

**MINUTES FROM A REGULAR MEETING OF THE
COUNCIL OF MUSCLE SHOALS, ALABAMA, HELD
March 4, 2019**

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 4th day of March, 2019 being the scheduled time and 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, MIKE LOCKHART, KEN SOCKWELL,
ALLEN NOLES
ABSENT: NEAL WILLIS

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

Upon motion duly made by Council Member Hall and seconded by Council Member Sockwell and unanimously adopted, the Council waived the reading of the minutes of the previously held regular meeting and work session of February 18, 2019 and approved the minutes as written.

Mayor Bradford thanked city personnel for their hard work and long hours in response to the recent flooding in our city.

President Noles announced that the next item of business was consideration of a job description for Fire Training Officer in the Fire Department.

Council Member Sockwell moved that the job description be approved as presented. Council Member Lockhart seconded the motion and upon said motion being put to a vote, all voted "AYE" and "NAYS" were none.

President Noles announced that the job description had been approved.

President Noles announced that the next item of business was consideration of an agreement with Click Synergy LLC to provide social media and general communications consulting.

Council Member Lockhart moved that the agreement be approved as presented. Council Member Hall seconded the motion upon said motion being put to a vote, all voted “AYE” and “NAYS” were none.

President Noles announced that the agreement had been approved.

President Noles announced that the next item of business was consideration of a resolution to appoint two members to the Muscle Shoals Electric Board.

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

**STATE OF ALABAMA
COLBERT COUNTY**

RESOLUTION NUMBER 3000 - 19

WHEREAS, the term of two members of the Muscle Shoals Electric Board of the City of Muscle Shoals have expired and the City Council being desirous of making the necessary appointments to said board within the City;

WHEREAS, notice was given to the public of said pending vacancies and applications solicited for members to said board;

WHEREAS, the following individuals made proper application and met the requirements for appointment, are eligible for appointment to fill the pending vacancies:

Bill Alexander	Brian Barton	Reggie Goins
Frankie Tubbs Jr.	Emily Benson	Charlie Ricks
Nathan Willingham	Jeremy Robison	

WHEREAS, Bill Alexander and Frankie Tubbs Jr. were determined to have received the best overall rankings on the City Council evaluations, and

WHEREAS, a roll call vote was had by the City Council as follows:

Council Member Hall: Bill Alexander and Frankie Tubbs Jr.
Council Member Lockhart: Bill Alexander and Frankie Tubbs Jr.
Council Member Sockwell: Bill Alexander and Frankie Tubbs Jr.
Council Member Noles: Bill Alexander and Frankie Tubbs Jr.

WHEREAS, Council President Noles announced that Bill Alexander and Frankie Tubbs Jr. had received a majority of the votes cast, now

THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals, Alabama does hereby appoint the following named persons to serve as set forth herein:

<u>APPOINTEE</u>	<u>BOARD</u>	<u>EXPIRATION OF TERM</u>
Bill Alexander	Electric Board	February 2025
Frankie Tubbs Jr.	Electric Board	February 2025

The Clerk is hereby directed to notify the above named persons of their appointment and to further notify the respective board of said appointments.

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 resolution had been approved.

President Noles announced that the next item of business was consideration of a resolution to authorize the mayor to execute a petition for the annexation of the City’s 1.48 acres of land at Old Hwy 20 and Gargis Lane.

Council Member Hall introduced the following resolution and moved for its adoption:
STATE OF ALABAMA
COLBERT COUNTY

RESOLUTION NUMBER 3001 - 19

WHEREAS, it has been made known to the City Council of the City of Muscle Shoals that the City as owner of the property described here seeks to annex into the corporate limits of Muscle Shoals, Alabama; and

WHEREAS, the said property was acquired for use as a fire station to serve the citizens of the City and the Council finds that it is in the best interest of the City that the property be annexed and become apart of the corporate limits of the City; and

WHEREAS, the City Council has reviewed maps of the property and determines that the herein described property is contiguous with the existing corporate limits of the City;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Muscle Shoals does hereby authorize David H. Bradford as Mayor of the City of Muscle Shoals to execute the necessary petition and all related documents for presentment to the City Council for consideration of the annexation into the corporate limits of the city of the following described property, to wit:

