

ORDINANCE No. 519


20240710000209870 1/3 \$28.00
Shelby Cnty Judge of Probate, AL
07/10/2024 03:41:20 PM FILED/CERT

**An Ordinance Declaring Certain Real Property as Surplus and No
Longer Needed for Public or Municipal Purposes**

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

Section 1. Vacating Unnamed Forty (40) Foot Right-of-Way

WHEREAS, the City of Pelham is the sole owner of the property located at 2000 Pelham Park Blvd. and further identified in the Shelby County Public Records as Parcel No.: 13 1 12 3 001 010.003, and

WHEREAS, the City of Pelham is the owner on all sides of the unnamed forty (40) foot Right-of-Way as identified in certain historical documents, hereby vacates said unnamed forty (40) foot Right-of-Way and incorporates all lands contained therein, as a unified part of Parcel No. 13 1 12 3 001 010.003.

Section 2. Pursuant to the authority granted by § 11-47-20, Code of Alabama 1975, as amended, it is hereby established and declared that the following described real property of the City of Pelham, Alabama, is no longer needed for public or municipal purposes:

LEGAL DESCRIPTION

Lots A, B, C, D, and E of the Resurvey of Lot 3, according to the Final Plat of The Pelham Park Subdivision, a Commercial Subdivision, as recorded in Map Book 60, Pages 13-A and 13-B in the office of the Judge of Probate of Shelby County, Alabama, and further described as:

Begin at the southernmost corner of Lot A of the Resurvey of Lot 3 Pelham Park Subdivision as recorded in Map Book 60, Pages 13-A and 13-B, in the Office of the Judge of Probate of Shelby County, Alabama; thence run N 62°52'26" W, 109.93 feet to a point; thence run N 27°32'01" E, 111.03 feet to a point; thence run N 62°32'59" W, 57.62 feet to a point; thence run N 27°17'02" E, 139.70 feet to a point; thence run N 62°42'48" W, 129.62 feet to a point; thence run N 26°54'40" E, 48.35 feet to a point; thence run N 63°05'20" W, 7.86 feet to a point lying on the easterly right-of-way line of Village Place; thence run along said easterly right-of-way line N 24°07'08" E, 96.85 feet to a point; thence departing said easterly right-of-way line run S 62°42'48" E, 125.66 feet to a point; thence run N 26°38'21" E, 142.95 feet to a point lying on the southerly right-of-way line of Pelham Trail Parkway; thence run along said southerly right-of-way line S 88°44'43" E, 178.22 feet to the PC of a 25.00-foot radius curve concave southwesterly; thence run southeasterly along the arc of said curve 50.63 feet (chord bears S 30°43'46" E, 42.41 feet) to a point lying on the westerly right-of-way line of U.S. Highway 31; thence run along said westerly right-of-way line S 27°17'12" W, 210.69 feet to a point; thence departing said westerly right-of-way line run N 62°42'48" W, 80.00 feet to a point; thence run S 27°17'12" W, 40.00 feet to a point; thence run S 62°42'48" E, 80.00 feet to a point lying on the aforementioned westerly right-of-way line; thence run along said westerly right-of-way line S 27°17'12" W, 323.64 feet to the PC of a 25.00-foot radius curve concave northwesterly; thence run southwesterly along the arc of said curve 23.09 feet (chord bears S 53°44'51" W, 22.28 feet) to the Point of Beginning.

Said described lands lying and being situated in the southwest quarter of Section 12, Township 20 South, Range 3 West, Shelby County, Alabama, and contains 2.69 acres (117,211.15 S.F.), more or less.

END OF LEGAL DESCRIPTION

Section 3. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

Section 4. Within said codes when reference is made to the duties of certain officials named therein that designated official in the city who has duties corresponding to those of the named officials in said code shall be deemed the responsible official insofar as enforcing the provisions of said code concerned.

Section 5. The provisions of this Ordinance are severable, and if any part of this Ordinance is declared invalid or unconstitutional, that declaration shall not affect the remainder of this Ordinance, which shall remain in full force and effect.

Section 6. This Ordinance shall become effective upon its passage and publication or posting as required by law.

Rick Wash, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of **Ordinance No. 519**, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Chad Leverett, a member.

The roll call vote on said motion was as follows:


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Maurice Mercer Council President	<u>Yes</u>
David Coram Council Member	<u>Not Present</u>
Chad Leverett Council Member	<u>Yes</u>
Rick Wash Council Member	<u>Yes</u>
Michael Harris, Jr. Council Member	<u>Yes</u>

All rules which would prevent the immediate consideration of Ordinance No. 519 be suspended and immediate consideration given passed unanimously by roll call vote.

THEREUPON Chad Leverett, a councilmember moved and Michael Harris, Jr., a councilmember seconded the motion that Ordinance No. 519 be given vote. The roll call vote on said motion was as follows:

Maurice Mercer Council President	<u>Yes</u>
David Coram Council Member	<u>Not Present</u>
Chad Leverett Council Member	<u>Yes</u>
Rick Wash Council Member	<u>Yes</u>
Michael Harris, Jr. Council Member	<u>Yes</u>

Ordinance No. 519 passed by majority vote of all members of the Council and the President of the Council declared the same passed and adopted.

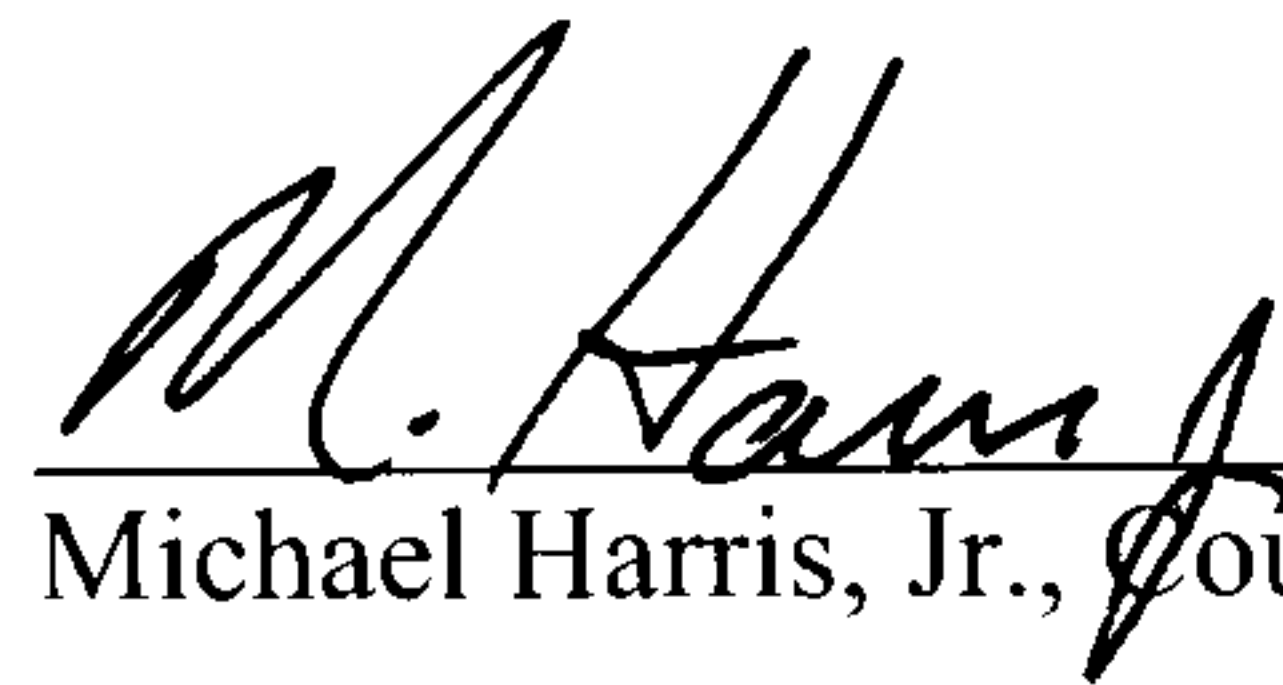
ADOPTED and approved this 1st day of July 2024.

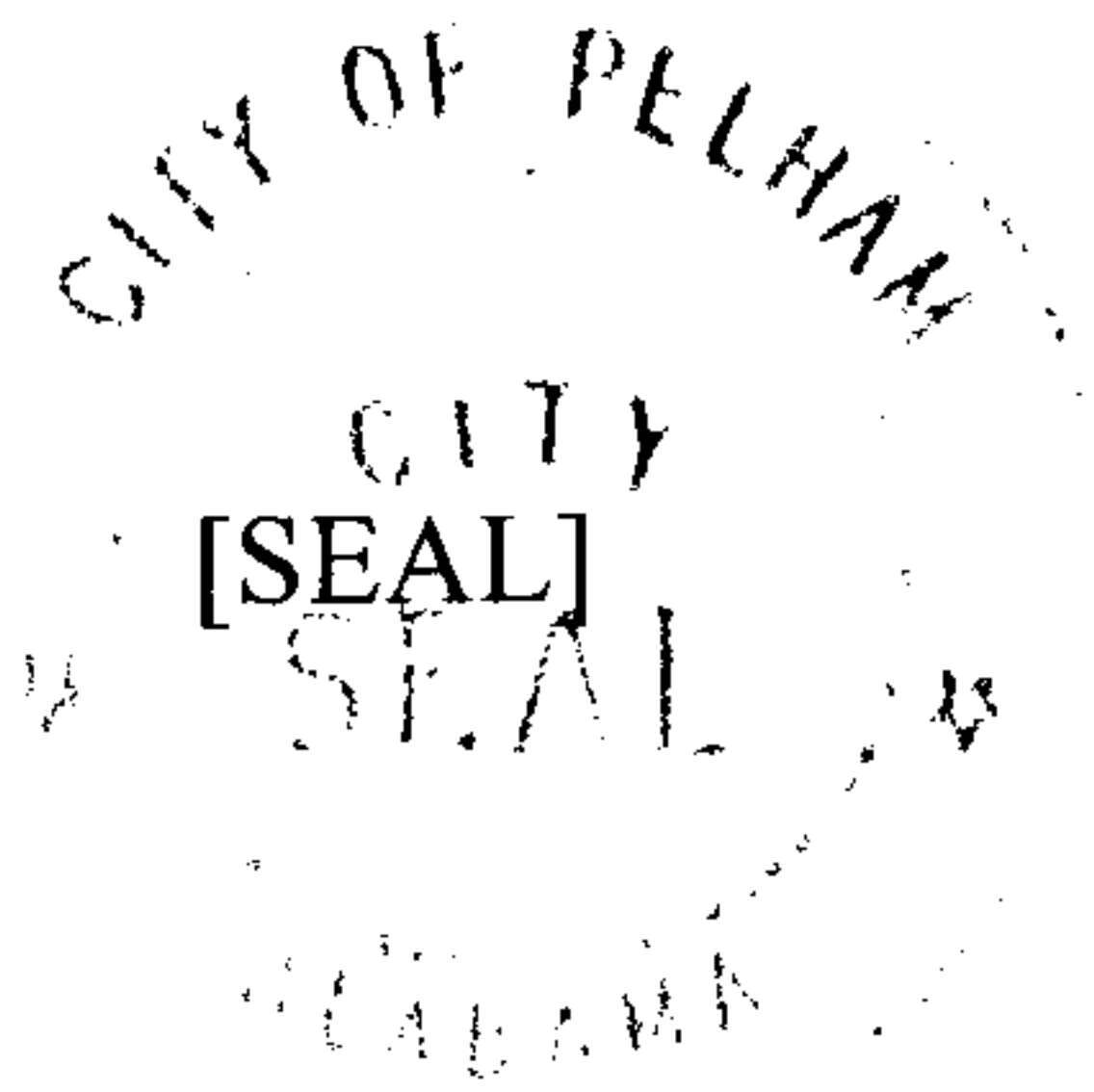

Maurice Mercer, Council President

Not Present
David Coram, Council Member


Chad Leverett, Council Member

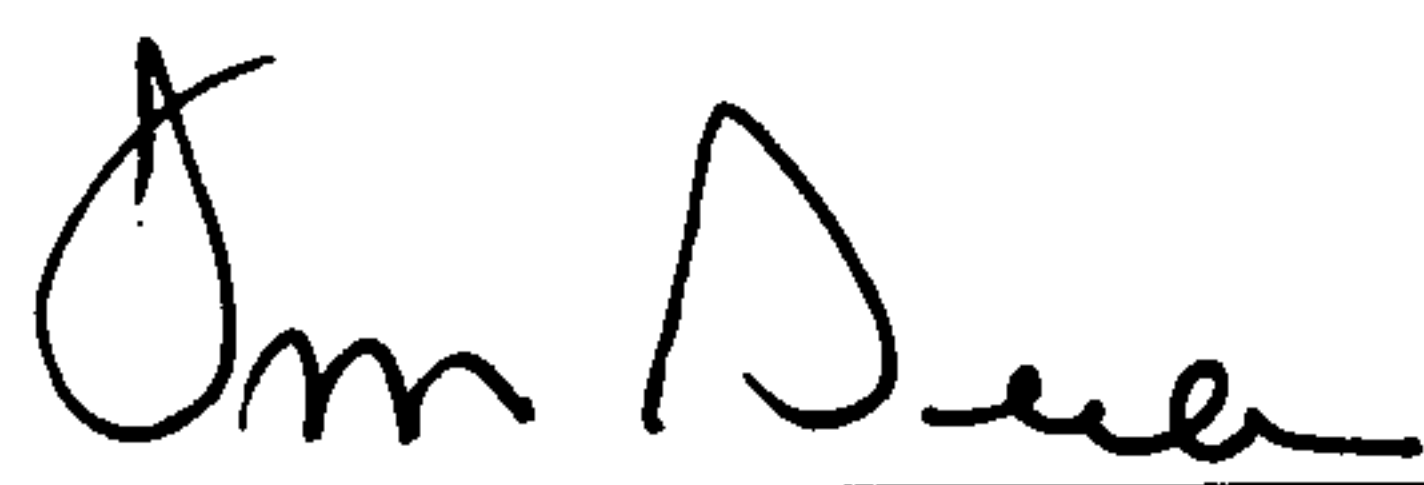

Rick Wash, Council Member


Michael Harris, Jr., Council Member

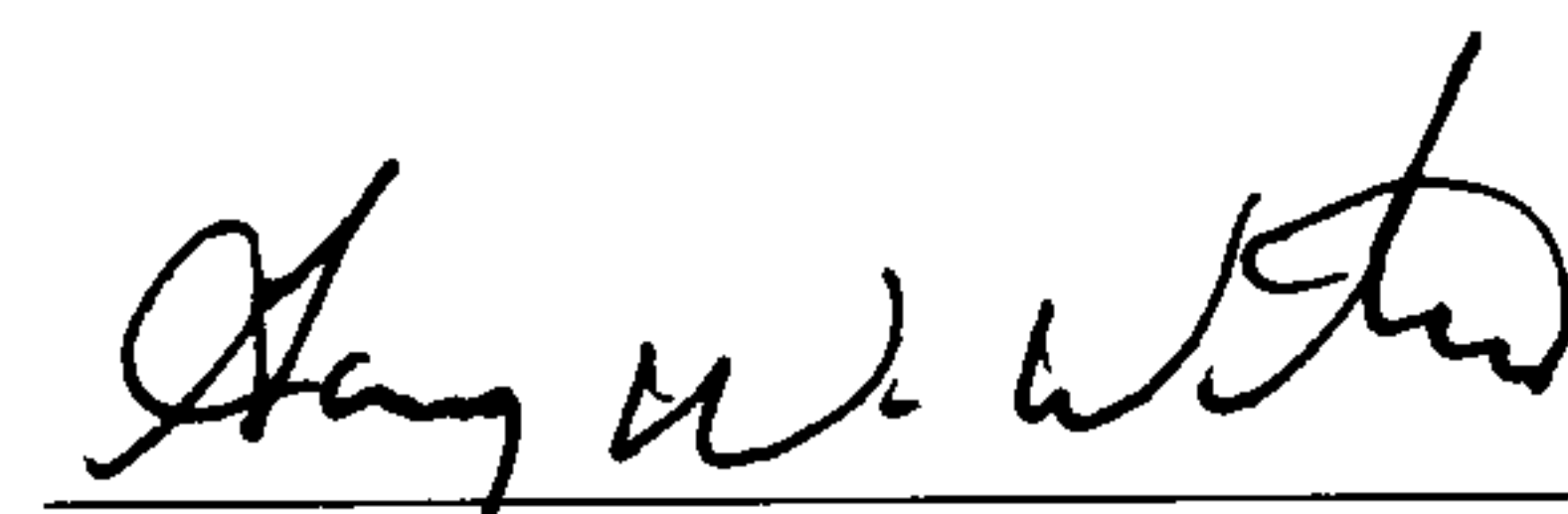



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ATTEST:

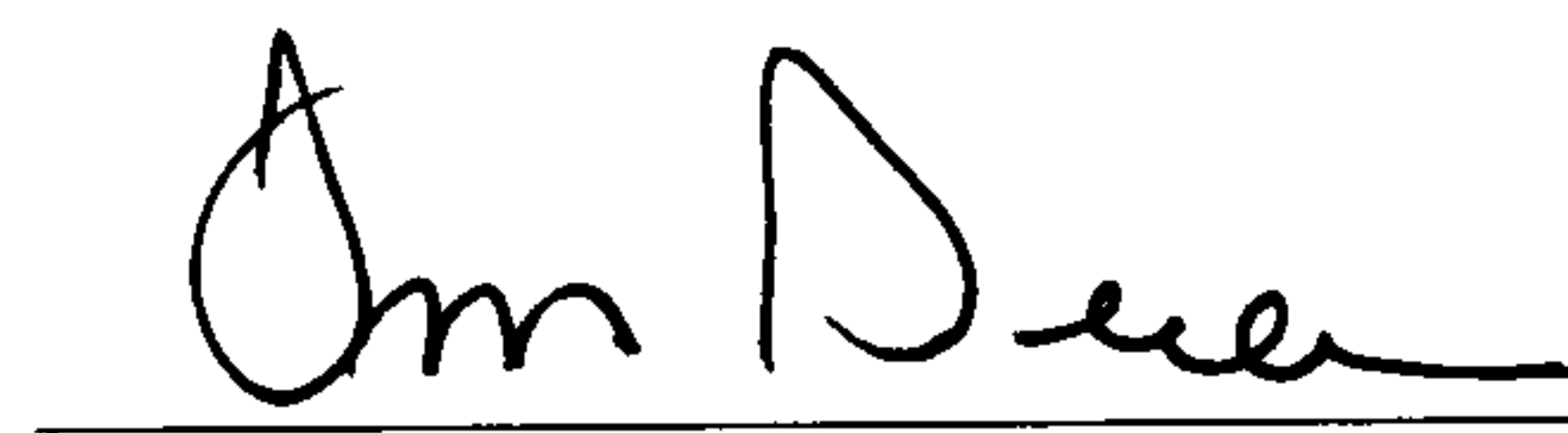

Tom Seale, MMC, City Clerk/Treasurer

APPROVED:

 July 1, 2024
Gary Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 519 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular called meeting of such Council held on the 1st day of July 2024, and duly published by posting an exact copy thereof on the 2nd day of July 2024, at four public places within the City of Pelham, Alabama, including the Mayor's Office at City Hall, Pelham Recreation Center, Pelham Public Library, Pelham Water Works and www.pelhamalabama.gov. I further certify that said Ordinance is on file in the office of the City Clerk/Treasurer and a copy of the full Ordinance may be obtained from the office of the City Clerk/Treasurer during normal business hours.


Tom Seale, MMC, City Clerk/Treasurer

