

ORDINANCE NO. 458

AN ORDINANCE APPROVING THE TRANSFER OF SURPLUS REAL PROPERTY

WHEREAS, the Pelham Industrial Development Board and Pelham Industrial Enterprises, L.L.C. entered into a Lease Agreement dated September 1, 1994, recorded in the office of the Judge of Probate of Shelby County, Alabama, on September 28, 1994 as Instrument Number 1994-29417, pursuant to which Pelham Industrial Enterprises, L.L.C. leased from the Pelham Industrial Development Board certain Property located in Shelby County, Alabama, as part of a Project financed by Indebtedness issued by the Pelham Industrial Development Board; and

WHEREAS, the Lease Agreement granted Pelham Industrial Enterprises, L.L.C. an option to purchase the Property for a purchase price of \$100.00, provided the Indebtedness has been fully paid and no default exists under the Lease; and

WHEREAS, Pelham Industrial Enterprises, L.L.C. has provided notice of the exercise of its option to purchase the Property pursuant to the Lease; and

WHEREAS, the City of Pelham, Alabama, is the successor in interest to all of the assets of the Pelham Industrial Development Board, in accordance with Alabama law, following the dissolution of the Pelham Industrial Development Board which occurred pursuant to Resolution 2014-06-04-01 adopted by the City of Pelham, Alabama, recorded in the office of the Judge of Probate of Shelby County, Alabama, on June 9, 2014, as Instrument Number 20140609000172970; and

WHEREAS, the City of Pelham, Alabama, has confirmed that all conditions precedent to the exercise of the option to purchase have been satisfied and that the Property is not needed for public or municipal purposes.

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

Section 1. It is hereby established and declared that the following described real property of the City of Pelham, Alabama, is not needed for public or municipal purposes:

Parcel I

Lot D, according to the survey of Cahaba Valley Business Park, Resurvey Number 2, as recorded in Map Book 23, Page 42 in the Office of the Judge of Probate of Shelby County, Alabama, being situated in Shelby County, Alabama.

Section 2. Pursuant to the provisions of § 11-47-20, Code of Alabama 1975, the Mayor is hereby authorized and directed to execute a statutory warranty deed, a copy of which is attached to this ordinance and made a part hereof, conveying said property in the name of the City of Pelham, Alabama, to Pelham Industrial Enterprises, L.L.C., for and in consideration of the sum of \$100.00.

Section 3. This Ordinance shall become effective upon its passage and publication or posting as required by law.

Karyl Rice, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of **Ordinance No. 458**, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Beth McMillan, a member, and passed unanimously by roll call vote. The vote on said motion was as follows:

Rick Hayes
Council President

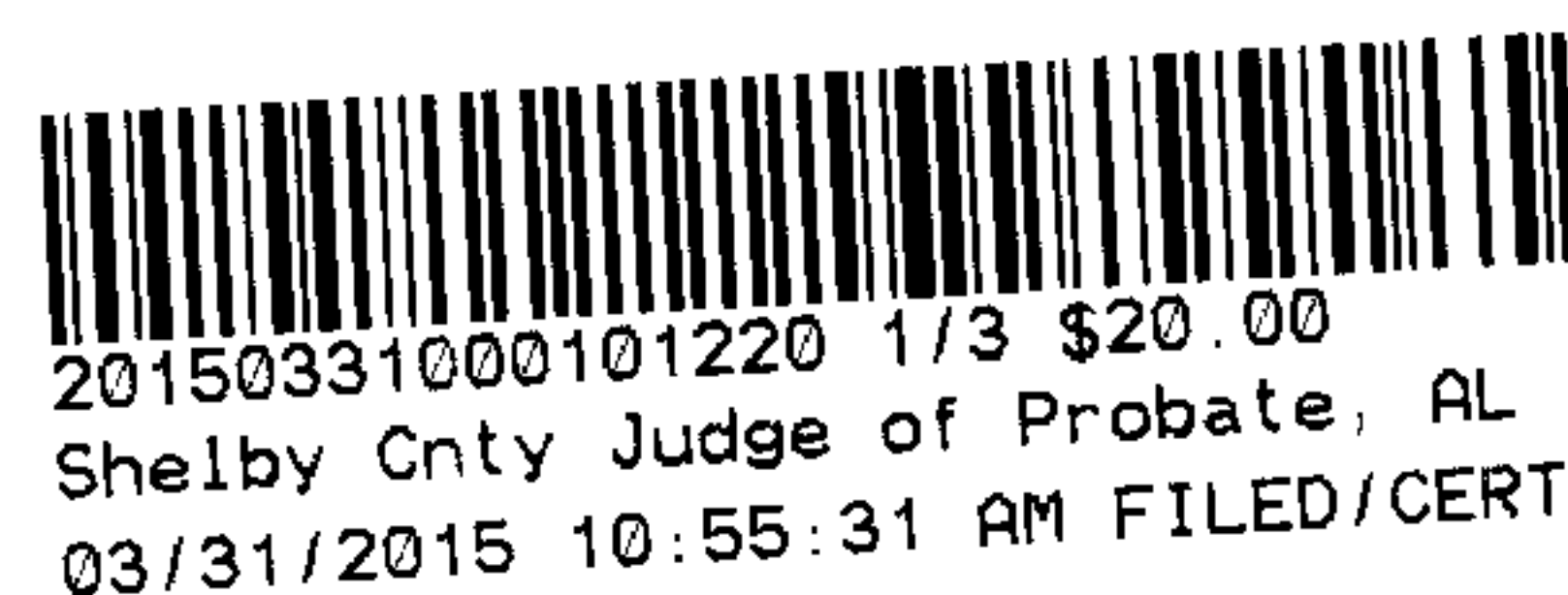
yes

Ron Scott
Council Member

yes

Beth McMillan
Council Member

yes



Maurice Mercer
Council Member yes

Karyl Rice
Council Member yes

THEREUPON Karyl Rice, a council member moved and Maurice Mercer, a council member seconded the motion that Ordinance No.458 be given vote. The roll call vote on said motion was as follows:

Rick Hayes
Council President yes

Ron Scott
Council Member yes

Beth McMillan
Council Member yes

Maurice Mercer
Council Member yes

Karyl Rice
Council Member yes

Ordinance No.458 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 16th day of March 2015.

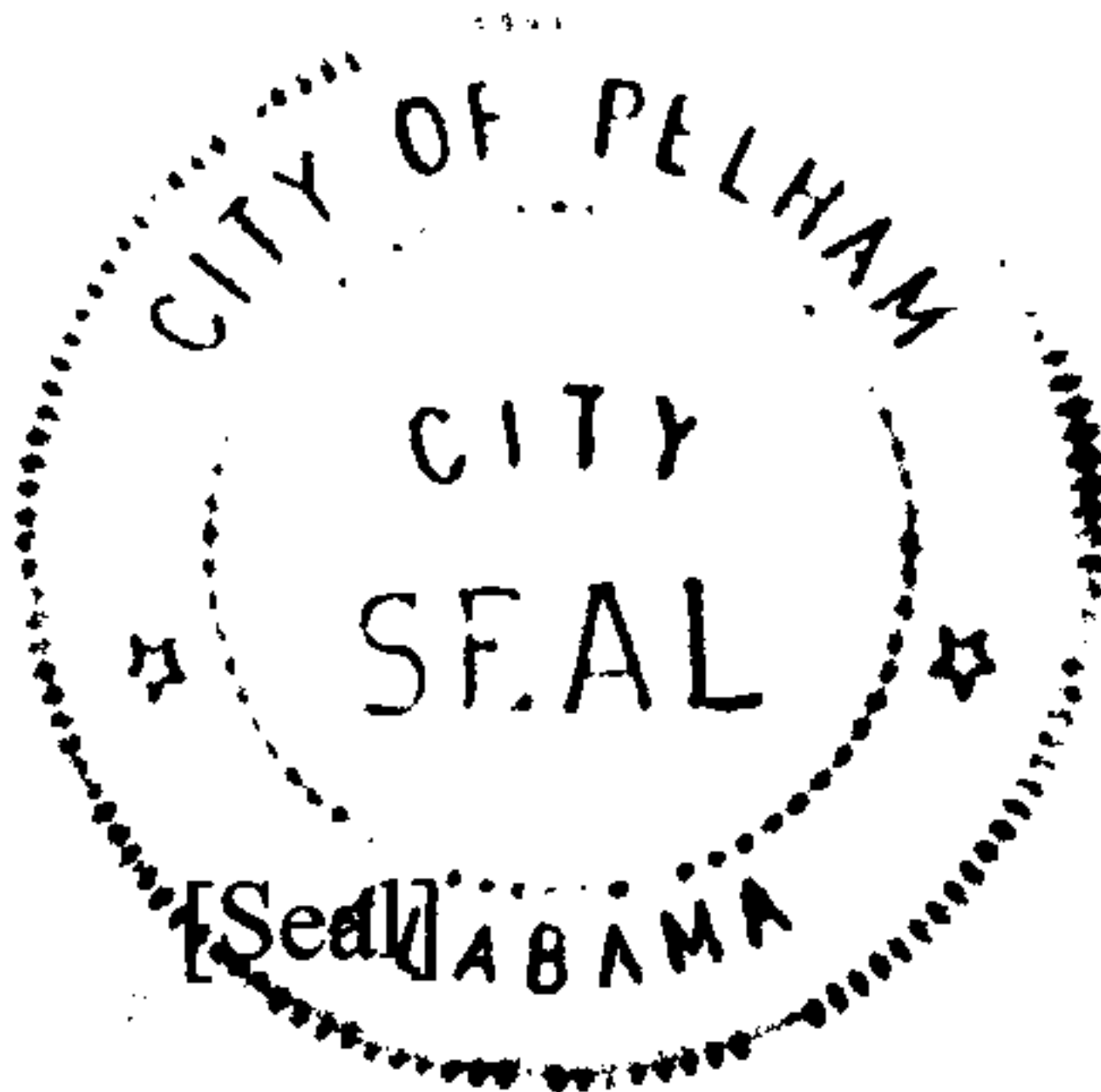
R. A. Hayes
Rick Hayes, Council President