DESCRIPTION

A parcel of land being a part of the Northwest 1/4 of the Northwest 1/4 of Section 20, Township 4 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows:

Commence at a mag nail and washer found (stamped PLS 12693) at the Northwest corner of the Northwest 1/4 of said Section 20; thence run South 44°53'42" East a distance of 56.72 feet to an iron pin set (capped typical 33944) at the intersection of the East right of way line of Gargis Lane (a.k.a. County Road 77 - 80 foot right of way) and the North right of way line of Old Alabama Highway 20 (a.k.a. Joe Wheeler Highway - 80 foot right of way) which is the **Point of Beginning**; thence run along said North right of way line of Old Alabama Highway 20, South 88°31'51" East a distance of 205.00 feet to an iron pin set on said right of way line; thence leaving said right of way, run South 00°19'46" East a distance of 314.52 feet to an iron pin set; thence run North 88°36'19" West a distance of 205.00 feet to an iron pin set on the East right of way line of said Gargis Lane; thence run along said East right of way line of Gargis Lane, North 00°19'41" West a distance of 314.78 feet to the point of beginning.

Said parcel contains an area of **1.48 acres**, more or less, and is subject to any right of ways, easements, or restrictions existing on said parcel.

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.

President Noles announced that the next item of business was consideration of an ordinance to annex 1.48 acres owned by the City of Muscle Shoals at the southeast corner of Old Hwy 20 and Gargis Lane.

Council Member Sockwell introduced the following ordinance and moved for its immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

PETITION FOR UNANIMOUS CONSENT TO ANNEXATION

TO THE GOVERNING BODY OF THE CITY OF MUSCLE SHOALS, ALABAMA:

The undersigned, CITY OF MUSCLE SHOALS, ALABAMA, a municipal corporation, being the owner of the hereinafter described real property, does hereby execute and file with the City Clerk this petition in writing requesting that the property hereinafter described be annexed to

the City of Muscle Shoals, Alabama, under and by authority of § 11-42-20 through § 11-42-24, *Code of Alabama, 1975*, said property being more particularly described as follows, to wit:

DESCRIPTION

A parcel of land being a part of the Northwest 1/4 of the Northwest 1/4 of Section 20, Township 4 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows:

Commence at a mag nail and washer found (stamped PLS 12693) at the Northwest corner of the Northwest 1/4 of said Section 20; thence run South 44°53'42" East a distance of 56.72 feet to an iron pin set (capped typical 33944) at the intersection of the East right of way line of Gargis Lane (a.k.a. County Road 77 - 80 foot right of way) and the North right of way line of Old Alabama Highway 20 (a.k.a. Joe Wheeler Highway - 80 foot right of way) which is the **Point of Beginning**; thence run along said North right of way line of Old Alabama Highway 20, South 88°31'51" East a distance of 205.00 feet to an iron pin set on said right of way line; thence leaving said right of way, run South 00°19'46" East a distance of 314.52 feet to an iron pin set; thence run North 88°36'19" West a distance of 205.00 feet to an iron pin set on the East right of way line of said Gargis Lane; thence run along said East right of way line of Gargis Lane, North 00°19'41" West a distance of 314.78 feet to the point of beginning.

Said parcel contains an area of **1.48 acres**, more or less, and is subject to any right of ways, easements, or restrictions existing on said parcel.

For purposes of further identification, the tract described herein is further described as Parcel # 20-12-04-19-0-001-001.000 as assessed in the Office of the Revenue Commissioner of Colbert county, Alabama.

The undersigned represents unto the governing body of the City of Muscle Shoals, Alabama as follows:

1. The undersigned is the sole owner of the herein described real property, said property being located and contained within an area contiguous to the corporate limits of the City of Muscle Shoals, Alabama.
2. The property sought to be annexed to the City of Muscle Shoals and as described herein does not lie within the corporate limits or police jurisdiction of any other municipality as required by § 11-42-21 of the *Code of Alabama, 1975*.
3. Attached hereto as Exhibit A and made a part hereof is a map of the property sought to be annexed for purposes of showing its relationship to the corporate limits of the City of Muscle Shoals, Alabama.

