

Ordinance 25-866 continued from page B1

STATE OF ALABAMA)
COUNTY OF MADISON)

PETITION FOR ANNEXATION TO THE CITY OF HUNTSVILLE, ALABAMA, PURSUANT TO SECTIONS 11-42-20 THROUGH 11-42-24 INCLUSIVE, CODE OF ALA. 1975 (AS AMENDED)

TO: The City Clerk of the City of Huntsville, Alabama, and the City Council of the City of Huntsville, Alabama
FROM: Landquest Properties, LLC, by James Keith Sharp, as its Administrative Member (hereinafter referred to as "the petitioner")

A. The Petitioners do hereby sign and file with the City Clerk of the City of Huntsville, Alabama, this written petition requesting that the real property or territory hereinafter described, which real property or territory is hereinafter referred to as "the Property", be annexed to the City of Huntsville, Alabama, under the authority of and pursuant to Sections 11-42-20 through 11-42-24 of the Code of Alabama 1975; and in support thereof do hereby certify as follows:

- 1. That the Petitioner is the owner of the Property, as the term "owner" is defined by Section 11-42-20, Code of Alabama 1975.
2. That the Property is situated in Madison County, Alabama, and is accurately described on the attached Exhibit "A", which exhibit is incorporated herein by reference.
3. That the Petitioner has the right and authority to make and file this petition for annexation.
4. That the Property is contiguous to the existing corporate limits of the City of Huntsville, Alabama.
5. That the Property does not lie within the corporate limits or police jurisdiction of any other municipality.
6. That the Petitioner has attached hereto as Exhibit "B", which exhibit is incorporated herein by reference, and filed herewith a map of the Property showing its relationship to the corporate limits of the City of Huntsville, Alabama, which said map is further identified as being entitled "Hwy 72 E Property to be Annexed."
B. This petition may be signed in any number of counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same petition.

THE FOREGOING CONSIDERED, I, the Petitioner hereby petition and request that the City Council of the City of Huntsville, Alabama, adopt an ordinance assenting to the annexation of the Property to the City of Huntsville, Alabama, all in accordance with the statutes herein provided.

IN WITNESS WHEREOF, I, the undersigned Petitioner have hereunto subscribed our names as of the 17th day of October, 2025.

PETITIONERS: Landquest Properties, LLC
Signature: James Keith Sharp
As its: Administrative Member

STATE OF Alabama)
COUNTY OF Madison)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that James Keith Sharp, whose name is signed to the foregoing annexation petition and who are known to me, acknowledged before me on this date that, being informed of the contents of said petition, he executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 17th day of October, 2025.
Notary Public Seal: James Keith Sharp, Notary Public, State of Alabama, My Commission Expires: 5-22-2028

Exhibit "A" (Legal Description of the Property)

All that part of Section 16, Township 03 South, Range 01 East of the Huntsville Meridian, Madison County, Alabama more particularly described as commencing at a point located at the Southwest Corner of said Section 16; thence from the Point of Commencement, North 86 Degrees 02 Minutes 09 Seconds East, 3422.36 feet to a point; said point is further described as the Point of Beginning; thence from the Point of Beginning, North 85 Degrees 08 Minutes 14 Seconds West, 707.88 feet to a point; said point is located in the centerline of Shields Rd; thence along said centerline, North 01 Degree 38 Minutes 46 Seconds East, 70.04 feet to a point; thence leaving said centerline, South 84 Degrees 14 Minutes 10 Seconds East, 365.16 feet to a point; thence North 02 Degrees 15 Minutes 01 Second East, 438.43 feet to a point; thence South 84 Degrees 20 Minutes 46 Seconds East, 368.48 feet to a point; thence South 05 Degrees 03 Minutes 57 Seconds West, 497.08 feet back to the Point of Beginning and containing 4.65 acres, more or less.

