

ORDINANCE NO. 1445 - 13

AN ORDINANCE APPROVING THE PURCHASE OF REAL ESTATE BY THE CITY OF MUSCLE SHOALS, ALABAMA

WHEREAS, the City of Muscle Shoals, Alabama is one of the owners of a parcel of real estate known and designated as SHOALS RESEARCH AIRPARK RE-PLAT"; and

WHEREAS, North Alabama Gas District is one of the owners of a parcel of real estate known and designated as SHOALS RESEARCH AIRPARK RE-PLAT"; and

WHEREAS, the City has negotiated with the said North Alabama Gas District for the purchase of said parcel of property owned by said North Alabama Gas District;

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

1. The Council finds it in the interest of the City to acquire the hereinafter described real property from North Alabama Gas District, said parcel being, known and designated as Tract 9 of the SHOALS RESEARCH AIRPARK RE-PLAT", same being more particularly described herein.
2. The City of Muscle Shoals, Alabama shall acquire said interest in said property for the sum of \$300,000.00, being the amount paid by the said North Alabama Gas District when acquired by the said North Alabama Gas District.
3. Furthermore, the Mayor, David H. Bradford, is authorized to execute and deliver any other documents necessary and required to consummate the transaction.
4. The property subject to and covered by this action of the Council is more particularly described as follows, to wit:

Tract 9 of the "SHOALS RESEARCH AIRPARK RE-PLAT", same being more particularly described as follows:

A tract of land lying in **Section 5, Township 4 South, Range 10 West**, Colbert County, Alabama, and being more particularly described as follows, to-wit: To find the point of beginning, commence at an existing cotton spindle in the centerline of 6th Street (Colbert County Road #24 - 80 foot right of way), said point being locally known and accepted as the SE corner of said Section 5; thence N 00 degrees 40' 08" W and along the eastwardly line of said Section 5 for 40.03 feet to an iron pin set (capped typical R. Collins, L.S.-13406) on the northwardly right of way of said 6th Street and to the point of beginning; thence N 88 degrees 29' 13" W and along said right of way 559.76 feet to an iron pin set; thence leaving said right of way N 00 degrees 43' 55" W 4325.95 feet to an iron pin set lying on the southwardly boundary of the Northwest Regional Airport; thence along said Northwest Regional Airport boundary line the following bearings and distances: S 65 degrees 53' 00" E 621.97 feet to an existing concrete monument on the

eastwardly line of said Section 5; S 00 degrees 26' 09" E and along said section line 139.87 feet to an existing concrete monument; thence leaving said boundary line S 00 degrees 40' 08" E and along said section line 2378.51 feet to an iron pin set at the NE corner of an existing 2 acre cemetery (as pointed out by Mr. Price Counts); thence N 88 degrees 53' 04" W 312.11 feet to an iron pin set at the NW corner of said cemetery; thence S 00 degrees 40' 08" E 279.27 feet to an iron pin set at the SW corner of said cemetery; thence S 88 degrees 53' 04" E 312.11 feet to an iron pin set at the SE corner of said cemetery lying on the eastwardly line of said Section 5; thence S 00 degrees 40' 08" E and along said section line 1288.86 feet to the point of beginning. Said tract contains 52.24 acres, more or less, is subject to a 20 foot ingress/egress access easement along the eastwardly side thereof running from the northwardly right of way of 6th Street N 00 degrees 40' 08" W 1288.86 feet to the southwardly side of the aforementioned 2 acre cemetery; and is subject to any easements of record or easements existing on site and is subject to a 10 foot Private Water Easement being described as follows: To find the point of beginning, commence at the NE corner of the above described 2 acre cemetery; thence N 00 degrees 40' 08" W and along the eastwardly line of said section 5 for 891.82 feet to the point of beginning of said easement; thence leaving said section line S 89 degrees 19' 52" W 10 feet; thence N 00 degrees 40' 08" W 10 feet; thence N 89 degrees 19' 52" E 10 feet to a point on said section line; thence S 00 degrees 40' 08" E and along said section line 10 feet to the point of beginning of said easement.

ADOPTED AND APPROVED this 6th day of May 2013.