NOW, THEREFORE, the undersigned, **CITY OF MUSCLE SHOALS, ALABAMA**, a municipal corporation, petitions the governing body of the City of Muscle Shoals, Alabama to annex the property described herein to the said municipality and request that the governing body

of the City of Muscle Shoals, Alabama propose, consider and adopt an Ordinance assenting to the annexation of the property described herein; that the corporate limits of the said municipality be extended and rearranged so as to embrace and include the property described herein; that such property described herein shall become and be a part of the City of Muscle Shoals, Alabama upon adoption of said Ordinance and publication thereof or as otherwise provided by law.

IN WITNESS WHEREOF, the said Petitioner, **CITY OF MUSCLE SHOALS, ALABAMA**, a municipal corporation, has caused this instrument to be executed on this 4th day of March, 2019.

CITY OF MUSCLE SHOALS, ALABAMA,
a municipal corporation

By: s/ David. H. Bradford
DAVID H. BRADFORD, It's Mayor

ATTEST:

s/ Richard L. Williams
RICHARD L. WILLIAMS, It's City Clerk

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that **DAVID H. BRADFORD** whose name as Mayor of **CITY OF MUSCLE SHOALS, ALABAMA**, a municipal corporation, 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 foregoing instrument, that he, in his capacity as Mayor and with full authority, executed the same voluntarily on the day that same bears date for and on behalf of the said city.

Given under my hand and official seal this 4th day of March, 2019.

s/ Stephanie Mangino
Notary Public
My Commission expires: 7/10/2022

ORDINANCE NUMBER 1512 - 19

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS, ALABAMA AS FOLLOWS:

Section 1. The City Council of the City of Muscle Shoals, Alabama, as the legislative body of the City, does hereby find and declare that it is in the best interests of the citizens of the City to bring the territory described herein in Section 2 of this Ordinance into the City of Muscle Shoals, Alabama.

Section 2. The boundary lines of the City of Muscle Shoals, Alabama, be, and the same are hereby, altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Muscle Shoals, Alabama, and in addition thereto, the following described territory:

DESCRIPTION

A parcel of land being a part of the Northwest 1/4 of the Northwest 1/4 of Section 20, Township 4 South, Range 10 West, Colbert County, Alabama, and being more particularly described as follows:

Commence at a mag nail and washer found (stamped PLS 12693) at the Northwest corner of the Northwest 1/4 of said Section 20; thence run South 44°53'42" East a distance of 56.72 feet to an iron pin set (capped typical 33944) at the intersection of the East right of way line of Gargis Lane (a.k.a. County Road 77 - 80 foot right of way) and the North right of way line of Old Alabama Highway 20 (a.k.a. Joe Wheeler Highway - 80 foot right of way) which is the **Point of Beginning**; thence run along said North right of way line of Old Alabama Highway 20, South 88°31'51" East a distance of 205.00 feet to an iron pin set on said right of way line; thence leaving said right of way, run South 00°19'46" East a distance of 314.52 feet to an iron pin set; thence run North 88°36'19" West a distance of 205.00 feet to an iron pin set on the East right of way line of said Gargis Lane; thence run along said East right of way line of Gargis Lane, North 00°19'41" West a distance of 314.78 feet to the point of beginning. Said parcel contains an area of **1.48 acres**, more or less, and is subject to any right of ways, easements, or restrictions existing on said parcel.

Section 3. This Ordinance shall be published as provided by law and a certified copy of same, together with a certified copy of the petition of the property owner, shall be filed with the Probate Judge of Colbert County, Alabama.

Section 4. The territory described in this Ordinance shall become a part of the corporate limits of the City of Muscle Shoals, Alabama upon publication of this Ordinance as provided for and set forth in Section 3 of this Ordinance.

Council Member Lockhart seconded the motion and upon said motion being put to a vote a roll call was had and the vote recorded as follows:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the motion for immediate consideration had passed unanimously. Council Member Sockwell moved that the Ordinance be approved. Council Member Lockhart seconded the motion and upon said motion being put to a vote a roll call was had and the vote recorded as follows:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the motion for approval of the Ordinance was approved unanimously.

President Noles announced that the next item of business was consideration of an ordinance to annex properties owned by David Edgar Black and Abby Craft Black and Martha Tubb Black and Beth Tubb Everett along the west side of South Wilson Dam Road and the south side of Northfolk Southern railway line.

Council Member Lockhart introduced the following ordinance and moved for its immediate consideration:

STATE OF ALABAMA
COLBERT COUNTY

**PETITION FOR UNANIMOUS CONSENT TO ANNEXATION
TO THE CITY OF MUSCLE SHOALS, ALABAMA**

The undersigned, DAVID EDGAR BLACK and ABBY CRAFT BLACK, as owners of Tract One of the hereinafter described real property and MARTHA TUBB BLACK and BETH TUBB EVERETT, being the owners of Tract Two of the hereinafter described real property, do hereby execute and file with the City Clerk this petition in writing requesting that the property hereinafter described be annexed to the City of Muscle Shoals, Alabama, under and by authority of §11-42-20 through §11-42-24, *Code of Alabama* (1975, as amended), said property being more particularly described as follows, to-wit:

The undersigned represents unto the governing body of the City of Muscle Shoals, Alabama as follows:

1. The undersigned are the sole owners of the herein described real property, said property being located and contained within an area contiguous to the corporate limits of the City of Muscle Shoals, Alabama.
2. The property sought to be annexed to the City of Muscle Shoals and as described herein does not lie within the corporate limits of any other municipality.
3. Attached hereto as Exhibit A and made a part hereof is a map of the property sought to be annexed for purposes of showing its relationship to the corporate limits of the City of Muscle Shoals, Alabama.
4. The property seeking to be annexed into the City is more particularly described as follows, to wit:

Tract One:

A tract of land in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence along the East line of Section 13, South $0^{\circ} 39' 41''$ East 568.79 feet to a point; thence South $89^{\circ} 20' 19''$ West 60.92 feet to a 2" pipe found at the

intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at the section) and the Southernmost line of the Norfolk Southern Railroad property; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped typical Jamey Alexander PLS# 24022) in a fence and Point of Beginning of the tract of land hereby described; thence South 275.00 feet to an iron pin set; thence North 83° 36' 45" West 366.29 feet to an iron pin set; thence North 275.00 feet to an iron pin set on the South line of the Norfolk Southern Railroad property; thence along said property line and generally along a fence South 83° 36' 45" East 366.29 feet to the point of beginning of the tract of land hereby described; said tract of land contains 2.29 acres more or less.

ALSO, a 20 foot right of way for ingress and egress to the above described tract, said right of way being more particularly described as follows: A right of way in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence South 0° 39' 41" East 568.79 feet to a point; thence South 89° 20' 19" West 60.92 feet to a 2" pipe found at the intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at this section) and the Southernmost line of the Norfolk Southern Railroad property; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped (typical Jamey Alexander PLS#24022) in fence; thence South 112.72 feet to the point of beginning of the right of way hereby described; thence South 86° 13' 26" East 136.55 feet; South 83° 47' 15" East 52.38 feet; South 77° 20' 14" East 48.07 feet; South 65° 46' 43" East 52.44 feet; South 57° 17' 39" East 33.09 feet; South 53° 55' 51" East 51.90 feet; South 50° 49' 41" East 93.60 feet; South 49° 36' 32" East 47.53 feet to a point on the West right of way line of Wilson Dam Highway (Alabama Highway #133, 100 foot right of way this section); thence along said right of way line, South 0° 41' 50" East 26.54 feet to a point; thence leave said right of way line North 49° 36' 32" West 64.76 feet; North 50° 49' 41" West 92.85 feet; North 53° 55' 51" West 50.77 feet; North 57° 17' 39" West 31.62 feet; North 65° 51' 44" West 48.25 feet; North 77° 20' 14" West 45.01 feet; North 83° 47' 15" West 50.82 feet; North 86° 13' 26" West 134.80 feet to a point on the East line of the above described tract; thence North 2.04 feet to the point of beginning of the right of way hereby described.

