 12th DAY OF February

[Signature]
NAME AND TITLE

NOTE:

- 1) THE CITY OF ATHENS UTILITIES ELECTRIC DEPARTMENT STANDARD SERVICES AND REGULATIONS.
- 2) THE COST FOR RELOCATION OR MODIFICATIONS OF THIS PROJECT MUST BE PAID BY THE DEVELOPER

PLANNING COMMISSION CERTIFICATE OF APPROVAL

THE WITHIN PLAT OF "GREENBRIER PRESERVE," APPROVED BY THE PLANNING COMMISSION FOR THE RECORDING OF THE SAME IN THE PROBATE OFFICE OF

THIS THE 20 DAY OF February

THE RECORDING MUST BE ACCOMPANIED BY THE CITY

IF THE PLAT IS NOT RECORDED BY THIS DATE, THE APPLICANT'S COMMISSION SHALL BE DEEMED TO HAVE EXPIRED.

PLANNING COMMISSION FOR THE CITY OF HUNTSVILLE

BY: [Signature]
TITLE: Chairman

CERTIFICATE FOR RECORDING