

March 26, 2018

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West in the said City on March 26, 2018, at 5:30 p.m. The meeting was called to order by Councilman Chris Seibert, President of the Council. Upon roll call, the following were found to be present: Councilmembers Frank Travis, Wayne Harper, Harold Wales, Joseph Cannon and Chris Seibert. Mayor Marks lead the Pledge of Allegiance. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Wayne Harper offered the invocation. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the March 12, 2018 City Council Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried. The Chairperson stated that the Minutes of the March 12, 2018 City Council Work Session Meeting had been submitted for approval. Councilman Cannon moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried.

At its January 22, 2018 meeting, the City Council previously tabled a resolution concerning 703 Westview Street until this meeting on March 26th. After a brief discussion, Chairman Seibert noted, without any objection from the City Council, that the resolution would remain tabled until the first regular City Council meeting in April.

A public hearing was held to rezone property to the north east of the end of Caldwell Lane for Loretta Sandefer from an EST Estate Residential and Agricultural District to an R-1-1 Single Family Low Density Residential District.

No one spoke in favor of or against.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

AN ORDINANCE TO REZONE PROPERTY FOR LORETTA SANDERFER FROM AN EST ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT TO AN R-1-1 SINGLE FAMILY LOW DENSITY RESIDENTIAL DISTRICT. PROPERTY CONSISTS OF 1 ACRE LOCATED TO THE NORTH EAST OF THE END OF CALDWELL LANE WITHIN THE COORPORATE LIMITS OF THE CITY OF ATHENS.

ORDINANCE NUMBER 2018-2041

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from the EST Estate Residential and Agricultural District to the R-1-1 Low Density Single Family Residential District.

The City Council of the City of Athens, Alabama, finds that “The Zoning Ordinance of the City of Athens, Alabama,” should be amended so as to rezone the hereinafter described area as “R-1-1 Single Family Low Density Residential District”.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

That all of the hereinafter described area or real estate is hereby zoned "R-1-1 Single Family Low Density Residential District" in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

A tract or parcel of land laying in the South 1/2 of the NE 1/4 of the NW 1/4 of Section 30, Township 3 South, Range 4 West, Limestone County Alabama, being more particularly described as follows:

Commence at the SW corner of the NE 1/4 of the NW 1/4 of said Section 30; run thence North 100 feet to the point of beginning of the herein described tract, continue North 100 feet; run thence East 435 feet; run thence South 100 feet; run thence West 435 feet to the point of beginning containing 1.0 acres more or less.

ADOPTED and APPROVED this, the 26th day of March, 2018.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Cannon moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Harper, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

President Seibert then opened a public hearing on the proposed vacation of a number of public ways shown on the Plat Map of the College View Addition, and asked if anyone would like to address the City Council concerning the proposed vacation of the public ways in question.

Ms. Linnie Adams of 420 Rogers Street, Athens, Alabama, addressed the City Council. Ms. Adams stated that she was the owner of a parcel of property that abuts Carroll Avenue. (Carroll Avenue is one of the public ways that is shown on the College View Addition, separated from Ms. Adams' property by the Pilgrim's Pride fencing, unimproved in most respects, and which is not open to the general public (and may have never been)). Ms. Adams stated that she opposed the vacation of Carroll Avenue. She did not oppose the other proposed vacations.

There were no other members of the public that addressed the City Council. The public hearing was closed. President Seibert asked Shane Black, City Attorney, to speak to Ms. Adams and provide her with additional information regarding the proposed vacation. President Seibert announced that the City Council would take up the ordinance concerning the proposed vacation of streets later in the meeting.

A public hearing was held to determine if a structure at 715 Westmoreland Avenue is unsafe and a public nuisance, and ordering abatement of same. Bert Bradford addressed the City Council concerning the structure and the reasons supporting a resolution to determine that it is a public nuisance and should be abated.

Councilman Wales moved to introduce the following resolution and his motion was seconded by Councilman

Harper.

RESOLUTION NO. _____

A RESOLUTION DETERMINING THAT A STRUCTURE AT 715 WESTMORELAND AVENUE IS UNSAFE AND A PUBLIC NUISANCE, AND ORDERING ABATEMENT OF SAME

WHEREAS, this Resolution is authorized by § 46-280, *et seq.* of Article IX of Chapter 46 of the *City Code of Athens, Alabama*, and/or § 11-40-30, *et seq.* of the *Code of Alabama*, in addition to other legal authority;

WHEREAS, the appropriate municipal official has presented information to the City Council about a structure and/or building (herein referred to as the “Structure”) located at the real property described as follows:

Address: 715 Westmoreland Avenue, Athens, Alabama

PARCEL # 10-03-08-2-002-059.000

Legal Description

The following land lying and being in Limestone County, Alabama, and more particularly described as follows:

Seventy-five (75) feet evenly off the North side of Lot No. 4 of Block 2 of Westview Addition to the Town of Athens, Alabama, according to the Map of said Addition on file in the office of the Judge of Probate of Limestone County, Alabama, in Plat Book A, Page 30. This is the same property conveyed by deeds recorded in the office of the Judge of Probate of Limestone County, Alabama, at Volume 740, Page 957, and at Fiche 98494, Page 33.

