

ORDINANCE NUMBER 2006-3

AN ORDINANCE OF THE CITY OF HAMILTON TO DECLARE CERTAIN PROPERTY
NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES; AND TO
AUTHORIZE THE CONVEYANCE OF SAID PROPERTY TO THE
ALABAMA DEPARTMENT OF TRANSPORTATION

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

SECTION 1. It is hereby established and declared that the following described real property of
the City of Hamilton, Alabama, is no longer needed for public or municipal purposes, to wit:

TRACT ONE:

Beginning at the Northeast corner of the NE 1/4 of SE 1/4, Section 36, Township 10 South,
Range 14 West, Marion County, Alabama and a rock with cross; thence run S 01 degree 04' 00"
E along the East line of said NE 1/4 of SE 1/4 for a distance of 285.44 feet to a 1/2" capped
rebar; thence run S 89 degrees 39' 57" W for a distance of 468.38 feet to the easterly right-of-
way of Bedford Drive (80 foot right-of-way indicated) and a 1/2" capped rebar; thence run N 01
degree 00' 00" W along said easterly right-of-way for a distance of 1200.00 feet; thence run
along said easterly right-of-way around a curve to the left having a Radius of 540.00 feet and a
Chord bearing of N 39 degrees 20' 10" W for an Arc distance of 722.62 feet to a 1/2" capped
rebar; thence run N 12 degrees 19' 40" E for a distance of 412.85 feet to a 1/2" capped rebar;
thence run N 36 degrees 46' 53" E for a distance of 148.07 feet to a 1/2" capped rebar; thence run
N 09 degrees 36' 54" for a distance of 133.50 feet to a 1/2" capped rebar; thence run N 04
degrees 54' 55" W for a distance of 110.12 feet to a 1/2" capped rebar; thence run N 34 degrees
40' 58" W for a distance of 210.71 feet to a 1/2" capped rebar; thence run N 88 degrees 39' 46" W
for a distance of 105.09 feet to a 1/2" capped rebar; thence run N 24 degrees 58' 17" W for a
distance of 386.91 feet to a 1/2" capped rebar; thence run N 02 degrees 58' 32" E for a distance of
89.53 feet to the North line of the E 1/2 of NE 1/4 of said Section 36 and a 1/2" capped rebar;
thence run N 89 degrees 19' 00" E along said North line for a distance of 333.74 feet to the
centerline of a creek; thence run 25 degrees 07' 39" E along said creek for a distance of 90.48
feet; thence run S 24 degrees 22' 02" E along said creek for a distance of 133.00 feet; thence run
S 40 degrees 13' 00" E along said creek for a distance of 124.83 feet; thence run S 53 degrees
10' 00" E along said creek for a distance of 189.80 feet; thence run N 58 degrees 48' 00" E along
said creek for a distance of 155.59 feet; thence run S 58 degrees 12' 00" E along said creek for a
distance of 62.28 feet; thence run S 27 degrees 04' 00" E along said creek for a distance of
166.78 feet; thence run S 52 degrees 39' 38" E along said creek for a distance of 176.80 feet to
the East line of said E 1/2 of NE 1/4; thence run S 01 degree 04' 00" E along said East line for a
distance of 2013.17 feet to the point of beginning. Said parcel containing 38.36 acres more or
less.

TRACT TWO (ROADWAY STRIP)

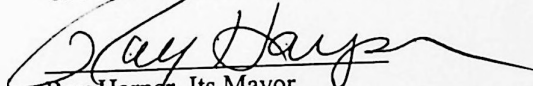
Commencing at the Northeast corner of the NE 1/4 of SE 1/4, Section 36, Township 10 South, Range 14 West, Marion County, Alabama and a rock with a cross; thence run S 01 degree 04' 00" E along the East line of said NE 1/4 of SE 1/4 for a distance of 285.44 feet to a 1/2" capped rebar and the point of beginning. FROM SAID POINT OF BEGINNING continue S 01 degree 04' 00" E along said East line for a distance of 396.71 feet; thence run N 82 degrees 25' 00" W for a distance of 25.00 feet; thence run S 01 degree 04' 00" E for a distance of 25.00 feet to the northerly right-of-way of U.S. Highway 278 (100 foot right-of-way indicated): thence run N 82 degrees 25' 00" W along said northerly right-of-way for a distance of 116.12 feet; thence run N 07 degrees 35' 00" E for a distance of 120.00 feet; thence run N 01 degree 51' 01" W for a distance of 258.47 feet; thence run N 89 degrees 39' 57" E for a distance of 125.01 feet to the point of beginning. Said parcel containing 1.10 acres more or less.

SECTION 2. After publication of this Ordinance in the Journal Record, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Hamilton, Alabama, a warranty deed, a copy of which is on file in the office of the City Clerk, whereby the City of Hamilton, Alabama, does convey the premises described in Section 1 hereof to the Alabama Department of Transportation for and in consideration of the sum of Nine Hundred Thirty Thousand Five Hundred Dollars (\$930,500.00).

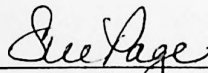
SECTION 3. Pursuant to the Restrictive Covenants recorded in Volume 312, Pages 182-189, the Mayor and City Council do hereby grant the Alabama Department of Transportation a variance from said Restrictive Covenants and do hereby release the Tracts herein described from said Restrictive Covenants.

ADOPTED AND APPROVED THIS THE 18th DAY OF SEPTEMBER, 2006.

CITY OF HAMILTON, ALABAMA


Ray Harper, Its Mayor

ATTEST:


Sue Page, City Clerk