



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 2/26/2026

File ID: TMP-6594

Department: Huntsville Utilities

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to approve the sale of surplus property on Gillespie Road in Madison, Alabama to The Water and Wastewater Board of the City of Madison d/b/a Madison Utilities at a sales price of \$1,000,000. The City of Huntsville Electric Utility Board declared the property surplus on October 29, 2025. (Utilities: Electric)

Resolution No. N/A

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: N/A

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

Additional Comments: N/A

RESOLUTION 26- _____

WHEREAS, on October 29, 2025, the City of Huntsville Electric Utility Board declared property on Gillespie Road in Madison, Alabama as surplus and approved the sale of such property to The Water and Wastewater Board of the City of Madison dba Madison Utilities at a sales price of \$1,000,000.00; and

WHEREAS, the parcel is no longer needed by the City of Huntsville or the City of Huntsville Electric Utility Board for the public good; and

WHEREAS, The Water and Wastewater Board of the City of Madison dba Madison Utilities has agreed to purchase the property for \$1,000,000.00; and

WHEREAS, the deed attached to this resolution as Exhibit A, requires the consent and approval of the City Council of the City of Huntsville, Alabama.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama that the portion of the property described on the deed attached as Exhibit A on Gillespie Road in Madison, Alabama is declared surplus and the sale of the property to The Water and Wastewater Board of the City of Madison dba Madison Utilities for \$1,000,000.00 be, and the same is hereby approved and the written consent or approval of the City Council of the City of Huntsville is hereby granted to the City of Huntsville Electric Utility Board for the declaration of surplus property and sale to The Water and Wastewater Board of the City of Madison dba Madison Utilities.

ADOPTED this the __ day of _____, 2026.

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

APPROVED this the __ day of _____, 2026.

Mayor of the City of Huntsville,
Alabama



Huntsville Utilities

ELECTRICITY • NATURAL GAS • WATER

MEMORANDUM

To: Huntsville City Council

From: Wes Kelley, President & CEO

Date: February 12, 2026

Subject: Huntsville Utilities Item for City Council Agenda February 26, 2026

Resolution authorizing the Mayor to approve the sale of surplus property on Gillespie Road in Madison, Alabama, to The Water and Wastewater Board of the City of Madison d/b/a Madison Utilities at a sales price of \$1,000,000. The City of Huntsville Electric Utility Board declared the property surplus on October 29, 2025. (Utilities: Electric)

Approval of the resolution authorizing the Mayor to approve the sale of surplus property on Gillespie Road in Madison, Alabama, to The Water and Wastewater Board of the City of Madison d/b/a Madison Utilities at a sales price of \$1,000,000. The City of Huntsville Electric Utility Board declared the property surplus on October 29, 2025. (Utilities: Electric)

STATE OF ALABAMA)

COUNTY OF MADISON)

THIS INDENTURE made and entered into on this the ____ day of _____, 2026 by and between **City of Huntsville, a municipal corporation within the state of Alabama, d/b/a Huntsville Utilities**, as Grantor, and **The Water and Wastewater Board of the City of Madison, a public utility corporation in the State of Alabama, doing business as Madison Utilities**, as Grantee

WITNESSETH: That the Grantor for and in consideration of the sum of Ten and no/100 Dollars to it cash in hand paid this day by the Grantee, and other good and valuable consideration, receipt of which 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 Grantee in fee simple, together with every contingent remainder and right of reversion, the following described real estate lying and being situated in the County of Madison, State of Alabama, to-wit:

Lot 1 according to the plat of Huntsville Utilities 264 Gillespie Road Subdivision, as recorded in Plat Book 2026, Page _____, in the Office of the Judge of Probate of Madison County, Alabama.

TO HAVE AND TO HOLD the real estate above-described, together with all and singular the rights, privileges, tenements, appurtenances, hereditaments and improvements thereunto belonging or in anywise appertaining unto the Grantee and unto its successors and/or assigns forever. And the Grantor does hereby covenant with and represent unto the Grantee, its successors and/or assigns, that it is lawfully seized in fee of the lands above described; that the same is free of all liens and encumbrances; that it has a good and lawful right to sell and convey the same and that it will warrant and defend the title to the same unto the Grantee and unto its successors and/or assigns, against the lawful claims and demands of all persons whomsoever.

There is hereby excepted from the foregoing warranties and covenants, the following:

1. Taxes and assessments for the year 2026 and subsequent years, which are not yet due and payable.
2. All matters established by, and shown on, the Plat of Huntsville Utilities 264 Gillespie Road Subdivision, according to the Map or Plat of said subdivision on file in the Probate Office of Madison County, Alabama, in Plat Book 2026, Page _____.
3. Any and all recorded restrictions, easements of record, applicable zoning restrictions, any liens or encumbrances assumed or incurred in this transaction and such state of facts as would be disclosed by an accurate survey of the property.