ANNEXATION SUMMARY: HWY 72 E
October 3, 2025

PETITIONER: Landquest Properties, LLC, by Keith Sharp, as its Managing Member
LOCATION: On the south side of Hwy 72 E and east of Shield
Township 3 South, Range 1 East, Section 16
Hwy 72 E, Huntsville, AL 35811
ACREAGE: 4.65 acres
REASON FOR REQUEST: City Services
ANNEXATION GUIDELINES: Hwy 72 E

- 1. Annexations that would fill in or make more regular the existing corporate limits should be strongly encouraged.
2. The remaining tax islands should be annexed when ownership changes and redevelopment occurs...
3. Annexations of land in subdivisions...
4. Corridors are discouraged...
5. Point-to-point annexations should be discouraged...
6. Owners living on land expected to be annexed within the ninety-day period preceding a municipal election...
7. Land which is known to be contaminated should not be annexed until such danger has been mitigated.
8. The annexation of land that would contribute to the city's economic development through an increase in taxes...
9. The city should require petitions for annexation referenda to satisfy additional conditions...
10. City planners will explain to all annexation petitioners the policies under which services are provided.
POLICY STATEMENT SIGNED BY OWNERS; COPIES ATTACHED

STATEMENT REGARDING PROVISION OF CITY SERVICES TO NEWLY ANNEXED LANDS

City services will be provided to all newly annexed lands according to the same policies that already govern in Huntsville. This means that Huntsville police and fire departments will respond to calls; garbage and trash will be collected by city sanitation; and school children will attend city rather than county schools. Transportation for students attending the city schools will be the responsibility of their parents. All applicable city ordinances will be enforced including the implementation of zoning regulations. Please note that the National agency that established the rating schedule for fire insurance premiums (ISO) assigns a higher rate to property that is over 5 road miles from their responding fire station and/or over 1000 feet from a fire hydrant.

Water service is provided by Huntsville Utilities; however if the annexed land is already served by another water authority, the existing situation should be expected to continue until such time as development pressure or legal agreements between water authorities makes it feasible or possible for Huntsville Utilities to assume control of the water lines or extend new mains. The cost of main extensions usually are borne by the property owner.

Likewise, it has long been city policy to expand sanitary sewer service on a cost benefit basis. This policy applies to all land within the city regardless of its annexation date. In addition, the city has adopted a capital improvement plan to guide investment in infrastructure. In order for an area to be considered for road construction, drainage improvements, recreational or community facilities, new fire stations, or sanitary sewer extension, the area must be in the city and then must be prioritized according to need. Newly annexed land will be accorded the same consideration as other city lands.

Lastly, it is important to understand that those autonomous boards, agencies and utilities that have authority over the delivery of specific public services set their own policies and procedures.

I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.

Petitioner: James Keith Sharp, Date: 10-20-25
For: Landquest Properties, LLC, As its: Managing Member

RESOLUTION NO. 25-874

WHEREAS, certain property has recently been annexed to the City of Huntsville, Alabama; and

WHEREAS, said property is now legally part of the incorporated municipality of the City of Huntsville, Alabama, and as such is subject to the laws and ordinances governing the City of Huntsville, Alabama; and

WHEREAS, said property, having been outside the boundaries of the City of Huntsville, Alabama, prior to the annexing of same to the City of Huntsville, Alabama, has never been subject to the Zoning Ordinances of the City of Huntsville, Alabama; and

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The zoning of 9.93 acres of land lying on the east of Hwy 431 S and south of Wade Rd. to Highway Business C-4 District.
(2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Speakin' Out News on the 12th day of November, 2025, and the second publication shall be one week thereafter on the 19th day of November, 2025, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

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

- 1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 4th day of December, 2025, in the Council Chambers of the City of Huntsville Administration Building at 305 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 25-875, which was introduced by the City Council of the City of Huntsville on the 6th day of November, 2025, amending the Zoning Ordinance of the City of Huntsville, Alabama.
2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 25-875
AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, BE IT ORDAINED by the City Council for the City of Huntsville, Alabama, as follows:

