

TUSCALOOSA CITY COUNCIL MEETING AGENDA

Tuesday, December 6, 2022

1. CALL TO ORDER: 6:00 p.m.

Council Prayer: Dear God, bless our proceedings today. Give us wisdom to know what is just and the strength to do what is right. Amen.

Pledge of Allegiance: I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

2. APPROVAL OF MINUTES

Council President Pro Tem: As the Council has received a synopsis of the previous meeting, I move that we dispense with the reading of the minutes of the same unless there are any deletions, additions, or corrections.

3. PROCLAMATIONS AND STATEMENTS BY MAYOR AND COUNCIL

Mayor Announcements

Department Announcements

4. AGENDA ITEM COMMENTS BY CITIZENS

Citizens are encouraged to sign in with the City Clerk in order to assure that their comments related to a specific agenda item are received prior to consideration by the City Council. Speakers are limited to five (5) minutes each.

5. UNFINISHED BUSINESS

Approving a bar/tavern as a conditional use for Good Dog Tuscaloosa at 1706 16th Street (A22-1277) **(tabled on 11-22-22). P5**

Ordering demolition of the structure at 834 34th Avenue **(tabled on 9-27-22). P6**

Ordering demolition of the structure at 1330 26th Street **(tabled on 8-30-22). P7**

Council Committee Reports

Clerk's Report of Mayor's Veto

6. CONSENT AGENDA: (items "a and b") All matters listed on the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion and vote. There will be no separate debate, amendment, or substitution of these items. If the same is desired by the Mayor and/or any member of the Council, upon request made on the record, that item will be removed from the Consent Agenda and considered separately under the regular Order of Business.

- a. Authorizing change order no. 1 with John Plott Company, Inc. for River District Park; deduct amount: \$562,921.15 and an additional 65 calendar days (A21-0402/2020.014.001) **PP8-9**
- b. Authorizing payment to Alabama Municipal Insurance Corporations in settlement of claims; \$7,500.00 (21-0243, 22-0205, 21-0024) **P10**

7. PUBLIC HEARINGS

Adopting Zoning Amendment No. 1489 rezoning approximately 0.73 acres located at 1718 12th Avenue, 1201 and 1203 17th Street – 12th Avenue Terrace Townhomes from RMF-1 to RMF-2 (A22-1280/Z-25-22) **(introduced 11-1-22). P11**

Granting tentative approval of The Terrace at Skyland Park, a planned unit development (P-10-22/22-0373). **P12**

Granting tentative approval of The Fosters Gardens, a planned unit development (P-11-22/22-0372). **P13**

Consenting to the vacation of a portion of 28th Street in the City of Tuscaloosa; Benjamin and Leslie Welch (A22-1064). **PP14-18**

Consenting to the vacation of a portion of 28th Street in the City of Tuscaloosa; Industrial Real Estate, LLC (A22-1063). **PP19-23**

Consenting to the vacation of a portion of 28th Street in the City of Tuscaloosa; Mooreland Signs, Inc. (A22-1066). **PP24-28**

Consenting to the vacation of a 12 foot alley in Block 5 of the Sarah Heights Subdivision and Lots 12-15 of the McGuire Subdivision in the City of Tuscaloosa; Spectrum Properties, LLC (A22-0772). **PP29-33**

Consenting to the vacation of a 10 foot alley in Block 5 of the Sarah Heights Subdivision in the City of Tuscaloosa; Allied Realty and Development, Inc. (A22-0772). **PP34-38**

Consenting to the vacation of a portion of 6th Street East in the City of Tuscaloosa; Home Plate Investments, LLC (A22-1062). **PP39-43**

Setting the cost for demolition of the structure at 2801 21st Street and authorizing the filing of a lien; \$4,907.84. **P44**

8. RESOLUTIONS AND ORDINANCES NOT OF A GENERAL NATURE OR PERMANENT OPERATION

Authorizing contract amendment no. 2 with TTL, Inc. for the River District Park Project; total maximum compensation amount: \$781,137.00, additional 60 days (A20-1183/2020.014.001). **P45**

Authorizing a minor public works contract with Asplundh Tree Expert, LLC; total: \$4,300.00 (A22-1332). **P46**

Authorizing a minor public works contract with Carl Eric Johnson, Inc.; total: \$18,723.00 (A22-1345). **P47**

Authorizing a minor public works contract with Morin Repair Service regarding water pump washing at Ed Love; total: \$12,665.00 (A22-1328). **P48**

Authorizing a minor public works contract with Morin Repair Service regarding Jerry Plott Raw Water Pump No. 4; total: \$11,485.00 (A22-1331). **P49**

Authorizing a minor public works contract with Jim House and Associates, Inc.; total: \$13,561.00 (A22-1341). **P50**

Authorizing a minor public works contract with Paints on Us Plus; total: \$4,800.00 (A22-1348). **P51**

Authorizing the Mayor to execute a service agreement with Comcast Business for Tuscaloosa Fire Station No. 6; total: \$20,719.36 (A22-1340). **P52**

Authorizing a professional services contract with Ward Scott Morris Architecture for facilities planning services for the City Hall Complex; total: not to exceed \$50,000.00 (A22-1362). **P53**

Authorizing the renewal of insurance coverage; premium payment cost: up to \$212,296.80 (A22-1356). **P54**

Authorizing the Chief Financial Officer to draw a draft for The Downs Improvements Project property acquisitions; total: \$7,200.00 (A20-0982). **P55**

Authorizing the Mayor to sign a funding agreement with the Tuscaloosa County Road Improvement Commission for reimbursement on the McWright's Ferry Road Project; total: \$68,868,054.74 (A22-0974). **P56**

Authorizing a contract with Axon Enterprise, Inc. and declaring a bid law exemption pursuant to Ala. Code §41-16-51(a)(15); total: \$92,351.32 (A22-1283). **P57**

Authorizing Amendment 4 to the Fiscal Year 2023 General Fund Reserve for Future Improvements Budget (A98-0470). **P58**

Authorizing signors to various City Accounts (A22-1347). **P59**

Authorizing Amendment No. 1 to the 2021 subrecipient agreement with Tuscaloosa Housing Authority and authorizing the Mayor to execute the amendment with Tuscaloosa Housing Authority under the City's 2021 Community Development Block Grant Program (CDBG). (A21-1451). **P60**

If necessary, Council rules of procedure will be suspended at this time.

9. ORDINANCES AND RESOLUTIONS OF A GENERAL NATURE OR PERMANENT OPERATION

FOR INTRODUCTION

Introducing Zoning Amendment No. 1494 rezoning approximately 0.1 acres located at 2115 Foster Ferry Road from BN to R-4; Barbara Thompson (A22-1336/Z-30-22). **PP61-62**

Appointing and reappointing members to the Zoning Board of Adjustments (Angela Michele Coley and Timothy Gilliam) **(may be adopted by unanimous consent following introduction). P63**

Authorizing Amendment 5 to the Fiscal Year 2023 General Fund Budget (A22-1037). **(may be adopted by unanimous consent following introduction P64**

FOR ADOPTION

Setting January 10, 2023, as the date for a public hearing to consider adoption of Zoning Amendment No. 1494 (A22-1336/Z-30-22). **P65**

10. AUDITING ACCOUNTS

Authorizing the payment of bills; total: \$1,468.00. **P66**

11. CITIZEN'S COMMENTS AND OTHER COMMUNICATIONS

12. EXECUTIVE SESSION

13. POLICY IMPLEMENTATION

Mayor: Subject to the exercise of mayoral veto on ordinances of a general nature or permanent operation, all applicable departments are hereby ordered to otherwise implement council policy this date enacted.

14. ADJOURN

12/2/2022

Brandy P. Johnson
City Clerk



Following each item of business is the page number of the item as it appears in the full agenda presented to council members. Should you have questions about a particular item, you may contact the Office of the City Clerk at (205) 248-5010 or by email to cityclerk@tuscaloosa.com. Please refer to the page number of the item in question so it can be more quickly accessed.

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III
Requested: UD/Planning
Presentation on: 11-22-2022
Suspension of Rules: No

RESOLUTION

RESOLUTION APPROVING A BAR/TAVERN AS A CONDITIONAL USE
FOR GOOD DOG TUSCALOOSA 1706 16TH STREET
(A22-1277)

WHEREAS, in accordance with Section 24-52 of the Code of Tuscaloosa, a Bar/tavern is only permitted as a conditional use subject to review and approval by the City Council; and,

WHEREAS, Good Dog Tuscaloosa has submitted an application for approval of a bar/tavern as a conditional use located at 1706 16th Street Tuscaloosa, Alabama; and,

WHEREAS, conditional use criteria for the city council to consider include, but are not limited to: occupancy, hours of operation (bar/tavern only), kitchen hours of operation and bar hours of operation (gastropubs only), proximity to like establishments, public safety plan (security and lighting), and plan to reduce possible nuisances (parking, noise, crowding, and the like).

WHEREAS, 7 days notice of a public hearing before the City Council of Tuscaloosa to consider said tentative approval by this Council was duly given by publication in *The Tuscaloosa News*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the application submitted by Good Dog Tuscaloosa for approval of a bar/tavern as a conditional use located at 1706 16th Street, Tuscaloosa, Alabama is hereby approved.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced Tabled until 12-6-22
Passed _____
2nd Reading (T/C-Y)
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____


City Clerk

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF
THE STRUCTURE AT 834 34TH AVENUE

WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 834 34th Avenue is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,

WHEREAS, on the 27th day of September, 2022, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 834 34th Avenue unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

Tabled for 60 days on 9/27/22
(W/B-Y) (C, H - Absent)


City Clerk (12-6-22)

Prepared: City Clerk
Requested: Urban Development-Building Inspections
Agenda: 9-27-2022

RESOLUTION

RESOLUTION ORDERING DEMOLITION OF
THE STRUCTURE AT 1330 26th STREET

WHEREAS, pursuant to Ala. Code Section 11-53B-1 et seq. (1975), the appropriate municipal official of the City of Tuscaloosa has found that the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa at 1330 26th Street is unsafe to the extent that it is a public nuisance; and,

WHEREAS, all appropriate notifications and time periods, as stated in said statute, have been complied with by the appropriate municipal official in the person of the Chief Building Official with the Urban Development-Building Inspections Department for the City of Tuscaloosa; and,

WHEREAS, on the 30th day of August, 2022, the City Council of Tuscaloosa held a public hearing, at which time the Chief Building Official of the Urban Development-Building Inspections Department for the City of Tuscaloosa appeared and set forth reasons for his findings.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the City Council of Tuscaloosa finds the building, structure, part of the building or structure, party wall, or foundation, situated in the City of Tuscaloosa 1330 26th Street unsafe to the extent that it is a public nuisance; and,
2. That the aforementioned building, structure, part of the building or structure, party wall, or foundation, is hereby ordered demolished, pursuant to the terms and conditions of Ala. Code Section 11-53B-1 et seq. (1975), such action being an exercise of the City's police and/or regulatory powers.