IN WITNESS WHEREOF, the Grantor has caused these presents to be executed on the day and year first above written.

City of Huntsville, a municipal corporation within the state of Alabama, d/b/a Huntsville Utilities.

By: _____

Its: _____

STATE OF ALABAMA §
 §
COUNTY OF MADISON §

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that _____, whose name as _____ for the City of Huntsville, a municipal corporation within the state of Alabama, d/b/a Huntsville Utilities, 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/they, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this ____ day of _____, 2026

NOTARY PUBLIC -
My Commission Expires:

SEND TAX NOTICES TO: The Water and Wastewater Board of the City of Madison, a public utility corporation in the State of Alabama, doing business as Madison Utilities, 101 Ray Sanderson Rd, Madison, AL 35758

THIS INSTRUMENT PREPARED BY: W. TY STAFFORD, LANIER FORD SHAVER & PAYNE, P. C., 2101 CLINTON AVENUE WEST, SUITE 102, HUNTSVILLE, AL 35805. (256) 535-1100
LFSP NO. 25-684-WTS

ORDINANCE NO. 26-___

AN ORDINANCE DECLARING A PORTION OF LAND ON GILLESPIE DRIVE SURPLUS
AND AUTHORIZING ITS CONVEYANCE TO MADISON UTILITIES

WHEREAS, the Huntsville Electric Utility Board, a municipal public utility board created by the City of Huntsville, Alabama, a municipal corporation ("Huntsville Utilities") entered into an agreement with The Water and Wastewater Board of the City of Madison dba Madison Utilities (the "Agreement"); and

WHEREAS, the Agreement provided for Huntsville Utilities to sell a portion of land on Gillespie Road in Madison, Alabama to municipal corporation ("Huntsville Utilities") entered into an agreement with The Water and Wastewater Board of the City of Madison dba Madison Utilities; and

WHEREAS, the City Council of the City of Huntsville, Alabama, has declared it to be in the best interest of the public and the City of Huntsville, Alabama, to convey the property at Gillespie Road as surplus to The Water and Wastewater Board of the City of Madison dba Madison Utilities; and

WHEREAS, both parties have fulfilled their obligations pursuant to the Agreement, as herein amended, and the City of Huntsville no longer uses or needs the land on Gillespie Road for public or municipal purposes; and

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

SECTION 1: It is hereby established and declared that the following described real property of the City of Huntsville, Alabama, which is described below, is no longer needed for public or municipal purposes and is hereby declared surplus:

Parcel 1 of 1:

Commencing at the northwest corner of Section 4, Township 4 South, Range 2 West of the Huntsville Meridian; thence South 89 degrees 33 minutes 22 seconds East a distance of 247.50 feet; thence South 0 degrees 26 minutes 38 seconds West a distance of 30.00 feet; thence South 89 degrees 33 minutes 22 seconds East a distance of 247.50 feet to a #5 rebar with a cap stamped "Garver LLC CA-445-LS" (typical set) marking the Northwest corner of a tract of land conveyed to the City of Huntsville d/b/a Huntsville Utilities in Deed Book 830, Page 473 as recorded in the Office of the Judge of Probate for Madison County, Alabama, said point being the Point of Beginning of the herein described tract;

Thence along the north boundary of said City of Huntsville tract South 89 degrees 33 minutes 22 seconds East a distance of 142.50 feet to a #5 rebar set marking the Northeast corner of said City of Huntsville tract; thence leaving said north boundary and along the east boundary of said City of Huntsville tract South 2 degrees 53 minutes 30 seconds West a distance of 1230.41 feet to a #5 rebar found; thence South 89 degrees 29 minutes 44 seconds East a distance of 105.27 feet to a #4 rebar found; thence South 1 degrees 52 minutes 26 seconds West a distance of 480.27 feet to a #5 rebar found; thence South 1 degrees 52 minutes 26 seconds West a distance of 544.48 feet to a #5 rebar set marking the Southeast corner of said City of Huntsville tract; thence leaving said east boundary and along the south boundary of City of Huntsville tract South 89 degrees 58 minutes 58 seconds West a distance of 240.35 feet to a #5 rebar set marking the Southwest corner of said City of Huntsville tract; thence leaving said south boundary and along the west boundary of said City of Huntsville tract North 2 degrees 14 minutes 20 seconds East a distance of 2256.87 feet to the Point of Beginning.

The above described tract contains 9.40 acres (409611.47 sq. ft.) more or less and is subject to any existing easements and rights-of-way whether or not recorded in the public records

SECTION 2: Pursuant to the authority granted by Ala. Code §11-47-20 (1975), the Mayor and City Clerk of the City of Huntsville, Alabama, are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Huntsville, Alabama, all documents necessary to effectuate such conveyance.

SECTION 4: This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED this the _____ day of _____, 2026.

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

APPROVED this the _____ day of _____, 2026.

Mayor of the City of Huntsville,
Alabama