

ORDINANCE NO. 2022-03-07-01

AN ORDINANCE APPROVING A LAND SWAP WITH THE CLAY COUNTY ECONOMIC DEVELOPMENT COUNCIL PURSUANT TO THE AUTHORITY OF SECTIONS 11-47-20, 11-54-22, AND 11-92A-21, CODE OF ALABAMA (1975).

WHEREAS, the City of Ashland (“City”) engaged in a land swap with the Clay County Economic Development Council (“EDC”) on or about May 7, 2012 pursuant to which the City transferred to the EDC approximately three (3) acres of surplus real property in exchange for accepting from the EDC title to a parcel of land, approximately 1.24 acres in size, which was intended to become a second entrance to the City’s Industrial Park;

WHEREAS, the City has not developed the 1.24 acre parcel into a second entrance into the City’s Industrial Park;

WHEREAS, the City has obtained a grant for the development of the second entrance into the City’s Industrial Park, but said entrance needs to be placed in a location other than the 1.24 acre parcel referenced above;

WHEREAS, the City desires to convey to the EDC and the EDC desires to accept from the City the said 1.24 acre parcel in exchange for the EDC conveying to the City an alternative parcel located nearby, approximately 1.17 acres in size, to be developed into the second entrance for the City’s Industrial Park;

WHEREAS, said consideration for this exchange appears to be fair and reasonable and will promote a convenient and safe entrance into the City’s Industrial Park;

WHEREAS, Section 11-47-20 of the Code of Alabama, 1975, as amended, authorized a municipality’s governing body to dispose of any of its real property not needed for public or municipal purposes and to direct the mayor to convey title thereto upon passage of the Ordinance authorizing said disposal;

WHEREAS, Section 11-54-22, Code of Alabama (1975) and authorizes a municipality's governing body to acquire land for the purpose of developing a municipal industrial park, and Section 11-92A-21, Code of Alabama (1975), similarly authorizes a municipality to transfer and convey to a county's industrial development authority real property, with or without consideration.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ASHLAND, ALABAMA AS FOLLOWS:

Section 1. That the following real property is not needed for public or municipal purposes:

Tract B located in the SW 1/4 of the SW 1/4 of Section 15 and small portion in the NW 1/4 of the NW 1/4 of Section 22, T-20-S, R-8-E:

Commencing at an existing concrete monument found marking the purported NW Comer of the NW 1/4 of the NW 1/4 of Section 22; T-20- S; R-8-E Clay County, Alabama; thence S 88°21'36" E a distance of 495.14 ft. to an iron pin found (rebar); thence S 78°45'43" E a distance of 463.72 ft. to an iron pin found (capped JBW&T); thence N 85°15'42" E a distance of 219.87 ft. to an iron pin set and the Point of Beginning of the hereafter described Tract B; thence N 85°15'42" E a distance of 120.00 ft. to an iron pin set; thence N 04°44'20" W a distance of 290.36 ft. to an iron pin set; thence N 30°15'15" E a distance of 122.07 ft. to an iron pin set on the Southerly ROW of Alabama State Hwy #9; thence along said ROW bearing S 85°15'44" W a distance of 260.00 ft. to an iron pin set; thence leaving said ROW bearing S 39°43'48" E a distance of 122.07 ft. to an iron pin set; thence S 04°44'15" E a distance of 290.36 ft. to an iron pin set and the Point of Beginning, containing 1.24 ACRES, more or less.

Section 2. In exchange for a conveyance from the City of title to the property described in Section 1, above, the Clay County Economic Development Council has advised the City it will convey to the City that certain real property located in Clay County, Alabama, which is more particularly described as follows:

Commence at a 4x4 concrete monument, for the Southwest corner of Section 15, Township 20 South, Range 8 East, of the Huntsville Meridian, Clay County, Alabama; thence S 89°15'46" E a distance of 495.21' to a found 1/2" rebar at a fence corner; thence S 79°39'33" E a distance of 311.16' to a 1/2" capped rebar, stamped Jackson CA-615, set for the POINT OF BEGINNING; thence continue S 79°39'33" E a distance of 124.75' to a 1/2" capped rebar, stamped Jackson CA-615, set; thence N 05°39'23" W a distance of 282.56' to a 1/2" capped rebar, stamped Jackson CA-

615, set; thence N 29°16'35" E a distance of 122.17' to a 1/2" capped rebar, stamped Jackson CA-615, set on the Southerly right of way of Alabama Highway #9 (60' ROW); thence proceed along said right of way the following: S 84°20'32" W a distance of 78.97' to a 1/2" rebar found; thence S 84°22'04" W a distance of 181.01' to 1/2" capped rebar, stamped Jackson CA-615, set on said right of way; thence, leaving said right of way, proceed S 40°39'34" E a distance of 122.28' to a 1/2" capped rebar, stamped Jackson CA-615, set; thence S 05°38'50" E a distance of 248.25' back to the POINT OF BEGINNING, having an area of 1.17 acres more or less.

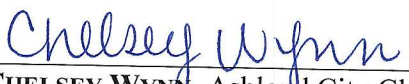
Section 3. Pursuant to the authority contained in Sections 11-47-20 and 11-92A-21, Code of Alabama (1975), the City Council of the City of Ashland, Alabama does, upon the terms and conditions herein stated, hereby authorize the conveyance of that certain real property described in Section 1, above, to the Clay County Economic Development Council and further authorizes the Mayor, upon receipt of a deed from the Clay County Economic Development Council vesting in the City of Ashland, Alabama title to the real property described in Section 2, above, to execute the deed and other associated documents on behalf of the City of Ashland, Alabama.

Section 4. This Ordinance shall be published by posting copies thereof in three (3) places within the municipality, one of which shall be at the post office. Said Ordinance shall take effect five (5) days after posting.

ADOPTED and APPROVED this the 21st day of March, 2022.

ATTEST:

CITY OF ASHLAND, ALABAMA



CHELSEY WYNN, Ashland City Clerk



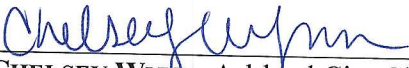
LARRY J. FETNER, its Mayor

STATE OF ALABAMA)
COUNTY OF CLAY)

CERTIFICATE OF CLERK

As the duly appointed, qualified, and acting Clerk of the City of Ashland, Alabama, I certify that the foregoing constitutes a complete, verbatim copy of Ordinance No. 2022-03-07-01 approving the disposal of certain real property of the City of Ashland, Alabama by conveyance to the Clay County Economic Development Council pursuant to the authority of Section 11-47-20, Code of Alabama (1975), among others. The original ordinance is on file and of record in the minute book of the City Council in my custody. This Ordinance was approved and adopted at a regular City Council meeting held on March 7, 2022.

IN WITNESS WHEREOF, I have hereunto set my hand as Clerk of the City of Ashland and have affixed the official seal of the City of Ashland, this the 21st day of March, 2022.



CHELSEY WYNN, Ashland City Clerk