

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 17, 2017**

The City Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall auditorium in said City at 6:30 p.m. on the 17th day of July, 2017 being the scheduled time and approved place for said meeting. The meeting was called to order by Allen Noles, President of the Council. The invocation was given by Ricky Williams. On roll call the following members were found to be present or absent, as indicated:

PRESENT: CHRIS HALL, NEAL WILLIS, MIKE LOCKHART,
 KEN SOCKWELL, ALLEN NOLES
ABSENT: NONE

Allen Noles, President of the Council, presided at the meeting and declared that a quorum was present and that the meeting was convened and opened for the purposes of transaction of business. Richard Williams, City Clerk, was present and kept the minutes of the meeting.

Upon motion duly made by Council Member Sockwell and seconded by Council Member Lockhart and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of July 3, 2017 and approved the minutes as written.

President Noles announced that the next item of business was consideration of a resolution to vacate a portion of LaSalle Street and alleyways in Highland Park Subdivision #13.

Council Member Lockhart introduced the following resolution and moved for its adoption:

STATE OF ALABAMA)
) **PETITION AND DECLARATION OF VACATION**
COLBERT COUNTY)

The undersigned, KLC Properties, LLC, being the owner of various lots located in Highland Park #13, as recorded in Map Book 2, Page 123, in the Office of the Judge of Probate, Colbert County, Alabama (hereafter referred to as "Highland Park #13"), including, Lots 5253 through 5261, Lots 5266 through 5271, and Lots 5691 through 5693, said Lots abutting the alleys and the street hereinafter set out, does hereby declare the following alleys and street in said Highland Park #13 to be vacated, to wit:

VACATION OF PART OF 18 FOOT ALLEY:

A vacation of part of an **18 foot alley** in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, and being more particularly described as follows: All that part of an 18 foot alley lying north of the North right of way line of Stevens Avenue (66 foot right of way) and lying south of a line extended west from the Northwest corner of Lot 5261 to a point on the east line of Lot 5266, and lying West of Lots 5253 through 5261, and lying East of Lots said point on the east line of Lot 5266 and Lot 5693.

VACATION OF 20 FOOT ALLEY:

A vacation of part of a **20 foot alley** in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, and being more particularly described as follows: All that part of a 20 foot alley lying South of Lots 5266 and 5271 and lying North of Lots 5691 through 5693.

VACATION OF PART OF LASALLE STREET:

A part of **LaSalle Street** (100 foot right of way) in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, said part of LaSalle Street to be vacated being more particularly described as follows: Begin at a 1/2" pipe found on the Northwest corner of Lot 5271; thence along the West line of Lot 5271 extended, N 0° 57' 17" E, 22.00 feet to a point; thence S 89° 40' 59" E, 120.02 feet to the Northwest corner of a previously vacated part of LaSalle Street; thence S 0° 53' 46" W, 22.00 feet to the Northwest corner of Lot 5266 and on the South right of way line of the aforementioned LaSalle Street; thence along said right of way line, N 89° 38' 14" W, 120.05 feet to the POINT OF BEGINNING of the tract of land to be vacated.

The undersigned, KLC Properties, LLC, hereby requests that the City Council of Muscle Shoals consent to, approve, ratify and confirm the vacation of the above described alleys and streets and, further, to authorize conveyance by quit-claim deed, to the Petitioner of the right, title and interest of the City of Muscle Shoals, Alabama, in and to the hereinabove described alleys and streets.

IN WITNESS WHEREOF, the undersigned has hereunto set its hand and seal as of this the 30th day of June, 2017.

KLC PROPERTIES, LLC
By: s/ Kenneth Crump
Its: Sole Member

STATE OF ALABAMA)
COLBERT COUNTY)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Kenneth Crump, whose name as sole Member of KLC Properties, LLC, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, in such capacity and with full authority, executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal this the 30th day of June, 2017.

s/ James D. Hughston
NOTARY PUBLIC

My Commission Expires: 9-12-2020

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2900 - 17

WHEREAS, KLC Properties, LLC (the "Petitioner") has presented to the City Council of Muscle Shoals, Alabama, a written petition, duly executed and acknowledged, setting forth that Petitioner is the owner of Lots 5253 through 5261, Lots 5266 through 5271, and Lots 5691 through 5693, which are located in Highland Park #13 as recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Map Book 2, Page 123 (hereafter referred to as "Highland Park #13"); and

WHEREAS, the City Council of Muscle Shoals, Alabama, a municipal corporation, has been requested to assent to and approve the vacation and the annulment of the dedication of the hereinafter described alleys and street to the use of the public; and

WHEREAS, the City Council of Muscle Shoals, Alabama, does hereby find that vacation of the alleys and street will not affect any person's access to or from his property.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of Muscle Shoals, Alabama, a municipal corporation, that the act of Petitioner in vacating and annulling the following described alleys and street within Highland Park #13, in the City of Muscle Shoals, Colbert County, Alabama, to wit:

VACATION OF PART OF 18 FOOT ALLEY:

A vacation of part of an **18 foot alley** in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, and being more particularly described as follows: All that part of an 18 foot alley lying north of the North right of way line of Stevens Avenue (66 foot right of way) and lying south of a line extended west from the Northwest corner of Lot 5261 to a point on the east line of Lot 5266, and lying West of Lots 5253 through 5261, and lying East of Lots said point on the east line of Lot 5266 and Lot 5693.

