



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 3/26/2026

File ID: TMP-6763

Department: Engineering

Subject:

Type of Action: Approval/Action

Resolution authorizing the Mayor to execute a Water Main Easement from the City of Huntsville to the City of Huntsville, Alabama, d/b/a Huntsville Utilities for the conveyance of property for the Eastern Connector Huntsville Utilities Water Main Project.

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: Eastern Bypass

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

Additional Comments:

RESOLUTION NO. 26-_____

BE IT RESOLVED by the City Council of the City of Huntsville, Alabama, that the Mayor be, and he is hereby, authorized to enter into and convey that certain Water Main Easement, by and between the City of Huntsville, an Alabama municipal corporation, and the City of Huntsville d/b/a Huntsville Utilities, which said easement is substantially in words and figures as that certain document attached hereto and identified as "Water Main Easement by and between the City of Huntsville and the City of Huntsville d/b/a Huntsville Utilities," consisting of four (4) pages, including Exhibits "A" through "B," and the date of March 26, 2026, appearing on the first page thereof, together with the signature of the President or President Pro Tem of the City Council; and

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Mayor be and he is hereby authorized to execute the Water Main Easement, on behalf of the City of Huntsville, with such changes as the Mayor deems desirable and necessary, and the Mayor is hereby directed and authorized to have said Water Main Easement recorded in the Probate Records of Madison County, an executed copy of which shall be permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.

ADOPTED this the 26th of March, 2026.

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

APPROVED this the 26th of March, 2026.

Mayor of the City of Huntsville, Alabama

THIS INSTRUMENT PREPARED BY:
Benjamin W. Hutton
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Huntsville, Alabama 35801
(256) 517-5100

STATE OF ALABAMA

COUNTY OF MADISON

WATER MAIN EASEMENT

THIS CONVEYANCE made and entered into on this the 26th day of March, 2026, is made by **CITY OF HUNTSVILLE**, an Alabama municipal corporation, as “Grantor” in favor of the **CITY OF HUNTSVILLE, ALABAMA**, an Alabama municipal corporation, d/b/a **HUNTSVILLE UTILITIES**, as “Grantee”.

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration to the Grantor in hand paid by the Grantee, the receipt and sufficiency of which are hereby acknowledged, has this day given, granted, bargained, sold and conveyed and does by these presents give, grant, bargain, sell and convey unto the said Grantee, its successors and assigns, a perpetual non-exclusive easement on, over, along, across, under and through portions of land of the Grantor situated in Madison County, Alabama, particularly described on Exhibit A attached hereto and as further depicted on Exhibit B attached hereto (the “Easement Area”) for, including, without limitation, and at all or any time(s), the installation, construction, use, operation, maintenance, repair, relocating, upgrading, removing, reconstructing and replacement of an underground water main and any other fixtures, equipment, infrastructure, and appurtenances necessary or appropriate thereto as may be necessary for the provision of a water main (collectively, the “Water Main”) together with the unimpaired right of entry and re-entry from time to time as occasion may require; the right to attach conduits, pipes, or other lines of the Grantee; the right to maintain said Easement Area clear of trees, undergrowth and brush; and other purposes not inconsistent with the rights herein granted, with all the rights and privileges necessary or convenient for the full enjoyment and use thereof, for all the purposes above stated.

TO HAVE AND TO HOLD the above-described rights, privileges, and easement unto Grantee, and to its successors and assigns, forever, together with all the rights and privileges necessary or convenient for the full enjoyment or use thereof, including the right of ingress and egress to and from the Easement Area.

Grantor does hereby covenant with and represent unto Grantee, its successors and assigns, (a) that Grantor is lawfully seized in fee simple of the Easement Area, (b) that the herein-conveyed easement is free of encumbrances except for ad valorem taxes not yet due, easements, rights of way, and restrictions of record, and (c) that Grantor will warrant and defend the title to the herein-conveyed Easement Area unto Grantee, its successors and assigns forever, against all parties claiming by through and under Grantor but not otherwise.

President of the City Council of the
City of Huntsville, Alabama
Date: March 26, 2026

IN WITNESS WHEREOF, Grantor has executed this conveyance as of the day and year first above written.

GRANTOR:

CITY OF HUNTSVILLE, an Alabama municipal corporation

By: _____
Tommy Battle, Mayor

Attest:

By: _____
Shaundrika Edwards, City Clerk

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a notary public in and for said County, in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk, respectively, of the City of Huntsville, an Alabama municipal corporation, are signed to the foregoing document, and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same for and as the act of said municipal corporation on the day the same bears day.

Given under my hand and official seal this the 26th day of March, 2026.

Notary Public
My commission expires: _____

Pursuant to and in accordance with Section 40-22-1 of the Code of Alabama (1975), the following information is offered in lieu of submitting Form RT-1:

Grantor's Address: 305 Fountain Circle, Huntsville, Alabama 35801
Grantee's Address: 112 Spraggins Street, Huntsville, Alabama 35801
Property: +/- 0.19 acre water main easement located in SE ¼ of S19, T4S, R2E
Value: \$10.00

EXHIBIT A
(Legal Description of the Easement Area)

BEING A UTILITY EASEMENT SITUATED IN THE SOUTHEAST QUARTER OF SECTION 19, TOWNSHIP 4 SOUTH, RANGE 2 EAST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA AND BEING PART OF TRACT B-12 OF THE HAMPTON SUBDIVISION RECORDED IN PLAT BOOK 29, PAGE 35 , AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8 INCH CAPPED REBAR "GW JONES CA#0002" LYING ON THE WESTERLY LINE OF A 50-FOOT-WIDE UTILITY EASEMENT RECORDED IN DOCUMENT NUMBER 2008-122520 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA;

THENCE LEAVING SAID WESTERLY LINE SOUTH 81 DEGREES 45 MINUTES 58 SECONDS WEST A DISTANCE OF 198.86 FEET;

THENCE NORTH 89 DEGREES 55 MINUTES 21 SECONDS WEST A DISTANCE OF 100.63 FEET TO THE EASTERLY LINE OF SAID TRACT B-12 OF HAMPTON SUBDIVISION AS RECORDED IN PLAT BOOK 29, PAGES 35-40 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA AND THE POINT OF BEGINNING OF THE HEREIN DESCRIBED UTILITY EASEMENT;

THENCE RUN SOUTH 0 DEGREES 25 MINUTES 23 SECONDS WEST ALONG SAID EASTERLY LINE A DISTANCE OF 50.00 FEET;

THENCE LEAVING SAID EASTERLY LINE NORTH 89 DEGREES 55 MINUTES 21 SECONDS WEST A DISTANCE OF 179.21 FEET TO THE EASTERLY RIGHT-OF-WAY LINE OF THE EASTERN BYPASS AND ALSO BEING A POINT ON A CURVE TO THE LEFT HAVING A RADIUS OF 2119.70 FEET, A DELTA ANGLE OF 1 DEGREE 35 MINUTES 31 SECONDS, A CHORD BEARING OF NORTH 31 DEGREES 58 MINUTES 12 SECONDS EAST, AND A CHORD DISTANCE OF 58.89 FEET;

THENCE ALONG THE ARC OF SAID CURVE AND SAID EASTERLY RIGHT-OF-WAY LINE A DISTANCE OF 58.89 FEET;

THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 89 DEGREES 55 MINUTES 21 SECONDS EAST A DISTANCE OF 148.40 FEET OT THE POINT OF BEGINNING.

CONTAINING 8,182 SQUARE FEET OR 0.19 ACRES, MORE OR LESS.