*Tabbed for 90 days
on 8/30/22 (12/6/22)
(H/Ty - y)
[Signature]
City Clerk*

Prepared: Assistant City Clerk
Requested: Urban Development-Building Inspections
Agenda: 8-30-2022

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 FOR
RIVER DISTRICT PARK
(A21-0402/2020.014.001)

WHEREAS, heretofore, as a result of competitive bidding or as otherwise authorized by the Alabama Competitive Bid Law, Ala. Code §41-16-50, et seq. (1975) and/or Ala. Code §39-2-1, et seq. (1975), the City of Tuscaloosa awarded a contract for the above referenced project to John Plott Company, Inc.; and,

WHEREAS, it has been determined that a change order to the above referenced contract is necessary for the following reasons:

The change order is necessary to balance the final quantities

as set forth in the C.O. and accompanying documents; and,

WHEREAS, the Architect, the Engineer for the project, or the City's representative, as the case may be, have/has certified to the Council as per the attached change order request, that said change order is:

- a. Minor change of a total monetary value less than required for competitive bidding.
- b. Changes for matters relatively minor and incidental to the original contract necessitated by unforeseeable circumstances arising during the course of work.
- c. Emergency arising during the course of work.
- d. Change or alternates provided for in the original bidding where there is no difference in price of the Change Order from the original best bid on the Alternate.
- e. Change of relatively minor terms not contemplated when the plans and specifications were prepared and the project was bid, and which are in the public interest and do not exceed ten (10) percent of the Contract Price.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That the Mayor be, and he is hereby, authorized to execute that certain change order now before the Council for the above stated project in the deduct amount of \$562,921.15, an additional time of sixty-five (65) days (Calendar day extension), and for the reasons so stated, by and as an act for and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

2. That the Architect or Engineer or Owner's representative, as the case may be, shall implement this change order and properly document the same pursuant to all applicable contract documents.

FUNDING REQUIRED: Yes No
22240250-20571

2020A Bond

By: Carly Handorf
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: RKD
Requested: OCA
Presentation on: 12-06-2022
Suspension of Rules: NO

RESOLUTION

**RESOLUTION AUTHORIZING PAYMENT TO
ALABAMA MUNICIPAL INSURANCE CORPORATION
(21-0243; 22-0205; 21-0024)**

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That the Chief Financial Officer be, and she is hereby, authorized to draw a draft on the General Fund in the amount of \$7,500.00 and the Mayor and City Clerk are hereby authorized to execute the same, payable to Alabama Municipal Insurance Corporation for deductibles on the following claim(s):

Cynthia Thompson, Adrien Thompson & Earl Thompson	\$ 2,500.00
Edward Arnold Lary Jr.	\$ 2,500.00
Area Properties, LLC; et al	\$ 2,500.00

Special Handling Check Request – Please return check to the Office of the City Attorney for additional processing.

FUNDING REQUIRED: Yes No

10104081-3060

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Prepared By: JPW III/rd
Requested: Planning Com/UD Date: 10/17/2022
Council Presentation on: 11/01/2022
Suspension of Rules: No


Office of the City Attorney

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1489

(Approx. 0.73 acres located at 1718 12th Avenue, 1201 and
1203 17th Street— 12th Avenue Terrace Townhomes) (RMF-1 to RMF-2)
(A22-1280/Z-25-22)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

Lot 2 in Block 342 of Tuscaloosa Coal, Iron, and Land Company Survey, a map or plat of which is recorded in Plat Book 1, at Pages 566,567, and 568, in the Probate Office of Tuscaloosa County, Alabama, said reference being hereby made in aid of and as a part of this description.


Lot 1 Block 342 Tuscaloosa Coal, Iron, and Land Company, a map or plat of which is recorded in Plat Book 1, at Page 566, 567, and 567A, in the Probate Office of Tuscaloosa County, Alabama, said reference being hereby made in aid of and as a part of this description.

All of Lot Numbers Fifteen (15) and Sixteen (16), in Block Number Three Hundred Forty-Two (342), as shown and designated on a survey of the property of the Tuscaloosa, Coal, Iron, & Land Company, a map or plat of which said survey is recorded in Plat Book 1, at Page 566, 567, and 567A in the Probate Office of Tuscaloosa County, Alabama, said reference being hereby made in aid of and as a part of this description.

The above referenced property presently zoned Multi-family Residential District (RMF-1) to be zoned Multi-family Residential District (RMF-2).

DESCRIPTION APPROVED BY:

Caitlin Giles
OFFICE OF URBAN DEVELOPMENT

Introduced on 11-1-22
(Ty/W-y)

City Clerk

JPB
Office of the City Attorney

RESOLUTION

**RESOLUTION GRANTING TENTATIVE APPROVAL OF THE
TERRACE AT SKYLAND PARK, A PLANNED UNIT DEVELOPMENT
(P-10-22/22-0373)**

WHEREAS, Builders Group Development, LLC, has submitted for tentative approval a Planned Unit Development, pursuant to Section 24-161 et seq of the Zoning Ordinance of Tuscaloosa; and,

WHEREAS, the Planning and Zoning Commission has held a public hearing and has recommended that the City Council of Tuscaloosa grant tentative approval of said Planned Unit Development; and,

WHEREAS, 7 days notice of a public hearing before the City Council of Tuscaloosa to consider said tentative approval by this Council was duly given by publication in *The Tuscaloosa News*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That said public hearing has been held on this date and the Council is of the opinion that tentative approval should be given to the Terrace at Skyland Park, Planned Unit Development.

That tentative approval is subject to the following conditions:

1. Comply with all specifications outlined in the "Narrative" submitted to the Planning Commission, building in compliance with renderings, elevations and preliminary plat submitted to the Planning Commission and compliance with all conditions in report of Planning Commission to Council.
2. To consist of 26 single-family residential lots. Two-bedroom plans will start around 800 square feet, with three-bedroom options around 1100 square feet, and four-bedroom options around 1400 square feet with uncovered parking, open carports, and enclosed garages options. The pricing is expected to start in the high \$100,000 to the low \$200,000 range.

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III
Requested: UD/Planning Com Date: 10-17-2022
Council Presentation: 12-06-2022
Suspension of Rules: No

RESOLUTION

RESOLUTION GRANTING TENTATIVE APPROVAL OF THE
FOSTERS GARDENS, A PLANNED UNIT DEVELOPMENT
(P-11-22/22-0372)

WHEREAS, Vines Holdings, LLC, has submitted for tentative approval a Planned Unit Development, pursuant to Section 24-161 et seq of the Zoning Ordinance of Tuscaloosa; and,

WHEREAS, the Planning and Zoning Commission has held a public hearing and has recommended that the City Council of Tuscaloosa grant tentative approval of said Planned Unit Development; and,

WHEREAS, 7 days notice of a public hearing before the City Council of Tuscaloosa to consider said tentative approval by this Council was duly given by publication in *The Tuscaloosa News*.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

That said public hearing has been held on this date and the Council is of the opinion that tentative approval should be given to the Fosters Gardens, Planned Unit Development.

That tentative approval is subject to the following conditions:

1. Comply with all specifications outlined in the "Narrative" submitted to the Planning Commission, building in compliance with renderings, elevations and preliminary plat submitted to the Planning Commission and compliance with all conditions in report of Planning Commission to Council.
2. To consist of 73 lots. Typical lots are 45 feet in width and 115 feet in depth, Front Setbacks are 25 feet with side setbacks being 4 feet on each side. Rear setbacks are 30 feet for each lot. Homes will be approximately 2,000 square feet and include two car garages. The pricing is expected to start at \$300,000 to \$375,000.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2022 PAGE: 14900

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A PORTION OF 28TH STREET IN THE CITY OF TUSCALOOSA (A22-1064)

WHEREAS, BENJAMIN WELCH AND LESLIE WELCH, hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 21st day of September, 2022 alleging that they own all of the land abutting a certain public street in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said street lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public streets is in the interest of the public that such streets or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

As the Point of Beginning start at the northwest corner of Lot 38, Factory Addition as recorded in Plat Book 1, at Page 267 in the Probate Office of Tuscaloosa County, Alabama; thence run in an easterly direction and along the north line of Lots 38 thru 34 of said Factory Addition to the northeast corner of said Lot 34; thence run in a northerly direction and in a prolongation of the east line of the said Lot 34 to the intersection of said east line and the southwest right-of-way of I-359; thence run in a northwesterly direction and along said southwest right-of-way to the intersection of said right-of-way and the centerline of said 28th Street; thence run in a westerly direction and along the centerline of the said 28th street and parallel to the north line of the said Lots 38 thru 34 to the northerly prolongation of said Lot 38 also being the east right-of-way of Southside Drive; thence run in a southerly direction and along said prolongation of Lot 38 and also being the east right-of-way of Southside Drive to the Point of Beginning.

Also included in this vacation is the fillet of the 25 foot radius at the northwest intersection of Southside Drive and 28th Street of the said Lot 1.

Said portion of Right-of-Way contains 0.11 acres more or less.