VACATION OF 20 FOOT ALLEY:

A vacation of part of a **20 foot alley** in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, and being more particularly described as follows: All that part of a 20 foot alley lying South of Lots 5266 and 5271 and lying North of Lots 5691 thru 5693.

VACATION OF PART OF LASALLE STREET:

A part of **LaSalle Street** (100 foot right of way) in Highland Park #13, City of Muscle Shoals, Colbert County, Alabama, same appears in the Office of Judge of Probate, Map Book 2, Page 123, said part of LaSalle Street to be vacated being more particularly described as follows: Begin at a 1/2" pipe found on the Northwest corner of Lot 5271; thence along the West line of Lot 5271 extended, N 0° 57' 17" E, 22.00 feet to a point; thence S 89° 40' 59" E, 120.02 feet to the Northwest corner of a previously vacated part of LaSalle Street; thence S 0° 53' 46" W, 22.00 feet to the Northwest corner of Lot 5266 and on the South right of way line of the aforementioned LaSalle Street; thence along said right of way line, N 89° 38' 14" W, 120.05 feet to the POINT OF BEGINNING of the tract of land to be vacated.

be and the same is hereby ratified, approved and confirmed and its assent is hereby given.

BE IT FURTHER RESOLVED that the City of Muscle Shoals, Alabama, a municipal corporation, remise, release, and quit-claim Petitioner whatever right, title and interest the City of Muscle Shoals may have acquired in and to the above described alleys and street and that the Mayor or President of the Council is hereby authorized to execute such quit-claim deed to Petitioner for and on behalf of the City of Muscle Shoals, Alabama.

Council Member Willis seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Noles announced that the resolution had been approved.

President Noles announced that the next item of business was a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Map of the City of Muscle Shoals, Alabama. The Ordinance to amend the Zoning Ordinance and Zoning Map of said City, as proposed Ordinance being as follows:

ORDINANCE NO. _____
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND
ZONING MAP OF THE CITY OF MUSCLE SHOALS, ALABAMA

Be it ordained by the Council of the City of Muscle Shoals, Alabama, that the Zoning Ordinance and the Zoning Map of the City of Muscle Shoals, are hereby amended as follows:

That the following described area which are currently zoned R-2 and is hereby incorporated in and made a part of the B-2 District, to wit:

514 Lasalle Street being lots 5266 thru 5271 Highland Park #13, 120 by 120 .

President Noles announced that the petitioner had requested a delay in the public hearing until August 21, 2017. Council Member Willis moved that the public hearing be tabled until August 21, 2017 at 6:00 pm in the City Hall Auditorium. Council Member Hall seconded the motion and upon said motion being put to a vote all voted "AYE" and "NAYS" were none.

President Noles announced that the motion was approved and the public hearing was reset for August 21, 2017 at the time and place noted above.

President Noles announced that the next item of business was to consider a resolution to approve an agreement with the Alabama Department of Transportation for sidewalk construction for project #TAPAA-TA17(910).

Council Member Hall introduced the following resolution and moved for its adoption:

STATE OF ALABAMA

COLBERT COUNTY

RESOLUTION NUMBER 2901 - 17

BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, as follows:

1. That the City Council enter into an Agreement Number 1 with the State of Alabama, acting by and through the Alabama Department of Transportation relating to a Transportation Alternatives project (Project No. TAPAA-TA17(910)) for the Sixth Street Sidewalks Project with partial funding by the Federal Highway Administration, which Agreement is before this Council;

2. That the Agreement be executed in the name of the City, by its Mayor, for and on its behalf.
3. That the Agreement be attested by the City Clerk and the seal of the City affixed thereto.

BE IT FURTHER RESOLVED, that upon completion of the execution of the agreement by all parties, a copy of such agreement be kept by the City Clerk in the minute book of the City Council.

Council Member Sockwell seconded the motion and upon said motion being put to a vote all voted “AYE” and “NAYS” were none.

President Noles announced that the resolution had been approved.

There being no further business to come before the meeting, upon the motion duly made and seconded the meeting was adjourned.

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK