

ORDINANCE NO. 460

AN ORDINANCE APPROVING THE TRANSFER OF SURPLUS REAL PROPERTY

WHEREAS, the Pelham Industrial Development Board and Pelham Industrial Enterprises, L.L.C. entered into an Amended Lease Agreement dated May 1, 1994, recorded in the office of the Judge of Probate of Shelby County, Alabama, on May 26, 1994 as Instrument Number 1994-16976, 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 Amended 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 Amended Lease Agreement; and

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

Lot O-14B, according to the Resurvey of Cahaba Valley Business Park, as recorded in Map Book 17, Page 73, in the Office of the Judge of Probate of Shelby County, Alabama, being situated in Shelby County, Alabama.

Parcel V

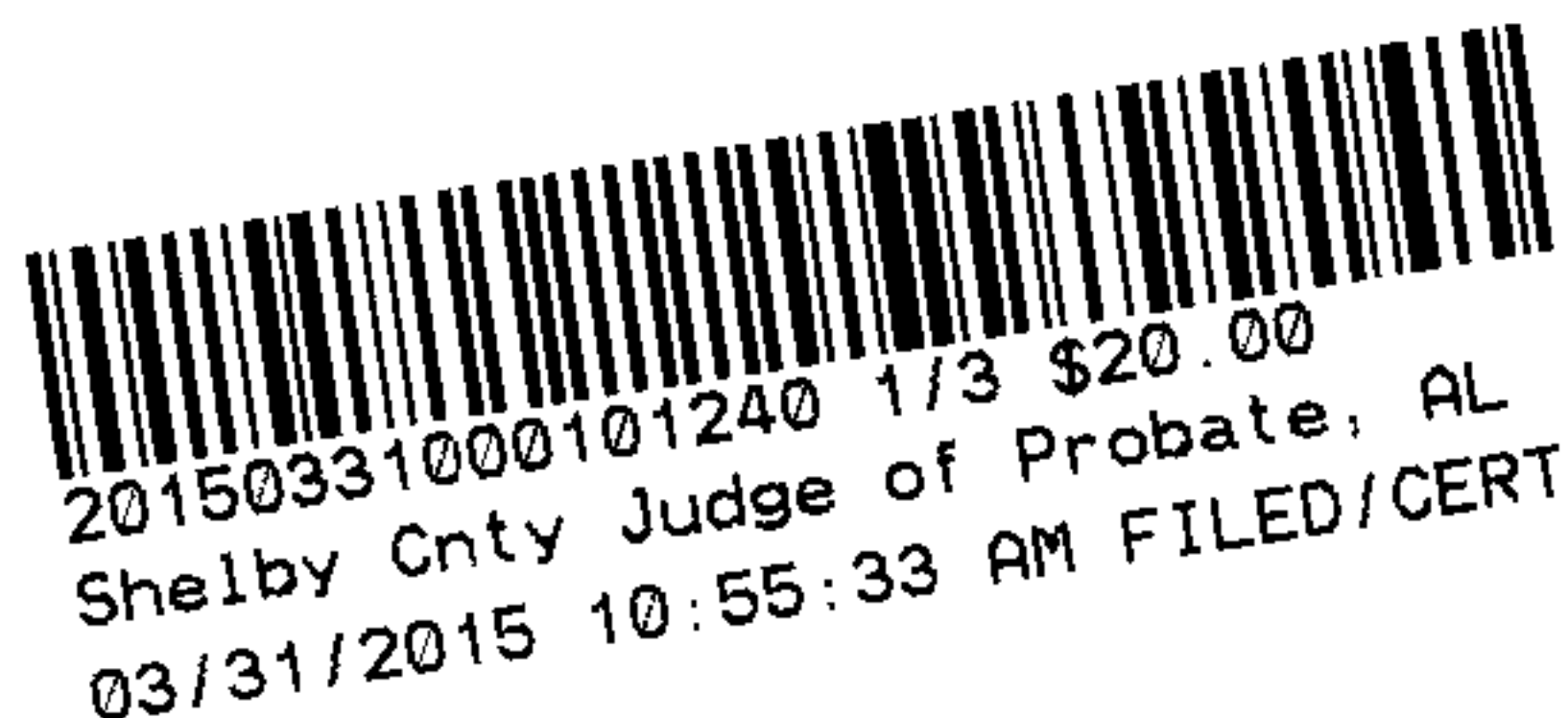
Lot OW-4A, according to the Resurvey of Cahaba Valley Business Park, as recorded in Map Book 17, Page 73, in the Office of the Judge of Probate of Shelby County, Alabama, being situated in Shelby County, Alabama.