- 1. That the following area, land lying on east of Hwy 431 S and south of Wade Rd., which area is a newly annexed area of the City of Huntsville, Madison County, Alabama, and which has not been zoned previously, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 36, Township 04 South, Range 01 East of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as commencing at a point located at the Center of the West Boundary of said Section 36; thence from the Point of Commencement, North 30 Degrees 39 Minutes 24 Seconds East for a distance of 2949.52 feet to the Point of Beginning; Thence from the Point of Beginning, North 88 Degrees 34 Minutes 07 Seconds East for a distance of 30.33 feet to a point; thence North 88 Degrees 34 Minutes 04 Seconds East for a distance of 74.35 feet to a point; thence North 88 Degrees 34 Minutes 06 Seconds East for a distance of 23.65 feet to a point; thence North 09 Degrees 08 Minutes 53 Seconds West for a distance of 96.74 feet to a point; thence North 89 Degrees 18 Minutes 37 Seconds East for a distance of 159.21 feet to a point; thence North 89 Degrees 18 Minutes 34 Seconds East for a distance of 8.14 feet to a point; thence North 89 Degrees 18 Minutes 38 Seconds East for a distance of 313.71 feet to a point; thence North 89 Degrees 13 Minutes 53 Seconds East for a distance of 618.04 feet to a point; thence North 89 Degrees 13 Minutes 54 Seconds East for a distance of 31.73 feet to a point; thence North 89 Degrees 54 Minutes 10 Seconds East for a distance of 3.54 feet to a point; thence South 00 Degrees 09 Minutes 58 Seconds West for a distance of 13.35 feet to a point; thence South 04 Degrees 15 Minutes 14 Seconds West for a distance of 375.03 feet to a point; thence North 89 Degrees 01 Minutes 53 Seconds West for a distance of 675.06 feet to a point; thence South 90 Degrees 00 Minutes 00 Seconds West for a distance of 425.91 feet to a point; thence North 26 Degrees 49 Minutes 27 Seconds West for a distance of 52.19 feet to a point; thence North 23 Degrees 58 Minutes 56 Seconds West for a distance of 98.23 feet to a point; thence North 23 Degrees 30 Minutes 56 Seconds West for a distance of 6.07 feet to a point; thence North 23 Degrees 30 Minutes 54 Seconds West for a distance of 131.71 feet back to the Point of Beginning and containing 9.89 acres, more or less.

RESOLUTION NO. 25-874

WHEREAS, certain property has recently been annexed to the City of Huntsville, Alabama; and

WHEREAS, said property is now legally part of the incorporated municipality of the City of Huntsville, Alabama, and as such is subject to the laws and ordinances governing the City of Huntsville, Alabama; and

WHEREAS, said property, having been outside the boundaries of the City of Huntsville, Alabama, prior to the annexing of same to the City of Huntsville, Alabama, has never been subject to the Zoning Ordinances of the City of Huntsville, Alabama; and

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The zoning of 9.93 acres of land lying on the east of Hwy 431 S and south of Wade Rd. to Highway Business C-4 District.
(2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Speakin' Out News on the 12th day of November, 2025, and the second publication shall be one week thereafter on the 19th day of November, 2025, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

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

- 1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 4th day of December, 2025, in the Council Chambers of the City of Huntsville

RESOLUTION NO. 25-874 (Cont'd)

ADOPTED this the 6th day of November, 2025.
/s/ Jennie Robinson, President of the City Council of the City of Huntsville, Alabama

APPROVED this the 6th day of November, 2025.
/s/ Tommy Battle, Mayor of the City of Huntsville, Alabama

RESOLUTION NO. 25-876

WHEREAS, the Planning Commission of the City of Huntsville, Alabama, has given consideration to an amendment to the Zoning Ordinance, a synopsis of said amendment being as follows:

- (1) The rezoning of certain land lying on the west of North Memorial Pkwy and north & south of Bob Wade Lane from Residence 1 District to Highway Business C-4 District.
(2) The first publication of this resolution, this synopsis, and the ordinance hereinafter set out at length shall be in the Speakin' Out News on the 12th day of November, 2025, and the second publication shall be one week thereafter on the 19th day of November, 2025, both of which publications shall be at least 15 days in advance of the date of the public hearing hereinafter referred to.

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that consideration should be given to the adoption of an amendment to the Zoning Ordinance of the City of Huntsville, Alabama, in accordance with said request;

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

- 1. That the City Council of the City of Huntsville, Alabama, shall meet at 5:30 p.m. on the 4th day of December, 2025, in the Council Chambers of the City of Huntsville Administration Building at 305 Fountain Circle in the City of Huntsville, Alabama, for the purpose of holding a public hearing at which time and place all persons, parties in interest and cities who desire, shall have an opportunity to be heard in opposition to or in favor of said Ordinance No. 25-877, which is introduced by the City Council of the City of Huntsville on the 6th day of November, 2025, amending the Zoning Ordinance of the City of Huntsville, Alabama.
2. That the proposed amendment to the Zoning Ordinance of the City of Huntsville, Alabama, is substantially in words and figures as follows:

ORDINANCE NO. 25-877
AN ORDINANCE TO AMEND THE ZONING ORDINANCES OF THE CITY OF HUNTSVILLE, ALABAMA

The public welfare requiring it, and under authority granted by Section 11-52-78 of the 1975 Code of Alabama, BE IT ORDAINED by the City Council for the City of Huntsville, Alabama, as follows:

- 1. That the following area, land lying on the west of North Memorial Pkwy and north & south of Bob Wade Lane, which area is now shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, Residence 1 District, shall be shown and classified on the Official Zoning Maps of the City of Huntsville, Alabama, as Highway Business C-4 District, in the Zoning Ordinances of the City of Huntsville, Alabama, said property being particularly described as follows:

All that part of Section 36, Township 02 South, Range 01 West of the Huntsville Meridian, in the City of Huntsville, Madison County, Alabama more particularly described as commencing at a point located at the Northeast Corner of said Section 36; thence from the Point of Commencement, South 89 Degrees 04 Minutes 31 Seconds West, 995.81 feet to a point; said point is further described as the Point of Beginning; thence from the Point of Beginning, South 01 Degree 26 Minutes 13 Seconds West, 414.56 feet to a point; thence South 01 Degree 26 Minutes 20 Seconds West, 1232.83 feet to a point; thence North 88 Degrees 30 Minutes 19 Seconds West, 1248.98 feet to a point; thence North 01 Degree 20 Minutes 41 Seconds East, 490.39 feet to a point; thence North 02 Degrees 17 Minutes 01 Second East, 160.91 feet to a point; thence North 04 Degrees 52 Minutes 41 Seconds West, 358.90 feet to a point; thence North 66 Degrees 22 Minutes 23 Seconds West, 119.45 feet to a point; thence North 67 Degrees 04 Minutes 53 Seconds West, 454.52 feet to a point; thence North 08 Degrees 26 Minutes 19 Seconds East, 289.30 feet to a point; thence North 24 Degrees 05 Minutes 13 Seconds East, 128.22 feet to a point; thence South 89 Degrees 26 Minutes 01 Second East, 410.72 feet to a point; thence South 89 Degrees 26 Minutes 14 Seconds East, 4.81 feet to a point; thence South 89 Degrees 13 Minutes 35 Seconds East, 181.86 feet to a point; thence South 89 Degrees 11 Minutes 54 Seconds East, 1142.03 feet back to the Point of Beginning and containing 53.70 acres, more or less.

- 2. The boundaries of the above district as described and defined above are hereby established and shall be shown on the Official Zoning Maps of the City of Huntsville, Alabama, on file in the Planning Division of the Urban Development Department, in accordance with the various classifications herein enumerated and hereafter the regulations governing said district under the Zoning Ordinance of the City of Huntsville, Alabama, shall apply to the area so described.
3. This ordinance shall take effect from and after the date of publication.

ADOPTED this the ___ day of ___, 2025.

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

APPROVED this the ___ day of ___, 2025.

