



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

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

File ID: TMP-6596

Department: Urban Development

Subject:

Type of Action: Introduction

Introduction of an Ordinance to declare certain real property as surplus and to negotiate the terms and conditions of its sale.

Ordinance No.

Finance Information:

Account Number: TBD

City Cost Amount: TBD

Total Cost: TBD

Special Circumstances:

Grant Funded: NA

Grant Title - CFDA or granting Agency: NA

Resolution #: NA

Location: (list below)

Address: 72.72 acres in Huntsville North Village

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

Additional Comments:

ORDINANCE NO. 2026-_____

Ordinance to Declare Property as Surplus

WHEREAS, the City of Huntsville, an Alabama municipal corporation (the "City") is the owner of certain real property lying and located in Huntsville, Madison County, Alabama, containing approximately 72.72 acres, more or less, as more particularly described as follows in Exhibit "A" attached hereto (the "Property"); and

WHEREAS, it is the judgment and opinion of the Mayor and the City Council of the City of Huntsville that, pursuant to §11-47-20 of the *Code of Alabama* (1975), that the Subject Property is no longer used or needed for a public purpose; and

WHEREAS, it is in the judgment and opinion of the Mayor and the City Council of the City of Huntsville, that it may be necessary for the Mayor to subdivide, resubdivide, survey, and/or or resurvey the Property to facilitate its sale; and

WHEREAS, the Mayor is hereby authorized to negotiate such terms and conditions for and/or relating to the sale of the Property, in whole or in part, as may be deemed necessary or desirable to accomplish its sale, the final terms of such agreement(s) shall be contained in one or more Purchase and Sale Agreement, or similar sales contract, to be presented to the City Council of the City of Huntsville, and to be approved by subsequent Council Resolution; and

WHEREAS, a general and permanent ordinance is necessary to effect declaration of the Subject Property as surplus property, for the transfer or sale of said surplus property, and to authorize the Mayor to execute a deed to the purchaser for the surplus property.

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

1. The Property, as described in Exhibit "A" is found and determined not to be needed for public or municipal purposes by the City of Huntsville and is hereby declared as surplus property in accordance with the requirements of §11-47-20 of the *Code of Alabama* (1975).

2. The Mayor is hereby authorized to negotiate the terms and conditions of the sale of the Property, as described in Exhibit "A" in order to facilitate its sale, in whole or in part, the final terms of which shall be contained in one or more Purchase and Sale Agreement, or similar sales contract, to be presented to and approved by the City Council of the City of Huntsville pursuant to subsequent Council Resolution(s).

4. That the Mayor and City Clerk are hereby authorized and directed to execute and deliver all documents and to complete and record any and all subdivision plat, resubdivision plat, consolidation plat, survey, or resurvey as may be required to sell, close, and convey the Property as described in Exhibit "A" on behalf of the City.

5. The City Clerk for the City of Huntsville is hereby instructed to publish notice of this Ordinance in accordance with §11-45-8 of the *Code of Alabama* (1975).

6. This ordinance shall become effective upon its approval, adoption, enactment, and publication by posting as set forth in §11-45-8(b) of the *Code of Alabama* (1975).

ADOPTED this the _____ day of _____, 2026.

President of the City Council
City of Huntsville, Alabama

APPROVED this the _____ day of _____, 2026.

Mayor of the City of Huntsville, Alabama

Exhibit "A"
(Legal Description of Surplus Property)

A tract of land lying and being in Section 36, Township 2 South, Range 1 West of the Huntsville Meridian.

Said tract being a portion of the property conveyed to John R. Howard, as Trustee of the Howard Revocable Family Trust as recorded in the Office of the Judge of Probate for Madison County, Alabama in Deed Book 2021, Page 26579 and being more particularly described as follows:

Commencing at the northeast corner of Section 36, Township 2 South, Range 1 West of the Huntsville Meridian; thence South 68 Degrees 52 Minutes 41 Seconds West a distance of 43.16 feet; thence South 0 Degrees 56 Minutes 01 Seconds West 789.14 feet to a #5 rebar found; thence South 0 Degrees 44 Minutes 23 Seconds West 871.71 feet to a #5 rebar found; thence North 88 Degrees 42 Minutes 45 Seconds West a distance of 93.35 feet to a #5 rebar with a cap Stamped "Garver LLC CA-445-LS" (typical) set marking the north boundary of a tract of land conveyed to John R. Howard, as Trustee of the Howard Revocable Family Trust in Deed Book 2021, Page 26579 as recorded in the Office of the Judge of Probate for Madison County, Alabama, said point marking the west right-of way of US Highway 431 and the Point of Beginning of the herein described tract having established grid coordinates of (N) 1574247.92, (E) 434480.34 of the Alabama State Plane Coordinate System Zone East of the North American Datum of 1983 (NAD83);

Thence leaving said north boundary and along the west right-of-way of US Highway 431 South 0 Degrees 57 Minutes 38 Seconds West a distance of 481.93 feet to a #5 rebar set; thence South 89 Degrees 02 Minutes 22 Seconds East a distance of 35.00 feet to a #5 rebar set; thence South 0 Degrees 57 Minutes 38 Seconds West a distance of 282.29 feet to a #5 rebar set; thence South 89 Degrees 24 Minutes 52 Seconds East a distance of 35.13 feet to a #5 rebar set; thence South 0 Degrees 45 Minutes 41 Seconds West a distance of 548.84 feet to a #4 rebar with a cap found marking the south boundary of said Howard Family tract; thence leaving said right-of-way and along the south boundary of said Howard Family tract North 88 Degrees 55 Minutes 10 Seconds West a distance of 1785.58 feet to a #4 rebar found; thence South 0 Degrees 48 Minutes 02 Seconds West a distance of 324.05 feet to a #4 rebar with a cap Stamped "Burgett PLS 10091" found; thence North 88 Degrees 56 Minutes 15 Seconds West a distance of 807.33 feet to a 1" diameter pipe found marking the southwest corner of said Howard Family tract; thence leaving said south boundary and along the west boundary of said Howard Family tract North 0 Degrees 46 Minutes 20 Seconds East a distance of 436.58 feet to a #5 rebar found; thence North 89 Degrees 07 Minutes 24 Seconds East a distance of 69.75 feet to a #5 rebar found; thence North 69 Degrees 19 Minutes 00 Seconds East a distance of 349.79 feet to a #5 rebar found; thence North 1 Degrees 50 Minutes 06 Seconds East a distance of 1076.05 feet to a #5 rebar set marking the north boundary of said Howard Family tract; thence leaving said west boundary and along the north boundary of said Howard Family tract South 88 Degrees 42 Minutes 45 Seconds East a distance of 2110.17 feet to the POINT OF BEGINNING.

The above-described tract contains 72.72 acres (3167693.728 sq. ft.) more or less.