

**ORDINANCE NO. 2020-02-17-01**

**AN ORDINANCE TO SELL CITY OWNED PROPERTY PREVIOUSLY LEASED TO THE USPS THAT IS NO LONGER NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHLAND,**

**ALABAMA, AS FOLLOWS:**

**SECTION I:** It is hereby established and declared that the following described real property of the City of Ashland, Alabama, is no longer needed for public or municipal purposes, to wit:

A parcel of land located in the SW 1/4 of the NE 1/4 of Section 20, Township 20 South, Range 8 East, Clay County, Alabama, described as follows:

Commence at the Northwest corner of that property described in Deed Book F-67, Page 31, in the Probate Office of Clay County, Alabama, said point being on the South right-of-way line of Alabama Highway 9 (East 1<sup>st</sup> Street), being marked by an existing 3-inch pipe; thence run North 89 deg. 07'44" West along the South right-of-way of said Highway 9, a distance of 50.00 feet to the true **POINT OF BEGINNING**; thence continue North 89 deg. 07'44" West along the South right-of-way of said Highway 9, a distance of 200.00 feet to a point; thence deflect to the left and run South 01 deg. 34' 49" West, a distance of 317.40 feet to a point on the North right-of-way line of 2<sup>nd</sup> Avenue South (East Church Street) to an existing 1-inch pipe; thence deflect to the left and run along the North right-of-way of said 2<sup>nd</sup> Avenue South and along a curve to the left, having a radius of 393.54 feet, tangent of 104.38 feet along a chord to said curve, having a bearing of North 75 deg. 58'38" East, a distance of 201.78 feet to a point; thence deflect to the left and continue to run along the North right-of-way of said 2<sup>nd</sup> Avenue South, on a bearing of North 61 deg. 04'29" East, for a distance of 10.28 feet to a point; thence run North 00 deg. 52'16" East, a distance of 260.40 feet to the **POINT OF BEGINNING**; situated, lying and being in Clay County, Alabama, and being subject to any easement rights for the existing power and telephone lines across the West side of the property, and containing 1.39 acres, more or less.

Subject to all easements of record.

**SECTION II:** The City of Ashland, Alabama, having previously agreed with the UNITED STATES POSTAL SERVICE to construct and lease a building for use as a local Post Office for the City of Ashland, Alabama, said lease being for a period of twenty (20) years beginning on March 11, 2000 and ending on March 10, 2020, for the annual rental sum of Seventy Eight Thousand and NO/100 Dollars (\$78,000.00) with the right of the postal authority to purchase said land at the end of the term for the sum of Ten and NO/100 Dollars (\$10.00), it is hereby declared that it be in the interest of the public and the City of Ashland, Alabama to sell said real property to the **UNITED STATES POSTAL SERVICE, an independent establishment of the Executive Branch of the Government of the United States**, for said sum as agreed, and to convey said property by a Warranty Deed, a copy of which is on file in the City Clerk's Office.

**SECTION III.** Pursuant to the authority granted by Section 11-47-20 of the *Code of Alabama of 1975*, the mayor of the City of Ashland, Alabama, is hereby directed to execute said Warranty Deed in the name of the City of Ashland, Alabama.

**SECTION IV:** This ordinance shall become effective immediately upon its adoption and publication as required by law.

**ADOPTED and APPROVED** this the 17<sup>th</sup> day of February, 2020.

**ATTEST:**

Chelsey Wynn  
**CHELSEY WYNN**  
Its Clerk

**CITY OF ASHLAND, ALABAMA**  
by: Larry J. Fetner  
**LARRY J. FETNER**  
Its Mayor

**CERTIFICATION OF PUBLICATION**

I hereby certify that the attached Ordinance No. 2020-02-17-01, upon roll call vote, was unanimously approved at a regular meeting of the City Council held on the 17<sup>th</sup> day of February, 2020. Said Ordinance was thereafter published by posting at the following locations on the 18<sup>th</sup> day of February, 2020 at 10 o'clock a.m.:

1. Ashland City Hall (Mayor's office);
2. Ashland Public Library;
3. U.S. Post Office in Ashland, Alabama; and
4. By including a copy of said Ordinance on the City of Ashland website.

All notices will remain posted for not less than thirty (30) days after posting.

CERTIFIED this 17<sup>th</sup> day of February, 2020.

**CITY OF ASHLAND, ALABAMA**

by: Chelsey Wynn  
**CHELSEY WYNN**  
City Clerk/Administrator

**THIS INSTRUMENT PREPARED BY:**

John K. Johnson, Attorney at Law, P.C.  
P. O. Box 434  
Rockford, Alabama 35136

**GRANTEE'S ADDRESS:**

United States Postal Service  
Attn: RE & A  
P. O. Box 27497  
Greensboro, NC 27498-1103

STATE OF ALABAMA            )  
  )  
COUNTY OF CLAY            )

**WARRANTY DEED**

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of Ten and NO/100 Dollars (\$10.00), the receipt and sufficiency of which is hereby acknowledged, the **CITY OF ASHLAND, ALABAMA, an Alabama Municipal Corporation**, herein referred to as Grantor, does grant, bargain, sell and convey unto **THE UNITED STATES POSTAL SERVICE, an independent establishment of the Executive Branch of the Government of the United States**, its successors and assigns, herein referred to as Grantee, the following described real estate situated in Clay County, Alabama, to-wit:

A parcel of land located in the SW 1/4 of the NE 1/4 of Section 20, Township 20 South, Range 8 East, Clay County, Alabama, described as follows:

Commence at the Northwest corner of that property described in Deed Book F-67, Page 31, in the Probate Office of Clay County, Alabama, said point being on the South right-of-way line of Alabama Highway 9 (East 1<sup>st</sup> Street), being marked by an existing 3-inch pipe; thence run North 89 deg. 07'44" West along the South right-of-way of said Highway 9, a distance of 50.00 feet to the true **POINT OF BEGINNING**; thence continue North 89 deg. 07'44" West along the South right-of-way of said Highway 9, a distance of 200.00 feet to a point; thence deflect to the left and run South 01 deg. 34' 49" West, a distance of 317.40 feet to a point on the North right-of-way line of 2<sup>nd</sup> Avenue South (East Church Street) to an existing 1-inch pipe; thence deflect to the left and run along the North right-of-way of said 2<sup>nd</sup> Avenue South and along a curve to the left, having a radius of 393.54 feet, tangent of 104.38 feet along a chord to said curve, having a

bearing of North 75 deg. 58'38" East, a distance of 201.78 feet to a point; thence deflect to the left and continue to run along the North right-of-way of said 2<sup>nd</sup> Avenue South, on a bearing of North 61 deg. 04'29" East, for a distance of 10.28 feet to a point; thence run North 00 deg. 52'16" East, a distance of 260.40 feet to the **POINT OF BEGINNING**; situated, lying and being in Clay County, Alabama, and being subject to any easement rights for the existing power and telephone lines across the West side of the property, and containing 1.39 acres, more or less.

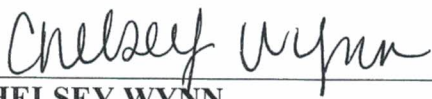
Subject to all easements of record.

**TO HAVE AND TO HOLD** to the Grantee, its successors and assigns forever.


And the Grantor does for itself and for its successors and assigns, covenant with the Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the **CITY OF ASHLAND, ALABAMA, an Alabama Municipal Corporation**, by its Mayor, **LARRY J. FETNER**, who is authorized to execute this conveyance, has hereto set his signature and seal, this 17<sup>th</sup> day of February, 2020.

**ATTEST:**

  
\_\_\_\_\_  
**CHELSEY WYNN**  
Its Clerk

**CITY OF ASHLAND, ALABAMA**  
**An Alabama Municipal Corporation**

by:   
\_\_\_\_\_  
**LARRY J. FETNER**  
Its Mayor

STATE OF ALABAMA            )  
  )  
COUNTY OF CLAY            )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **LARRY J. FETNER**, whose name as Mayor of the **CITY OF ASHLAND, ALABAMA, an Alabama Municipal Corporation**, 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, in his capacity as said Mayor and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 17<sup>th</sup> day of February, 2020.

CHELSEY WYNN  
NOTARY PUBLIC, ALABAMA STATE AT LARGE  
MY COMMISSION EXPIRES OCT. 01, 2023

Chelsey Wynn  
Notary Public

**REAL ESTATE SALES VALIDATION INFORMATION**

Property Address:           83280 Highway 9, Ashland, Alabama 36251  
Grantee's Address:         United States Postal Service, Attn: RE&A, P. O. Box 27497, Greensboro, NC 27498-1103  
Grantor's Address:         83183 Highway 9, Ashland, Alabama 36251  
Appraisal Value:           \$375,000.00

The Grantor herein, by its signature to this deed, certifies that the above information is true and correct.