Parcel VI

Lot 1, according to the Resurvey of Valleydale Business Center, as recorded in Map Book 18, Page 89, 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. 460**, 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	<u>yes</u>
Ron Scott Council Member	<u>yes</u>
Beth McMillan Council Member	<u>yes</u>
Maurice Mercer Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>

THEREUPON Ron Scott, a council member moved and Beth McMillan, a council member seconded the motion that Ordinance No.460 be given vote. The roll call vote on said motion was as follows:

Rick Hayes Council President	<u>yes</u>
Ron Scott Council Member	<u>yes</u>
Beth McMillan Council Member	<u>yes</u>
Maurice Mercer Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>

Ordinance No.460 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

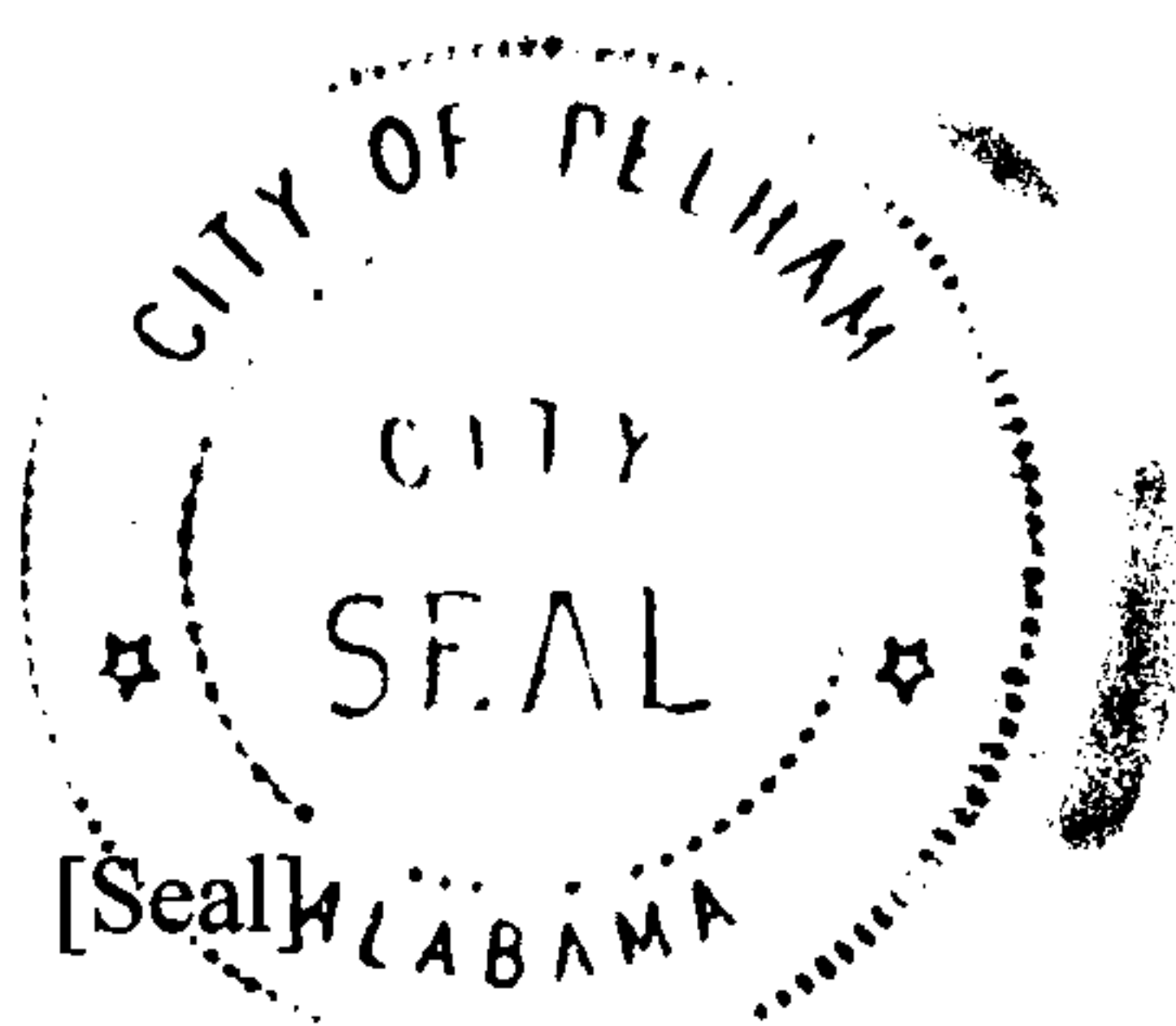
Ron Scott
Ron Scott, Council Member


Beth McMillan
Beth McMillan, Council Member

Maurice Mercer
Maurice Mercer, Council Member



20150331000101240 2/3 \$20.00
Shelby Cnty Judge of Probate, AL
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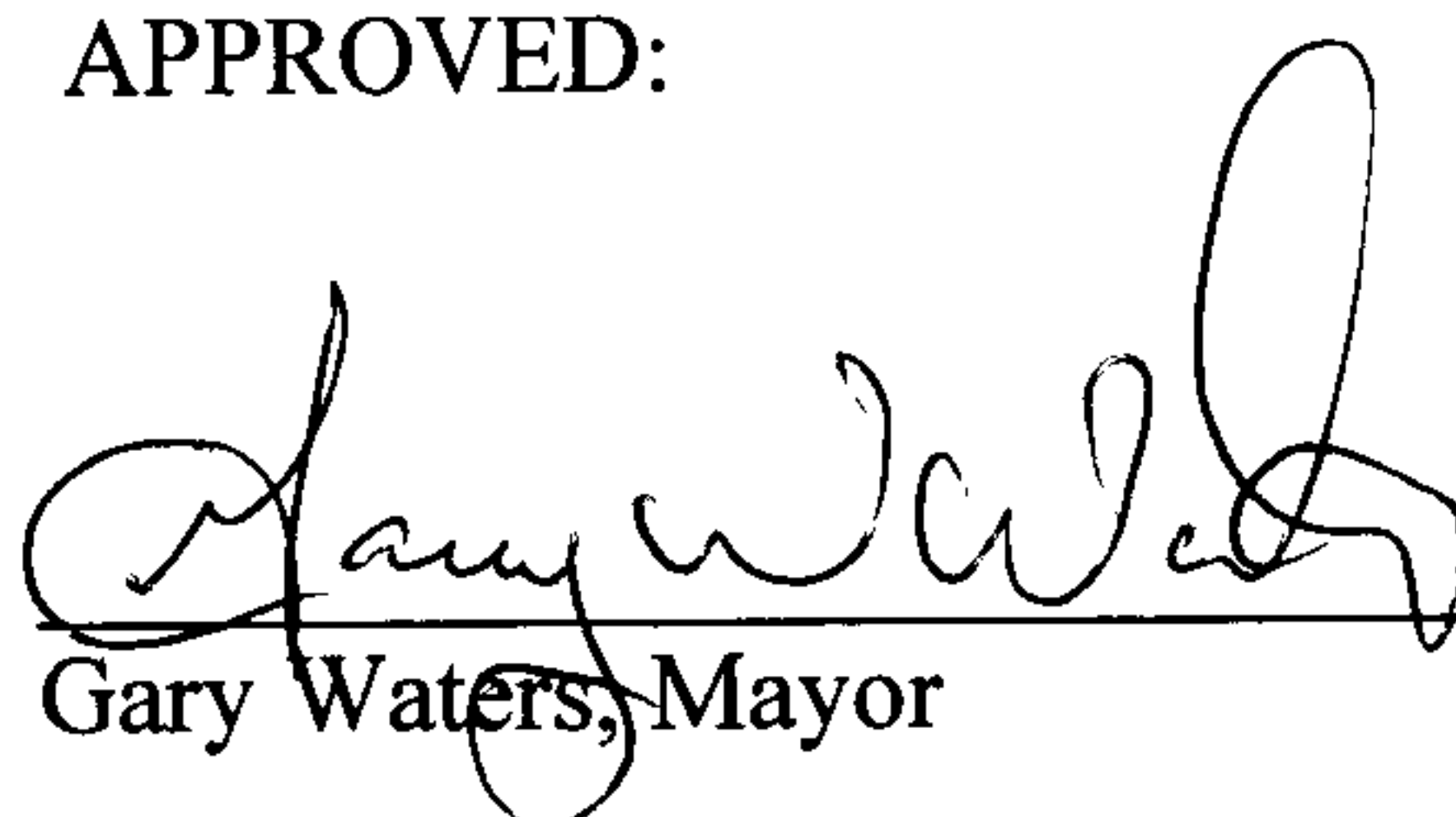



Karyl Rice, Council Member

ATTEST

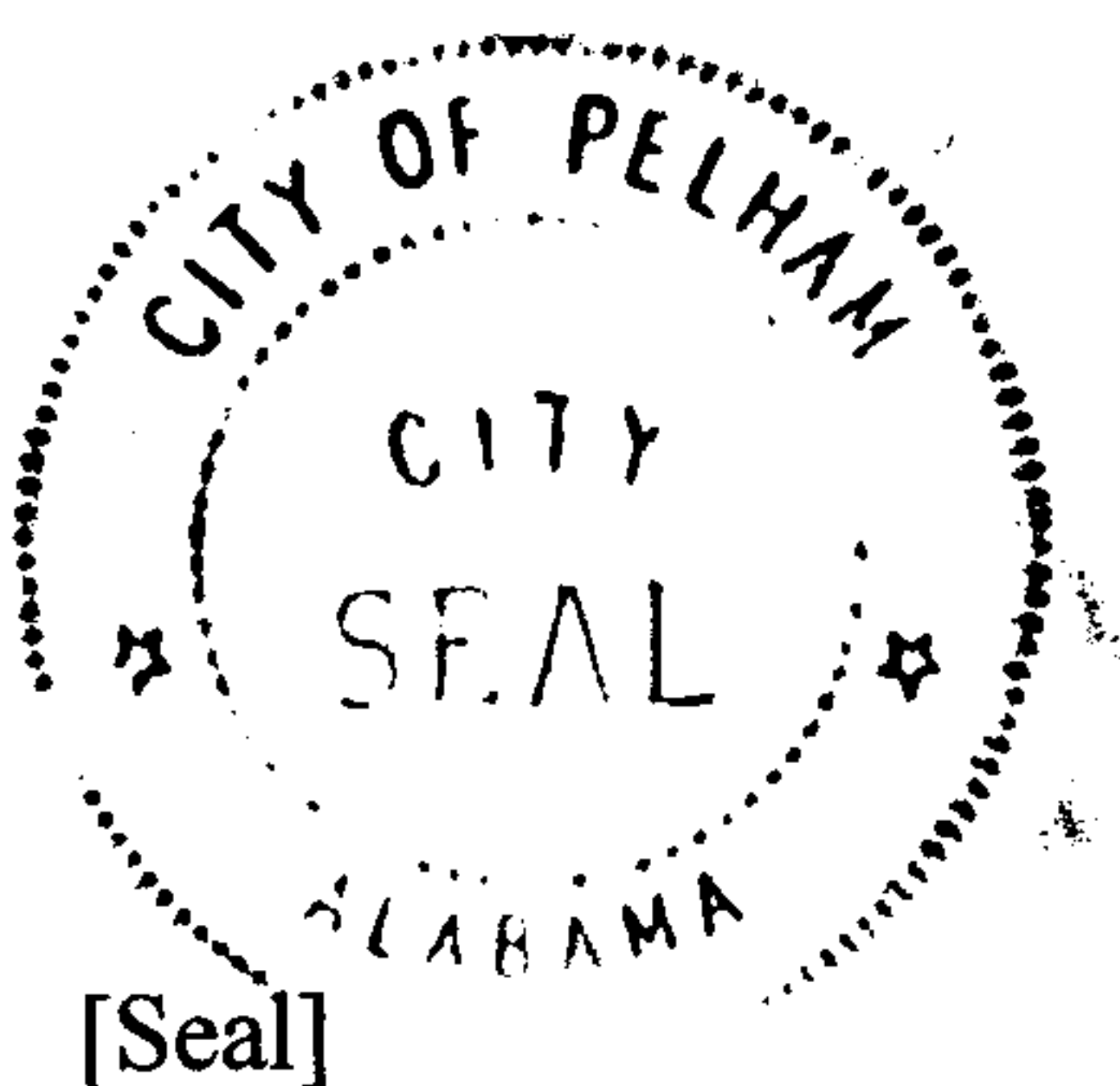
APPROVED:


Marsha Yates, CMC, City Clerk


 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. 460** 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, CMC, City Clerk


20150331000101240 3/3 \$20.00
Shelby Cnty Judge of Probate, AL
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