Tract Two:

A tract of land in the Northeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence along the East line of Section 13, South 0° 39' 41" East 568.79 feet to a point; thence South 89° 20' 19" West 60.92 feet to a 2" pipe found at the intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at the section) and the Southernmost line of the Norfolk Southern Railroad property; and the Point of Beginning of the tract of land hereby described; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped typical Jamey Alexander PLS# 24022) in a fence; thence South 275.00 feet to an iron pin set; thence run East to the West right-of-way line of Wilson Dam Highway; thence run North a distance of 275

feet, more or less, to a point on the Southernmost line of Norfolk Southern Railway property to the Point of Beginning of the tract of land hereby described.

NOW THEREFORE, the undersigned petition the governing body of the City of Muscle Shoals, Alabama to annex the property described herein to the said municipality and request that the governing body of the City of Muscle Shoals, Alabama, propose, consider, and adopt an Ordinance assenting to the annexation of the property described herein; that the corporate limits of the said municipality be extended and rearranged so as to embrace and include the property described herein; that such property described herein shall become and be a part of the City of Muscle Shoals, Alabama upon adoption of said Ordinance and publication thereof or as otherwise provided by law.

IN WITNESS WHEREOF, the Petitioners, DAVID EDGAR BLACK and ABBY CRAFT BLACK, the owners of the real property referred to as Tract One and MARTHA TUBB BLACK and BETH TUBB EVERETT, the owners of the real property referred to Tract Two, have caused this Petition to be executed on the 4th day of March 2019.

s/ David Edgar Black
DAVID EDGAR BLACK

s/ Abby Craft Black
ABBY CRAFT BLACK

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that DAVID EDGAR BLACK and ABBY CRAFT BLACK, whose names are signed to the foregoing and who are known to me and who acknowledged before me that, being informed of the contents of the foregoing, they signed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 4th day of March 2019.

s/ Tasha L. Bratton
NOTARY PUBLIC

My Commission expires: 6/29/19

s/ Martha Tubb Black
MARTHA TUBB BLACK

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that MARTHA TUBB BLACK, whose name is signed to the foregoing and

who is known to me and who acknowledged before me that, being informed of the contents of the foregoing, she signed the same voluntarily on the day the same bears date.
Given under my hand and official seal this the 4th day of March 2019.

s/ Ashlie Llewellyn
NOTARY PUBLIC

My Commission expires: 3/18/20

s/ Beth Tubb Everett
BETH TUBB EVERETT

STATE OF ALABAMA
COLBERT COUNTY

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that BETH TUBB EVERETT, whose name is signed to the foregoing and who is known to me and who acknowledged before me that, being informed of the contents of the foregoing, she signed the same voluntarily on the day the same bears date.
Given under my hand and official seal this the 4th day of March 2019.

s/ Ashlie Llewellyn
NOTARY PUBLIC

My Commission expires: 3/18/20

ORDINANCE NO. 1513-19

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MUSCLE SHOALS, ALABAMA AS FOLLOWS:

Section 1. The City Council of the City of Muscle Shoals, Alabama, as the legislative body of the City, does hereby find and declare that it is in the best interests of the citizens of the City to bring the territory described herein in Section 2 of this Ordinance into the City of Muscle Shoals, Alabama.

Section 2. The boundary lines of the City of Muscle Shoals, Alabama, be, and the same are hereby, altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Muscle Shoals, Alabama, and in addition thereto, the following described territory:

Tract One:

A tract of land in the Northeast ¼ of the Northeast ¼ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said

Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence along the East line of Section 13, South 0° 39' 41" East 568.79 feet to a point; thence South 89° 20' 19" West 60.92 feet to a 2" pipe found at the intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at the section) and the Southernmost line of the Norfolk Southern Railroad property; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped typical Jamey Alexander PLS# 24022) in a fence and Point of Beginning of the tract of land hereby described; thence South 275.00 feet to an iron pin set; thence North 83° 36' 45" West 366.29 feet to an iron pin set; thence North 275.00 feet to an iron pin set on the South line of the Norfolk Southern Railroad property; thence along said property line and generally along a fence South 83° 36' 45" East 366.29 feet to the point of beginning of the tract of land hereby described; said tract of land contains 2.29 acres more or less.

ALSO, a 20 foot right of way for ingress and egress to the above described tract, said right of way being more particularly described as follows: A right of way in the Northeast ¼ of the Northeast ¼ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence South 0° 39' 41" East 568.79 feet to a point; thence South 89° 20' 19" West 60.92 feet to a 2" pipe found at the intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at this section) and the Southernmost line of the Norfolk Southern Railroad property; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped (typical Jamey Alexander PLS#24022) in fence; thence South 112.72 feet to the point of beginning of the right of way hereby described; thence South 86° 13' 26" East 136.55 feet; South 83° 47' 15" East 52.38 feet; South 77° 20' 14" East 48.07 feet; South 65° 46' 43" East 52.44 feet; South 57° 17' 39" East 33.09 feet; South 53° 55' 51" East 51.90 feet; South 50° 49' 41" East 93.60 feet; South 49° 36' 32" East 47.53 feet to a point on the West right of way line of Wilson Dam Highway (Alabama Highway #133, 100 foot right of way this section); thence along said right of way line, South 0° 41' 50" East 26.54 feet to a point; thence leave said right of way line North 49° 36' 32" West 64.76 feet; North 50° 49' 41" West 92.85 feet; North 53° 55' 51" West 50.77 feet; North 57° 17' 39" West 31.62 feet; North 65° 51' 44" West 48.25 feet; North 77° 20' 14" West 45.01 feet; North 83° 47' 15" West 50.82 feet; North 86° 13' 26" West 134.80 feet to a point on the East line of the above described tract; thence North 2.04 feet to the point of beginning of the right of way hereby described.

Tract Two:

A tract of land in the Northeast ¼ of the Northeast ¼ of Section 13, Township 4 South, Range 11 West, Colbert County, Alabama, and being more particularly described as follows: Commence at the Northeast corner of said Section 13, said point lying in the approximate centerline of Wilson Dam Highway (Alabama Highway #133); thence along the East line of Section 13, South 0° 39' 41" East 568.79 feet to a point; thence South 89° 20' 19" West 60.92 feet to a 2" pipe found at the intersection of the West right of way line of Wilson Dam Highway (120 foot right of way at the section) and the Southernmost line of the Norfolk Southern Railroad property; and the Point of Beginning of the tract of land hereby described; thence along said Norfolk Southern Railroad property line, North 83° 36' 45" West 450.89 feet to an iron pin set (capped typical Jamey Alexander PLS# 24022) in a fence; thence South 275.00 feet to an iron pin set; thence run East to the West right-of-way line of Wilson Dam Highway; thence run North a distance of 275 feet, more or less, to a point on the Southernmost line of Norfolk Southern Railway property to the Point of Beginning of the tract of land hereby described.

Section 3. This Ordinance shall be published as provided by law and a certified copy of same, together with a certified copy of the petition of the property owner, shall be filed with the Probate Judge of Colbert County, Alabama.

Section 4. The territory described in this Ordinance shall become a part of the corporate limits of the City of Muscle Shoals, Alabama upon publication of this Ordinance as provided for and set forth in Section 3 of this Ordinance.

Council Member Hall

seconded the motion and upon said motion being put to a vote a roll call was had and the vote recorded as follows:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the motion for immediate consideration had passed unanimously. Council Member Lockhart moved that the Ordinance be approved. Council Member Hall seconded the motion and upon said motion being put to a vote a roll call was had and the vote recorded as follows:

AYES: Council Member Hall, Council Member Lockhart, Council Member Sockwell,
Council Member Noles

NAYS: None

President Noles announced that the motion for approval of the Ordinance was approved unanimously.

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