Mayor of the City of Huntsville, Alabama

RESOLUTION NO. 25-876 (Cont'd)

ADOPTED this the 6th day of November, 2025.

/s/ Jennie Robinson, President of the City Council of the City of Huntsville, Alabama

APPROVED this the 6th day of November, 2025.
/s/ Tommy Battle, Mayor of the City of Huntsville, Alabama

ADOPTED 11/6/25
ORDINANCE NO. 25-885

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

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of a Utility and Drainage Easement; that the applicant has represented to the City of Huntsville that Kirk A. Kronk, is the owner of the property across which said easement lies; that said easement, or the portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

QUITCLAIM DEED
KNOW ALL MEN BY THESE PRESENTS: That the undersigned, CITY OF HUNTSVILLE, ALABAMA, an Alabama municipal corporation, hereinafter referred to as "Grantor", in consideration of the sum of TEN DOLLARS (\$10.00), in hand paid to it by Kirk A. Kronk, hereinafter referred to as "Grantee", and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, does hereby REMISE, RELEASE, QUITCLAIM AND CONVEY unto the said Grantee, all of the Grantor's right, title, interest and claim in and to the following described real estate situated in the City of Huntsville, County of Madison, State of Alabama, to-wit:

ALL THAT PART OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 1 EAST, MADISON COUNTY, ALABAMA AND BEING A PART OF LOT 16, BLOCK NO. 6 OF WAKEFIELD SUBDIVISION AS RECORDED IN PLAT BOOK 11, PAGE 69 IN THE PROBATE RECORDS OF MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A 5/8" REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 16, BLOCK NO. 6, NORTH 54 DEGREES 01 MINUTES 20 SECONDS WEST 5.42 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING, ALONG THE SOUTH BOUNDARY OF SAID LOT 16, BLOCK NO. 6, NORTH 54 DEGREES 01 MINUTES 20 SECONDS WEST 99.45 FEET TO A POINT; THENCE NORTH 30 DEGREES 18 MINUTES 17 SECONDS WEST 94.95 FEET TO A POINT; THENCE LEAVING SAID SOUTH BOUNDARY, NORTH 67 DEGREES 45 MINUTES 33 SECONDS EAST 15.15 FEET TO A POINT; THENCE SOUTH 30 DEGREES 18 MINUTES 17 SECONDS EAST 89.68 FEET TO A POINT; THENCE SOUTH 54 DEGREES 01 MINUTES 20 SECONDS EAST 102.56 FEET TO A POINT; THENCE SOUTH 58 DEGREES 36 MINUTES 29 SECONDS WEST 16.25 FEET TO THE POINT OF BEGINNING, CONTAINING 0.07 ACRES (2899.8 SQ. FT.) MORE OR LESS.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever, all of Grantor's right, title, interest and claim in and to the above described real estate.

[ALL SIGNATURES APPEAR ON THE FOLLOWING PAGE]
IN WITNESS WHEREOF, the Grantor has caused this quitclaim deed to be signed on its behalf by its Mayor and attested by its City Clerk, on this the 6th day of November, 2025.

ATTEST: CITY OF HUNTSVILLE, ALABAMA, a municipal corporation
By: Shaundrika Edwards, City Clerk
By: Tommy Battle, Mayor

STATE OF ALABAMA)
COUNTY OF MADISON)

I, the undersigned, a Notary Public in and for said State, in said State, hereby certify that TOMMY BATTLE and SHAUNDRIKA EDWARDS, whose names as Mayor and City Clerk, respectively, of the CITY OF HUNTSVILLE, ALABAMA, a municipal corporation are signed to the foregoing instrument, 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 voluntarily for and as the act of said corporation on the day the same bears date.

Given under my hand and official seal this the 6th day of November, 2025.

Notary Public Seal: Santa Given Chagolef, Notary Public, My Commission Expires: July 10, 2028

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:

Date of Transfer: 11/6/25
Grantor's Address: 308 Fountain Circle, Huntsville, AL 35801
Grantee's Address: 16 Asbury Rd, Huntsville, AL 35801
Property Address: Vacation of easement at 16 Asbury Rd, Huntsville, AL 35801
Purchase Price: \$0 - Nominal value for vacation of easement

THIS INSTRUMENT WAS PREPARED BASED UPON INFORMATION PROVIDED BY THE GRANTEE. NO TITLE EXAMINATION HAS BEEN PERFORMED BY THE PREPARER OF THIS DEED AND NO OPINION HAS BEEN EXPRESSED OR RENDERED WITH RESPECT TO THE TITLE OR LEGAL DESCRIPTION OF THE ABOVE DESCRIBED REAL PROPERTY.

This instrument was prepared by: John M. Stanley, Jr. 473 sharps Cove Rd, Gurley, AL 35748

ADOPTED UNANIMOUS CONSENT 11/6/25
ORDINANCE NO. 25-915
Ordinance to Declare Property as Surplus and Authorizing and Directing its Sale

WHEREAS, the City of Huntsville, an Alabama municipal corporation ("City"), is the owner of certain real property situated in Huntsville, Madison County, Alabama, containing approximately 10.562 acres, more or less, as more particularly described as follows in Exhibit "A" attached hereto (the "Subject Property").

WHEREAS, HOME DEPOT U.S.A., INC., a Delaware corporation, has requested that the City declare the Subject Property as surplus and offer the same for sale.

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.

WHEREAS, it is necessary for the Mayor of the City of Huntsville to enter into that certain Purchase and Sale Agreement between the City of Huntsville, as Seller, and HOME DEPOT U.S.A., INC., as Purchaser, attached hereto as Exhibit "2" (the "Agreement"), and pursuant to the terms and conditions therein, the Subject Property will be sold to HOME DEPOT U.S.A., INC. in exchange for Three Million Eight Hundred Thousand and No/100 Dollars (\$3,800,000.00).

WHEREAS, in the judgment and opinion of the Mayor and the City Council of Huntsville, Alabama, that said compensation is fair and reasonable compensation for the Subject Property.

WHEREAS, the sale of the Subject Property, is for a price and exceeds the cost to the City to acquire the same, and the City hereby determines that the sales price for the Subject Property as set forth in the Agreement is at least equal to the fair market value of the Subject Property.

WHEREAS, the Agreement is authorized in accordance with and pursuant to the authority of the constitution and the laws of the State of Alabama including, without limitation, Amendment 772 to the Alabama constitution, as amended; and

WHEREAS, the Mayor of the City of Huntsville is authorized to execute the Agreement, a statutory warranty deed, and all other documents necessary to transfer and convey any interest the City may have in the Subject Property to HOME DEPOT U.S.A., INC.; and

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

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HUNTSVILLE, ALABAMA, AS FOLLOWS:

- 1. The Subject Property 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); and
2. The sale of the Subject Property, is for a price in excess of the cost to the City to acquire the same, and the sales price for the Subject Property as set forth in the Agreement is found and determined to be at least equal to the fair market value of the land; and
3. The Agreement is hereby authorized in accordance with and pursuant to the authority of the constitution and the laws of the State of Alabama including, without limitation, Amendment 772 to the Alabama Constitution, as amended; and
4. The Mayor of the City of Huntsville is hereby authorized and directed to execute the Agreement, to convey the Subject Property to HOME DEPOT U.S.A., INC. in accordance with the terms of said Agreement, to execute and deliver a statutory warranty deed, and all documents required to close said sale for and on behalf of the City, along with all other instruments, agreements, or other documents as shall be necessary or desirable in connection with the transaction contemplated by the Agreement or in furtherance thereof; and
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); and
6. A copy of said ordinance, Agreement, and other real estate closing documents, as legally required, shall be kept on file in the office of the City Clerk of the City of Huntsville, Alabama; and
7. 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 6th day of November, 2025.

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

APPROVED this the 6th day of November, 2025.
Tommy Battle, Mayor of the City of Huntsville, Alabama

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