(herein referred to as the “Property”).

WHEREAS, the appropriate municipal official has determined that the condition of the Structure is unsafe in that the Structure constitutes a public nuisance to the citizens of Athens;

WHEREAS, at this regular meeting, the City Council has conducted a public hearing concerning this matter, and has received and reviewed information (including applicable photographs) from the appropriate municipal official concerning the Property and Structure;

WHEREAS, the Structure has been deemed unsafe to the extent that it is a public nuisance due to the following reasons:

- (1) The interior walls or other vertical structure members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;
- (2) Exclusive of the foundation, the building shows thirty-three (33) percent, or more, of damage or deterioration of one (1) or more supporting members, or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering;
- (3) The building has improperly distributed loads upon the floors or roofs, or in which the same are overloaded, or has insufficient strength to be reasonably safe for the purpose used;
- (4) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect,

abandonment, vandalism, or any other cause so as to have become dangerous to life, health, property, morals, safety, or general welfare of the public or the occupants;

(5) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety, or general welfare of the public or the occupants;

(6) The building has light, air, heating, cooling, and sanitation facilities which are inadequate to protect the life, health, property, morals, safety, or general welfare of the public or the occupants;

(7) The building does not provide minimum safeguards to protect or warn occupants in the event of fire;

(8) The building contains unsafe equipment, including any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers, or other equipment on the premises or within the structure which is in such disrepair or condition that such equipment is a hazard to the life, health, property, morals, safety, or general welfare of the public or the occupants;

(9) The building is so damaged, decayed, dilapidated, structurally unsafe, or of such fault construction or unstable foundation that partial or complete collapse is possible;

(10) The building, or any portion thereof, is clearly unsafe for its use or occupancy;

(11) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act; and

(12) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants.

WHEREAS, after the finding by the appropriate municipal official that the Structure was unsafe to the extent that it is a public nuisance, notice was issued pursuant to § 46-280, *et seq.* of Article IX of Chapter 46 of the *City Code of Athens, Alabama* to persons who may have an interest in the Property, and such notice was issued more than fifty (50) days prior to the date of this Resolution;

WHEREAS, it appears that no person has remedied the conditions on the Property; and

WHEREAS, after due deliberation and an examination of the conditions on the Property, it appears to the City Council that the Structure is unsafe in that it presents a public nuisance to the citizens of Athens, and that the same is due to be demolished.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on March 26, 2018 at ____ p.m., as follows:

1. The Structure shall be demolished by the City of Athens.

2. The appropriate municipal official shall make a report to the City Council of the costs associated with the demolition of the Structure so that it may adopt a resolution fixing all costs reasonably incurred in the demolition and assessing such costs against the Property.

3. This work may be performed by City's own forces, or, if the appropriate municipal official investigates and determines it to be preferable that the work occur through the use of third parties, then the Athens Public Works Department may enter into such contract upon council approval. The City may sell or otherwise dispose of salvaged materials resulting from the work, at the election of the Mayor and/or his designee.

ADOPTED this the _____ day of March, 2018.

CHRIS SEIBERT, CITY COUNCIL PRESIDENT

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the ____ day of _____, 2018.

Witness my hand and seal of office this ____ day of _____, 2018.

Annette Barnes, City Clerk

Prior to the vote, Councilman Cannon made a motion to table the resolution until the second meeting in April, 2018, which was then seconded by Councilman Travis. Councilman Cannon's motion to table was carried unanimously.

David Malone, 1300 Somerest Drive, Athens, addressed the Council concerning a public hearing held at the March 12, 2018 City Council meeting. He stated that the public hearing was never officially closed. He also expressed criticism that citizens were allowed to speak in excess of the standard three minutes typically allowed and that some were allowed to speak more than once. He stated that the Council needs to treat all citizens fairly and not allow the value of a person's individual home to determine how long he or she is allowed to speak.

Councilman Cannon introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve travel/education expenses for the following personnel from the Public Works Department.

