

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number \_\_\_\_\_

Meeting Type: Regular

Meeting Date: 12/19/2013

Action Requested By:  
Legal

Agenda Item Type  
Resolution

Subject Matter:

Dedication of rights-of-way for Cummings Research Park.

Exact Wording for the Agenda:

Resolution dedicating certain parcels of real property as rights-of-way for Mark C. Smith Drive in Cummings Research Park.

**Note: If amendment, please state title and number of the original**

Item to be considered for: Action

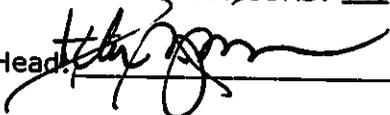
Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Yes

Department Head: 

Date: 12-10-13

RESOLUTION NO. 13-\_\_\_\_\_

WHEREAS, the parcels of property described on Exhibits A and B, attached hereto, are owned by the City of Huntsville; and

WHEREAS, the City of Huntsville desires to dedicate the parcels for use as rights-of-way.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Huntsville, Alabama, that the parcels of real property owned by, and located within the City of Huntsville, Alabama, described in Exhibits A and B, attached hereto, are hereby dedicated for use as public rights-of-way.

BE IT FURTHER RESOLVED, that the City Clerk is hereby authorized, requested and directed to record this instrument in the Probate Office of Madison County, Alabama.

ADOPTED this the 19th day of December, 2013.

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

APPROVED this the 19th day of December, 2013.

\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama



5125A Research Drive  
Huntsville, AL 35805

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**Mark C. Smith Drive Proposed Right-of-way South – Tract 1.**

STATE OF ALABAMA  
MADISON COUNTY

I, Loyd W. Carpenter a Professional Land Surveyor in the State of Alabama hereby certify that the foregoing is a true, and accurate description of a tract of land lying and being situated in Section 1, Township 4 South, Range 2 West of the Huntsville Meridian.

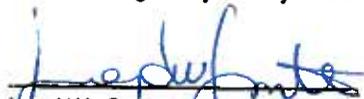
Said tract being a portion of Lot 1, Block 4 of Cummings Research Park West as recorded in Plat Book 22, Page 54 in the Office of the Probate Judge of Madison County, Alabama, and being more particularly described as follows:

Commencing at the northeast corner of Section 1, Township 4 South, Range 2 West of the Huntsville Meridian; thence North 87 Degrees 55 Minutes 37 Seconds West a distance of 890.46 feet to a # 5 rebar with a cap stamped "Garver LLC CA#445" (typical) set on the northwesterly right-of-way of Discovery Drive and a curve to the right, having a radius of 1741.76 feet, a chord of South 40 Degrees 07 Minutes 41 Seconds West a distance of 269.09 feet, said point being the Point of Beginning of the herein described tract;

Thence along the arc of said curve 269.36 feet to a #5 rebar set at the intersection of said right-of-way and the proposed southwesterly right-of-way for Mark C. Smith Drive, said point being the point of curvature of a curve to the left, having a radius of 100.00 feet, a chord of North 0 Degrees 59 Minutes 25 Seconds East for a distance of 137.57 feet; thence along the arc of said curve 151.70 feet to a #5 rebar set at the point of tangency of said curve; thence North 41 Degrees 38 Minutes 19 Seconds West a distance of 102.85 feet to a #5 rebar set on the north boundary of Lot 1, Block 4 of Cummings Research Park West as recorded in Plat Book 22, Page 54 in the Office of the Probate Judge of Madison County, Alabama; thence leaving said proposed right-of-way and along said north boundary of Lot 1 South 87 Degrees 55 Minutes 37 Seconds East a distance of 156.99 feet to a #5 rebar set on the proposed northeasterly right-of-way of Mark C. Smith Drive; thence continue along said north boundary of Lot 1 South 87 Degrees 55 Minutes 37 Seconds East a distance of 82.55 feet and the POINT OF BEGINNING.

The above described parcel contains 0.43 acres (18927.96 sq. ft.) more or less.

All according to my survey this the 21<sup>st</sup> day of November, 2013.

  
Loyd W. Carpenter, PLS  
Alabama License No. 26012





5125A Research Drive  
Huntsville, AL 35805

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**Mark C. Smith Drive Right-of-way North – Tract 2.**

STATE OF ALABAMA  
MADISON COUNTY

I, Loyd W. Carpenter a Professional Land Surveyor in the State of Alabama hereby certify that the foregoing is a true, and accurate description of a tract of land lying and being situated in Section 36, Township 3 South, Range 2 West of the Huntsville Meridian.

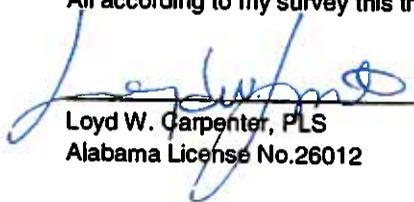
Said tract being a portion of the property conveyed to The City of Huntsville as recorded in Deed Book 910, Page 242 in the Office of the Probate Judge of Madison County, Alabama, and being more particularly described as follows:

Commencing at the northeast corner of Lot 1 of Hudson-Alpha a Resubdivision of Lot 1 a Resubdivision of Lot 1 of a Resubdivision of Lots 4 and 5, Block 4 and Lots 1 and 2, Block 5 of parts of Blocks 1,4,5, & 6 Cummings Research Park West as recorded in the Office of the Probate Judge of Madison County, Alabama in Document No. 20081223000777320, said point being on the south right-of-way of Explorer Boulevard; thence along said right-of-way South 86 Degrees 35 Minutes 58 Seconds East a distance of 470.01 feet to a #5 rebar with a cap stamped 'Garver LLC CA #445' (typical) set at the Point of Beginning of the herein described tract;

Thence South 86 Degrees 36 Minutes 21 Seconds East a distance of 301.10 feet to a #5 rebar set on the proposed east right-of-way of Mark C. Smith Drive, said point being the point of curvature of a curve to the left, having a radius of 100.00 feet, a chord of South 45 Degrees 56 Minutes 36 Seconds West a distance of 147.34 feet; thence along said proposed right-of-way and the arc of said curve 165.64 feet to a #5 rebar set at the point of tangency of said curve; thence South 1 Degrees 30 Minutes 27 Seconds East a distance of 298.31 feet to a #5 rebar set at the point of curvature of a curve to the left, having a radius of 3450.00 feet, a chord of South 10 Degrees 33 Minutes 07 Seconds East a distance of 1223.41 feet; thence along the arc of said curve 1229.91 feet to a #5 rebar set; thence leaving said proposed east right-of-way South 68 Degrees 39 Minutes 14 Seconds West a distance of 100.15 feet to a #5 rebar set on the proposed west right-of-way for Mark C. Smith Drive, said point being on a curve to the right, having a radius of 3550.00 feet, a chord of North 10 Degrees 33 Minutes 11 Seconds West a distance of 1259.97 feet; thence along the arc of said curve 1266.68 feet to a #5 rebar set at the point of tangency of said curve; thence North 1 Degrees 30 Minutes 38 Seconds West a distance of 321.94 feet to a #5 rebar set at the point of curvature of a curve to the left, having a radius of 100.00 feet, a chord of North 44 Degrees 03 Minutes 27 Seconds West for a distance of 135.24 feet; thence along the arc of said curve 148.52 feet to the POINT OF BEGINNING.

The above described parcel contains 3.91 acres (170338.47 sq. ft.) more or less.

All according to my survey this the 21<sup>st</sup> day of November, 2013.

  
Loyd W. Carpenter, PLS  
Alabama License No.26012