A depiction of said street to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: Benjamin Welch and Leslie Welch

Fair Market Value	\$ 1,485.52
Publication Costs:	<u>\$ 1,696.20</u>
Total:	\$ 3,181.72

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be**

Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines,

equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

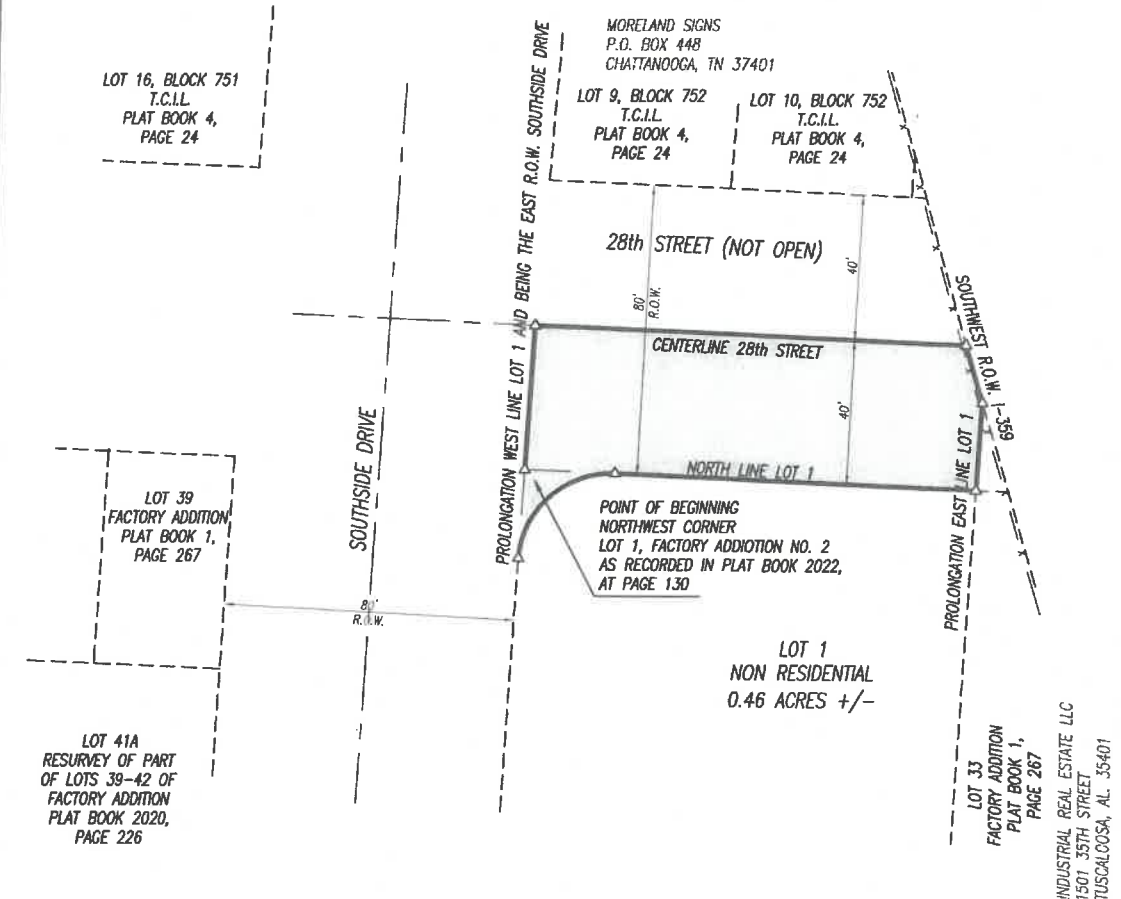
City Clerk

A VACATION OF A PORTION OF 28th STREET (FACTORY ADDITION NO. 2 PLAT BOOK 2022, PAGE 130)
 BENJAMIN WELCH, OWNER
 0.11 ACRES, MORE OR LESS
 NOT ALL IMPROVEMENTS SHOWN

ADDRESS:
 SOUTHSIDE DRIVE AND 28th STREET
 TUSCALOOSA, ALABAMA

SURVEYOR'S NOTES:

1. No title search of the Public Records has been performed by this firm, and lands shown hereon were not abstracted for easements and/or rights-of-way, recorded or unrecorded.
2. The parcel shown hereon may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County.
3. Underground portions of foundations, footings, or other structures, including drainage structures, sewers and other utilities, were not located unless otherwise noted.
4. Map for vacation only. Not a survey.



As the Point of Beginning start at the northwest corner of Lot 1, Factory Addition No. 2 as recorded in Plat Book 2022, at Page 130 in the Probate Office of Tuscaloosa County, Alabama; thence run in an easterly direction and along the north line of Lot 1 of said Factory Addition No. 2 to the northeast corner of said Lot 1; thence run in a northerly direction and in a prolongation of the east line of the said Lot 1 to the intersection of said east line and the southwest right-of-way of 1-359; thence run in a northwesterly direction and along said southwest right-of-way to the intersection of said right-of-way and the centerline of said 28th Street; thence run in a westerly direction and along the centerline of the said 28th street and parallel to the north line of the said Lot 1 to the northerly prolongation of said Lot 1 also being the east right-of-way of Southside Drive; thence run in a southerly direction and along said prolongation of Lot 1 and also being the east right-of-way of Southside Drive to the Point of Beginning.

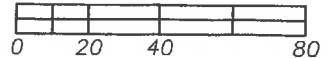
Also included in this vacation is the fillet of the 25 foot radius at the northwest intersection of Southside Drive and 28th Street of the said Lot 1.

LEGEND

- IRON FOUND
- 1/2" REBAR and CAP SET (CA-965-LS)
- CONCRETE MONUMENT FOUND
- CALCULATED -NOT MONUMENTED
- () DEED and/or PLAT CALL
- R.O.W. RIGHT-OF-WAY
- X- FENCE LINE
- M.B.L. MINIMUM BUILDING LINE
- UTILITY POLE
- P- POWER LINE
- _W WATER METER
- _P POWER METER
- ▨ CONCRETE SURFACE
- BUILDING
- ▨ WOOD SURFACE
- ↔ LINE NOT TO SCALE



SCALE: 1"=40 FEET



NOT VALID UNLESS STAMPED IN RED
 MAP ONLY, NOT A SURVEY

BASIS OF MAP (NOT A SURVEY) - GRID NORTH - ALABAMA WEST ZONE.

	Drawn By S.M.B.	Appd. By M.M.M.	Surveyed By N/A	Field Work N/A	Date 09/14/2022
	Scale 1" = 40'	Source of Information DB 2022, PG 1490	Map Type VACATION	Drawing No. 2205-049 Vac	Job No. 2205-049

Montgomery and Hinkle, inc.
 Professional Land Surveyors
 marty@mhisurvey.com

203 Hargrove Road East
 Tuscaloosa, Alabama 35401
 OFFICE: 205-248-7396
 FAX: 205-248-7398

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2013 PAGE: 1686

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A PORTION OF 28TH STREET IN THE CITY OF TUSCALOOSA (A22-1063)

WHEREAS, INDUSTRIAL REAL ESTATE, LLC hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 26th day of September, 2022 alleging that they own all of the land abutting a certain public street in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said street lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public streets is in the interest of the public that such streets or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

As the Point of Beginning start at the northwest corner of Lot 33, Factory Addition as recorded in Plat Book 1, at Page 267 in the Probate Office of Tuscaloosa County, Alabama; thence run in an easterly direction and along the north line of 33 of said Factory Addition to the intersection of said north line and the southwest right-of-way of I-359; thence run in a northwesterly direction and along said southwest right-of-way to the intersection of said right-of-way a prolongation of the west line of the said Lot 33 thence run in a southerly direction and along said prolongation of Lot 33 to the Point of Beginning.

Said portion of Right-of-Way contains 0.0024 acres more or less.

A depiction of said street to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: Industrial Real Estate, LLC

Fair Market Value	\$ 3,763.80
Publication Costs:	<u>\$ 1,515.80</u>
Total:	\$ 5,279.60

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

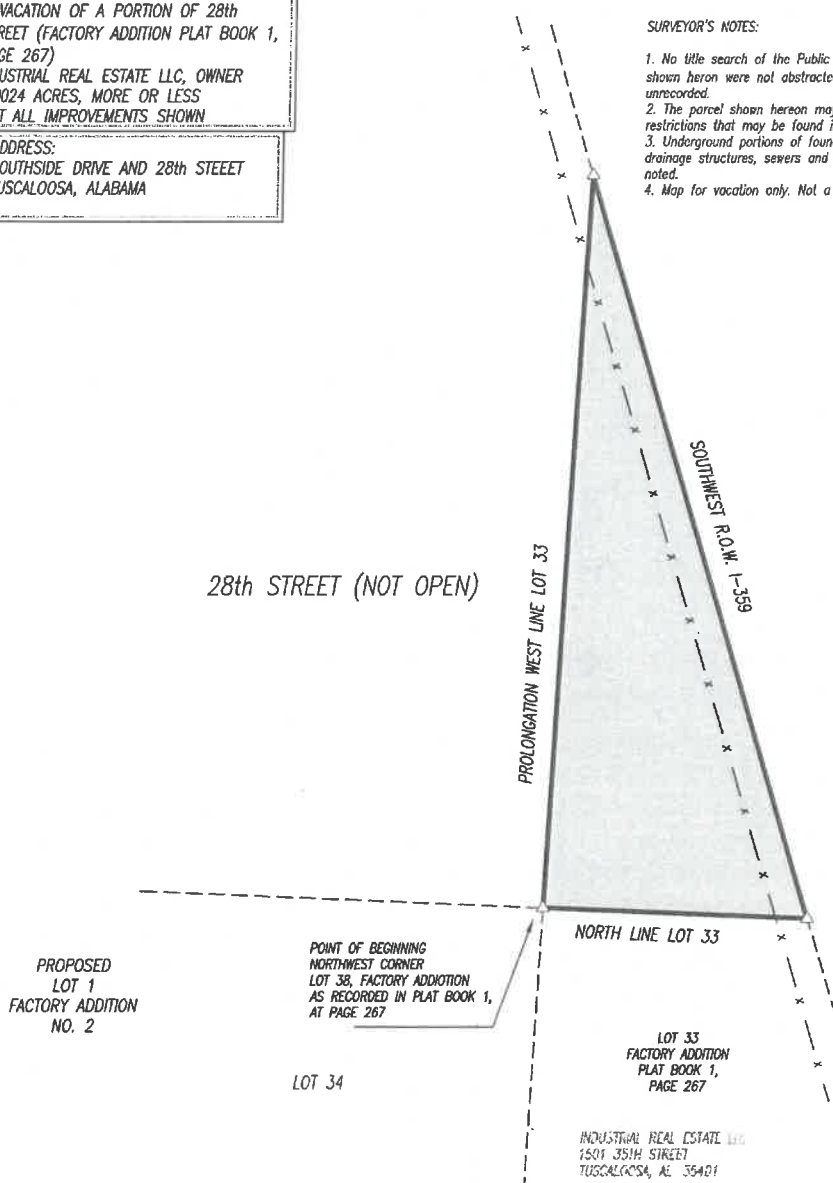
City Clerk

A VACATION OF A PORTION OF 28th STREET (FACTORY ADDITION PLAT BOOK 1, PAGE 267)
 INDUSTRIAL REAL ESTATE LLC, OWNER
 0.0024 ACRES, MORE OR LESS
 NOT ALL IMPROVEMENTS SHOWN

ADDRESS:
 SOUTHSIDE DRIVE AND 28th STEEET
 TUSCALOOSA, ALABAMA

SURVEYOR'S NOTES:

1. No title search of the Public Records has been performed by this firm, and lands shown hereon were not abstracted for easements and/or rights-of-way, recorded or unrecorded.
2. The parcel shown hereon may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County.
3. Underground portions of foundations, footings, or other structures, including drainage structures, sewers and other utilities, were not located unless otherwise noted.
4. Map for vacation only. Not a survey.



PROPOSED
 LOT 1
 FACTORY ADDITION
 NO. 2

POINT OF BEGINNING
 NORTHWEST CORNER
 LOT 33, FACTORY ADDITION
 AS RECORDED IN PLAT BOOK 1,
 AT PAGE 267

LOT 34

NORTH LINE LOT 33

LOT 33
 FACTORY ADDITION
 PLAT BOOK 1,
 PAGE 267

INDUSTRIAL REAL ESTATE LLC
 1501 35TH STREET
 TUSCALOOSA, AL 35401

A. the Point of Beginning (part of the northwest corner of Lot 33, Factory Addition as recorded in Plat Book 1, at Page 267 in the Public Office of Tuscaloosa County, Alabama) thence run in an easterly direction and along the north line of Lot 33 of said Factory Addition to the intersection of said north line and the southwest right-of-way of 1-359, thence run in a north-easterly direction and along said southwest right-of-way to the intersection of said right-of-way and prolongation of the east line of the said Lot 33 thence run in a southerly direction and along said prolongation of Lot 33 to the Point of Beginning.

Said portion of Right-of-Way contains 0.0024 acres more or less.

LEGEND

- IRON FOUND
- 1/2" REBAR and CAP SET (CA-965-LS)
- CONCRETE MONUMENT FOUND
- △ CALCULATED -NOT MONUMENTED
- () DEED and/or PLAT CALL
- R.O.W. RIGHT-OF-WAY
- X- FENCE LINE
- M.B.L. MINIMUM BUILDING LINE
- UTILITY POLE
- P- POWER LINE
- WM WATER METER
- P POWER METER
- ▨ CONCRETE SURFACE
- BUILDING
- ▩ WOOD SURFACE
- - - LINE NOT TO SCALE



SCALE: 1"=5 FEET



BASIS OF SURVEY - GRID NORTH - ALABAMA WEST ZONE.

NOT VALID UNLESS STAMPED IN RED

	Drawn By S.M.B.	Appd. By M.M.M.	Surveyed By N/A	Field Work N/A	Date 07/21/2022
	Scale 1" = 5'	Source of Information DB 2018, PG 1687	Map Type VACATION	Drawing No. Indus Real Est	Job No. 2205-049


Montgomery and Hinkle, inc.
 Professional Land Surveyors
 marty@mhisurvey.com

203 Hargrove Road East
 Tuscaloosa, Alabama 35401
 OFFICE: 205-248-7396
 FAX: 205-248-7398

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2015 PAGE: 3985

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A PORTION OF 28TH STREET IN THE CITY OF TUSCALOOSA (A22-1066)

WHEREAS, MOORELAND SIGNS, INC. hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 29th day of September, 2022 alleging that they own all of the land abutting a certain public street in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said street lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public streets is in the interest of the public that such streets or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

As the Point of Beginning start at the southwest corner of Block 752, T.C.I.L. as recorded in Plat Book 4, at Page 24 in the Probate Office of Tuscaloosa County, Alabama; thence run in an easterly direction and along the south line of Block 752 of said T.C.I.L. to the intersection of said south line and the southwest right-of-way of I-359; thence run in a southeasterly direction and along said southwest right-of-way to the intersection of said right-of-way and the centerline of said 28th Street; thence run in a westerly direction and along the centerline of the said 28th street and parallel to the south line of the said Block 752 to the southerly prolongation of said Block 752 also being the east right-of-way of Southside Drive; thence run in a northerly direction and along said prolongation of Block 752 and also being the east right-of-way of Southside Drive to the Point of Beginning.

Said portion of Right-of-Way contains 0.10 acres more or less.

A depiction of said street to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: Mooreland Signs, Inc.

Fair Market Value	\$ 1,089.00
Publication Costs:	<u>\$ 1,612.66</u>
Total:	\$ 2,701.66

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

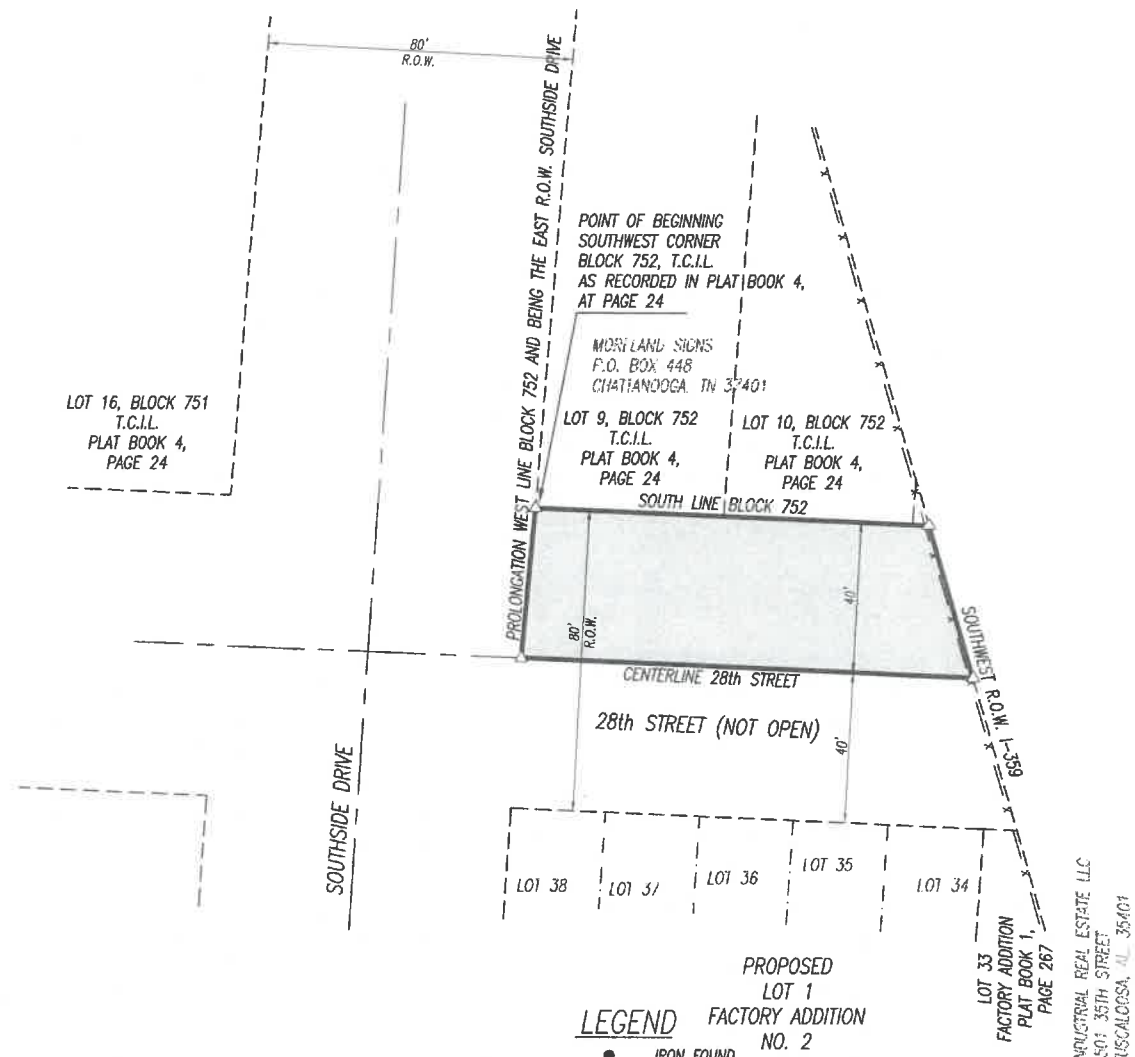
City Clerk

A VACATION OF A PORTION OF 28th STREET (T.C.I.L. BOOK 4, PAGE 24)
 MORELAND SIGNS, OWNER
 0.10 ACRES, MORE OR LESS
 NOT ALL IMPROVEMENTS SHOWN

ADDRESS:
 SOUTHSIDE DRIVE AND 28th STREET
 TUSCALOOSA, ALABAMA

SURVEYOR'S NOTES:

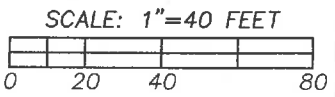
1. No title search of the Public Records has been performed by this firm, and lands shown hereon were not abstracted for easements and/or rights-of-way, recorded or unrecorded.
2. The parcel shown hereon may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County.
3. Underground portions of foundations, footings, or other structures, including drainage structures, sewers and other utilities, were not located unless otherwise noted.
4. Map for vacation only. Not a survey.



- LEGEND**
- IRON FOUND
 - 1/2" REBAR and CAP SET (CA-965-LS)
 - CONCRETE MONUMENT FOUND
 - CALCULATED - NOT MONUMENTED
 - () DEED and/or PLAT CALL
 - R.O.W. RIGHT-OF-WAY
 - X- FENCE LINE
 - M.B.L. MINIMUM BUILDING LINE
 - UTILITY POLE
 - P- POWER LINE
 - WM WATER METER
 - PM POWER METER
 - ▨ CONCRETE SURFACE
 - BUILDING
 - ▨ WOOD SURFACE
 - - - LINE NOT TO SCALE

A: the Point of Beginning is at the southwest corner of Block 752, T.C.I.L. as recorded in Plat Book 4, Page 24 in the Public Office of Tuscaloosa County, Alabama. Therein run in an easterly direction along the south line of Block 752 of said T.C.I.L. to the intersection of said south line and the southwest right-of-way of 1-35th Street; thence run in a southerly direction and along said southwest right-of-way to the intersection of said right-of-way and the centerline of said 28th Street; thence run in a westerly direction and along the centerline of said 28th Street parallel to the south line of the said Block 752 to the southerly prolongation of said Block 752; also being the east right-of-way of Southside Drive; thence run in a northerly direction and along said prolongation of Block 752 and also being the east right-of-way of Southside Drive to the Point of Beginning.

Said portion of Right-of-Way contains 0.10 acres, more or less.




NOT VALID UNLESS STAMPED BY RED
 MAP ONLY, NOT A SURVEY

BASIS OF MAP (NOT A SURVEY) - GRID NORTH - ALABAMA WEST ZONE.					
	Drawn By S.M.B.	Appd. By M.M.M.	Surveyed By N/A	Field Work N/A	Date 07/21/2022
	Scale 1" = 40'	Source of Information DB 2015, PG 3985	Map Type VACATION	Drawing No. Moreland Vac	Job No. 2205-049
Montgomery and Hinkle, inc. Professional Land Surveyors marty@mhsurvey.com			203 Hargrove Road East Tuscaloosa, Alabama 35401 OFFICE: 205-248-7398 FAX: 205-248-7398		

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2012 PAGE: 6285
DEED BOOK: 2012 PAGE: 17024
DEED BOOK: 2014 PAGE: 19234
DEED BOOK: 2014 PAGE: 20602
DEED BOOK: 2013 PAGE: 21939

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A 12 FOOT ALLEY IN BLOCK 5 SARAH HEIGHTS SUBDIVISION AND LOTS 12-15 MCGUIRE SUBDIVISION IN THE CITY OF TUSCALOOSA (A22-0772)

WHEREAS, THE CITY OF TUSCALOOSA, AN ALABAMA MUNICIPAL CORPORATION AND SPECTRUM PROPERTIES, LLC hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 25th day of July, 2022 alleging that they own all of the land abutting a certain public alley in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said alley lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public alley has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public alley is in the interest of the public that such alley or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

All of that part of an approximate 12-foot alley abutting Lot 1 in Block 5 according to Sara Heights Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa County, Alabama, in plat book 4, at page 113, and Lots 12-15 according to McGuire Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa County, Alabama, in plat book 4, at page 26. Said alley being approximately 12 feet by 150 feet and containing zero and four tenths (0.040) acres, more or less.

A depiction of said alley to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: City of Tuscaloosa all of said alley abutting Lot 1 Block 5 Sarah Heights Subdivision and Lots 13, 14 and 15 McGuire Subdivision

Publication Costs:	<u>\$ 792.00</u>
Total:	\$ 792.00

Owner: Spectrum Properties all that part of the alley that abuts Lot 12 McGuire Subdivision

Fair Market Value	\$ 26.40
Publication Costs:	<u>\$ 792.00</u>
Total:	\$ 818.40

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion

of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

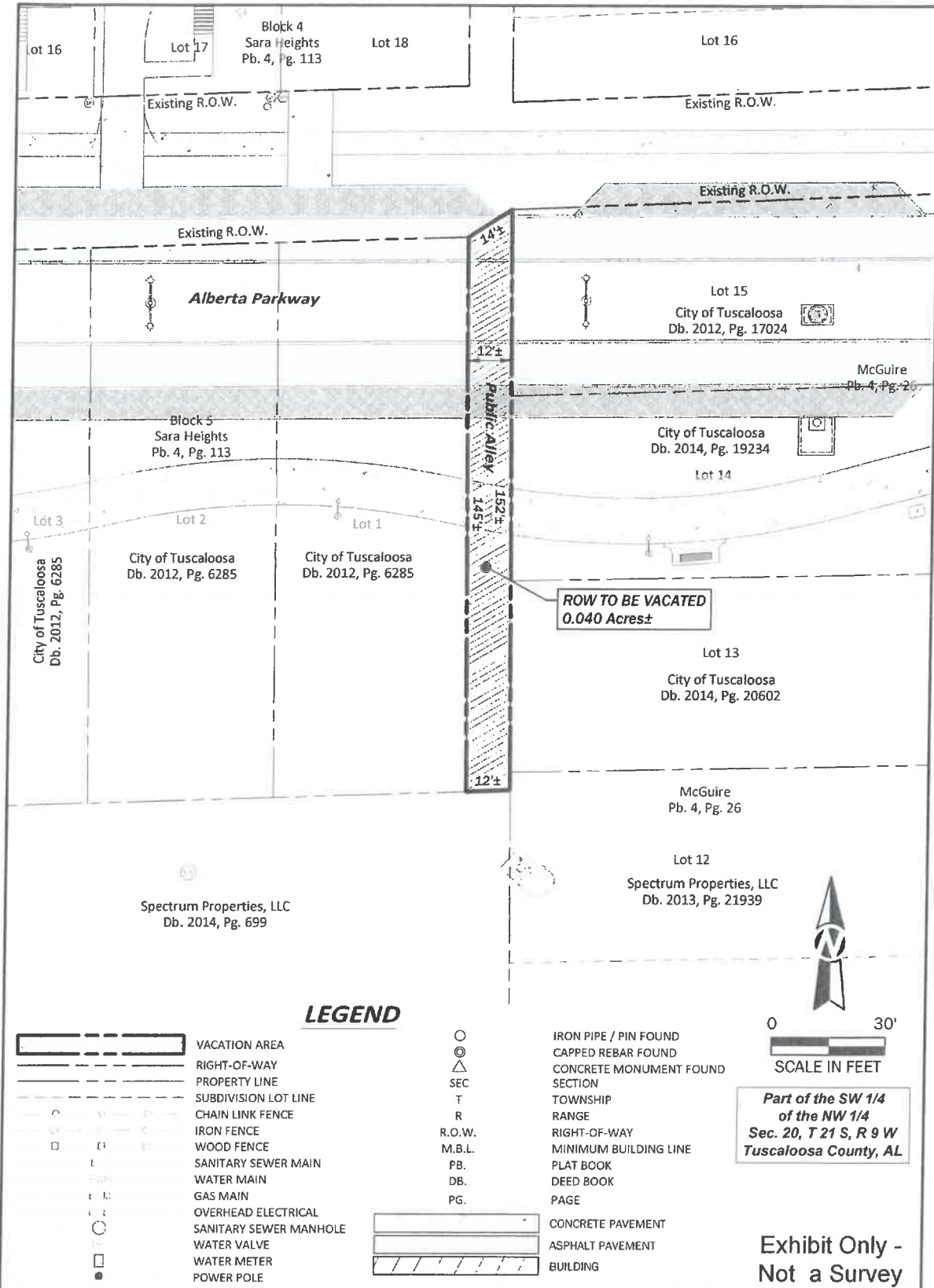
STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

City Clerk

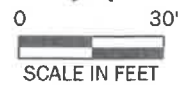
Exhibit "A"



LEGEND

- VACATION AREA
- RIGHT-OF-WAY
- PROPERTY LINE
- SUBDIVISION LOT LINE
- CHAIN LINK FENCE
- IRON FENCE
- WOOD FENCE
- SANITARY SEWER MAIN
- WATER MAIN
- GAS MAIN
- OVERHEAD ELECTRICAL
- SANITARY SEWER MANHOLE
- WATER VALVE
- WATER METER
- POWER POLE

- IRON PIPE / PIN FOUND
- CAPPED REBAR FOUND
- CONCRETE MONUMENT FOUND
- SECTION
- TOWNSHIP
- RANGE
- RIGHT-OF-WAY
- MINIMUM BUILDING LINE
- PLAT BOOK
- DEED BOOK
- PAGE
- CONCRETE PAVEMENT
- ASPHALT PAVEMENT
- BUILDING



Part of the SW 1/4
of the NW 1/4
Sec. 20, T 21 S, R 9 W
Tuscaloosa County, AL

Exhibit Only -
Not a Survey

2890 Rice Mine Road NE | Tuscaloosa, AL 35406
205.561.3778 | www.ttlusa.com

**12' Public Alley
Right-of-Way Vacation**

City of Tuscaloosa

Tuscaloosa County, Alabama


Sheet Title		
Right-of-Way Vacation Exhibit		
No.	Date	Revision Description

Drawn By: A.D.L. Checked By: E.M.H.
Date: 01/23/19 Proj. No.: 14-149
File Name: 14149 ROW Vacation.dwg

Sheet No. **1**

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2013 PAGE: 16471
DEED BOOK: 2014 PAGE: 6285
DEED BOOK: 2014 PAGE: 9679
DEED BOOK: 2014 PAGE: 21522
DEED BOOK: 2014 PAGE: 21524
DEED BOOK: 2015 PAGE: 3786

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A 10 FOOT ALLEY IN BLOCK 5 SARAH HEIGHTS SUBDIVISION IN THE CITY OF TUSCALOOSA (A22-0772)

WHEREAS, THE CITY OF TUSCALOOSA, AN ALABAMA MUNICIPAL CORPORATION AND ALLIED REALTY & DEVELOPMENT, INC. hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 25th day of July, 2022 alleging that they own all of the land abutting a certain public alley in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said alley lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public alley has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public alley is in the interest of the public that such alley or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

All of that part of an approximate 10-foot alley abutting Lots 5-9 in Block 5 according to Sara Heights Subdivision, a map or plat of which is recorded in the Probate Office of Tuscaloosa County, Alabama, in plat book 4, at page 113, and a parcel of land as recorded in the Probate Office of Tuscaloosa County, Alabama, in deed book 2013, at page 16471. Said alley being approximately 10 feet by 228 feet and containing zero and fifty-five thousandths (0.055) acres, more or less.

A depiction of said alley to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner North ½ of Alley (5 feet): City of Tuscaloosa

Publication Costs:	<u>\$ 750.20</u>
Total:	\$ 750.20

Owner South ½ of Alley (5 feet): Allied Realty & Development, Inc.

Fair Market Value	\$ 71.88
Publication Costs:	<u>\$ 750.20</u>
Total:	\$ 822.08

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formerly Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of

the area vacated in a manner which violates the National Electric Safety Code.

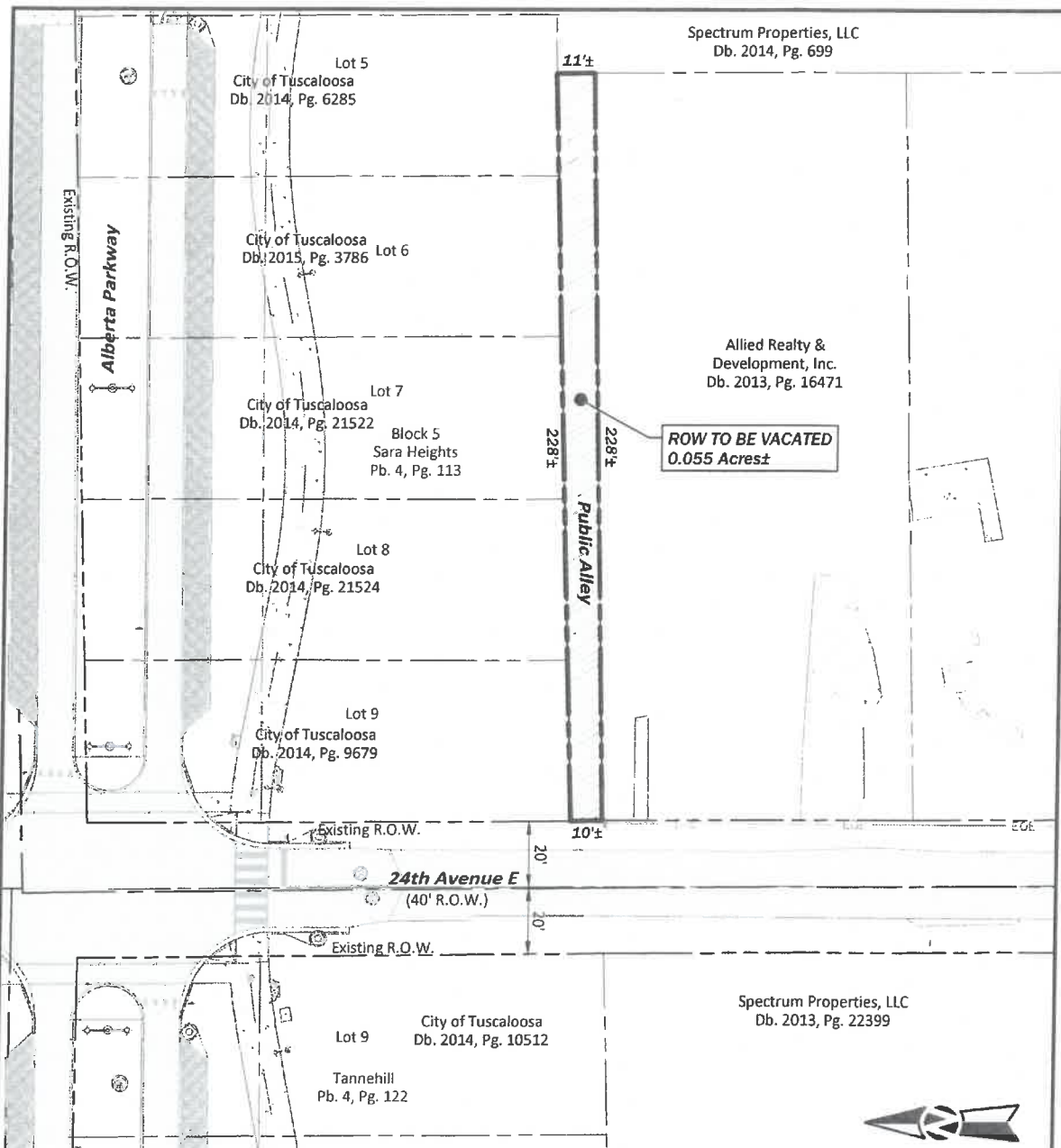
STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

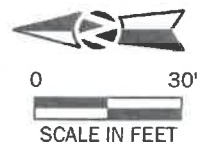
City Clerk

Exhibit "A"



LEGEND

	VACATION AREA		IRON PIPE / PIN FOUND
	RIGHT-OF-WAY		CAPPED REBAR FOUND
	PROPERTY LINE		CONCRETE MONUMENT FOUND
	SUBDIVISION LOT LINE	SEC	SECTION
	CHAIN LINK FENCE	T	TOWNSHIP
	IRON FENCE	R	RANGE
	WOOD FENCE	R.O.W.	RIGHT-OF-WAY
	SANITARY SEWER MAIN	M.B.L.	MINIMUM BUILDING LINE
	WATER MAIN	PB.	PLAT BOOK
	GAS MAIN	DB.	DEED BOOK
	OVERHEAD ELECTRICAL	PG.	PAGE
	SANITARY SEWER MANHOLE		CONCRETE PAVEMENT
	WATER VALVE		ASPHALT PAVEMENT
	WATER METER		BUILDING
	POWER POLE		



Part of the SW 1/4
of the NW 1/4
Sec. 20, T 21 S, R 9 W
Tuscaloosa County, AL

Exhibit Only -
Not a Survey

2890 Rice Mine Road NE | Tuscaloosa, AL 35406
205.561.3778 | www.ttlusa.com

**Public Alley
Right-of-Way Vacation**

City of Tuscaloosa

Tuscaloosa County, Alabama

Sheet Title		
Right-of-Way Vacation Exhibit		
No.	Date	Revision Description

Drawn By: A D L Checked By: E M H
Date: 01/23/19 Proj. No. 14-149
File Name: 14149 ROW Vacation.dwg

Sheet No. **1**

This Instrument Prepared By
Thomas D. Bobitt, II Deputy City Attorney
Office of The City Attorney
City of Tuscaloosa
2201 University Blvd.
Tuscaloosa, Alabama 35401

DEED BOOK: 2022 PAGE: 7417

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal/UD Date: 10/25/22
Presentation on: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION CONSENTING TO THE VACATION OF A PORTION OF SIXTH STREET EAST IN THE CITY OF TUSCALOOSA (A22-1062)

WHEREAS, HOME PLATE INVESTMENTS, LLC hereinafter called the Owners, duly filed a Declaration of Vacation of a Street with the City on the 25th day of January, 2022 alleging that they own all of the land abutting a certain public street in the City of Tuscaloosa hereinafter described; and,

WHEREAS, said street lies within the Corporate Limits of the City of Tuscaloosa, Alabama, and the assent of the City Council of Tuscaloosa, Alabama, the governing body of the said Municipality, to the vacation of said public street has been requested and is desired by the Owner; and,

WHEREAS, pursuant to Ala. Code Sections 23-4-2 and 11-49-6 (1975), notice of a date for hearing was duly published in the Tuscaloosa News and abutting property owners and utility entities were notified by mail, all as required by law; and,

WHEREAS, on the date and time duly noticed and specified, a public hearing to determine the assent to the vacation and to discern the fair market value of the land added to that of the abutting landowners was held on December 6, 2022, and the abutting landowners either being present or having jointly consented to the same in the Declaration of Vacation or having waived their objection by their absence;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

It appears to the City Council of Tuscaloosa that the vacation of said public streets is in the interest of the public that such streets or portions thereof, be vacated and that said vacation as herein described will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress to and from their property, nor will it adversely affect the interest of the public in any way and that the assent of said City Council be, and the same is hereby, given to the vacation of the following described public alley in the City of Tuscaloosa, County of Tuscaloosa, Alabama, to-wit:

Beginning at an iron pipe at the southeast corner of Lot 1, according to the Resurvey of Lots 41 & 43, Crestview as recorded in Plat Book 2015 at Page 23 in the Probate Office of Tuscaloosa County, Alabama; thence run in a southerly direction for 20.02 feet along the west right-of-way of 26th Avenue East to a set capped rebar; thence turn a deflection angle right of 90 degrees 02' and run in a westerly direction for 139.72 feet to a set capped rebar; thence turn an interior angle left of 90 degrees 57' and run in a northerly direction for 19.74 feet to an iron pipe at the southwest corner of said Lot 1; thence turn an interior angle left of 89 degrees 10' and run in an easterly direction for 140.03 feet along the south line of said Lot 1 to the Point of Beginning. Said described property contains 0.06 acres, more or less and has an interior closing angle of 89 degrees 55'.

A depiction of said street to be vacated attached hereto as Exhibit "A"

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

1. That pursuant to Ala. Code §11-49-6 (1975), and Tuscaloosa City Code § 21-184 the fair market value of the land added to that land owned by the following abutting landowners and publication costs are set out as follows:

Owner: Home Plate Investments, LLC

Fair Market Value	\$ 2,352.60
Publication Costs:	<u>\$ 1,568.60</u>
Total:	\$ 3,921.20

Failure by any land owner to tender payment of the Fair Market Value of the lands received and publication costs within 60 days of the adoption of this resolution by the City Council, shall nullify the assent of the City Council and render said street/alley vacation void. **Payment Shall Be Tendered By Certified Funds Or Money Order And Payable To The City Of Tuscaloosa.**

2. That pursuant to Ala. Code §23-4-2 (1975), the City Clerk is hereby directed to publish this resolution in the Tuscaloosa News, a newspaper of general circulation, one time within 14 days of the adoption of this resolution.

3. That the Mayor be, and he hereby is, authorized to present a copy of this resolution duly certified as correct by the City Clerk of the City of Tuscaloosa, the officer in charge of the records of said Municipality to the landowners within 15 days of the date of publication of this resolution in order that same may be filed and recorded.

4. That this vacation is final and binding provided that an appeal is not filed by any interested person within 30 days of the adoption of this resolution to any trial court of competent jurisdiction and or appellate court of this State and is adjudicated in the appellants favor pursuant to procedures as set forth in Ala. Code §23-4-5 (1975) as amended by Acts of Alabama 2004-323 which renders said vacation null and void.

5. That this resolution shall not be valid nor considered a lawful conveyance and said streets shall not be deemed to be vacated until such time as the payment of the publication costs and Fair Market Value of the lands described herein have been received by the City and all conditions of this resolution have been satisfied. Upon tender to the City of all sums due, the City is relieved from any and all responsibility and liability for the maintenance and repair of said street/alley. It is the responsibility of the owner to record the Resolution of Vacation with the Office of Probate Judge of Tuscaloosa County and the City shall not be held to be contributory negligent for the failure, mistake, neglect or omission of the owner to record the Resolution of Vacation of public record.

6. That this vacation is subject to any and all private easements and public utility easements and public infrastructure including but not limited to City of Tuscaloosa, A T & T, Spire (Formally Alabama Gas) Gas Corporation and Comcast Cable which may exist and be located within the said right-of-way including such public utilities which may have utilized the Municipal street right-of-way without receiving an executed and or recorded easement from the City or any relevant property owner and a minimum easement of 20 feet in width, being 10 feet on either side of currently existing utilities, are reserved to any public utility with assets within the vacated area and the right for access to the same the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred and specifically reserving unto Alabama Power Company APC the right to continue to maintain, extend and enlarge its lines, equipment and facilities to the same extent as if the vacation had not occurred, including an easement area of no less than fifteen (15) feet on all sides of overhead electric facilities, plus anchors, and five (5) feet on all sides of underground electric facilities, and all other rights, title and interests held by APC with respect to the area to be vacated under any statute or other law or under any other conveyance or agreement, whether recorded or unrecorded, including without limitation all the rights and privileges necessary or convenient for the full enjoyment and use of its lines, equipment and facilities now or hereafter located within or adjacent to the area to be vacated; and the right of ingress and egress to and from said lines, equipment and facilities; and the right to cut and/or trim trees or limbs which, in the sole opinion of APC, would interfere with said lines, equipment and facilities; and the right to prohibit use of the area vacated in a manner which violates the National Electric Safety Code.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

I, Brandy Johnson, City Clerk of the City of Tuscaloosa, Alabama, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the City Council of Tuscaloosa at a regular meeting of said Council held on the 6th day of December, 2022, as the same appears and remains of record in the record book in my office wherein are recorded the minutes of the proceedings of said Council.

IN WITNESS WHEREOF, I have hereunto affixed my signature and the official seal of said City of Tuscaloosa, this the _____ day of December 2022.

City Clerk

ALS AUTERY
 & E
 LAND SURVEYING
 & ENGINEERING, LLC
 TUSCALOOSA, AL 35406

1470 NORTHBANK PARKWAY
 SUITE 161
 PHONE: (205) 333-2477
 DATE SURVEYED: 08/02/2022
 EMAIL: jautery@alsurvey.com

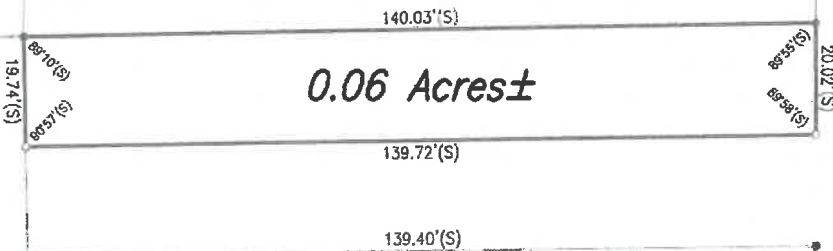
SCALE: 1"=20'
 PAGE 1 OF 1
 JOB NO.: LOT1R

N
 SPC-AL WEST
 (GRID NORTH)

- LEGEND**
- (S) SURVEY DIMENSION
 - FOUND IRON PIPE
 - SET CAPPED REBAR (AUTERY PLS 26279)

LOT 1
 RESURVEY OF LOTS 41&43
 CRESTVIEW
 P.B. 2015, P. 23

0.06 Acres±



RESURVEY OF LOTS 41&43
 CRESTVIEW
 P.B. 2015, P. 23

LOT 39

26th Avenue East

6th Street E

N1/2 OF NW1/4
 SEC. 20, T21S, R9W
 TUSCALOOSA COUNTY, AL

I hereby state this all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards Of Practice For Surveying in the State of Alabama to the best of my knowledge, information and belief of the property shown hereon.

GIVEN UNDER MY HAND AND SEAL, this the 23rd day of August, 2022.

Lonnie J. Autery, PE, PLS
 License No. Professional Land Surveyor No. 26279



RESOLUTION

SETTING THE COST FOR DEMOLITION OF THE STRUCTURE AT
2801 21st STREET AND AUTHORIZING THE FILING OF A LIEN

WHEREAS, the person(s) last assessed for the property taxes at 2801 21st Street is Ida Archibald, et. al as recorded in Deed Book 2011, Page No. 5094;

WHEREAS, the building located on said property in the City of Tuscaloosa was demolished by city forces pursuant to Ala. Code Section 11-53B-1 et seq. (1975); and,

WHEREAS, on the 6th day of December 2022, a hearing was held to set the cost of demolishing the building in the amount of \$4,893.34 plus court costs in the amount of \$14.50, for a total cost of \$4,907.84 and,

WHEREAS, Section 11-53B-1 et seq. states that the cost of demolition, and court costs shall constitute a lien and shall be a superior lien to all other except for taxes.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

1. That the cost for the demolition of the building located at 2801 21st Street and for court costs be, and it is hereby set at \$4,907.84, and the persons(s) last assessed for the property is Ida Archibald, et. al as recorded in Deed Book 2011, Page No. 5094.
2. That the City Clerk shall file a certified copy of this resolution in the office of the Probate Judge of Tuscaloosa County, and the cost of demolition and court costs shall constitute a lien in the amount of \$4,907.84 against the property at 2801 21st Street, as recorded in Deed Book 2011, Page No. 5094.

Prepared: Assistant City Clerk
Requested: TDOT, UD/Bldg. Inspections
Agenda: 12-6-2022

APPROVED AS TO FORM


Office of the City Attorney


Prepared By: SEM
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING AMENDMENT NO. 2 TO THE
CONTRACT WITH TTL, INC. FOR THE RIVER DISTRICT PARK PROJECT
(A20-1183/OCE Project No. 2020.014.001)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Mayor be, and he is hereby, authorized to execute Amendment No. 2 to the contract with TTL, Inc. for additional services associated with additional construction staking, resident observation time, and project coordination and increasing the total maximum compensation amount of the contract from \$733,540.00 to \$781,137.00 and increasing the total days of the contract from 200 days to 260 days; by and as an act for and on behalf of the City of Tuscaloosa; and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
Elevate Tuscaloosa Funds
2020A Bond

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
ASPLUNDH TREE EXPERT, LLC
(A22-1332)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$4,300.00 with Asplundh Tree Expert, LLC, for tree removal and stump grinding at 2701 University Blvd., and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
10109044-3100

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
CARL ERIC JOHNSON, INC.
(A22-1345)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$18,723.00 with Carl Eric Johnson, Inc., for the replacement of three (3) pumps in the WRRF Solids Building, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
60109041-4170

By:
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

JTB
Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
MORIN REPAIR SERVICES
(A22-1328)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$12,665.00 with Morin Repair Services, for Water Pump Washing at Ed Love, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
60109045-4170

By: Carly Handberg
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
MORIN REPAIR SERVICES
(A22-1331)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$11,485.00 with Morin Repair Services, for servicing of Jerry Plott Raw Water Pump #4, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
60109044-4170

By: Carlye Hand
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
JIM HOUSE & ASSOCIATES, INC.
(A22-1341)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$13,561.00 with Jim House & Associates, Inc., for NARCY Pump #2 Repair, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
60109041-4170

By: Carly Howard
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING MINOR PUBLIC WORKS CONTRACT WITH
PAINTS ON US PLUS
(A22-1348)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a minor public works contract in the amount of \$4,800.00 with Paints on Us Plus for painting at the 311 Offices by, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
60109042-3100

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

 EP
Office of the City Attorney

Prepared By: SEM/hh
Requested: Projects Date: 11/22/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

**RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE SERVICE AGREEMENT
WITH COMCAST BUSINESS FOR TUSCALOOSA FIRE STATION #6
(A22-1340)**

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Mayor be, and is hereby, authorized to execute a Thirty-Six (36) month service agreement with Comcast Business for Tuscaloosa Fire Station #6 in the total amount of \$20,719.36 payable at \$769.01 for month one (1) and \$570.01 month two (2) through thirty-six (36), and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No

10104030-3156

By: *Carlye Stauder*
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM

Office of the City Attorney

Prepared By: SEM/hh
Requested By: Projects Date: 11/22/2022
Council Presentation on: 12/06/2022
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES CONTRACT WITH WARD SCOTT MORRIS ARCHITECTURE FOR FACILITIES PLANNING SERVICES FOR CITY HALL COMPLEX (A22-1362)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

That the Mayor is authorized to execute a Professional Services Contract with Ward Scott Morris Architecture not to exceed \$50,000.00 for the Facilities Planning Services for the City Hall Complex, and as an act for, and on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: - Yes No


10709042-23608

By: Carly Handley
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: TDB
Requested: Legal: 12/6/22
Council Presentation: 12/6/22
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING RENEWAL OF INSURANCE COVERAGE
(A22-1356)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows:

The Mayor is hereby authorized to accept and execute a binder for the renewal of insurance by and through the City's insurance agent USI Insurance Services, LLC; with a premium payment cost to the City in amount up to \$212,296.80. The Mayor is authorized to execute all documents necessary to secure such insurance coverage and the Chief Financial Officer is authorized to issue a check for payment of the premium to USI Insurance Services, LLC.

FUNDING REQUIRED: Yes No

10135010-3105

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM



Office of the City Attorney

Prepared By: TDB
Requested: OCA Date: 12/06/22
Presentation on: 12/06/22
Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING THE CHIEF FINANCIAL OFFICER TO DRAW DRAFT FOR
THE DOWNS IMPROVEMENTS PROJECT PROPERTY ACQUISITIONS
(A20-0982)

BE IT RESOLVED BY THE TUSCALOOSA CITY COUNCIL that the Chief Financial Officer be,
and is hereby, authorized to draw draft to the following for the stated amounts for payment of
property acquisitions:

The Downs Improvements Project Property Acquisition Account Number 22817160-19013.

<u>Tract</u>	<u>Payee</u>	<u>Amount</u>
2	Jeffrey B. and Courtney Hummel Hanson	\$7,200.00

FUNDING REQUIRED: Yes No
22817160-19013

By: Carly Standley
Finance Director

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SBH/cr
Requested: OCA Date: 12/6/22
Council Presentation: 12/6/22
Suspension of Rules: NO

RESOLUTION

AUTHORIZING THE MAYOR TO SIGN A FUNDING AGREEMENT WITH THE
TUSCALOOSA COUNTY ROAD IMPROVEMENT COMMISSION FOR REIMBURSEMENT ON
MCWRIGHT'S FERRY ROAD PROJECT
(A22-0974)

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA that the Mayor be, and is hereby authorized to execute an agreement between the City of Tuscaloosa and the Tuscaloosa County Road Improvement Commission. Whereby the City will fund the McWright's Ferry Road extension project and be reimbursed by the Tuscaloosa County Road Improvement Commission with the total project cost of \$68,868,054.74, by and as an act for, on behalf of the City of Tuscaloosa, and the City Clerk is authorized to attest the same.

FUNDING REQUIRED: Yes No
NASCAR - Fund 235

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: SEM/hh
Requested: TPD Date: 12/06/2022
Council Presentation: 12/06/2022
Suspension of Rules: NO

RESOLUTION

RESOLUTION AUTHORIZING CONTRACT WITH AXON ENTERPRISE, INC.
AND DECLARING A BID LAW EXEMPTION
PURSUANT TO ALA. CODE § 41-16-51(a)(15)
(A22-1283)

WHEREAS, the City of Tuscaloosa desires to contract with Axon Enterprise, Inc. in the amount of \$18,470.28 for Year 1 and \$18,470.26 for Year 2, 3, 4 and 5 for a total of \$92,351.32 for hardware, software, licenses and related equipment for the City of Tuscaloosa Police Department; and,

WHEREAS, the City Council finds and declares this contract is exempt from competitive bidding requirements pursuant to the following authority: ALA. CODE §41-16-51(a)(15).

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA AS FOLLOWS:

1. That the Mayor is authorized to execute a contract with Axon Enterprise, Inc. in the amount of \$18,470.28 for Year 1 and \$18,470.26 for Year 2, 3, 4 and 5 for a total of \$92,351.32 for hardware, software, licenses and related equipment for the City of Tuscaloosa Police Department.
2. That the City Council finds and declares that the above contract is exempt from the competitive bidding requirements of the Alabama Bid Law pursuant to the following authority: ALA. CODE § 41-16-51(a)(15) Contractual services and purchases of products related to, or having an impact upon, security plans, procedures, assessments, measures, or systems, or the security or safety of persons, structures, facilities, or infrastructures.

FUNDING REQUIRED: Yes No
10105010-3109

By: 
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: ACF
Requested: A & F Date: 11/17/22
Council Presentation: 12/6/22
Suspension of Rules: No

RESOLUTION

**RESOLUTION AUTHORIZING SIGNOR TO VARIOUS CITY ACCOUNTS
(A22-1347)**

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA as follows: That Carly Standridge, Chief Financial Officer, Savannah Hornsby, Associate Director of Accounting and Financial Reporting, and Cory Folds, Senior Accountant, are authorized as signers for Paymentus.

FUNDING REQUIRED: Yes No

By: _____
Chief Financial Officer

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: OT/MD

Requested: Projects Cmte Date: 11/22/22

Council Presentation: 12/6/22

Suspension of Rules: No

RESOLUTION

RESOLUTION AUTHORIZING AMENDMENT NO. 1 TO THE 2021 SUBRECIPIENT AGREEMENT WITH TUSCALOOSA HOUSING AUTHORITY & AUTHORIZING THE MAYOR TO EXECUTE THE AMENDMENT WITH TUSCALOOSA HOUSING AUTHORITY UNDER THE CITY'S 2021 COMMUNITY DEVELOPEMENT BLOCK GRANT PROGRAM (CDBG)
(A21-1451)

WHEREAS, on June 1, 2022, the City entered into an agreement with Tuscaloosa Housing Authority for 2021 Community Development Block Grant Program (CDBG) funds to build infrastructure in support of affordable housing to the federally subsidized Springer Estates to assist the City of Tuscaloosa in fulfilling priorities established in the 2020-2024 Consolidated Plan and in activities approved in the 2021 Action Plan CDBG program projects; and

WHEREAS, the following Articles, Sections and Items of the agreement need to be amended to reflect an increase in funding of \$158,242.89 and a total funding amount of \$405,795.56:

1. Article 2- Project; Section 2: Project Description; Amount Funded
2. Article 3- Financial Management; Section 1: Payments and Budget; Item A: General Statement
3. Article 3- Financial Management; Section 1: Payments and Budget; Item C: Budget

NOW, THERREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA:

- (1) That the City of Tuscaloosa does hereby authorize the amendment to the City's agreement with Tuscaloosa Housing Authority under the 2021 Community Development Block Grant; and
- (2) That the Mayor be, and he is hereby authorized, for and as an act of the City, to execute an amendment to the City's agreement with Tuscaloosa Housing Authority under the 2021 Community Development Block Grant to reflect the aforementioned changes, and the City Clerk is authorized to attest the same.

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III/rd
Requested: Planning Com/UD Date: 11/21/2022
Council Presentation on: 12/06/2022
Suspension of Rules: No

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1494

(Approx. 0.1 acres located at 2115 Fosters Ferry Road—Barbara Thompson)
(BN to R-4)
(A22-1336/Z-30-22)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

That the Zoning Map of Tuscaloosa, adopted as a part of the Zoning Ordinance of Tuscaloosa be, and the same is hereby, amended and the following zoning classification is changed and established as follows:

A part of Lot Nine (9) of Oaks Subdivision, a map or plat of which is recorded in Plat Book Six (6) at Page eighty-three (83) in the records of the Probate Office of Tuscaloosa County, Alabama, more particularly described as follows:

Start at the Northwest corner of Lot Two (2) of said Oaks Subdivision and run thence in a Southerly direction along the East boundary of said Lot Nine (9) a distance of 25 feet to a point, said point being the point of beginning; thence continue in a Southerly direction along the East boundary of said Lot Nine (9) for a distance of 50 feet to a point, said point also being the Southwest corner of Lot Two (2) Oaks Subdivision; thence in a southwesterly direction along the boundary which separates said Lot Nine (9) from Lot Three (3), Oaks Subdivision, run a distance of 38 feet to a point, said point being a platted corner of Lot Nine (9); thence in a Northwesterly direction along the boundary which separates said Lot Nine (9) from Lot Eight (8), Oaks Subdivision; run 93 feet to a point, said point being a platted corner of said Lot Nine (9); thence in a Northeasterly direction along the boundary which separates said Lot Nine (9) from the Fosters Ferry Road, run a distance of 70 feet to a point; thence in a Southeasterly direction run a distance of 47.5 feet, more or less, to the point of beginning.

The above referenced property is presently zoned Neighborhood Commercial District (BN) to be zoned Moderate Density Residential District (R-4.)

DESCRIPTION APPROVED BY:

Zach Ponds

OFFICE OF URBAN DEVELOPMENT

FUNDING REQUIRED: Yes No

By: _____

Chief Financial Officer

COUNCIL ACTION

Resolution _____

Ordinance _____

Introduced _____

Passed _____

2nd Reading _____

Unanimous _____

Failed _____

Tabled _____

Amended _____

Comments: _____

ORDINANCE NO. _____

AN ORDINANCE APPOINTING AND REAPPOINTING MEMBERS
TO THE ZONING BOARD OF ADJUSTMENTS

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

THAT Angela Michele Coley be, and is hereby reappointed as a member of the Zoning Board of Adjustments, said term of Ms. Coley is to expire on September 28, 2025; (Reference: Section 11-52-80, *Code of Alabama, 1975*, as amended) and;

THAT Timothy Gilliam be, and is hereby appointed as a member of the Zoning Board of Adjustments, said term of Mr. Gilliam is to expire on September 28, 2025; (Reference: Section 11-52-80, *Code of Alabama, 1975*, as amended) and;

APPROVED AS TO FORM

Prepared By: HE

Requested: FC 12/06/22

Presentation on: 12/06/22

Suspension of Rules: NO

AB
Office of the City Attorney

ORDINANCE NO. _____

AMENDING THE FISCAL YEAR 2023 GENERAL FUND BUDGET
(AMENDMENT 5 – FY23 GF BUDGET)
(A22-1037)

BE IT ORDAINED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, that the Fiscal Year 2023 General Fund Budget of the City of Tuscaloosa be, and the same is hereby, amended as follows:

REVENUE			
Department	Account	Current Budget	Amended Budget
Other Operating	FY Fund Bal – Ambulance	\$(39,432)	\$(61,432)
Net Revenues			\$(22,000)

EXPENDITURE			
Department	Account	Current Budget	Amended Budget
Fire-Amb	Outside Services	\$61,980	\$83,980
CFG-ROW/LandSC	Outside Services	\$483,420	\$475,460
UD-Codes	Outside Services	\$0	\$7,960
Net Expenditures			\$22,000

FUNDING REQUIRED: Yes No
FY23 General Fund

COUNCIL ACTION

Resolution _____
Ordinance _____
Introduced _____
Passed _____
2nd Reading _____
Unanimous _____
Failed _____
Tabled _____
Amended _____
Comments: _____

By: Carly Handorf
Chief Financial Officer

APPROVED AS TO FORM


Office of the City Attorney

Prepared By: JPW III/rd
Requested: Planning Com/UD Date: 11-21-2022
Council Presentation on: 12/06/2022
Suspension of Rules: No

RESOLUTION

**RESOLUTION FIXING DAY FOR PUBLIC HEARING TO CONSIDER ADOPTION OF
AMENDMENT TO THE ZONING ORDINANCE OF TUSCALOOSA
AMENDMENT NO. 1494**

**(Approx. 0.1 acres located at 2115 Fosters Ferry Road—Barbara Thompson)
(BN to R-4)
(A22-1336/Z-30-22)**

WHEREAS, a certain amendment to the Zoning Ordinance of Tuscaloosa, being an amendment to the Zoning Map and a change in zoning classification, has been prepared in ordinance form, and this day introduced before the City Council; and,

WHEREAS, it is desired to hold a public hearing to consider the adoption of said amendment.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, as follows:

1. That a public hearing to consider the adoption of said proposed amendment to the Zoning Ordinance of the City of Tuscaloosa be held in the Council Chamber of the City Hall, at 6 o'clock, p.m., on Tuesday, January 10, 2023 and at such time and place all persons who desire shall have an opportunity of being heard in opposition to, or in favor of, the adoption of said amendment.

2. That prior to adoption, the City Clerk shall cause to be published the proposed ordinance, further amending the Zoning Ordinance of the City of Tuscaloosa, Alabama, which was this day introduced before the City Council of Tuscaloosa, being Zoning Amendment No.1494 in full for one insertion and an additional insertion of a synopsis of the proposed ordinance, one week after the first insertion, which synopsis shall refer to the date and name of the newspaper in which the proposed ordinance was first published together with a notice stating the time and place where the public hearing will be held. Both such insertions shall be at least 15 days in advance of its passage and in a newspaper of general circulation published within the municipality, or if no such newspaper then in four conspicuous places within the municipality, together with a notice stating the time and place that the ordinance is to be considered by the city council and stating further that at such time and place all persons who desire shall have an opportunity of being heard in opposition to or in favor of such ordinance.

RESOLUTION

RESOLUTION AUTHORIZING PAYMENT OF BILLS

BE IT RESOLVED BY THE CITY COUNCIL OF TUSCALOOSA, ALABAMA, as follows:

That the Chief Financial Officer be, and he is hereby, authorized to draw vouchers on municipal funds in the amounts shown, payable to the identified individuals/organizations for the purposes stated, and the Mayor and City Clerk are authorized to sign said vouchers:

The Builders Group (account #072152) <i>Water refund for water meter</i>	\$1,018.00
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Travel and Training Settlements

Matthew Roberts (W&S) <i>Training expense reimbursement</i>	\$450.00
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TOTAL: \$1,468.00
Prepared: Assistant City Clerk
Requested: Accounting & Finance
Agenda: 12/6/2022

Copies of bill documentation are on file in the Office of the
City Clerk and are available for review upon request.