Ron Scott
Ron Scott, Council Member

Beth McMillan
Beth McMillan, Council Member

Maurice Mercer
Maurice Mercer, Council Member

Karyl Rice
Karyl Rice, Council Member

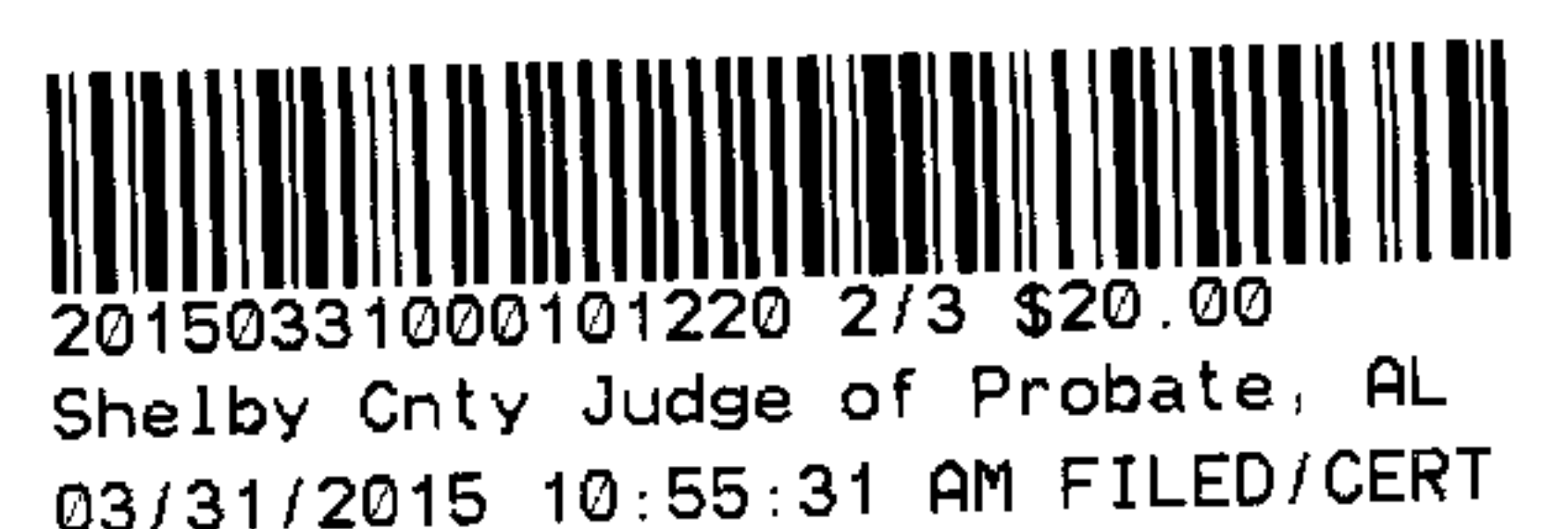


ATTEST

Marsha Yates
Marsha Yates, CMC, City Clerk

APPROVED:

Gary Waters 3/16/15
Gary Waters, Mayor Date



POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing **ORDINANCE NO. 458** was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 16th day of March 2015 and duly published by posting an exact copy thereof on the 17th day of March 2015 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamonline.com. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



Marsha Yates
Marsha Yates, City Clerk

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Shelby Cnty Judge of Probate, AL
03/31/2015 10:55:31 AM FILED/CERT