

ORDINANCE 2008-1

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 ALABAMA POWER COMPANY

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:

See legal descriptions following:

PROPERTY MAP LOT # 4
FULTON BRIDGE INDUSTRIAL PARK
HAMILTON, ALABAMA

Parcel being in and a part of the SW 1/4 of the SW 1/4, the NW 1/4 of the SW 1/4 and the SE 1/4 of the SW 1/4 of Section 22, Township 11 South, Range 14 West, Marion County, Alabama.

Commencing at the SW corner of the SW 1/4 of the SW 1/4, Section 22, Township 11 South, Range 14 West, Marion County, Alabama and a 2" capped iron pipe; thence run N 24°23'44" E for a distance of 908.38 feet to a point on the Northeasterly right-of-way of a proposed roadway (100 foot right-of-way indicated) and the centerline of a ditch, also being the point of beginning. FROM SAID POINT OF BEGINNING run along said centerline of ditch in a Northeasterly direction for a distance of 950.59 feet to a point located at the intersection of said centerline of ditch and a denied access fence located on the Southwesterly right-of-way of Interstate 22 (right-of-way varies indicated); thence run S 41°24'20" E along said denied access fence located on the Southwesterly right-of-way of Interstate 22 for a distance of 360.56 feet to a point; thence run S 38°31'17" E along said denied access fence located on the Southwesterly right-of-way on the Interstate 22 for a distance of 309.07 feet to a point; thence run S 36°29'36" E along said denied access fence on the Southwesterly right-of-way of Interstate 22 for a distance of 458.62 feet to a point; thence run S 56°02'22" W for a distance of 702.29 feet to a point on said Northeasterly right-of-way of a proposed roadway; thence run along said Northeasterly right-of-way of a proposed roadway in a Northwesterly direction for a distance of 877.08 feet to the point of beginning. Said parcel containing 18 acres more or less.

PROPERTY MAP LOT # 8
FULTON BRIDGE INDUSTRIAL PARK
HAMILTON, ALABAMA

Parcel being in and a part of the NW 1/4 of the NW 1/4 of Section 27, the SE 1/4 of the SE 1/4 of Section 21 and the SW 1/4 of the SW 1/4 of Section 22, Township 11 South, Range 14 West, Marion County, Alabama.

Beginning at the Southwest corner of the SW 1/4 of the SW 1/4, Section 22, Township 11 South, Range 14 West, Marion County, Alabama and a 2" capped iron pipe; thence run N 89°14'51" W along the South boundary of the SE 1/4 of the SE 1/4, Section 21, Township 11 South, Range 14 West, Marion County, Alabama, for a distance of 552.42 feet to the intersection of said South boundary of the SE 1/4 of the SE 1/4 and the centerline of a ditch; thence run in a Northeasterly direction for a distance of 1206.17 feet to the intersection of said centerline of ditch and the Southwesterly right-of-way of a proposed roadway (100 foot right-of-way indicated); thence run along said Southwesterly right-of-way of a proposed roadway in a Southeasterly direction for a distance of 822.46 feet to a point; thence run S 56°02'22" W for a distance of 1151.82 feet to a point; thence run N 01°08'37" W along the West boundary of NW 1/4 of the NW 1/4, Section 27, Township 11 South, Range 14 West, Marion County, Alabama, for a distance of 423.33 feet to the point of beginning. Said parcel containing 18 acres more or less.

Section 2. After publication of this Ordinance in the Journal Record, that the Mayor and the 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 Power Company for and in consideration of the exchange of a warranty deed by the Alabama Power Company to the City of Hamilton of the following property near the Marion County Rankin Fite Airport:

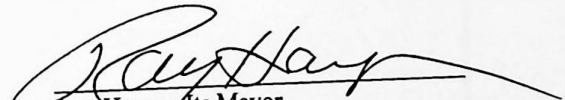
Richard Gann then motioned that said Ordinance 2008-1 be approved. Shane Stidham seconded the motion. Voting was as follows: Ayes: Annette Sherrill, Richard Gann, Scotty Sanderson, McDavid Franks and Shane Stidham. Nays: None.

Bill Fite addressed the City Council regarding his concerns over the Colby Plant Building and the City's General Obligation Bond. City Attorney Scott Hunt assured Mr. Fite the City of Hamilton is actively pursuing all legal rights for this matter.

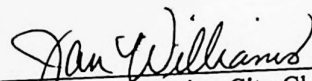
Richard Gann made a motion to adjourn and Scotty Sanderson seconded the motion which passed unanimously.

ADOPTED AND APPROVED THIS THE 19th DAY OF FEBRUARY, 2008.

CITY OF HAMILTON, ALABAMA


Ray Harper, Its Mayor

ATTEST:


Jan Williams, Acting City Clerk

COUNCIL:

