

ORDINANCE NO. 1881

AN ORDINANCE DECLARING AND DEEMING CERTAIN MUNICIPAL PROPERTY SURPLUS AND NOT NEEDED FOR PUBLIC PURPOSES AND AUTHORIZING AND APPROVING THE CONVEYANCE THEREOF.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:

**SECTION I:** That pursuant to the statutory authorization and requirements of the §11-47-20 of the Code of Alabama of 1975, as amended, the following described property which is owned by the City of Talladega, Alabama is deemed not to be presently needed or required for any public or municipal functions or purposes:

Commence at the Northwest corner of Section 4, Township 19 South, Range 5 East, Talladega County, Alabama; thence proceed South 3 degrees 31 minutes 38 seconds East along the West boundary of said section for a distance 1809.74 feet; thence proceed North 49 degrees 47 minutes East for a distance of 817.77 feet; thence proceed South 49 degrees 55 minutes East for a distance of 33.04 feet to the point of beginning in the centerline of a public road. From this beginning point continue South 49 degrees 55 minutes East for a distance of 480.42 feet; thence proceed North 40 degrees 05 minutes East for a distance of 37.79 feet; thence proceed South 49 degrees 55 minutes East for a distance of 60.0 feet; thence proceed North 40 degrees 05 minutes East for a distance of 150.0 feet; thence proceed South 49 degrees 55 minutes East for a distance of 559.0 feet; thence proceed South 53 degrees 36 minutes East for a distance of 136.3 feet; thence proceed South 72 degrees 52 minutes East for a distance of 125.7 feet; thence proceed North 84 degrees 24 minutes East for a distance of 155.1 feet; thence proceed North 64 degrees 09 minutes East for a distance of 96.45 feet; thence proceed North 58 degrees 09 minutes East for a distance of 483.08 feet; thence turn an angle of 90 degrees to the left and proceed North 31 degrees 51 minutes West for a distance of 792.5 feet; thence turn an angle of 90 degrees to the right and proceed North 58 degrees 09 minute East for a distance of 311.31 feet to a point that is North 31 degrees 43 minutes 29 seconds West of and 25 feet from the centerline of a railroad spur tract; thence proceed North 31 degrees 43 minutes 29 seconds West for a distance of 595.12 feet to a point in the centerline of a public road; thence proceed South 54 degrees 44 minutes West along the centerline of said road for a distance of 1686.21 feet to the point of beginning.

The above described land is located in the Northwest one-fourth of Section 4, Township 19 South, Range 5 East, Talladega County, Alabama, and contains 35.76 acres being described in that certain deed dated April 18, 1988, which is recorded in Deed Book 560 at Page 421 in the office of the Judge of Probate of Talladega County, Alabama.

AND ALSO:

Lot 10, Block 163, of the Bemiston Subdivision according to the plats recorded in Plat Book 3, Pages 159 through 166, inclusive, being a portion of the property described in that certain deed dated April 18, 1988, which is recorded in Deed Book 560 at Page 421 in the office of the Judge of Probate of Talladega County, Alabama.

LESS AND EXCEPT:

A parcel of land located in the North Half of Northwest Quarter of Section 4, Township 19 South, Range 5 East, Talladega County, Alabama, containing 8.81 acres, more or less, and being more particularly described as follows:

Commencing at a ½" pipe at the intersection of the South right-of-way of the L&N Railroad (75' R.O.W.) and the East right-of-way of West Parkway Avenue

(60' R.O.W.); thence run N 58°46'03" E (bearing based on Alabama East Zone, State Plane coordinate system, NAD'83) along the South right-of-way of said railroad for 1,676.39'; thence run S 28°04'38" E for 80.13' to a ½" steel rod at the point of intersection of the South right-of-way of Bemiston Avenue (80' R.O.W.) and the West right-of-way of Farwell Street, said point being the point of beginning of the parcel herein described; thence continue S 28°04'38" E along said West right-of-way for 530.84' to a ½" steel rod; thence run S 63°07'20" W for 291.31' to a 1" pipe; thence run S 27°58'56" E for 25.59' to a ½" steel rod in the centerline of a railroad spur; thence run along said railroad spur on a chord bearing N 85°53'07" W for a chord distance of 922.13' to the point of intersection with the South right-of-way of Bemiston Avenue; thence run N 58°46'05" E along said South right-of-way for 1,073.29' to the point of beginning.

The above less and except described property having been conveyed to the Talladega City Board of Education by deed dated July 14, 2008 and recorded in Deed Book 927 at page 796 in the Office of the Judge of Probate of Talladega County, Alabama.

**SECTION II:** That the conveyance of the above described property is hereby authorized upon such terms, provisions and conditions as may hereafter be approved by the City Council. The above described property was previously owned by The Water & Sewer Board of the City of Talladega and was transferred to the City of Talladega, Alabama upon its assumption of all such Water & Sewer Board's obligations and liabilities, including those under the Trust Indenture hereinafter described.

**SECTION III:** That the City Manager is hereby directed and authorized to negotiate the sale of the property for and on behalf of the City of Talladega upon such terms and conditions as are most favorable to the City of Talladega, including but not limited to establishing a sale's price based upon the fair market value of the property as determined by a licensed, independent commercial real estate appraiser, the cost of the appraisal to be paid by the buyer; the contract terms of the purchase to be approved by the City Council.

**SECTION IV:** This ordinance shall take effect immediately upon its passage and publication as provided by law.

**APPROVED** this 10<sup>th</sup> day of September, 2020

Council President Trae Williams  
Councilman Horace Patterson  
Council Member Vickey Hall  
Councilman Joseph K. Power Jr.  
Council Member Betty Spratlin  
City Manager Elizabeth Cheeks

Attested to: Joanna Medlen, City Clerk