

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
July 3, 2006**

The Council of Muscle Shoals, Alabama met at the Muscle Shoals City Hall in said City at 6:30 p.m. on the 3rd day of July 2006 being the regularly scheduled time and approved place for said meeting. The meeting was called to order by David Bradford, Mayor of the City. The invocation was given by Rusty Wheelles. On roll call the following members were found to be present or absent, as indicated:

PRESENT: JOE PAMPINTO, NEAL WILLIS, JERRY KNIGHT GRISSOM
 JAMES HOLLAND, ALLEN NOLES, DAVID H. BRADFORD
ABSENT: NONE

Richard Williams, City Clerk of the City, was present and kept the minutes of the meeting.

David Bradford, Mayor of the City, 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.

Upon motion duly made by Council Member Pampinto, seconded by Council Member Holland and unanimously adopted, the Council waived the reading of the minutes of the previously held work session and regular meeting of June 19, 2006 and approved the minutes as written.

Mayor Bradford announced that the next item of business was consideration of a resolution to declare surplus various city vehicles and equipment and authorize their sale.

Council Member Grissom introduced the following resolution which was presented in the meeting:

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2215 - 06

WHEREAS, the City Council has been informed by the Purchasing Agent that certain items of property as shown and described on Exhibit A attached hereto are no longer used in the performance of city business are no longer required for use by the City; and

WHEREAS, the City Council is informed that the said items of property have been

replaced and are no longer in service in the performance of city business; and

WHEREAS, the City Council has determined that the said items of property are surplus property and the City has no further use for said items of property due to their age and condition and it is not economical for the City to retool or refit the said items of property in order that they be able to be placed in service in the performance of city business;

NOW, THEREFORE, the City Council of the City of Muscle Shoals, Alabama does hereby determine that the following items of property be declared surplus property and be disposed of by the Purchasing Agent of the city in a manner that will require no further expenditure by the City nor expose the City to any liability in the further use of or operation of said items of property; and the Council does hereby authorize the Purchasing Agent of the City to dispose of said items of property in such manner.

The Purchasing Agent shall use the firm of GovDeals Inc. pursuant to the terms and conditions of the agreement between the City and GovDeals Inc.

The Council states and finds that the following items of property are surplus property: See Exhibit A attached hereto and made a part hereof as if set out in full.

EXHIBIT "A"
SURPLUS ITEMS FOR DISPOSAL

LOCATION	DESCRIPTION
CITY CLERK	CPU
	BACK UPS 500 APC
	CPU
	FLAT MONITOR
	FRAMED ART
	PICTURE FRAME
	SWAN ART PRINT
	OKIDATA PRINTER 3410
	POSTAGE SCALE
	5-1/4" FLOPPY DISK HOLDER
	PRINTER STAND W/WHEELS
	MISC. COMPUTER CABLES
	WIRE FOLDER FRAMES
	SMALL COMPUTER STAND
	MONITOR - FLAT PANEL
	KEYBOARD (4 TOTAL)
	CPU
	SCANNER
	CPU
	COMPUTER MOUSE (3)
	DIGITIZER BOARD

CITY CLERK	OKIDATA 321 PRINTER
	STOOL - BLACK METAL
	OKIDATA 591 PRINTER
	COMPUTER DESK
	CPU, KEYBOARD, MONITOR, SPEAKERS
SENIOR CENTER	KEY BOARD MOUSE
	CAMBRO BOX (INSULATED CONTAINER)
	ASSORTED VIDEOS / PUZZLES
	TREADMILL
	ICEMAKER
	COMPUTER DESK
PKS & REC	1984 CHEVROLET TRUCK
STORM DRAINAGE	JOHN DEERE LEVELING BLADE
	SNAPPER PUSH MOWER
	FORD BACKHOE
	SICKEL MOWER
	POWER FLO PUSH MOWER
FIRE	COMPUTER KEYBOARDS (2)
	SMITH CORONA TYPEWRITER
	HP R-W COMPUTER DRIVE
	CPU
	ADLER ELECTRIC TYPEWRITER
	ADLER/ROYAL ELECTRIC TYPEWRITER
	OKIDATA PRINTER
	HP COMPUTER
	MONITOR
	HP COMPUTER
	MONITOR
	1988 CHEVY BLAZER VIN: 1GNCT18ZOJ8168986
	HUSQUAVARA LAWN MOWER Serial #: 080395V00/099 38" Cut
	MURRAY 14 HP LAWNMOWER Serial #: 42U14x92A 42" Cut
	COPIER
POLICE	WALL STAND FOR MONITOR
	COMPUTER TOWER
	COMPUTER TOWER
	COMPUTER TERMINAL

POLICE	COMPUTER TERMINAL
	KEYBOARDS (5)
	COMPUTER SPEAKERS (2 SETS)
	BLUE VINYL CHAIRS (2)
	BROWN CLOTH/VINYL CHAIR
	PANASONIC TV/VCR
	WHELEN LIGHT BAR
	WHELEN LIGHT BAR
	WHELEN LIGHT BAR
	WHELEN LIGHT BAR W/ARROWS
	WHELEN LIGHT BAR
	LIGHTBAR (on Blazer to be removed)
	1994 FORD CRWN VIC SEDAN (Veh. 219) VIN: 2FALP71W4RX159841
	2001 FORD CRWN VIC SEDAN (Veh. 221) VIN: 2FAFP71W61X150995
	1999 FORD CRWN VIC SEDAN (Veh 211) VIN: 2FAFP71W2XX240816
	1991 CHEVROLET BLAZER - 2 Door (Veh 217) VIN: 1GCC51323M228730
	COMPUTER PRINTER STAND - 4 Shelves
	CONFERENCE TABLE
LIBRARY	WESTMORELAND TYPEWRITER
	SHELVING MODULE
	DESK
	COMPUTERS (16) (HARD DRIVES HAVE BEEN REMOVED)
PUBLIC WORKS	FORD F-750 DUMP TRUCK VIN: F75EVB63399
	FORD TRUCK (Old recycle truck) 1978 VIN: N80FVBB2852
	1976 CHEVROLET FLAT BED TRUCK VIN: CCE616V127437
	MACK R-600 CHASSIS 1970 VIN: R685ST13458
	1985 CHEVROLET TRUCK (needs new transmission) VIN: 1GCCCC14H76F313113
	RECYCLE CAGES
	PLASTIC RECYCLING BINS (1040)
	RECYCLING TRAILERS (2)

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

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was the scheduling of a public hearing to consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of the City of Muscle Shoals, Alabama. Mayor Bradford announced that at a meeting to be held at the City Hall in said City at 6:30 p.m. on the 7th day of August 2006, the Council will consider the adoption of an Ordinance to amend the Zoning Ordinance and Zoning Map of said City, the proposed Ordinance being as follows:

ORDINANCE NO. _____
AN ORDINANCE TO AMEND THE ZONING ORDINANCE AND THE
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 areas are hereby eliminated from the R-3 District in which it is now situated, and is hereby incorporated in and made a part of the B-2 District, to wit:

Lot #'s 1447 and 1448 located on the south side of Eason Avenue, Highland Park
Subdivision Colbert County tax parcel # 07-07-35-2-008-005.000.

At said time and place, all persons who desire to do so shall have an opportunity of being heard in opposition to or in favor of the adoption of such Ordinance.

Mayor Bradford announced that the next item of business was the vacation of a certain portion of 26th Street located in C. L. Harry Subdivision.

Council Member Noles thereupon introduced the following petition and resolution and moved for their adoption:

**STATE OF ALABAMA
COLBERT COUNTY**

PETITION

WHEREAS, the undersigned, **TROY WOODIS, JAMES O'BRYANT, RICKY VEAL, WAYNE ALAN HOLT, MICHAEL BRADLEY HOLT, JOHN RUSSELL HOLT, MARVIN EUGENE HOLT** and **LEELLA HOLT** are collectively referred to as "Petitioners" are the owners of the lands and properties in said subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting the streets, or portions thereof, hereinafter described with particularity; said Petitioners being desirous of vacating said streets, or portions thereof .

WHEREAS, Petitioners state that the streets, or portions thereof that Petitioners desire to vacate are located within and as a part of the subdivision designated as C. L. HARRY'S ADDITION TO SHEFFIELD, all of which are further known and designated according to the maps and plats thereof recorded in the Office of the Judge of Probate of Colbert County, Alabama in Map Book 2, Page 153.

WHEREAS, Petitioners state that convenient and reasonable means of ingress and egress to and from other property located within the said subdivision and other property is afforded to all other property owners and further, that said desired vacation shall not deprive the undersigned, or other, property owners from convenient and reasonable means of ingress and egress to and from their property;

WHEREAS, Petitioners state that the streets, or portions thereof desired to be vacated are not currently being used;

WHEREAS, Petitioners seek and request assent to the vacation by the governing body of Muscle Shoals, Alabama, same to be evidenced by a resolution duly adopted by the governing body and certified by the Clerk;

NOW, THEREFORE, the undersigned Petitioners, being the owners of the property in the subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting on the streets, or portions thereof, located in said subdivision, and further described herein, and desirous of vacating same do hereby declare the following streets or portions thereof, to be vacated, to wit:

All of that certain portion of that street known as Twenty-sixth Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the North of Lots 1 through 30, in Block 1 and Lots 1 through 30, in Block 2 and being that portion of said Twenty-sixth Street, being 30' in width and lying North of and being from a point on the Northwest corner of Lot 7, in Block 1 and running east along the North boundaries of said Lots 7 through 30, in Block 1 and continuing east along the boundaries of Lots 1 through 30, in Block 2 to the Northeast corner of said Lot 30, in Block 2, C. L. HARRY'S ADDITION TO SHEFFIELD. Also, being the same portion of the street referred to as East Fifth Street as shown on the recorded plat of Resurvey of Block No. 1 of C.L. Harry's Addition to Sheffield.

IN WITNESS, WHEREOF, We have hereunto set our hands and seals this 30th day of May 2006.

s/ Troy Woodis L.S.

TROY WOODIS

s/ James O/Bryant L.S.

JAMES O'BRYANT

s/ Ricky Veal L.S.

RICKY VEAL

s/ Wayne Alan Holt L.S.

WAYNE ALAN HOLT

s/ Marvin Eugene Holt L.S.

MARVIN EUGENE HOLT

s/ Michael Bradley Holt L.S.

MICHAEL BRADLEY HOLT

s/ John Russell Holt L.S.

JOHN RUSSELL HOLT

s/ Leella Holt L.S.

LEELLA HOLT

**STATE OF ALABAMA
COLBERT COUNTY**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **TROY WOODIS**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of May 2006.

s/ Sheila Powell

Notary Public

My Commission Expires: 10/01/2009

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **JAMES O'BRYANT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of May 2006.

s/ Mae Hisey

Notary Public

My Commission Expires: 04/04/2006

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **RICKY VEAL**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of May 2006.

s/ Mae Hisey

Notary Public

My Commission Expires:04/04/2006

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **WAYNE ALAN HOLT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of June 2006.

s/ Donna Patrick

Notary Public

My Commission Expires: 05/18/2008

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **MICHAEL BRADLEY HOLT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 9th day of June 2006.

s/ Nicole Parker

Notary Public

My Commission Expires:05/18/2008

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **JOHN RUSSELL HOLT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 3rd day of June 2006.

s/ Donna Patrick

Notary Public

My Commission Expires: 05/18/2008

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **MARVIN EUGENE HOLT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of June 2006.

s/ Nicole Parker

Notary Public

My Commission Expires:05/18/2008

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **LEELLA HOLT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of May 2006.

s/ Amber R. Vezle

Notary Public

My Commission Expires: 09/15/2009

STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 2216 - 06

WHEREAS, TROY WOODIS, JAMES O'BRYANT, RICKY VEAL, WAYNE ALAN HOLT, MICHAEL BRADLEY HOLT, JOHN RUSSELL HOLT, MARVIN EUGENE HOLT and LEELLA HOLT, hereinafter referred to as Petitioners, are the owners of all the lands and properties in said subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting the streets, or portions thereof, hereinafter described with particularity; said Petitioners being desirous of vacating said streets, or portions thereof, presented their signed Petition of Vacation of a part of said street or avenue, to the City Council of the City of Muscle Shoals, Alabama, a Municipal Corporation, for its consideration, assent and approval, and

WHEREAS, the property above referred to is more particularly described as follows:

All of that certain portion of that street known as Twenty-sixth Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the North of Lots 1 through 30, in Block 1 and Lots 1 through 30, in Block 2 and being that portion of said Twenty-sixth Street, being 30' in width and lying North of and being from a point on the Northwest corner of Lot 7, in Block 1

and running east along the North boundaries of said Lots 7 through 30, in Block 1 and continuing east along the boundaries of Lots 1 through 30, in Block 2 to the Northeast corner of said Lot 30, in Block 2, C. L. HARRY'S ADDITION TO SHEFFIELD. Also, being the same portion of the street referred to as East Fifth Street as shown on the recorded plat of Resurvey of Block No. 1 of C.L. Harry's Addition to Sheffield.

And **WHEREAS**, the aforesaid parties, as the owners of all property abutting the said portions of the street to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama, relating to the vacation of streets, public alleys, lots and blocks within the City of Muscle Shoals, Alabama, and

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, has determined that convenient means of ingress and egress to and from their property is afforded to all other property owners owing property in the tract of land embraced in the map, plat or survey within which the above described street is located, such means of ingress and egress being afforded by the remaining dedicated streets and public alleys in the area.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the assent of the City Council of the City of Muscle Shoals, Alabama, be and the same is hereby given and granted to the vacation of the portion of the streets and property being more fully described as follows:

All of that certain portion of that street known as Twenty-sixth Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the North of Lots 1 through 30, in Block 1 and Lots 1 through 30, in Block 2 and being that portion of said Twenty-sixth Street, being 30' in width and lying North of and being from a point on the Northwest corner of Lot 7, in Block 1 and running east along the North boundaries of said Lots 7 through 30, in Block 1 and continuing east along the boundaries of Lots 1 through 30, in Block 2 to the Northeast corner of said Lot 30, in Block 2, C. L. HARRY'S ADDITION TO SHEFFIELD. Also, being the same portion of the street referred to as East Fifth Street as shown on the recorded plat of Resurvey of Block No. 1 of C.L. Harry's Addition to Sheffield.

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

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was the vacation of various streets and alleys located in C. L. Harry Subdivision.

Council Member Willis thereupon introduced the following petition and resolution and moved for their adoption:

**STATE OF ALABAMA
COLBERT COUNTY**

PETITION

WHEREAS, the undersigned, **TROY WOODIS, JAMES O'BRYANT** and **RICKY VEAL** are collectively referred to as "Petitioners" are the owners of the lands and properties in said subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting the streets, or portions thereof, hereinafter described with particularity; said Petitioners being desirous of vacating said streets, or portions thereof .

WHEREAS, Petitioners state that the streets, or portions thereof that Petitioners desire to vacate are located within and as a part of the subdivision designated as C. L. HARRY'S ADDITION TO SHEFFIELD, all of which are further known and designated according to the maps and plats thereof recorded in the Office of the Judge of Probate of Colbert County, Alabama in Map Book 2, Page 153.

WHEREAS, Petitioners state that convenient and reasonable means of ingress and egress to and from other property located within the said subdivision and other property is afforded to all other property owners and further, that said desired vacation shall not deprive the undersigned, or other, property owners from convenient and reasonable means of ingress and egress to and from their property;

WHEREAS, Petitioners state that the streets, or portions thereof desired to be vacated are not currently being used;

WHEREAS, Petitioners seek and request assent to the vacation by the governing body of Muscle Shoals, Alabama, same to be evidenced by a resolution duly adopted by the governing body and certified by the Clerk;

NOW, THEREFORE, the undersigned Petitioners, being the owners of the property in the subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting on the streets, or portions thereof, located in said subdivision, and further described herein, and desirous of vacating same do hereby declare the following streets or portions thereof, to be vacated, to wit:

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 7 through 30, in Block 1 and lying immediately to the North of Lots 31 through 54, in Block 1 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 30, in Block 2 and lying immediately to the North of Lots 31 through 60, in Block 2 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 21, in Block 3 and lying immediately to the North of Lots 22 through 42, in Block 3, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 5, in Block 4 and lying immediately to the North of Lots 56 through 60, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 9 through 30, in Block 4 and lying immediately to the North of Lots 31 through 52, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that certain street known as L Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD running North and South and being 60' in width and lying immediately to the East of Lots 30 and 31, in Block 1, Lots 21 and 22 in Block 3 and immediately to the West of Lots 1 and 60, in Block 2 and Lots 1 and 60 in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the North of Lots 1 through 21, in Block 3 and Lots 1 through 30, in Block 4 and being that portion of said Central Avenue, lying and being from a point on the Northwest corner of Lot 1, in Block 3 and running east along the North boundaries of said Lots 1 through 21, in Block 3 and continuing east along the north boundaries of Lots 1 through 30, in Block 4 to the Northeast corner of said Lot 30, in Block 4, and bounded on the north by the South boundaries of Lot 31 through 60, in Block 2 and Lots 31 through 50 in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the South of Lots 51 through 54, in Block 1 and being that portion of said Central Avenue, lying and being the whole of said Central Avenue from a point on the Southeast corner of Lot 51, in Block 1 and running West along the South boundaries of said Lots 51, 52, 53 and 54 to the Southwest corner of said Lot 54, all in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

IN WITNESS, WHEREOF, we have hereunto set our hands and seals this 30th day of May 2006.

s/ Troy Woodis L.S.

TROY WOODIS

s/James O'Bryant L..S.

JAMES O'BRYANT

s/Ricky Veal L.S.

RICKY VEAL

**STATE OF ALABAMA
COLBERT COUNTY**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **TROY WOODIS**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 30th day of May 2006.

s/ Sheila Powell

Notary Public

My Commission Expires:10/01/2009

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **JAMES O'BRYANT**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of May 2006.

s/ Mae Hisey

Notary Public

My Commission Expires:04/04/2006

**STATE OF ALABAMA
COUNTY OF COLBERT**

I, the undersigned authority, a notary public in and for said County in said State, hereby certify that **RICKY VEAL**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of May 2006.

s/ Mae Hisey

Notary Public

My Commission Expires:04/04/2006

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 2217 - 06

WHEREAS, TROY WOODIS, JAMES O'BRYANT and RICKY VEAL, hereinafter referred to as Petitioners, are the owners of all the lands and properties in said subdivision known as C. L. HARRY'S ADDITION TO SHEFFIELD abutting the streets, or portions thereof, hereinafter described with particularity; said Petitioners being desirous of vacating said streets, or portions thereof, presented their signed Petition of Vacation of a part of said street or avenue, to the City Council of the City of Muscle Shoals, Alabama, a Municipal Corporation, for its consideration, assent and approval, and

WHEREAS, the property above referred to is more particularly described as follows:

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 7 through 30, in Block 1 and lying immediately to the North of Lots 31 through 54, in Block 1 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 30, in Block 2 and lying immediately to the North of Lots 31 through 60, in Block 2 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 21, in Block 3 and lying immediately to the North of Lots 22 through 42, in Block 3, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 5, in Block 4 and lying immediately to the North of Lots 56 through 60, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 9 through 30, in Block 4 and lying immediately to the North of Lots 31 through 52, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that certain street known as L Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD running North and South and being 60' in width and lying immediately to the East of Lots 30 and 31, in Block 1, Lots 21 and 22 in Block 3 and immediately to the West of Lots 1 and 60, in Block 2 and Lots 1 and 60 in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the North of Lots 1 through 21, in Block 3 and Lots 1 through 30, in Block 4 and being that portion of said Central Avenue, lying and being from a point on the Northwest corner of Lot 1, in Block 3 and running east along the North boundaries of said Lots 1 through 21, in Block 3 and continuing east along the north boundaries of Lots 1 through 30, in Block 4 to the Northeast corner of said Lot 30, in Block 4, and bounded on the north by the South boundaries of Lot 31 through 60, in Block 2 and Lots 31 through 50 in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the South of Lots 51 through 54, in Block 1 and being that portion of said Central Avenue, lying and being the whole of said

Central Avenue from a point on the Southeast corner of Lot 51, in Block 1 and running West along the South boundaries of said Lots 51, 52, 53 and 54 to the Southwest corner of said Lot 54, all in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

And **WHEREAS**, the aforesaid parties, as the owners of all property abutting the said portions of the street to be vacated, having complied with all the requirements of Ordinances of the City of Muscle Shoals, Alabama, relating to the vacation of streets, public alleys, lots and blocks within the City of Muscle Shoals, Alabama, and

WHEREAS, the City Council of the City of Muscle Shoals, Alabama, has determined that convenient means of ingress and egress to and from their property is afforded to all other property owners owning property in the tract of land embraced in the map, plat or survey within which the above described street is located, such means of ingress and egress being afforded by the remaining dedicated streets and public alleys in the area.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Muscle Shoals, Alabama, that the assent of the City Council of the City of Muscle Shoals, Alabama, be and the same is hereby given and granted to the vacation of the portion of the streets and property being more fully described as follows:

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 7 through 30, in Block 1 and lying immediately to the North of Lots 31 through 54, in Block 1 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 30, in Block 2 and lying immediately to the North of Lots 31 through 60, in Block 2 and C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 21, in Block 3 and lying immediately to the North of Lots 22 through 42, in Block 3, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 1 through 5, in Block 4 and lying immediately to the North of Lots 56 through 60, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain alleyway running East and West as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD lying immediately to the South of Lots 9 through 30, in Block 4 and lying immediately to the North of Lots 31 through 52, in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that certain street known as L Street as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD running North and South and being 60' in width and lying immediately to the East of Lots 30 and 31, in Block

1, Lots 21 and 22 in Block 3 and immediately to the West of Lots 1 and 60, in Block 2 and Lots 1 and 60 in Block 4, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the North of Lots 1 through 21, in Block 3 and Lots 1 through 30, in Block 4 and being that portion of said Central Avenue, lying and being from a point on the Northwest corner of Lot 1, in Block 3 and running east along the North boundaries of said Lots 1 through 21, in Block 3 and continuing east along the north boundaries of Lots 1 through 30, in Block 4 to the Northeast corner of said Lot 30, in Block 4, and bounded on the north by the South boundaries of Lot 31 through 60, in Block 2 and Lots 31 through 50 in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

Also, all of that portion of that certain street known as Central Avenue as shown on the recorded plat of C. L. HARRY'S ADDITION TO SHEFFIELD being 60' in width and lying immediately to the South of Lots 51 through 54, in Block 1 and being that portion of said Central Avenue, lying and being the whole of said Central Avenue from a point on the Southeast corner of Lot 51, in Block 1 and running West along the South boundaries of said Lots 51, 52, 53 and 54 to the Southwest corner of said Lot 54, all in Block 1, C. L. HARRY'S ADDITION TO SHEFFIELD.

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

Mayor Bradford announced that the Resolution had been approved.

Mayor Bradford announced that the next item of business was consideration of an amendment to an ordinance extending the time for the Northwest Alabama Health Care Authority to construct a health care facility on property sold by the City to the Authority for that purpose.

Council Member Pampinto introduced the following ordinance which was presented in the meeting:

ORDINANCE NUMBER 1372 - 06

WHEREAS, the Council of the City of Muscle Shoals, Alabama has heretofore conveyed property unto the Northwest Alabama Health Care Authority and

WHEREAS, the Northwest Alabama Health Care Authority has agreed to purchase said property for the purpose of constructing a building thereon for the delivery of health care services and related services which the Council finds will be a benefit unto the City and its citizens; and

WHEREAS, the City has the option to purchase said property at the same price from the Northwest Alabama Health Care Authority in the event that the Northwest Alabama Health Care Authority fails to construct thereon a building and occupy same for the delivery of health care services and related services within two (2) years from the date of the conveyance by the City unto the Northwest Alabama Health Care Authority, and

WHEREAS, the Northwest Alabama Health Care Authority has requested that the term of the option be extended for one (1) year and the City Council finds that it is in the interest of the City to do so;

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

1. That the City of Muscle Shoals, Alabama does hereby extend the term of that certain option to purchase agreement for a period of one (1) year under the same terms and conditions, same pertaining to that certain parcel of real property, same being, lying and situated in the City of Muscle Shoals, Colbert County, Alabama, to wit:

Lots Numbered 3279 through 3285, inclusive, the South 17 feet of all of that portion of State Street abutting Lot 3285, and all of that portion of the West ½ of that certain North-South alley abutting Lots 3280 through 3285, all being known and designated according to the map and survey of “HIGHLAND PARK SUBDIVISION PLAT NO. NINE”, prepared by P. S. Milner, C. E., and recorded in the Office of the Judge of Probate of Colbert County, Alabama, in Map Book 2, Page 70.

2. Furthermore, the City shall have the option to purchase said property at the same price from the Northwest Alabama Health Care Authority in the event that the Northwest Alabama Health Care Authority fails to construct thereon a building and occupy same for the delivery of health care services and related services within three (3) years from the date of the conveyance by the City unto the Northwest Alabama Health Care Authority and the option agreement heretofore entered into by the City and the Northwest Alabama Health Care Authority shall be amended to reflect same.

3. That the Mayor of the City of Muscle Shoals, Alabama, Mr. David H. Bradford, is hereby authorized to execute and deliver, same to be attested by Richard L. Williams, Clerk of the City, the deed of the City and all other documents necessary to effectuate the extension of the option.

Council Member Pampinto moved that unanimous consent be given for immediate consideration of and adoption of said Ordinance, which motion was seconded by Council Member Holland and, upon said motion being put to a vote, a roll call was had and the vote was recorded as follows:

AYES: Council Member Pampinto, Council Member Willis, Council Member Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford announced the vote and declared that the motion for unanimous consent for immediate consideration had been approved. Council Member Pampinto then moved that the said Ordinance be finally adopted, which motion was seconded by Council Member Holland and, upon said motion being put to a vote, a roll call on final approval was had and the vote recorded as follows:

AYES: Council Member Pampinto, Council Member Willis, Council Member Grissom, Council Member Holland, Council Member Noles, Mayor Bradford

NAYS: None

Mayor Bradford thereupon declared said motion carried and the Ordinance approved.

Mayor Bradford announced his appointment of Jerry Freeman to the vacancy on the Planning Board created by the resignation of Lance Hyche. The term of appointment expires in December 2009.

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

CITY OF MUSCLE SHOALS, ALABAMA
a Municipal Corporation

MAYOR

COUNCIL MEMBER - PLACE ONE

COUNCIL MEMBER - PLACE TWO

COUNCIL MEMBER - PLACE THREE

COUNCIL MEMBER - PLACE FOUR

COUNCIL MEMBER - PLACE FIVE

ATTEST:

CITY CLERK