Brad Gee	Vector Control Conference	\$834.27
	Gulf Shores, Alabama	
	March 7- 9, 2018	

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Cannon introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve travel expenses for the following personnel from the Fire Department.

Coty Collins	Alabama Fire College Huntsville, AL February 26, 2018 – March 2, 2018	\$ 39.08
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The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Cannon introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Public Works Department to dispose of scrap dumpsters. The proceeds from the sale shall be deposited into the Public Works' capital account.

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Harper introduced the following resolution:

RESOLUTION 2018- 1563

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Alabama Department of Environmental Management (ADEM) be informed that the Athens City Council has reviewed the annual MWPP Report and authorized its submittal as required.

ADOPTED and APPROVED this, the 26th day of March, 2018.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Travis and was unanimously carried.

Councilman Cannon introduced the following ordinance:

ORDINANCE NUMBER 2018-2042

**ORDINANCE ABANDONING/VACATING
A PORTION OF A 20.00' DRAINAGE AND UTILITY EASEMENT ON LOT NO. 71 OF THE FARM
VIEW SUBDIVISION**

WHEREAS, James Kenneth Cox and Lauren W. Cox are the current owners of Lot No. 71 of Farm View Subdivision, Addition No. 2, as recorded and shown in Plat Book E at Pages 78 and 79, Office of the Judge of Probate of Limestone County, Alabama;

WHEREAS, there is a 20.00' drainage and utility easement ("***Easement***") located on, over and across the northern boundary of such real property; and

WHEREAS, the Easement was granted to the **City of Athens, Alabama**, pursuant to the plat of the Farm View Subdivision, Addition No. 2, as recorded and shown in Plat Book E at Pages 78 and 79, Office of the Judge of Probate of Limestone County, Alabama;

WHEREAS, the City Council desires to abandon a portion of the Easement;

WHEREAS, the Council has examined the same and expressly finds that such portion of the Easement is no longer needed for public or municipal purposes; and

WHEREAS, the Council finds that such portion to be vacated is of no value or *de minimis* value, but that any administrative and legal costs of the City related to this Ordinance should be paid by the underlying owner in connection with this action.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on March 26, 2018, at 5:30 p.m., as follows:

1. The City expresses its intention to abandon/vacate the following portion of the twenty foot (20') utility and drainage easement that is located in Lot No. 71 of Farm View Subdivision, Addition No. 2, as recorded and shown in Plat Book E at Pages 78 and 79, Office of the Judge of Probate of Limestone County, Alabama: five feet evenly off of the southern boundary of said utility and drainage easement (leaving only a fifteen (15) foot utility and drainage easement remaining in Lot No. 71). Such abandonment only affects Lot No. 71.

2. Such portion of the utility and drainage easement is hereby vacated/abandoned. The Mayor is authorized to execute any such documents as may be needed to evidence such vacation/abandonment. A copy of this Ordinance may be recorded in the records of the Office of the Judge of Probate of Limestone County, Alabama.

3. No other easement(s) (or portion thereof) described in the above-referenced plat is/are vacated/abandoned by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easement (or portion thereof) abandoned/vacated hereby and described herein. Moreover, no other easement(s) (or portions thereof) that have been conveyed pursuant to a source other than the

above-referenced plat are abandoned/vacated by this Ordinance, whether or not such other easement(s) extend over, across, under or through the same real property as the easements (or portions thereof) abandoned/vacated hereby. Finally, this Ordinance does not relate to or abandon/vacate any easement (or portion thereof) that lies on, over, under, or across any real property other than the real property described herein.

4. This Ordinance shall go into effect and shall be published upon the underlying owner of Lot No. 71's payment of any and all administrative and legal costs associated with this Ordinance.

ADOPTED and APPROVED this, the 26th day of March, 2018.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of the City of Athens, Alabama on the 26TH day of March, 2018.

Witness my hand and seal of office this the _____ day of _____, 2018

Annette Barnes, City Clerk

Councilmember Wales moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Travis, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Cannon thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Harper and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

Councilman Travis introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, that the Manager, Water Services, is authorized to enter into an agreement with KREBS Engineering in order for them to provide an engineering plan for improvements needed at the Canebroke Lift Station and for a sewer analysis at the Huntsville-Brownsferry-I65 interchange at a cost not to exceed \$17,600.

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Wales introduced the following resolution:

RESOLUTION NUMBER 2018-1564

A RESOLUTION APPROVING A MASTER DEVELOPMENT PLAN FOR THE LINKS AT CANEBRAKE WITH NO EXTERNAL STREET CONNECTIONS TO THE CANEBRAKE SUBDIVISION

WHEREAS, the Athens City Council must approve master development plans in a C-PUD zoning district;

WHEREAS, Canebrake Club, LLC., on behalf of D.R. Horton, Inc. (the “Applicant”) proposed a Master Development Plan for the Links at Canebrake subdivision in a C-PUD district;

WHEREAS, the Athens Planning Commission reviewed the proposed plan and issued its report/recommendation to the Athens City Council;

WHEREAS, the original proposed master development plan called for external connectivity through a number of street connections from the Links at Canebrake subdivision into the Canebrake subdivision;

WHEREAS, many residents in the Canebrake subdivision voiced reasonable opposition to those external street connections;

WHEREAS, the Applicant also consented to the removal of the external street connections;

WHEREAS, city officials directed that the Public Works Department propose a revised plan that adhered to city standards and removed the external street connections between the Links at Canebrake subdivision and the Canebrake subdivision;

WHEREAS, the City Council called for a public hearing so that the general public could be heard concerning this matter; and

WHEREAS, the City Council, having fully considered the proposed revised plan generated by the Public Works Department, has determined to adopt the Applicant’s Master Development Plan, but only with the changes (including no street connectivity with the Canebrake Subdivision) shown on the revised plan.

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on March 26, 2018 at 5:30p.m., that the Applicant’s Master Development Plan is hereby approved in a revised form (that includes no street connectivity to the Canebrake Subdivision) so that it confirms in each and every respect with the *Master Plan of Links at Canebrake*, dated today, attached to this Resolution as Attachment A.

ADOPTED and APPROVED this, the 26th day of March, 2018.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Athens, Alabama, on the 26TH day of March, 2018.

Witness my hand and seal of office this ___ day of _____, 2018.

Annette Barnes, City Clerk

Attachment A
(See following page)

The motion was seconded by Councilman Harper and was unanimously carried.

Councilman Wales introduced the following resolution:

RESOLUTION

AUTHORIZING THE MARKETING OF THE CITY'S GENERAL OBLIGATION WARRANTS IN THE APPROXIMATE PRINCIPAL AMOUNT OF \$20,000,000

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS ("THE CITY"), ALABAMA, that the underwriting firm Joe Jolly & Co., Inc., is hereby authorized and requested to proceed with marketing the City's General Obligation Warrants in the approximate principal amount of \$20,000,000, which warrants are to be issued by the City for the purpose of providing funds for various capital improvements in the City, including but not limited to public park and recreational improvements, public road work, paving, sidewalks and drainage work; it being the Council's intention to authorize the sale and issuance of the said warrants on April 9, 2018.

The motion was seconded by Councilman Travis and was carried with four yeas and one nay by Councilman Cannon.

Councilman Cannon introduced the following ordinance:

ORDINANCE NO. 2018-2043

AN ORDINANCE ANNEXING CERTAIN PROPERTY OWNED BY PINEY CREEK, L.L.C.

WHEREAS, Piney Creek, L.L.C., being the owner of all of the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Athens;

WHEREAS, said petition did contain the signature of the authorized representatives of the owner of the described territory and a map of said property showing its relationship to the corporate limits of the City of Athens, Alabama; and

WHEREAS, the Athens City Council did determine that it is in the public interest that said property be annexed into the City of Athens, and it did further determine that all legal requirements for annexing said real property have been met pursuant to §§ 11-42-20 through 11-42-24 of the *Code of Alabama*.

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, while in regular session on March 26, 2018, at 5:30 p.m., as follows:

Section 1. The City Council of the City of Athens, Alabama, finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the City of Athens.

Section 2. The boundary lines of the City of Athens, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Athens, Alabama, and in addition thereto the property described in **Exhibit A** hereto.

Section 3. This Ordinance shall be published as provided by law, and a certified copy of same, together with certified copies of the petition of the property owner, shall be filed with the Probate Judge of Limestone County, Alabama.

Section 4. The Mayor (or his designee) is hereby authorized to execute, on behalf of the City of Athens, Alabama, such documentation/agreements as he may deem necessary, in order to provide for the commitment of utility service to the annexed property (except that any commitment requiring the City's expenditure of funds that is outside of the normal and routine operation of Athens Utilities must be first submitted to the City Council for approval).

Section 5. The territory described in this Ordinance shall become a part of the corporate limits of Athens, Alabama, upon publication of this Ordinance as set forth in Section 3, above.

ADOPTED and APPROVED this, the 26th day of March, 2018.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
LIMESTONE COUNTY)

I, Annette Barnes, City Clerk of the City of Athens, Alabama, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of the City of Athens, on the ____ day of _____, 2018.

Witness my hand and seal of office this the ____ day of _____, 2018.

Annette Barnes, City Clerk

EXHIBIT A

The following described real estate, lying and being in Limestone County, Alabama, and described as follows, to-wit:

A tract of land lying in the South One-half of Section 25, Township 3 South, Range 4 West, and being more particularly described as follows,

Commence at an existing railroad spike at the Northeast corner of the South One-half of Section 25, Township 3 South, Range 4 West, thence North 88 degrees 48 minutes 03 seconds West a distance of 30.00 feet to a point on the west right-of-way of Cambridge Lane, thence South 01 degrees 00 minutes 10 seconds West along the west right-of-way of said Cambridge Lane a distance of 5.00 feet to a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS", said 5/8" rebar being the Point of True Beginning of the tract herein described,

Thence from the Point of True Beginning South 01 degrees 00 minutes 10 seconds West along the west right-of-way of said Cambridge Lane a distance of 2653.07 feet to an existing 5/8" rebar with cap stamped "Ronnie G. Coffman RLS 15455", said 5/8" rebar being on the south boundary of said Section 25,

Thence North 88 degrees 26 minutes 13 seconds West along the south boundary of said Section 25 a distance of 5334.89 feet to an existing 1 1/2" pipe at the Southwest corner of said Section 25,

Thence North 01 degrees 39 minutes 19 seconds East along the west boundary of said Section 25 a distance of 2418.29 feet to an existing 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS" in the centerline of a ditch,

Thence along the centerline of said ditch the following bearings and distances to a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS":

South 47 degrees 12 minutes 29 seconds East a distance of 93.14 feet,
South 37 degrees 47 minutes 02 seconds East a distance of 245.59 feet,
South 45 degrees 35 minutes 24 seconds East a distance of 79.20 feet,
South 62 degrees 32 minutes 31 seconds East a distance of 113.39 feet,
South 87 degrees 16 minutes 56 seconds East a distance of 91.26 feet,
North 56 degrees 41 minutes 49 seconds East a distance of 202.69 feet,
South 85 degrees 31 minutes 00 seconds East a distance of 127.36 feet,
South 33 degrees 40 minutes 12 seconds East a distance of 56.64 feet,

Thence leaving said ditch, South 89 degrees 52 minutes 28 seconds East a distance of 739.66 feet to a point in the centerline of Piney Creek, passing a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS" on the west bank of said Piney Creek, being a witness corner, at a distance of 704.66 feet,

Thence along the centerline of said Piney Creek the following bearings and distances,

North 00 degrees 01 minutes 01 seconds West a distance of 173.61 feet to a point,
North 04 degrees 45 minutes 47 seconds East a distance of 115.00 feet to a point,
North 09 degrees 43 minutes 20 seconds East a distance of 100.00 feet to a point,
North 21 degrees 15 minutes 44 seconds East a distance of 110.00 feet to a point on the north boundary of said Section 25,

Thence South 88 degrees 48 minutes 03 seconds East along the north boundary of the south one-half of said Section 25 a distance of 75.68 feet a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS".

Thence South 01 degrees 11 minutes 57 seconds West a distance of 50.00 feet to a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS".

Thence South 88 degrees 48 minutes 03 seconds East a distance of 50.00 feet to a set 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS".

Thence North 01 degrees 11 minutes 57 seconds East a distance of 45.00 feet to a point, said point being South 01 degrees 11 minutes 57 seconds West a distance of 5.00 feet from an existing 5/8" rebar with cap stamped "Dunivant Engr. Co. CA-0044-LS" on the north boundary of the south one-half of said Section 25,

Thence South 88 degrees 48 minutes 03 seconds East, being 5.00 feet south of and parallel with the north boundary of the south one-half of said Section 25, a distance of 3590.87 feet to the Point of True Beginning and containing 305.38 acres, more or less.

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Cannon thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Wales and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Cannon and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

President Seibert then asked Shane Black, City Attorney, whether he had talked with Ms. Adams concerning the proposed vacation of certain public ways in the College View Addition. Mr. Black said that he had talked with Ms. Adams, and that although her combined tracts of property abutted and accessed Roger Street to the west, she opposed the vacation of Carroll Avenue. Mr. Black requested an opportunity to review her objection further. President Seibert announced that the City Council, having concluded the public hearing on the matter, would take up the ordinance concerning the proposed vacation of the public ways at the next meeting.

* * *

There being no further business to come before the meeting, Council President Seibert asked if there were any objections to adjourning the meeting. There being none, the meeting was duly and properly adjourned.

/s/ Chris Seibert
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK