

ORDINANCE NUMBER 1465 - 14

AN ORDINANCE RELATING TO THE DISPOSITION OF UNNEEDED REAL ESTATE OWNED BY THE CITY OF MUSCLE SHOALS, ALABAMA

WHEREAS, the City of Muscle Shoals, Alabama is the owner of certain parcels of real property located in and near the vicinity of the Shoals Marketplace retail development within the corporate limits of the City; same being hereinafter more particularly described; and

WHEREAS, the City has been approached by a prospective purchaser with an offer to purchase said property; and

WHEREAS, upon review by the Council of the City of Muscle Shoals, Alabama, the Council finds that the said property is not being used for public or municipal purposes nor is it anticipated that said property will, in the future be used or needed for either public or municipal purposes; and

WHEREAS, the Council further finds that upon the disposal of the said property the City will no longer bear the expense of the maintenance and upkeep of the property; will have funds from the sale of the property for use for public purposes to benefit the City's citizens and to benefit from the prospective future tax revenues from the property being placed on the tax rolls as well as any future improvements and developments that may further increase the City's tax revenues; and

WHEREAS, the Council does further find and determine the disposal of the unneeded real property is in the best interest of the City and the said disposal of the unneeded real property and the benefits, both present and prospective, derived therefrom outweigh any benefit the City may receive by retaining its right, title and interest in said real property.

NOW, THEREFORE, IN CONSIDERATION OF THE FOREGOING FINDINGS, BE IT ORDAINED by the City Council of the City of Muscle Shoals, Alabama as follows:

1. The City of Muscle Shoals, Alabama shall convey its right, title and interest in and to the real property, more particular described as follows, to wit:

OUTLOT 1B:

A tract of land lying in the NW 1/4 of Section 14, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at the intersection of the East boundary line of the NW 1/4 of said Section 14 with the northwardly right of way of Alabama Highway No. 20 and No. 157 (alternate U. S. Highway No. 72-167 foot right of way); thence N 64 degrees 07' 06" W and along said right of way 733.10 feet to an iron pin set (capped typical R. Collins, L.S.-13406) at the SW corner of the Alabama State

Highway Department property (Deed Book 354 Page 639); continue thence N 64 degrees 07' 06" W and along said right of way 230.19 feet; thence leaving said right of way and along a curve to the left having a radius of 66.41 feet, an arc distance of 11.13 feet (chord bearing N 3 degrees 27' 56" E -chord distance 11.11 feet) to the PT of said curve; thence N 1 degree 20' 02" W 585.16 feet to the point of beginning; continue thence N 1 degree 20' 02" W 35 feet; thence N 88 degrees 39' 58" E 56 feet; thence N 1 degree 20' 02" W 440 feet; thence N 88 degrees 39' 58" E 139.98 feet to the Westwardly line of the aforementioned Alabama State Highway Department property; thence S 1 degree 42' 50" E and along said Alabama State Highway Department property line 475 feet; thence S 88 degrees 39' 58" W 199.12 feet to the point of beginning. Said tract containing 1.59 acres, more or less and is subject to any easements of record or easements existing on site.

OUTLOT 2:

A tract of land lying in the NW 1/4 of Section 14, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at the intersection of the East boundary line of the NW 1/4 of said section 14 with the Northwardly right of way of Alabama Highway No. 20 and No. 157 (alternate U. S. Highway No. 72-167 foot right of way); thence N 64 degrees 07' 06" W and along said right of way 733.10 feet to an iron pin set (capped typical R. Collins, L.S.-13406) at the SW corner of the Alabama State Highway Department property (Deed Book 354 Page 639) and to the point of beginning; continue thence N 64 degrees 07' 06" W and along said right of way 230.19 feet; thence leaving said right of way and along a curve to the left having a radius of 66.41 feet, an arc distance of 11.13 feet (chord bearing N 3 degrees 27' 56" E -chord distance 11.11 feet) to the PT of said curve; thence N 1 degree 20' 02" W 160.16 feet; thence N 88 degrees 39' 58" E 201.94 feet to the Westwardly line of the aforementioned Alabama State Highway Department property; thence S 1 degree 42' 50" E and along said Alabama State Highway Department property line 276.53 feet to the point of beginning. Said tract contains 1.04 acres, more or less and is subject to any easements of record or easements existing on site.

OUTLOT 3:

A tract of land lying in the NW 1/4 of Section 14, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at the intersection of the East boundary line of the NW 1/4 of said Section 14 with the Northwardly right of way of Alabama Highway No. 20 and No. 157 (alternate U. S. Highway No. 72-167 foot right of way); thence N 64 degrees 07' 06" W and along said right of way 733.10 feet to an iron pin set (capped typical R. Collins, L.S.-13406) at the SW corner of the Alabama State Highway Department property (Deed Book 354 Page 639); continue thence N 64 degrees 07' 06" W and along said right of way 265.12 feet to the point of beginning; thence N 64 degrees 07' 06" W and along said right of way 255.89 feet; thence leaving said right of way N 25 degrees 48' 23" E 34.62 feet to the PC of a curve to the left having a radius of 125 feet; thence along said curve an arc

distance of 59.21 feet (chord bearing N 12 degrees 14' 10" E -chord distance 58.66 feet) to the PT of said curve; thence N 1 degree 20' 02" W 108.40 feet to the PC of a curve to the right having a radius of 10 feet; thence along said curve an arc distance of 15.71 feet (chord bearing N 43 degrees 39' 58" E - chord distance 14.14 feet) to the PT of said curve; thence N 88 degrees 39' 58" E 180 feet to the PC of a curve to the right having a radius of 10 feet; thence along said curve an arc distance of 15.71 feet (chord bearing S 46 degrees 20' 02" E - chord distance 14.14 feet) to the PT of said curve; thence S 1 degree 20' 02" E 302.31 feet to the PC of a curve to the right having a radius of 31.10 feet; thence along said curve an arc distance of 11.19 feet (chord bearing S 8 degrees 58' 24" W -chord distance 11.13 feet) to the point of beginning. Said tract contains 1.28 acres, more or less and is subject to any easements of record or easements existing on site.

OUTLOT 4

A tract of land lying in the NW 1/4 of Section 14, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at the intersection of the East boundary line of the NW 1/4 of said Section 14 with the Northwardly right of way of Alabama Highway No. 20 and No. 157 (alternate U. S. Highway No. 72-167 foot right of way); thence N 64 degrees 07' 06" W and along said right of way 733.10 feet to an iron pin set (capped typical R. Collins, L.S.-13406) at the SW corner of the Alabama State Highway Department property (Deed Book 354 Page 639); continue thence N 64 degrees 07' 06" W and along said right of way 571.01 feet to the point of beginning; thence N 64 degrees 07' 06" W and along said right of way 228.21 feet; thence leaving said right of way N 1 degree 20' 02" W 208.99 feet; thence N 88 degrees 39' 58" E 56.95 feet to the PC of a curve to the right having a radius of 10 feet; thence along said curve an arc distance of 15.71 feet (chord bearing S 46 degrees 20' 02" E -chord distance 14.14 feet) to the PT of said curve; thence S 1 degree 20' 02" E 44 feet; thence N 88 degrees 39' 58" E 150.02 feet to the PC of a curve to the right having a radius of 10 feet; thence along said curve an arc distance of 15.71 feet (chord bearing S 46 degrees 20' 02" E - chord distance 14.14 feet) to the PT of said curve; thence S 1 degree 20' 02" E 184.40 feet to the PC of a curve to the right having a radius of 75 feet; thence along said curve an arc distance of 35.53 feet (chord bearing S 12 degrees 14' 10" W - chord distance 35.20 feet) to the PT of said curve; thence S 25 degrees 48' 23" W 34.55 feet to the point of beginning. Said tract contains 1.18 acres, more or less and is subject to any easements of record or easements existing on site.

OUTLOT 5

A tract of land lying in the NW 1/4 of Section 14, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at the intersection of the East boundary line of the NW 1/4 of said Section 14 with the Northwardly right of way of Alabama Highway No. 20 and No. 157 (alternate U. S. Highway No. 72-167 foot right of way); thence N 64 degrees 07' 06" W and along said right of way 733.10 feet to an iron pin set (capped typical R. Collins, L.S.-13406) at the SW corner of the Alabama State Highway

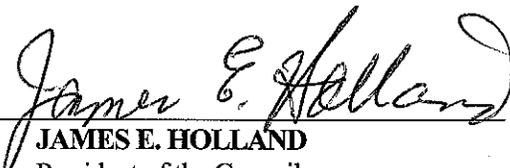
Department property (Deed Book 354 Page 639); continue thence N 64 degrees 07' 06" W and along said right of way 799.22 feet to the point of beginning; thence N 64 degrees 07' 06" W and along said right of way 140.56 feet to an existing iron pin at the SE corner of the Hardees' Restaurant Property; thence leaving said right of way N 1 degree 20' 02" W and along Hardees' property line 143.45 feet to the PC of a curve to the right having a radius of 15 feet; thence along said curve an arc distance of 6.17 feet (chord bearing N 76 degrees 52' 37" E -chord distance 6.13 feet) to the PT of said curve; thence N 88 degrees 39' 58" E 119 feet; thence S 1 degree 20' 02" E 208.99 feet to the point of beginning. Said tract contains 0.50 acres, more or less and is subject to any easements of record or easements existing on site.

unto Myron Wade Lackey and wife, Janice S. Lackey .

1. The said Myron Wade Lackey and wife, Janice S. Lackey, shall pay unto the City the sum of Two Hundred Ninety Thousand and no/100 (\$290,000.00) Dollars for the said real property.
2. Upon payment of said purchase price, the Mayor of the City, David H. Bradford, shall execute and deliver the City's deed to the property unto the said purchasers, Myron Wade Lackey and wife, Janice S. Lackey.
3. Furthermore, the Mayor, David H. Bradford, is authorized to execute and deliver any other instruments necessary and required to consummate the transaction.

ADOPTED AND APPROVED this 1st day of December 2014.

**COUNCIL OF THE CITY OF
MUSCLE SHOALS, ALABAMA**

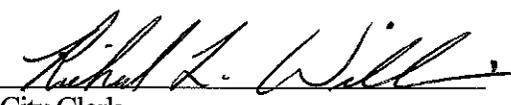
By: 
JAMES E. HOLLAND
President of the Council

ATTEST:

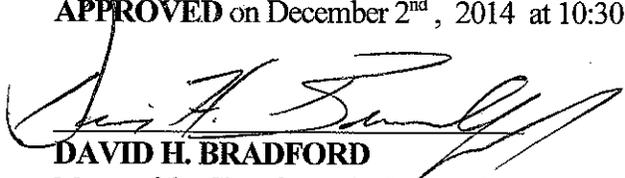

RICHARD L. WILLIAMS, City Clerk

TRANSMITTAL

I hereby certify that the above ordinance was passed on the 1st day of December 2014 by the Council of the City of Muscle Shoals and was transmitted to the Mayor on the 2nd day of December 2014 at 10:00 am o'clock.



City Clerk

APPROVED on December 2nd, 2014 at 10:30 am o'clock


DAVID H. BRADFORD
Mayor of the City of Muscle Shoals, Alabama