

**Vestavia Hills
City Council Agenda
April 27, 2015
5:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Kelly Garner, Vestavia Hills Resident
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Presentation – Child Care Resources – Joan Wright
7. City Manager’s Report
8. Councilors’ Reports
9. Financial Reports – Melvin Turner, III, Finance Director/City Treasurer
10. Approval of Minutes – April 13, 2014 (Regular Meeting) and April 16, 2015 (Work Session)

Old Business

11. Resolution Number 4699 – Annexation – 90-Day – 2437 Rocky Ridge Road; Lot 1, Buckhead, 1st Sector; Michael and Caroline Allen, owners (*public hearing*)
12. Ordinance Number 2562 – Annexation – Overnight – 2437 Rocky Ridge Road; Lot 1, Buckhead, 1st Sector; Michael and Caroline Allen, owners (*public hearing*)
13. Resolution Number 4700 – Annexation – 90-Day – 3609 Settlers Lane, Part of Estate #6, JP Westbrook Estates; Joseph D. West, Owner (*public hearing*)
14. Ordinance Number 2563 – Annexation – Overnight – 3609 Settlers Lane, Part of Estate #6, JP Westbrook Estates; Joseph D. West, Owner (*public hearing*)
15. Resolution Number 4701 – Annexation – 90-Day – 2330 Jacobs Road; Anna Steele Properties, LLC, Owner (*public hearing*)
16. Ordinance Number 2564 - Conditional Use Approval For A Home Occupation For Interior Design At The Residence Located At 798 Provence Drive, Lot 1011, Provence – Phase II; Michele Hoytink, Owner (*public hearing*)
17. Ordinance Number 2480-A – An Ordinance Amending Ordinance Number 2480 To Grant A 1-Year Extension Of A Home Occupation (*public hearing*)

New Business

18. Resolution Number 4705 – A Resolution Appointing A Member To The Vestavia Hills School Board
19. Resolution Number 4706 - A Resolution Declaring Certain Personal Property As Surplus And Directing The Sale And/Or Disposition Of Said Property
20. Resolution Number 4707 – A Resolution Authorizing The City Manager On Behalf Of The City Of Vestavia Hills Emergency Communication District (“ECD”) To Execute And Deliver An Agreement And Assignment Of Excess Cost Recovery Funds And The Alabama Statewide 911 Board (“Board) Concerning The ANGEN Project

New Business (Requesting Unanimous Consent)

21. Resolution Number 4708 - A Resolution Amending Resolution Number 4696 Authorizing The City Manager To Take All Actions Necessary To Demolish A Structure (*public hearing*)
22. Resolution Number 4709 – A Resolution Authorizing The City Manager To Accept A Quote For Landscape Architecture Services For The New Roadway Project Located Adjacent To Vestavia Hills Cahaba Heights Elementary School (*public hearing*)

First Reading (No Action Taken At This Meeting)

23. Resolution Number 4710 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement For Financial Advisory Services For The City Of Vestavia Hills, Alabama (*public hearing*)
24. Resolution Number 4711 – Annexation – 90-Day – 2501 Dolly Ridge Road; Lots 31 and the West 50’ of Lot 29, Rocky Ridge Estates; David Acton Building Corporation; Jordan Huffstetler, Representing (*public hearing*)
25. Resolution Number 4712 – Annexation – 90-Day – 4711 Caldwell Mill Road; Virginia Acton, Owner; Jordan Huffstetler, David Acton Building Corporation; Representing (*public hearing*)
26. Ordinance Number 2567 – An Ordinance Of The City Of Vestavia Hills To Establish A Procedure For The Abatement Of Grass And Weeds And For The Prosecution Of Grass And Weeds Violations
27. Citizens Comments
28. Motion For Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

APRIL 13, 2015

The City Council of Vestavia Hills met in regular session on this date at 5:00 PM. The Mayor called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Alberto C. Zaragoza, Jr.
Steve Ammons, Mayor Pro-Tem
George Pierce
John Henley

MEMBERS ABSENT:

Jim Sharp

OTHER OFFICIALS PRESENT:

Patrick H. Boone, City Attorney
Jeff Downes, City Manager
Rebecca Leavings, City Clerk
Melvin Turner, Finance Director
George Sawaya, Deputy Treasurer
Danny Rary, Police Chief
Jim St. John, Fire Chief
Terry Ray, Asst. Fire Chief
Greg Gilchrist, Fire Marshal
Brian Davis, Public Services Director
Christopher Brady, City Engineer
Taneisha Tucker, Library Director

Invocation was given by Steve Gaydosh, Vestavia Hills High School Wrestling coach, followed by the Pledge of Allegiance.

Mr. Ammons thanked Coach Gaydosh for all his years of coaching at the High School and indicated how much he's done for the teams he has coached.

ANNOUNCEMENTS, GUEST RECOGNITION, CANDIDATES

- The Mayor welcomed Luke Zimmerman, 1927 Mission Road, to the meeting. Luke was in attendance working on a Boy Scout merit badge.
- Mr. Henley stated that six applications were received for an upcoming vacancy on the Vestavia Hills Board of Education from the following: Anita Turner, Shera

Grant, Patrick Dewees, Angie Saia, Kimberly Cook and Allison Miller. He announced that interviews would begin at 8 AM on Wednesday, April 15 in the North Conference Room.

PROCLAMATION

The Mayor presented a Proclamation designating April 28, 2015 as “A Day of Prayer and Thanksgiving.” Mr. Downes read the proclamation and stated that the Mayor’s Annual Prayer Breakfast is scheduled for April 28, 2015. Tickets are available.

CITY MANAGER REPORT

- Mr. Downes gave an update on the Meadowlawn buyout project.
- Mr. Downes announced that the Rotary’s First Responder picnic is scheduled for April 25. Tickets are on sale. The event is held annually to recognize the excellent work of the City’s first responders.
- Mr. Downes asked Ms. Tucker to give details on Casino Night.
 - Ms. Tucker, Library Director, stated that Casino Night is scheduled for April 25 from 7 to 10 PM at the Library. She stated this is a huge event sponsored by PALS and invited everyone to attend.

COUNCILOR REPORTS

- The Mayor stated that “Art in the Hills” is scheduled for this Saturday at the City Center. He stated that 47 artists attended the event last year and they expect this year’s to be even larger. He invited everyone to attend.
- The 2015 Decorator’s Showhouse is at the Upton Estate located at 2780 Altadena Drive. Shuttles are provided from nearby designated areas to take visitors to the home.
- Mr. Henley asked about an update on the Southern Gateway project. Mr. Downes explained that it’s virtually finished with the exception of some of the maintenance.
- Mr. Henley asked about an update on the resurfacing of Highway 31. Mr. Brady stated that ALDOT has indicated that they should be finished in a few weeks, but the rain and weather conditions might continue to hold them up.

APPROVAL OF MINUTES

The minutes of Approval of Minutes – March 19, 2015 (Work Session) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of March 19, 2015 (Work Session) and approve them as presented was by Mr. Ammons and second by Mr. Pierce. Roll call vote as follows:

Mr. Pierce – abstained	Mr. Henley – abstained
Mr. Ammons – yes	Mayor Zaragoza – yes motion carried.

The minutes of Approval of Minutes – March 23, 2015 (Regular Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of March 23, 2015 (Regular Meeting) and approve them as presented was by Mr. Pierce and second by Mr. Ammons. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes motion carried.

OLD BUSINESS

RESOLUTION NUMBER 4690

Resolution Number 4690 – Vacation – Storm Sewer Easement – 513 Montgomery Highway, City of Vestavia Hills, Owner (*public hearing*)

MOTION Motion to approve Resolution Number 4690 was by Mr. Henley and second was by Mr. Pierce.

Mr. Downes stated that this Resolution vacates a storm drain easement that runs under this building in order to allow a subdivide of the City’s property for eventual sale. He stated that the City Engineer has reviewed the request and recommends approval.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes motion carried.

RESOLUTION NUMBER 4692

Resolution Number 4692 – Annexation – 90-Day – 3400 Kettering Lane; Lot 16, Ridgedell Park; Natan and Lindsey Shar, Owner(s) (*public hearing*)

MOTION Motion to approve Resolution Number 4692 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes stated that this begins the 90-day annexation of this property.

Mr. Pierce gave the report from the Annexation Committee which found no adverse information on this property.

Mr. and Mrs. Shar were present in regard to the request.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

ORDINANCE NUMBER 2559

Ordinance Number 2559 – Annexation – Overnight – 3400 Kettering Lane; Lot 16, Ridgedell Park; Natan and Lindsey Shar, Owner(s) (*public hearing*)

MOTION Motion to approve Ordinance Number 2559 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes stated that this is the overnight annexation of the same property.

Ms. Leavings explained the differences between the Overnight and the 90-Day annexations and why the City does both processes for annexation.

Mr. Boone stated that he recommends doing both for most properties so that no challenges can be brought on the City's annexation.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

RESOLUTION NUMBER 4693

Resolution Number 4693 – Annexation – 90-Day – 3405 Sagewood Trail; Lot 23-A; Resurvey of Lots 21, 22 and 23, Sagewood; Donald and April Winningham, Owner(s) (public hearing)

MOTION Motion to approve Resolution Number 4693 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes stated that this begins the 90-day annexation of this property.

Mr. Pierce gave the report from the Annexation Committee which found no adverse information on this property.

Mr. and Mrs. Winningham were present in regard to the request.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

ORDINANCE NUMBER 2560

Ordinance Number 2560 – Annexation – Overnight – 3405 Sagewood Trail; Lot 23-A; Resurvey of Lots 21, 22 and 23, Sagewood; Donald and April Winningham, Owner(s) (public hearing)

MOTION Motion to approve Ordinance Number 2560 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes stated that this is the overnight annexation of the same property.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes
	motion carried.

RESOLUTION NUMBER 4694

Resolution Number 4694 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement With Nall Partnership LTD Regarding The Annexation Of Altadena Valley Country Club (*public hearing*)

MOTION Motion to approve Resolution Number 4694 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes stated that this agreement is with the owners of the Altadena Country Club to allow the City to do due diligence on the possible gifting of property within the Country Club along with the development of some residential and commercial by a developer. The explained that further down on the agenda will be two Resolutions to retain a planning company and an environmental company to assist in this due diligence.

Charlie Beavers, Bradley Arant, was present representing the owners. He indicated that this agreement is with the property owners.

The Mayor opened the floor for a public hearing.

The following individuals addressed the Council regarding this issue:

- Leslie Haynes, Lakeland Circle;
- Martin Evans, 2105 Mountain View Drive;
- Ward Neeley, 428 Glenwood Road;
- Jordan Hufstedler, 2600 Lakeland Trail.

Concerns included issues such as flooding of the property, specifics of the agreement and due diligence, the desired end result and timeline for answering specifics of the project.

Mr. Downes answered the questions and indicated that nothing is known until the issue is studied. The due diligence period extends until May 28.

There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes

Mr. Ammons – yes

Mr. Henley – yes

Mayor Zaragoza – yes
motion carried.

NEW BUSINESS

RESOLUTION NUMBER 4697

Resolution Number 4697 – A Resolution Authorizing The Mayor And City Manager To Execute And Deliver An Agreement To Share Responsibilities With Jefferson County And Birmingham For Right-Of-Way Improvements To Sicard Hollow Road From Blue Lake Road To Rex Lake Road

MOTION Motion to approve Resolution Number 4697 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes explained that this is a joint agreement with the City of Birmingham and Jefferson County to resurface Sicard Hollow Road. He stated that negotiations have ended with Vestavia Hills paying 15% of the cost of design, bidding and construction.

Discussion ensued as to adding a turn lane at the City parks, etc.

There being no one else to address the Council concerning this request, the Mayor called for the question.

Mr. Pierce – yes
Mr. Ammons – yes
Mr. Henley – yes
Mayor Zaragoza – yes
motion carried.

ORDINANCE NUMBER 2565

Ordinance Number 2565 – Annual Tax Levy For Properties Located In The City Of Vestavia Hills In Jefferson County, Alabama

MOTION Motion to approve Ordinance Number 2565 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Downes explained that this is the annual tax levy to allow the Jefferson County Tax Collector to assess and collect municipal taxes on behalf of the City.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes
Mr. Ammons – yes
Mr. Henley – yes
Mayor Zaragoza – yes
motion carried.

ORDINANCE NUMBER 2566

Ordinance Number 2566 – Annual Tax Levy For Properties Located In The City Of Vestavia Hills In Shelby County, Alabama

MOTION Motion to approve Ordinance Number 2566 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes explained that this is the annual tax levy to allow the Shelby County Tax Collector to assess and collect municipal taxes on behalf of the City.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes

motion carried.

NEW BUSINESS (REQUESTING UNANIMOUS CONSENT)

The Mayor opened the floor for unanimous consent for the immediate consideration and action on the proposed Resolution Numbers 4702, 4703 and 4704.

MOTION Motion for unanimous consent for the immediate consideration and action of Resolution Numbers 4702, 4703 and 4704 was by Mr. Henley and second was by Mr. Pierce. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Ammons – yes	Mayor Zaragoza – yes

motion carried.

RESOLUTION NUMBER 4702

Resolution Number 4702 – A Resolution Authorizing The City Manager To Repair And/Or Replace A Collapsed Drainage Pipe Between The Baseball Fields At Wald Park (*public hearing*)

MOTION Motion to approve Resolution Number 4702 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Brady stated that a drainage pipe located between two of the City's ballfields has collapsed. Repairs are estimated at \$10,000 to allow City employees to reroute the drainage piping around the fields.

Mr. Henley asked about issues with leaving the older pipes in place.

Mr. Brady stated that there is the potential for problems later on, but they are minute.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, he closed the floor and asked for the question.

Mr. Pierce – yes

Mr. Henley – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

motion carried.

RESOLUTION NUMBER 4703

Resolution Number 4703 – A Resolution Authorizing The City Manager To Accept A Proposal From Holcombe Norton Partners (HNP) For Site Study Of Altadena Country Club (*public hearing*)

MOTION Motion to approve Resolution Number 4703 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes explained that this Resolution would retain Holcombe Norton Partners to provide a site study of Altadena Country Club (“ACC”) and to work in concert with Goodwyn Mills and Cawood as requested in the next Resolution,. GMC would do the engineering, environmental and add planning services to the due diligence of ACC.

The Mayor asked if they would verify the floodway with “boots on the ground” and not just use mapping.

Mr. Downes stated that they have actually got some time scheduled to tour the grounds.

The Mayor opened the floor for a public hearing. There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Mr. Pierce – yes

Mr. Henley – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

motion carried.

RESOLUTION NUMBER 4704

Resolution Number 4704 – A Resolution Authorizing The City Manager To Accept A Proposal From Goodwyn Mills And Cawood (“GMC”) For Due Diligence And Planning Services For The Redevelopment Of Altadena Country Club (*public hearing*)

MOTION Motion to approve Resolution Number 4704 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Downes explained that this Resolution would retain Goodwyn Mills and Cawood (“GMC”) to do the engineering, environmental and planning services for the due diligence of the ACC.

Chris Eckroate, GMC, explained the terms of the agreement and the services they will provide.

The Mayor opened the floor for a public hearing.

Martin Evans, Mountainview Drive, asked about the cost of the agreement.

Mr. Downes stated that it will not exceed \$50,000.

There being no one to address the Council concerning this request, the Mayor closed the floor and asked for the question.

Mr. Pierce – yes

Mr. Henley – yes

Mr. Ammons – yes

Mayor Zaragoza – yes
motion carried.

FIRST READING (NO ACTION TO BE TAKEN AT THIS MEETING)

The Mayor stated that the following Resolutions and/or Ordinances will be presented at a public hearing at the Council’s next regularly scheduled meeting on April 27, 2015 at 5 PM.

- Resolution Number 4698 – Annexation – 90-Day – 2606 Acton Road; Lot 5, Altadena Valley Country Club Fairway Sector (Less And Except That Portion Taken As I-459 ROW); Jennifer S. Weldon, Owner (*public hearing*)
- Ordinance Number 2561 – Annexation – Overnight – 2606 Acton Road; Lot 5, Altadena Valley Country Club Fairway Sector (Less And Except That Portion Taken As I-459 ROW); Jennifer S. Weldon, Owner (*public hearing*)
- Resolution Number 4699 – Annexation – 90-Day – 2437 Rocky Ridge Road; Lot 1, Buckhead, 1st Sector; Michael and Caroline Allen, owners (*public hearing*)

- Ordinance Number 2562 – Annexation – Overnight – 2437 Rocky Ridge Road; Lot 1, Buckhead, 1st Sector; Michael and Caroline Allen, owners (*public hearing*)
- Resolution Number 4700 – Annexation – 90-Day – 3609 Settlers Lane, Part of Estate #6, JP Westbrook Estates; Joseph D. West, Owner (*public hearing*)
- Ordinance Number 2563 – Annexation – Overnight – 3609 Settlers Lane, Part of Estate #6, JP Westbrook Estates; Joseph D. West, Owner (*public hearing*)
- Resolution Number 4701 – Annexation – 90-Day – 2330 Jacobs Road; Anna Steele Properties, LLC, Owner (*public hearing*)
- Ordinance Number 2564 - Conditional Use Approval For A Home Occupation For Interior Design At The Residence Located At 798 Provence Drive, Lot 1011, Provence – Phase II; Michele Hoytink, Owner (*public hearing*)
- Ordinance Number 2480-A – An Ordinance Amending Ordinance Number 2480 To Grant A 1-Year Extension Of A Home Occupation

CITIZENS COMMENTS

David Wheeler, Crossgate Place, asked if any discussion would be taken tonight for the annexation on Jacobs Road.

The Mayor stated that is first reading business and the public hearing will be at the next meeting.

EXECUTIVE SESSION

The Mayor stated that the Council needed to step into Executive Session for an estimated 1 ½ hours to discuss: (1) pending litigation and (2) competing economic development issues. He verified through Mr. Boone those were legitimate reasons to call an Executive Session. Mr. Boone concurred.

The Council exited the Chamber and entered into Executive Session at 6:17 PM. At 7:56 PM the Council re-entered the Chamber and the Mayor called the meeting back to order.

MOTION Motion to adjourn was by Mr. Henley and second was by Mr. Pierce. Meeting adjourned at 8:00 PM.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
CITY COUNCIL
WORK SESSION
MINUTES
APRIL 16, 2015

The City Council of Vestavia Hills met in a work session on this date at 5:00 PM following posting/publishing pursuant to Alabama law. The Mayor called the work session to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Alberto C. Zaragoza, Jr.
George Pierce
John Henley
Jim Sharp

MEMBERS ABSENT:

Steve Ammons, Mayor Pro-Tem

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Rebecca Leavings City Clerk
Terry Ray, Asst. Fire Chief
Marvin Green, Asst. Fire Chief
Jimmy Coleman, Compliance Officer
Lori Beth Kearley, Asst. City Engineer

The Mayor called the work session to order.

Ashley Handley, Williams Blackstock, gave the Council information concerning the Council furnishings in the new City Hall along with the executive conference room.

The Mayor gave updates on the following:

- Digital signage in the City and discussion of possible “tweaks” to the City sign code;
- Enforcement of the City’s sign code; and
- Possible annexation of Glenwood near Liberty Park.

Mr. Downes gave updates on the following:

- Proposed Ordinance to street cutting - Ms. Kearley gave the highlights of the proposed ordinance.
- Highlights of the proposed surety program to replace the City’s current certificate of deposit system; and
- A new proposed weed ordinance and compliance system.

- Officer Coleman discussed possible revisions in the City's Animal Control Ordinance since it is now housed in the Police Department.

There being no further business, the meeting adjourned at 6:25 PM.

Alberto C. Zaragoza, Jr.
Mayor

Attested by:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4699

**A RESOLUTION PROPOSING THE ANNEXATION
OF CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE CITY OF VESTAVIA HILLS,
ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated October 1, 2014, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 27th day of April, 2015; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 29th day of April, 2015.

2. That on the 10th day of August, 2015, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4699 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

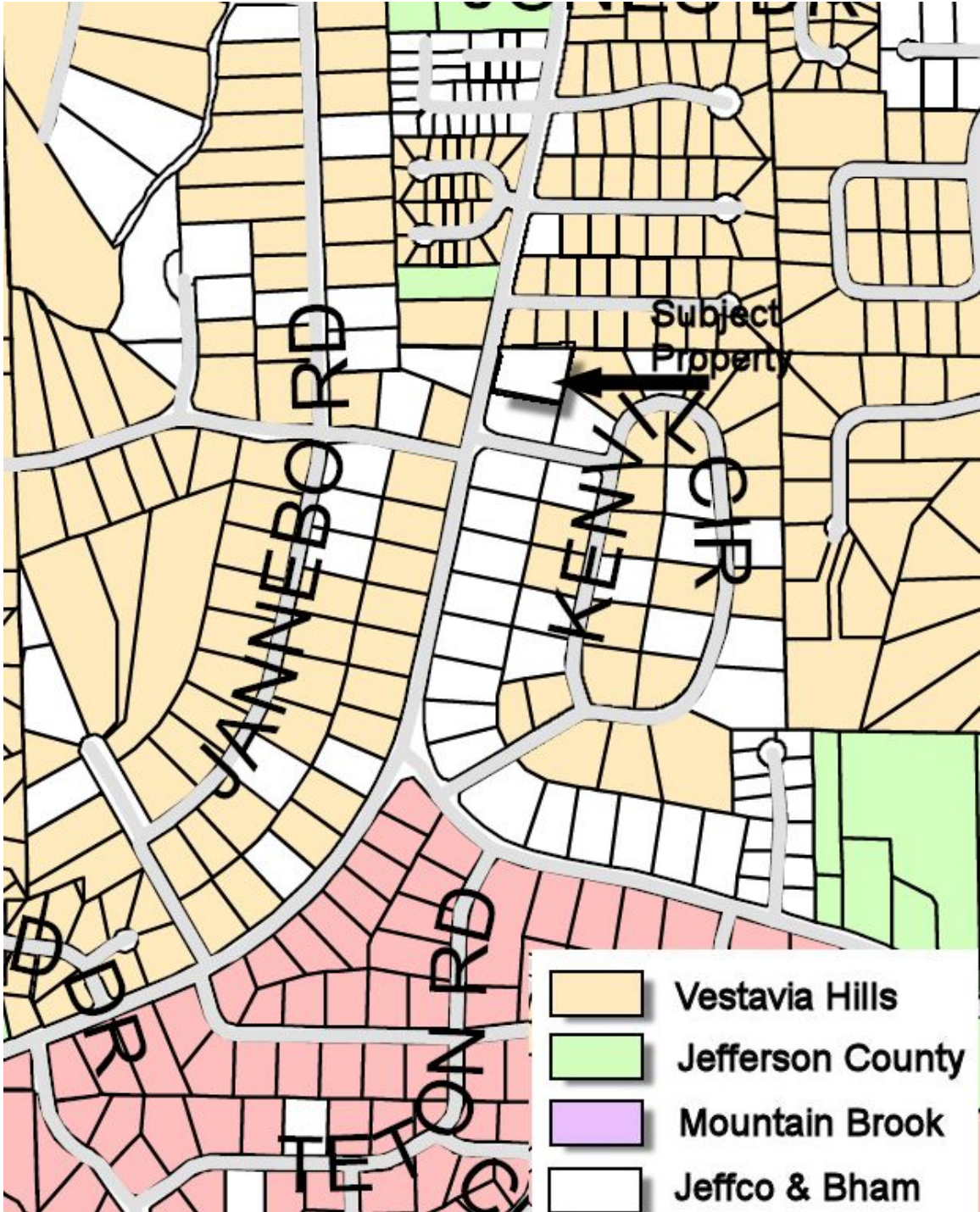
2437 Rocky Ridge Road
Lot 1, Buckhead 1st Sector (MB 31/MP 93)
Michael and Caroline Allen, Owner(s)

APPROVED and ADOPTED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2437 Rocky Ridge Road

Owners: Michael and Caroline Allen

Date: 3-12-15

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 212,000.; Meets city criteria: Yes No
Comment: N/A
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes multiple Number in city multiple
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2437 Rock Ridge Rd


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes _____ No Comments: _____

11. Information on children: Number in family 2; Plan to enroll in VH schools Yes _____ No Comments: _____

Other Comments: _____



George Pierce
Chairman

SUMMARY

PARCEL #: 40 00 05 2 001 001.000
OWNER: ALLEN MICHAEL T & CAROLINE H
ADDRESS: 2437 ROCKY RIDGE RD VESTAVIA AL 35243-2852
LOCATION: 2437 ROCKY RIDGE RD BHAM AL 35243
 << Prev Next >> [1 / 0 Records] Processing...
Tax Year: 2014
SALES **BUILDINGS** **LAND** **SUMMARY**
MAPS **PHOTOGRAPHS**

ASSESSMENT

PROPERTY CLASS: 3
OVER 65 CODE:
EXEMPT CODE: 2-2
MUN CODE: 02 COUNTY
SCHOOL DIST: EXM OVERRIDE \$0.00
AMT: 50.1
DISABILITY CODE: 0
HS YEAR:
EXM OVERRIDE: 0
TOTAL MILLAGE: 50.1
CLASS USE: BLDG 001
PREV YEAR VALUE: \$258,400.00 BOE VALUE: 0
TAX SALE:
FOREST ACRES: 0
MARKET VALUE:
CU VALUE:
PENALTY:
ASSESSED VALUE:

TAX INFO

CLASS	MUNICODE	ASSD. VALUE	TAX EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	\$27,200	\$176.80	\$4,000	\$150.80
COUNTY	3	\$27,200	\$367.20	\$2,000	\$340.20
SCHOOL	3	\$27,200	\$223.04	\$0	\$223.04
DIST SCHOOL	3	\$27,200	\$0.00	\$0	\$0.00
CITY	3	\$27,200	\$0.00	\$0	\$0.00
FOREST	3	\$0	\$0.00	\$0	\$0.00
SPC SCHOOL1	3	\$27,200	\$138.72	\$0	\$138.72
SPC SCHOOL2	3	\$27,200	\$456.96	\$0	\$456.96
TOTAL FEE & INTEREST: (Detail)					\$5.00
ASSD. VALUE: \$27,200.00					\$1,362.72
GRAND TOTAL: \$1,314.72					FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201361-16462	4/10/2013	12/18/2014	2014	ALLEN MICHAEL T & CAROLINE H	\$1,314.72
200607-10246	04/21/2006	1/17/2014	2013	TANNER ALLEN	\$1,246.58
200413-5362	09/09/2004	2/14/2013	2012	ALLEN MICHAEL T	\$1,246.58
9711-7292	10/02/1997	20111214	2011	***	\$1,259.61
		20101221	2010	***	\$1,259.61
		20091231	2009	***	\$1,259.61
		20081231	2008	***	\$1,270.16

STATE OF ALABAMA

JEFFERSON COUNTY

**PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA**

Date of Petition: 10-1-2014

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in JEFFERSON County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: 1

BLOCK: _____

SURVEY: Survey of Buckhead

RECORDED IN MAP BOOK 31, PAGE 93 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: Jefferson

COMPATIBLE CITY ZONING: Vestavia

LEGAL DESCRIPTION (METES AND BOUNDS):

Lot 1, Survey of Buckhead, 1st Sector,
Map Book 31, Page 93.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>Caroline H. Allen</u>	Lot <u>1</u> Block _____ Survey <u>Buckhead</u>
<u>Michael T. Allen</u>	Lot <u>1</u> Block _____ Survey <u>Buckhead</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

JEFFERSON COUNTY

Caroline H. Allen + Michael T. Allen being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Caroline H. Allen
Signature of Certifier

Subscribed and sworn before me this the 1st day of October

Theresa C. Heaton
Notary Public



My commission expires: 10-1-17

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION
1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): Caroline + Michael Allen
Address: 2437 Rocky Ridge Rd
City: _____ State: _____ Zip: _____

Information on Children:

none

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

ORDINANCE NUMBER 2562

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Michael and Caroline Allen dated October 1, 2014, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2437 Rocky Ridge Road
Lot 1, Buckhead 1st Sector (MB 31/MP 93)
Michael and Caroline Allen

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published in a newspaper of general circulation in the City of Vestavia Hills, Alabama.

APPROVED and ADOPTED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

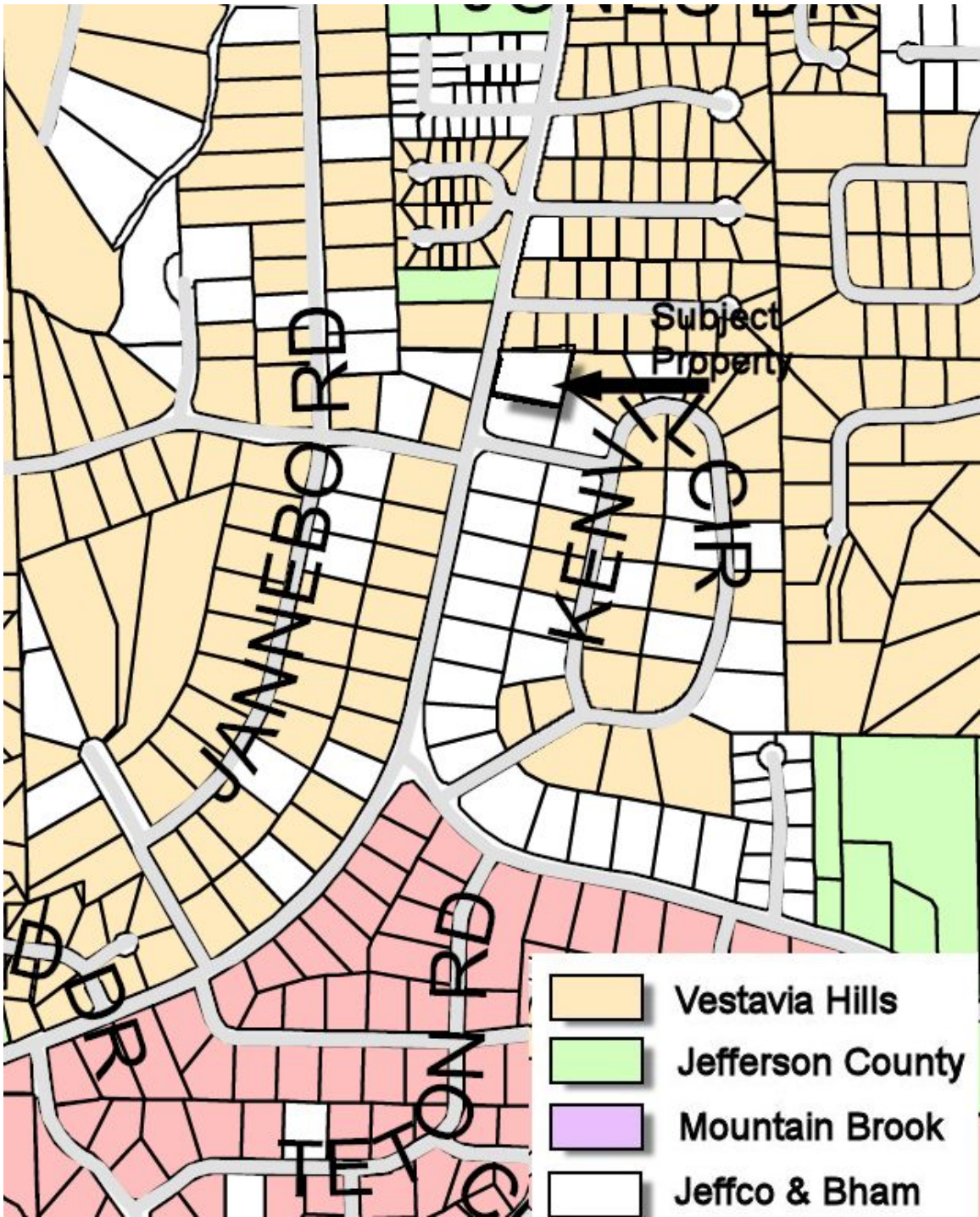
Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2562 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 27th day of April, 2015, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 4700

**A RESOLUTION PROPOSING THE ANNEXATION
OF CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE CITY OF VESTAVIA HILLS,
ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated February 10, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 27th day of April, 2015; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 29th day of April, 2015.

2. That on the 10th day of August, 2015, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4700 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

3609 Settlers Lane
Part of Estate #6, JP Westbrook Estates
Joseph D. West, Owner(s)

More particularly described as follows:

Part of Estate #6, according to the map and survey of J.P. Westbrook Estates, recorded in Map Book 27, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama, being more particularly described as follows: Commence at the Northwest corner of said Estate #6; thence Southerly along the West line thereof 641.02 feet, to the point of beginning of the part herein described; thence continue on the last name course 200 feet, thence 89 degrees 45' to the right in an Easterly direction 99.06 feet to the right-of-way of Westwood Drive and the intersection of a curve which radius is 35 feet and subtended by a central angle of 156 degrees 41' to the right thence along the arc of said curve 97.71 feet to the point of reverse curve which radius is 35 feet and subtended by a central angle of 31 degrees 00' to the left, thence along the arc of said curve 18.94 feet to the point of tangent to said curve; thence along tangent to curve 180.74 feet; thence 126 degrees 41' to the left in a Northerly direction 300 feet, thence 87 degrees 54' to the left in a Westerly direction 320.43 feet to the point of beginning.

APPROVED and ADOPTED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 3609 Settlers Lane

Owners: Joseph D. West

Date: 3-12-15

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments Roadway is narrow and in poor condition
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 427,900. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 10 Number in city 3
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 3609 Settlers Lane


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes No _____ Comments: N. S. WILSON ROAD way in poor condition

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 33 2 001 035.000
OWNER: WEST JOSEPH D
ADDRESS: 3609 SETTLERS LANE BIRMINGHAM AL 35243
LOCATION: 3609 SETTLERS LN AL 35243

[111-C+] Baths: 3.5 H/C Sqft: 3,299
 18-013.0 Bed Rooms: 3 Land Sch: A114
 Land: 179,300 Imp: 248,600 Total: 427,900
 Acres: 0.000 Sales Info: 05/15/2012
\$215,000

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2013
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$179,250
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$303,300.00 BOE VALUE: 0

CLASS 2
CLASS 3
 BLDG 001 111 \$248,600

TOTAL MARKET VALUE [APPR. VALUE: \$427,900]: \$427,850
 Assesment Override:

MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$42,800	\$278.20	\$4,000	\$26.00	\$252.20
COUNTY	3	2	\$42,800	\$577.80	\$2,000	\$27.00	\$550.80
SCHOOL	3	2	\$42,800	\$350.96	\$0	\$0.00	\$350.96
DIST SCHOOL	3	2	\$42,800	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$42,800	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$42,800	\$218.28	\$0	\$0.00	\$218.28
SPC SCHOOL2	3	2	\$42,800	\$719.04	\$0	\$0.00	\$719.04

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$42,800.00

\$2,144.28

GRAND TOTAL: \$2,096.28

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201213-18340	5/15/2012	12/31/2014	2014	JOSEPH WEST	\$2,096.28
6141-1	05/14/1970	12/31/2013	2013	JOSEPH WEST	\$2,096.28
614-1	05/14/1970	11/5/2012	2012	JOSEPH D WEST	\$3,054.07
		20120503	2011	***	\$3,324.43
		20110415	2010	***	\$3,298.69
		20100108	2009	***	\$1,314.34
		20081217	2008	***	\$1,321.11
		20071226	2007	***	\$1,121.39

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 2 / 10 / 2015

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

Joseph West

205 - 427 - 4800

Josephwest @ allstate . com

EXHIBIT "A"

LOT: 35

BLOCK: PART OF ESTATE #6

SURVEY: J.P. WESTBROOK ESTATES

RECORDED IN MAP BOOK 27, PAGE 14 IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: E1

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Part of Estate #6, according to the map and survey of J.P. Westbrook Estates, recorded in Map Book 27, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama, being more particularly described as follows: Commence at the Northwest corner of said Estate #6; thence Southerly along the West line thereof 641.02 feet, to the point of beginning of the part herein described; thence continue on the last named course 200 feet, thence 89°45' to the right in an Easterly direction 99.06 feet to the right of way of Westwood Drive and the intersection of a curve which radius is 35 feet and subtended by a central angle of 156°41' to the right, thence along the arc of said curve 97.71 feet to the point of reverse curve which radius is 35 feet and subtended by a central angle of 31°00' to the left, thence along the arc of said curve 18.94 feet to the point of tangent to said curve; thence along tangent to curve 180.74 feet; thence 126°41' to the left in a Northerly direction 300 feet, thence 87°54' to the left in a Westerly direction 320.43 feet to the point of beginning.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Joseph D. West</u>	Lot	Block	Survey	Part of Estate to JP Westbrook estates
<u>Allison West</u>	Lot	Block	Survey	Part of Estate to JP Westbrook estates
_____	Lot	Block	Survey	_____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

JEFFERSON COUNTY

Joseph D. West being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Joseph D. West
Signature of Certifier

Subscribed and sworn before me this the 12 day of February, 2015.

Patricia Ann Chondler
Notary Public

My commission expires: 09/18/2018



EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

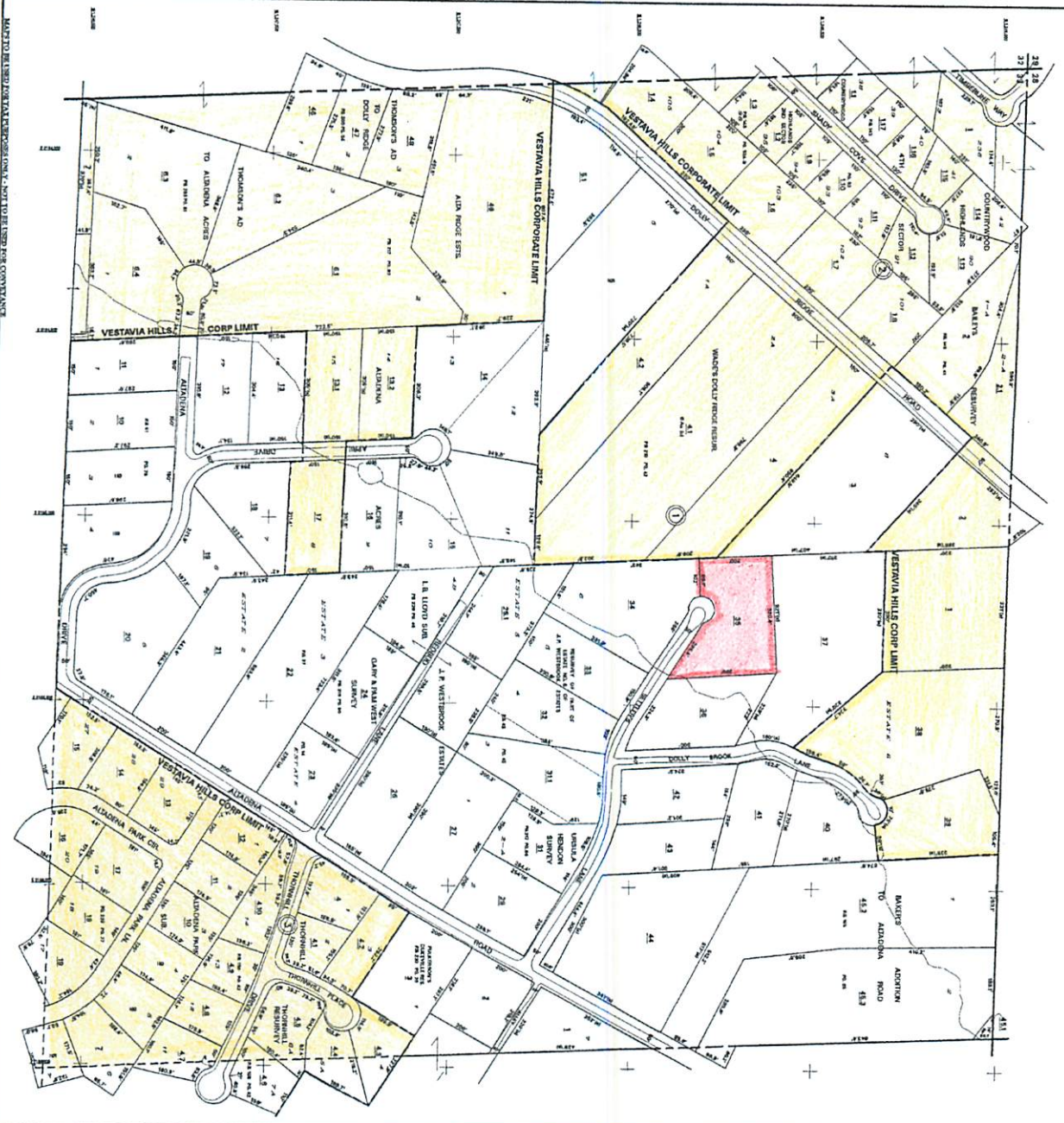
Name(s) of Homeowner(s): Allison + Joseph West
Address: 3609 Settlers Lane
City: Birmingham State: Alabama Zip: 35243

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Joseph West Jr.	4		✓	
2.	Elizabeth West	2		✓	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". 2016



MAP TO BE USED FOR THE PURPOSES OF THE ALBANY ROAD CORP. LIMIT

OWNERSHIP MAP
JEFFERSON
 COUNTY

STATE OF ALABAMA
 DEPARTMENT OF REVENUE
 PROPERTY TAX DIVISION
 JEFFERSON COUNTY TAX ASSESSOR OFFICE
 N.W. BRENDA TAYLOR, ASSESSOR
 A.A. SMITH, ASSESSOR AT LARGE



Jefferson County Commission
 1000 North Main Street
 Tallapoosa, Alabama 36905
 Phone: 205-368-1234
 Fax: 205-368-1235



TOWNSHIP LOCATION

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

SUB-METRE FEET

1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

LEGEND

- CONTRACT LINE
- CITY LIMIT LINE
- PROPERTY LINE
- RIGHT-OF-WAY LINE
- ADJACENT PROPERTY
- ADJACENT COUNTY
- ADJACENT TOWNSHIP
- ADJACENT WATER
- ADJACENT ROAD
- ADJACENT RAILROAD
- ADJACENT AIRPORT
- ADJACENT PARK
- ADJACENT SCHOOL
- ADJACENT CHURCH
- ADJACENT SYNAGOGUE
- ADJACENT TEMPLE
- ADJACENT MONASTERY
- ADJACENT CONVENT
- ADJACENT MANSION
- ADJACENT CASTLE
- ADJACENT PALACE
- ADJACENT VILLA
- ADJACENT HOUSE
- ADJACENT APARTMENT
- ADJACENT GARAGE
- ADJACENT DRIVE
- ADJACENT WALKWAY
- ADJACENT BIKEWAY
- ADJACENT TRAIL
- ADJACENT PATH
- ADJACENT BRIDGE
- ADJACENT TUNNEL
- ADJACENT DAM
- ADJACENT LEVEE
- ADJACENT DIKE
- ADJACENT FENCE
- ADJACENT HEDGE
- ADJACENT WALL
- ADJACENT BARRIER
- ADJACENT OBSTACLE
- ADJACENT HAZARD
- ADJACENT DANGER
- ADJACENT WARNING
- ADJACENT SIGN
- ADJACENT MARKER
- ADJACENT MONUMENT
- ADJACENT MILESTONE
- ADJACENT BEACON
- ADJACENT LIGHT
- ADJACENT SOUND
- ADJACENT SIGNAL
- ADJACENT MESSAGE
- ADJACENT INFORMATION
- ADJACENT ADVERTISEMENT
- ADJACENT NOTICE
- ADJACENT ANNOUNCEMENT
- ADJACENT STATEMENT
- ADJACENT DECLARATION
- ADJACENT PLEDGE
- ADJACENT VOW
- ADJACENT OATH
- ADJACENT PROMISE
- ADJACENT GUARANTEE
- ADJACENT WARRANTY
- ADJACENT CONTRACT
- ADJACENT AGREEMENT
- ADJACENT UNDERSTANDING
- ADJACENT ARRANGEMENT
- ADJACENT DEALING
- ADJACENT TRANSACTION
- ADJACENT BUSINESS
- ADJACENT OPERATION
- ADJACENT ACTIVITY
- ADJACENT PASTIME
- ADJACENT HOBBY
- ADJACENT INTEREST
- ADJACENT PASTIME
- ADJACENT HOBBY
- ADJACENT INTEREST

GIS 2012

ORDINANCE NUMBER 2563

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by Joseph D. West dated February 10, 2015, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

3609 Settlers Lane
Part of Estate #6, JP Westbrook Estates
Joseph D. West

More particularly described as follows:

Part of Estate #6, according to the map and survey of J.P. Westbrook Estates, recorded in Map Book 27, Page 14, in the Office of the Judge of Probate of Jefferson County, Alabama, being more particularly described as follows: Commence at the Northwest corner of said Estate #6; thence Southerly along the West line thereof 641.02 feet, to the point of

beginning of the part herein described; thence continue on the last name course 200 feet, thence 89 degrees 45' to the right in an Easterly direction 99.06 feet to the right-of-way of Westwood Drive and the intersection of a curve which radius is 35 feet and subtended by a central angle of 156 degrees 41' to the right thence along the arc of said curve 97.71 feet to the point of reverse curve which radius is 35 feet and subtended by a central angle of 31 degrees 00' to the left, thence along the arc of said curve 18.94 feet to the point of tangent to said curve; thence along tangent to curve 180.74 feet; thence 126 degrees 41' to the left in a Northerly direction 300 feet, thence 87 degrees 54' to the left in a Westerly direction 320.43 feet to the point of beginning.

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published in a newspaper of general circulation in the City of Vestavia Hills, Alabama.

APPROVED and ADOPTED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2563 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 27th day of April, 2015, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 4701

**A RESOLUTION PROPOSING THE ANNEXATION
OF CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE CITY OF VESTAVIA HILLS,
ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated February 12, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 27th day of April, 2015; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 29th day of April, 2015.

2. That on the 10th day of August, 2015, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4701 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2330 Jacobs Road
Anna Steele Properties LLC, Owner(s)

A parcel of land situated in the Southwest quarter of the Northwest quarter of Section 36 Township 18 South, Range 3 West, Jefferson County, Alabama, being more particularly described as follows:

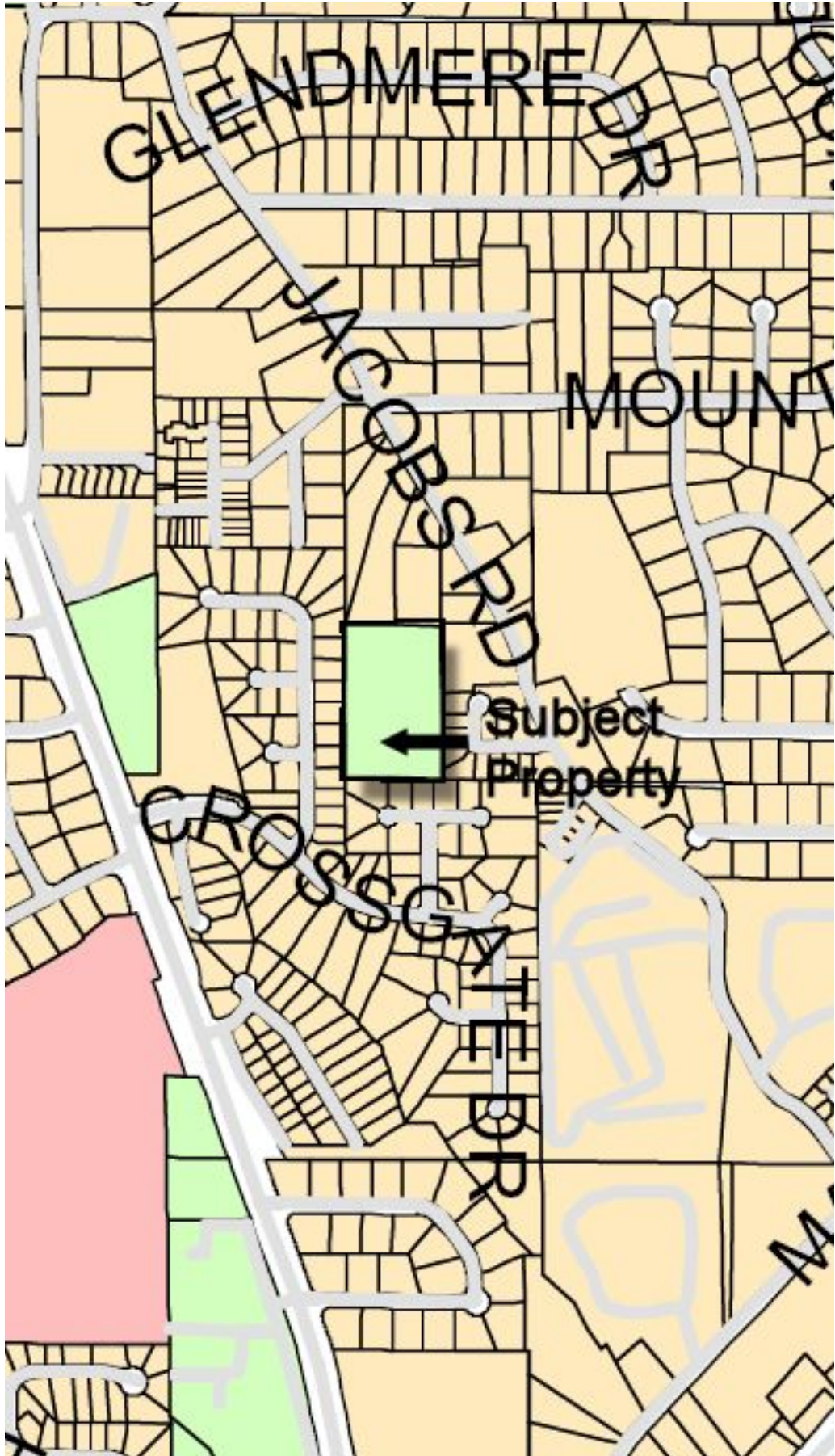
Beginning at found capped rebar marking the Southwest corner of Lot 6-A, A Resurvey of Lots 6&7, Senior Citizen Estates as recorded in the Office of Judge of Probate in Jefferson County, Alabama in Map Book 179, Page 71, said point also being on the North line of Crossgate Subdivision Second Sector as recorded in the Office of the Judge of Probate in Jefferson County, Alabama in Map Book 152, Page 41; thence run north 89 degrees 18 minutes 35 seconds west along said north line for a distance of 338.52 feet to a found $\frac{3}{4}$ " rebar said point being on the East line of a Resurvey of Lots 32-41, Crossgate First Sector as recorded in the Office of the Judge of Probate, Jefferson County, Alabama in Map Book 148, Page 17; thence run North 00 degrees 42 minutes 30 seconds west along the west line of said Subdivision for a distance of 539.82 feet to a found capped rebar; thence leaving said subdivision run South 89 Degrees 42 Minutes 11 Seconds East for a distance of 170.17 feet to a found 1" crimped pipe marking the Southwest corner of the Weavers Addition to Jacobs Road Subdivision as recorded in Map Book 188, Page 91; thence run South 89 degrees 01 Seconds 06 minutes east for a distance of 158.30 feet to a found pk nail; thence run South 88 degrees 07 minutes 27 seconds east for a distance of 5.67 feet to a set capped rebar stamped CA-560LS; thence run South 01 degrees 18 minutes 49 Seconds east for a distance of 2.07 feet to a found $\frac{1}{2}$ " rebar; thence run North 73 degrees 04 minutes 29 seconds east for a distance of 4.15 feet to a point; thence run South 00 degrees 44 minutes 36 seconds east for a distance of 539.12 feet to the Point of Beginning. Said parcel containing 182,815 square feet or 4.20 acres more or less.

APPROVED and ADOPTED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2330 Jacobs Road

Owners: Anna Steele Properties LLC (Jordy Henson developer)

Date: 3-12-15

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of _____. Meets city criteria: Yes No
Comment: N/A
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes _____ Number in city N/A
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2330 Jacobs Rd.


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation. Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials. Yes No _____ Comment _____

10. Are there any concerns from city departments? Yes _____ No Comments: _____

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No _____ Comments: N/A

Other Comments: Land to be developed
Preliminary lay-out meets Approval


George Pierce
Chairman

PARCEL #: 29 00 36 2 002 013.000
OWNER: ANNA STEELE PROPERTIES LLC
ADDRESS: PO BOX 590069 BIRMINGHAM AL 35259-0069
LOCATION: 2330 JACOBS RD BHAM AL 35216

Baths: **0.0** H/C Sqft: **0**
 Bed Rooms: **0** Land Sch: **A114**
 Land: **135,100** Imp: **0** Total: **135,100**
 Acres: **0.000** Sales Info: **\$0**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2014

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$0
 LAND VALUE 20% \$135,130
 CURRENT USE VALUE [DEACTIVATED] \$0
 TOTAL MARKET VALUE [APPR. VALUE: \$135,100]: \$135,130
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

CLASS USE:

FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$135,100.00 BOE VALUE: 0

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$27,020	\$175.63	\$0	\$0.00	\$175.63
COUNTY	2	1	\$27,020	\$364.77	\$0	\$0.00	\$364.77
SCHOOL	2	1	\$27,020	\$221.56	\$0	\$0.00	\$221.56
DIST SCHOOL	2	1	\$27,020	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$27,020	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$27,020	\$137.80	\$0	\$0.00	\$137.80
SPC SCHOOL2	2	1	\$27,020	\$453.94	\$0	\$0.00	\$453.94

TOTAL FEE & INTEREST: (Detail) \$15.00

ASSD. VALUE: \$27,020.00

\$1,353.70

GRAND TOTAL: \$1,368.70

FULLY PAID

DEEDS

INSTRUMENT NUMBER

[200809-2703](#)

DATE

07/23/2008

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
10/27/2014	2014	IOLTA ACCOUNT	\$1,368.70
1/31/2014	2013	RITCHEY GEREGORY S	\$1,368.70
10/30/2012	2012	GREGORY AND PAIGE RITCHEY	\$1,368.70
20111109	2011	***	\$1,368.70
20101231	2010	***	\$1,589.14
20091231	2009	***	\$1,589.14
20081119	2008	***	\$1,595.15
20080421	2007	***	\$763.98
20070100	2006	***	\$663.52

*Army Deed \$1,000
 \$1,700*

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 2/12/15

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

JORDY HENSON
613-1805

EXHIBIT "A"

2330 Jacobs Road, Vestavia Hills, AL 35216

LOT: 29-00-36-2-002-013.000 (Parcel ID - Property is Acreage)

BLOCK: N/A

SURVEY: N/A

RECORDED IN MAP BOOK N/A, PAGE N/A IN THE
PROBATE OFFICE OF JEFFERSON COUNTY, ALABAMA.

COUNTY ZONING: R-1

COMPATIBLE CITY ZONING: R-9

LEGAL DESCRIPTION (METES AND BOUNDS):

A parcel of land situated in Southwest quarter of the Northwest quarter of Section 36 Township 18 south Range 3 west Jefferson County Alabama, being more particularly described as follows.

Beginning at found capped rebar marking the Southwest corner of lot 6-A, A Resurvey of Lots 6&7 Senior Citizens Estates as recorded in the Office of Judge of Probate in Jefferson County, Alabama in MB. 179 PG. 71, said point also being on the North line of Crossgate Subdivision Second Sector as recorded in the Office of Judge of Probate in Jefferson County, Alabama in MB. 152 Pg.41; thence run North 89 Degrees 18 Minutes 35 Seconds West along the said north line for a distance of 338.52 feet to a found ¾" rebar said point being on the East line of A Resurvey of Lots 32-41 Crossgate First Sector as recorded in the Office of Judge of Probate in Jefferson County, Alabama in MB. 148 Pg. 17; thence run North 00 Degrees 42 Minutes 30 Seconds West along the west line of said Subdivision for a distance of 539.82 feet to a found capped rebar; thence leaving said subdivision run South 89 Degrees 42 Minutes 11 Seconds East for a distance of 170.17 feet to a found 1" crimped pipe marking the Southwest corner of the Weavers Addition to Jacobs Road Subdivision as recorded in Plat Book 188, Page 91; thence run South 89 Degrees 01 Seconds 06 Minutes East for a distance of 158.30 feet to a found pk nail; thence run South 88 Degrees 07 Minutes 27 East Seconds for a distance of 5.67 feet to a set capped rebar stamped CA-560LS; thence run South 01 Degrees 18 Seconds 49 Seconds East for a distance of 2.07 feet to a found ½" rebar; Thence run North 75 degrees 04 Minutes 29 Seconds East for a distance of 4.15 feet to a point; thence run South 00 degrees 44 Minutes 36 Seconds East for a distance of 539.12 feet to the POINT OF BEGINNING. Said parcel containing 182,815 square feet or 4.20 acres more or less.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
By <u>Gregory S. Patey as Manager of Anna Steele Properties, LLC</u>	Described on Exhibit A
<u>Et Manager</u>	2330 Jacobs Road, Vestavia Hills, AL 35216
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

JEFFERSON COUNTY

Gregory S. Patey as Manager of Anna Steele Properties, LLC being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Anna Steele Properties, LLC
By Gregory S. Patey
Et Manager
Signature of Certifier

Subscribed and sworn before me this the 12th day of February, 20 15.

Stephan L. Marsa
Notary Public

My commission expires: 3-11-15



ANNA STEELE PROPERTIES, LLC
1910 28th Avenue South
Birmingham, Alabama 35209
(205) 271-3105

Honorable Mayor Alberto C. Zaragoza, Jr.
City Council of Vestavia Hills, Alabama
City of Vestavia Hills
513 Montgomery Hwy
Vestavia Hills, AL 35216

Re: Annexation of Property

Dear Mayor Zaragoza and Council Members:

The undersigned is a manager of Anna Steele Properties, LLC. Please find attached a Petition for Annexation to the City of Vestavia Hills, Alabama, which will be contingent upon the closing on the sale of the subject property by the purchaser, HES Investments, LLC, or its assigns. Please further be advised that all expenses related to the annexation will be the responsibility of HES Investments, LLC, or its assigns, pursuant to an agreement between HES Investments, LLC, or its assigns, and Anna Steele Properties, LLC.

Respectfully submitted,

ANNA STEELE PROPERTIES, LLC

Gregory S. Ritchey
Its Manager

GSR/slm
Enclosure

ORDINANCE NUMBER 2564

**AN ORDINANCE GRANTING A CONDITIONAL USE
APPROVAL FOR A HOME OCCUPATION**

WHEREAS, on October 16, 2000 the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 1838 creating and establishing a P.U.D. (planned unit development) classification; and

WHEREAS, on February 19, 2001 the City Council of the City of Vestavia Hills adopted and approved Ordinance Number 1864 to rezone 3,350 +/- acres from multiple Jefferson County and Vestavia Hills zoning classifications to Vestavia Hills P.U.D.; and

WHEREAS, Section 709.5.A.1.b of Ordinance Number 1838 classifies a “home occupation” permitted only as a “Conditional Use” and

WHEREAS, Ms. Michele Hoytink has submitted application for conditional use approval for a home occupation to be operated in her residence located at 798 Provence Drive, Vestavia Hills, Alabama located in the Liberty Park P.U.D.; and

WHEREAS, Ms. Hoytink has indicated in her application for conditional use approval that she will operate her interior design business out of her home pursuant to the specifications of a home occupation; and

WHEREAS, a copy of said application dated January 13, 2015 is attached and hereby incorporated into this Ordinance Number 2564.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. Condition Use Approval is hereby approved for Ms. Michele Hoytink for a home occupation as described in the above-referenced application for her residence located at 798 Provence Drive, Vestavia Hills, Alabama located in

Liberty Park P.U.D. subject to the provisions outlined in Article 9 of the Vestavia Hills Zoning Code outlined as follows:

- (1) “Home occupation is defined as any use customarily conducted entirely within a dwelling and carried on solely by the inhabitant thereof, and which use is clearly incidental, accessory, subordinate and secondary to the use of the dwelling for dwelling purposes, and does not change the character of the dwelling itself or any part of parcel of property in the neighborhood surrounding said dwelling.
- (2) Home occupations shall be conducted only in the main dwelling building on the lot. No more than twenty-five percent (25%) of the said dwelling may be used for a home occupation.
- (3) There shall be no public display of goods and absolutely no commodities sold on the premises.
- (4) No sign may be attached to the dwelling or any part of the real estate advertising any home occupation.
- (5) No home occupation or profession shall be permitted if such occupation creates noise, odors, vibrations or traffic which interferes with the residential qualities of the neighborhood insofar as health, safety, morals, convenience and general welfare are concerned.
- (6) In order to be a permitted home occupation or profession, the use must be one which is habitually, customarily and commonly established as a reasonable incidental, accessory, subordinate and secondary use.

- (7) Operation of any and all other business of any nature in residential zones is expressly prohibited; and
- (8) The activity carried on as home occupation shall be limited to the hours between 7:00 AM and 10:00 PM.”
2. Conditional Use Approval is further conditioned upon and subject to all applicable private and restrictive covenants attached to the property located at 798 Provence Drive, Vestavia Hills, Alabama located in the Liberty Park P.U.D.
 3. A City of Vestavia Hills Business License shall be issued upon application and payment by Ms. Hoytink working subject to the rules and regulations outlined in the Vestavia Hills Business License Code and shall be renewed each year that the home occupation is operated from the location at 798 Provence Drive, Vestavia Hills, Alabama located in the Liberty Park P.U.D.
 4. At any time should Ms. Michele Hoytink vacate the premises located at 798 Provence Drive, Vestavia Hills, Alabama, discontinue or relocate her business, this conditional use approval shall be nullified and said Ordinance Number 2564 shall be automatically repealed.

ADOPTED and APPROVED this the 27th day of April, 2015.

Alberto C. Zaragoza
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2564 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 27th day of April, 2015 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal, Vestavia Hills Library in the Forest, Vestavia Hills New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: MARCH 12, 2015

- **CASE:** P-0315-11
- **REQUESTED ACTION:** Conditional Use Approval for a home based business
- **ADDRESS/LOCATION:** 798 Provence Dr.
- **APPLICANT/OWNER:** Michele Hoytink. 798 Provence Dr., Vestavia Hills
- **GENERAL DISCUSSION:** The applicant wishes to conduct a home based business in Liberty Park. As required by the Liberty Park PUD a conditional use permit is required for a home based business. Applicant indicates that only paperwork, phone calls, drawings, and research be done at residence. Liberty Park has submitted four requested conditions:
 1. There shall be no customers, client or employee traffic to, at or near the residence that is generated, directly or indirectly, by the home occupation;
 2. There shall be no pick-ups or deliveries to the residence that are related, directly or indirectly, to the home occupation, including without limitation, pick-ups and deliveries by overnight courier services and pick-ups and deliveries of inventory, samples or other goods and services related, directly or indirectly, to the home occupation;
 3. There shall be no signage on the property related, directly or indirectly, to the home occupation; and
 4. In all respects, there shall be no means, visual or otherwise, by which a casual observer would become aware that the residence is being used for any purpose other than strictly residential.

The property is zoned PR-1.

- **LIBERTY PARK MASTER PLAN:** This request is consistent with the procedures of the Liberty Park PUD.
- **STAFF REVIEW AND RECOMMENDATION:**
 1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: I recommend the Commission recommend approval with the conditions requested by Liberty Park.

2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request
4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. Gilchrist made a motion to recommend approval of Conditional Use Approval for a home based business at 798 Provence Dr. with the following conditions:

1. There shall be no customers, client or employee traffic to, at or near the residence that is generated, directly or indirectly, by the home occupation;
2. There shall be no pick-ups or deliveries to the residence that are related, directly or indirectly, to the home occupation, including without limitation, pick-ups and deliveries by overnight courier services and pick-ups and deliveries of inventory, samples or other goods and services related, directly or indirectly, to the home occupation;
3. There shall be no signage on the property related, directly or indirectly, to the home occupation; and
4. In all respects, there shall be no means, visual or otherwise, by which a casual observer would become aware that the residence is being used for any purpose other than strictly residential.

Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes	Mr. Brooks – yes
Mr. Sharp – yes	Mr. Wolfe – yes
Mr. Gilchrist – yes	Mr. Burrell – yes
Mr. Larson – yes	Motion carried.

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

- (1) The Vestavia Hills Planning and Zoning Commission meets regularly on the second Thursday of each month at 6:00 PM in Council Chambers at the Municipal Center.
- (2) All materials and information relating to a zoning/rezoning request or conditional use approval before the Planning and Zoning Commission must be submitted to the Office of the City Clerk no later than **25 working days prior to the scheduled meeting at which it shall be considered**. All information relating to Preliminary Map approvals must be submitted to the Office of the City Clerk no later than 20 days prior to the scheduled meeting at which is shall be considered. All information relating to Final Map approvals must be submitted to the Office of the City Clerk no later than 15 days prior to the scheduled meeting at which it is to be considered.
- (3) This application must be filled out in its entirety complete with zip codes.
- (4) All applicable fees shall accompany this application prior to its being considered complete. Fees include an application fee of \$100.00 along with applicable postage per property owner to be notified for Commission meeting. Fees may also include notification fees for City Council meeting and publication fees which will be billed to applicant at a later date. ***No permits will be issued until all fees have been paid.*
- (5) Appropriate plats and maps with proper legal description shall accompany this application. **Please refer to attached checklist.**

II. APPLICANT INFORMATION: (owner of property)

NAME: MICHELE HOYTINK

ADDRESS: 798 PROVENCE DRIVE

VESTAVIA HILLS, AL 35242

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 757.585.8789 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: _____

2015 JAN 13 P 12:36

III. ACTION REQUESTED

Request that the above described property be approved conditional use approval pursuant to Section _____ of the Vestavia Hills Zoning Code.

Current Zoning of Property: _____

Requested Conditional use For the intended purpose of: HOME OFFICE

(Example: From "VH R-1" to "VH O-1" for office building)

if additional information is needed, please attached full description of request

IV. PROPERTY DESCRIPTION: (address, legal, etc.)

798 PROVENCE DRIVE (LOT #1011)

VESTAVIA HILLS, AL 35242

Property size: _____ feet X _____ feet. Acres: _____

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

VI. I do hereby declare the above statements are true and that I, the owner, and/or my duly appointed representative will be at the scheduled hearing.

Michele Hoytink
Owner Signature/Date

Representing Agent (if any)/date

Given under my hand and seal
this 13th day of January, 2015.

Kay Russon
Notary Public My Commission Expires
November 18, 2016

My commission expires _____
day of _____, 20_____



P0315-11//27-9-2-46
798 Provence Drive
Conditional Use
Michele Hoytink

Exhibit A - Ordinance No. 2564

12 January, 2015

Rebecca Leaving, City Clerk
City of Vestavia Hills
Vestavia Hills City Hall
Vestavia Hills, AL 35216

Dear Ms. Leavings:

This letter is to state the purpose of my application for conditional use. I am seeking to start an interior design business and to have my office out of my home. The home office would be intended only for my sole use. I will not be bringing clients to my residence, as I will go to their home or business. After seeing the client at their location, I will return to my residence to conduct paper work, phone calls, drawings and research.

Thank you for understanding my intent to know that I will keep within my community's standards.

Kind Regards,



Michele Hoytink
798 Provence Drive
Vestavia Hills, AL 35242

January 8, 2015

Rebecca Leavings, City Clerk
City of Vestavia Hills
Vestavia Hills City Hall
Vestavia Hills, Alabama 35216

Re: Michele Hoytink
798 Provence Drive
Vestavia Hills, AL 35242

Dear Ms. Leavings:

We are writing in connection with the above matter. We understand Mrs. Michele Hoytink is in the process of applying for a conditional use within the PR-1 (Planned Single-Family Residential) classification of the Liberty Park PUD to allow her to conduct a home occupation as an interior designer in her residence.

We have no objection to the granting of the conditional use to allow a home occupation in this case, provided such use is made subject to the following restrictions:

1. There shall be no customer, client or employee traffic to, at or near the residence that is generated, directly or indirectly, by the home occupation;
2. There shall be no pick ups or deliveries to the residence that are related, directly or indirectly, to the home occupation, including without limitation, pick ups and deliveries by overnight courier services and pick ups and deliveries of inventory, samples or other goods and services related, directly or indirectly, to the home occupation;
3. There shall be no signage on the property related, directly or indirectly, to the home occupation; and
4. In all respects, there shall be no means, visual or otherwise, by which a casual observer would become aware that the residence is being used for any purpose other than strictly residential.

The foregoing restrictions are in keeping with the intent and spirit of the Liberty Park PUD and with the overall plan of development for Liberty Park as addressed in the Covenants, Conditions and Restrictions that are applicable to the subject property.

Rebecca Leavings
January 8, 2015
Page 2

Therefore, we respectfully request that if the Planning and Zoning Commission votes to approve the conditional use applied for in the above referenced matter, such approval will be made subject to the above and foregoing restrictions.

If you have questions or comments regarding this matter, or if we can assist in any other way, please call me at 281-3542.

Very truly yours,

LIBERTY PARK JOINT VENTURE, LLP

By: 

Samuel G. Lowrey, III
Project Manager
and Authorized Representative

cc: Kathryn Carver, Esq.

ORDINANCE NUMBER 2480-A

**AN ORDINANCE AMENDING ORDINANCE NUMBER 2480 FOR
A 1-YEAR EXTENTION ON THE GRANTING A CONDITIONAL
USE APPROVAL FOR A HOME OCCUPATION**

WHEREAS, on October 16, 2000 the City Council of the City of Vestavia Hills, Alabama approved and adopted Ordinance Number 1838 creating and establishing a P.U.D. (planned unit development) classification; and

WHEREAS, on February 19, 2001 the City Council of the City of Vestavia Hills adopted and approved Ordinance Number 1864 to rezone 3,350 +/- acres from multiple Jefferson County and Vestavia Hills zoning classifications to Vestavia Hills P.U.D. (“PUD”); and

WHEREAS, Section 709.5. of Ordinance Number 1838 designates the permitted and conditional uses for PR-1 (Planned Single-Family) zoning designation within the PUD zoning; and

WHEREAS, January 27, 2014, the City Council adopted and approved Ordinance Number 2480 Conditional Use Approval for the use of the residence located at 4751 Liberty Park Lane, Vestavia Hills, Alabama located in the Liberty Park PUD and more particularly described as follows: Lot 879, Amended Map No. 2 of Heritage Hills – Phase 1 as recorded in Map Book 229, Map Page 35 in the Office of the Judge of Probate, Jefferson County, Alabama to operate the model home as a residential information and administrative office for a temporary period; and

WHEREAS, applicants have requested a 1-year extension of said Conditional Use Approval.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. Conditional Use Approval is hereby extended for LPJV for use of a model home as residential sales and administrative offices as described in the above-referenced application for the residence located at 4751 Liberty Park Lane, Vestavia Hills, Alabama located in Liberty Park P.U.D. subject to the following conditions:
 - (1) The conditional use approval is only valid for one-year (365 days) following the effective date of this Ordinance Number 2480-A; and
 - (2) Prior to the reversion of this building to residential use, the structure must be inspected by the Vestavia Hills Building Safety and Inspection Department to ensure proper removal of temporary walls and issuance of a residential Certificate of Occupancy;
 - (3) All additional parking pads are removed and the lawn properly re-landscaped within 30 days of closing said office;
 - (4) No construction materials or any other non-office materials may be stored at this site;
 - (5) All authorized conditional uses shall be strictly limited to visitor center operations and residential sales-related activities and shall not include any construction-related activities; and
 - (6) Operating hours 8 AM-5 PM.

ADOPTED and APPROVED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance # 2480-A is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 27th day of April, 2015 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2015.

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
SYNOPSIS AND STAFF RECOMMENDATION CONCERNING
APPLICATION BEFORE THE PLANNING AND ZONING COMMISSION

Date: MARCH 12, 2015

- **CASE:** P-0315-12
- **REQUESTED ACTION:** One Year Extension of the Conditional Use Approval for the Intended Purpose of a Residential Information and Administrative Office and Model Home
- **ADDRESS/LOCATION:** 4751 Liberty Park Lane
- **APPLICANT/OWNER:** Liberty Park Joint Venture, LLP
100 Vestavia Parkway
Vestavia Hills, AL 35242
205-945-6472
- **REPRESENTING AGENT:** Shawn Arterburn, VP, Development
- **GENERAL DISCUSSION:**
City Council passed Ordinance Number 2480 on 1/27/14 for a sales office and a model home with the following conditions:
 1. The permit is only valid for 365 days after the completion of the model home without further approval from the Vestavia Hills Planning and Zoning Commission and City Council;
 2. Prior to the reversion of this building to residential use, the structure must be inspected by the Vestavia Hills Building Safety Department to ensure proper removal of temporary walls and issuance of a residential Certificate of Occupancy;
 3. All additional parking pads are removed and the lawn properly re-landscaped within 30 of closing said office;
 4. No construction materials or any other non-office materials may be stored at this site;
 5. All authorized conditional uses shall be strictly limited to visitor center operations and residential sales related activities and shall not include any construction related activities;
 6. Operating hours 8 AM-5 PM.

The applicant is nearing the sunset of the CU approval and requests an extension of an additional two years. The applicant is agreeable to the approved conditions remaining. This office has received no complaints since this use has started.

The lot in question is at the intersection of Liberty Park Lane and Heritage Hills Drive in Phase I of the Heritage Hills Subdivision in Liberty Park. The office would have 4 full-time administrative assistants working out of a finished daylight basement and other sales and construction agents meeting potential buyers at the model home. The applicant has added parking pads for 11 additional parking spaces for employees and guests.

- **LIBERTY PARK MASTER PLAN:** This request is consistent with the Master Plan.

- **STAFF REVIEW AND RECOMMENDATION:**

1. **City Planner Review:** I have looked at all of the relevant zoning / subdivision requirements related to this proposal, including application, notification, setbacks, area of lot development, etc. Notification has been sent to property owners pursuant to Alabama law. I have reviewed this request and find it does meet the minimum requirements of the proposed zoning.

City Planner Recommendation: I recommend the Commission continue to add the conditions referenced above.

2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.
3. **City Fire Marshal Review:** I have reviewed the application and I have no issues with this request
4. **Building Safety Review:** I have reviewed the application and have no issues with this request.

MOTION Mr. Sharp made a motion to recommend approval of a **one year extension** Conditional Use Approval for a Residential Information and Administrative Office and Model Home at 4751 Liberty Park Ln. with the following already approved conditions in Ordinance Number 2480. Second was by Mr. Wolfe. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Gilchrist – yes
Mr. Larson – yes

Mr. Brooks – yes
Mr. Wolfe – yes
Mr. Burrell – yes
Motion carried.

RESOLUTION NUMBER 4705

**A RESOLUTION APPOINTING A MEMBER OF
THE VESTAVIA HILLS BOARD OF EDUCATION
FOR A TERM OF FIVE YEARS**

WITNESSETH THESE RECITALS:

WHEREAS, Section 11-16-3, Code of Alabama, 1975, provides that the City Council shall appoint members of the City Board of Education to serve for a term of five (5) years; and

WHEREAS, the five-year term of Kym Prewitt as a member of the Vestavia Hills Board of Education expires at 6:00 PM on June 24, 2015 and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Council does hereby elect and appoint _____ as a member of the Vestavia Hills Board of Education for a term of five (5) years, beginning with the first regularly scheduled meeting of the Vestavia Hills Board of Education in June at 6:00 p.m. and ending at 6:00 p.m. on the date of the first regularly scheduled meeting of the Board in June of the year 2020; and

2. This Resolution shall become effective upon the approval and adoption by the City Council of the City of Vestavia Hills, Alabama.

RESOLVED, DONE, ORDERED, APPROVED and ADOPTED, on this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4706

**A RESOLUTION DETERMINING THAT CERTAIN
PERSONAL PROPERTY IS NOT NEEDED FOR
PUBLIC OR MUNICIPAL PURPOSES AND
DIRECTING THE SALE/DISPOSAL OF SAID
SURPLUS PROPERTY**

WITNESSETH THESE RECITALS

WHEREAS, the City of Vestavia Hills, Alabama, is the owner of personal property detailed in the attached “Exhibits A, B and C”; and

WHEREAS, the City has determined that it would be in the best public interest to sell said property.

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

1. The City Manager is hereby authorized to sell and/or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 4706 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**VESTAVIA HILLS FIRE DEPARTMENT
513 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216
(205) 978-0225
(205) 978-0205 (FAX)**

**JAMES R. ST. JOHN
FIRE CHIEF**

MEMORANDUM

TO: Jeff Downes, City Manager
FROM: Jim St. John, Fire Chief
DATE: April 21, 2015
RE: Surplus equipment

The Police Department has transferred to the Fire Department a 2012 Ford F-250 that was the former animal control vehicle. I recommend that the SWAB, Model ARF95 animal storage box Serial #6407, property tag #1257 be sold as surplus.

I also recommend that the City Council authorize you to sell or dispose of the above-referenced property in order to obtain the best resale value of this property.

04/21/15

To: Rebecca Leavings

From: Sgt. Gaston

Re: Surplus City Property

Please request that the City Council deem the following property surplus at the next meeting:

- 1999 Freightliner VIN# 1FV3EFBC7YHB83006
- 2005 Chevrolet Trailblazer VIN# 1GNDS13S162196517, City asset # 10716

Please contact me with any questions or concerns.

Thanks, Sgt. Gaston ext.#137

06/20/14

To: Rebecca Leavings

From: Sgt. Joel Gaston

Re: Surplus City Property

Please request that the City Council deem the following property surplus at the next meeting:

- **2007 Ford Crown Victoria VIN# 2FAFP71W97X104585, city asset sticker# 10718**
- **2008 Ford Crown Victoria VIN# 2FAHP71V58X141635, city asset sticker# 10759**
- **2008 Ford Crown Victoria VIN# 2FAHP71V68X141644, city asset sticker# 10762**

Please contact me with any questions or concerns.

Thanks,

Sgt. Gaston ext.#137

RESOLUTION NUMBER 4707

A RESOLUTION AUTHORIZING THE CITY MANAGER ON BEHALF OF THE CITY OF VESTAVIA HILLS EMERGENCY COMMUNICATION DISTRICT (“ECD”) TO EXECUTE AND DELIVER AN AGREEMENT AND ASSIGNMENT OF EXCESS COST RECOVERY FUNDS AND THE ALABAMA STATEWIDE 9-1-1 BOARD (“BOARD”) CONCERNING THE ANGEN PROJECT

WHEREAS, the Vestavia Hills City Council is the Emergency Communications District Board for the City of Vestavia Hills; and

WHEREAS, the Fire Chief, in a memorandum written to the City Manager dated April 20, 2015 detailed the Alabama Next Generation 9-1-1 Network (“ANGEN”) which is a statewide initiative to upgrade and replace the present 9-1-1 Network, a copy of which is marked as “Exhibit A, attached to and incorporated into this Resolution Number 4707; and

WHEREAS, the Fire Chief has estimated that utilization of the new ANGEN system would result in a savings for the City of Vestavia Hills following execution and delivery of an agreement with the Alabama State 9-1-1 Board (“Board”) prior to May 2015, a copy of which is marked as Exhibit B and is attached and incorporated into this Resolution Number 4707 as though written fully therein; and

WHEREAS, the City Manager has reviewed the attached Exhibits A & B and recommendation acceptance; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the recommendation of the City Manager and the Fire Chief.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor is hereby authorized to execute and deliver an agreement between the ECD and the Board as described in attached Exhibits A & B; and

2. This Resolution Number 4707 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

**VESTAVIA HILLS FIRE DEPARTMENT
513 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216
(205) 978-0225
(205) 978-0205 (FAX)**

**JAMES R. ST. JOHN
FIRE CHIEF**

MEMORANDUM

TO: Jeff Downes, City Manager
FROM: Jim St. John, Fire Chief
DATE: April 20, 2015
RE: Excess Cost Recovery Funds

Alabama Next Generation 9-1-1 network (ANGEN) is a statewide initiative to upgrade and replace the present 9-1-1 network. Last year 87 of the 88 Emergency Communications Districts in Alabama agreed to fund this effort through excess cost recovery funds. Vestavia Hills did not participate because of concerns about the ability to audit such funds. It will be a substantial savings for Vestavia Hills to participate in funding the ANGEN project; designating the excess funds to the state 9-1-1 Board will decrease our revenues by approximately \$5,000 per year, but will save approximately \$15,000 per year in direct billing. Mr. Turner agrees that assigning such funds to the state 9-1-1 Board is the desirable course of action in this case.

It is my recommendation that the Vestavia Hills City Council, as the Emergency Communications District Board, authorize you to sign the Agreement and Assignment of Excess Cost Recovery Funds letter that will allow the state 9-1-1 Board to use a portion of its excess funds to cover the cost of ANGEN.

**AGREEMENT AND ASSIGNMENT OF DISTRIBUTION OF EXCESS
COST RECOVERY FUNDS**

WHEREAS, the State of Alabama is transitioning emergency service in the state to an IP based next generation and integrated emergency communication network (“ANGEN”) for wireless connections and ultimately all connections that is intended to allow emergency response systems to take full advantage of voice, data, video, and other information available over broadband networks and IP platforms,

WHEREAS, the Alabama Statewide 911 Board (hereinafter referred to as the “Board”) has contracted with Bandwidth.com, Inc and the Alabama Supercomputer Authority to provide system services and the IP network for the implementation of ANGEN. Significant progress has been made toward implementation of the system and thousands of 9-1-1 calls are currently being routed through the ANGEN system. The Board may contract with other vendors to assist in the transition and implementation of the ANGEN system.

WHEREAS, to fully implement the ANGEN system it will require significant additional funding and the Board has limited funds available to it for that purpose.

WHEREAS, _____, is a validly formed and operating Emergency Communication District (ECD) and has agreed to participate in the ANGEN project.

WHEREAS, Section 11-98-5(f) Code of Alabama, 1975, as amended, provides that at any time after October 1, 2013, if the Alabama Statewide 911 Board determines that the revenues allocated to CMRS providers for cost recovery (Cost Recovery Fund) exceed those necessary to meet cost recovery funding requirements, the Board may distribute excess revenues back to the ECDs as set forth in Section 11-98-5.2(b)(1) Code of Alabama, 1975, as amended.

WHEREAS, the parties acknowledge that funding the ANGEN project from excess cost recovery funds available to the ECDs is the most the most expeditious and reasonable method of providing the necessary funding to further implement and maintain the ANGEN project at this time.

WHEREAS, it currently appears that there will be excess funds in the Cost Recovery Fund and the Alabama Statewide Board anticipates making a distribution from that fund to the ECDs subsequent to October 1, 2015 and each year thereafter during the term of this Agreement as long as cost recovery requests from eligible CMRS providers remain relatively stable. The parties acknowledge that a portion of excess cost recovery funds available to the ECDs will be designated by the Board as “Excess Cost Recovery Funds-ANGEN System” and the express purpose of that distribution will be to assist in the implementation of the ANGEN system.

IT IS THEREFORE AGREED AS FOLLOWS:

1. That in the event the Board makes a distribution from excess Cost Recovery funds, designated by the Board as “Excess cost recovery funds-ANGEN system” to the above referenced ECD subsequent to October 1, 2015, then the ECD agrees to assign and

convey those funds to the Alabama Statewide 911 Board for the sole purpose of paying expenses incurred by the Board related to the implementation of the ANGEN project.

2. The term of this Agreement shall be from May 15, 2015 through May 14, 2016 and may be renewed or extended for an additional year, with or without modification upon express written agreement of the parties.
3. This Agreement may be terminated by either party with ninety (90) days written notice to the other party.
4. In the event that there is legislation passed to provide for permanent funding for the ANGEN project at any time during the term of this Agreement, then and in that event, this Agreement shall become void upon the effective date of any such legislation.
5. The Board shall make available to all ECDs participating in the ANGEN project all Information regarding expenses and funding of the ANGEN project upon reasonable request by the ECD.
6. This Agreement reflects the entire agreement between the parties as it relates to distributions of excess cost recovery funds.
7. This Agreement shall be interpreted and governed by the laws of the State of Alabama.
8. Having agreed to the terms herein, the undersigned signatories hereby represent and warrant that each has authority to enter into this Agreement

IN WITNESS THEROF, THE PARTIES HAVE SIGNED AN EXECUTED THIS AGREEMENT.

Alabama Statewide 911 Board

(Emergency Communication District)

Ernie Blair, Chairman

Signature

Date: _____

Printed Name and Title

Date: _____

RESOLUTION NUMBER 4708

A RESOLUTION AUTHORIZING THE CITY MANAGER TO TAKE ALL ACTIONS NECESSARY TO DEMOLISH THE STRUCTURE ON THE PROPERTY LOCATED AT 2253 GREAT ROCK ROAD

WHEREAS, on September 22, 2014, the City Council of the City of Vestavia Hills adopted and approved Resolution Number 4639 to declare the structures on the property located at 2253 Great Rock Road and to order the demolition of said structures; and

WHEREAS, the action was appealed and authorized to be settled with the adoption and approval of Resolution Number 4695 by the Vestavia Hills City Council; and

WHEREAS, the Vestavia Hills City Council at its regular meeting of March 23, 2015 adopted and approved Resolution Number 4708 authorizing the City Manager to demolish the structure located at 2253 Great Rock Road at an estimated expense not to exceed \$14,900; and

WHEREAS, the Building Official has received quotes from companies to complete asbestos abatement, utility disconnects and demolition at a cost not to exceed \$33,515; and

WHEREAS, the Mayor and City Council find it is in the best public interest to authorize the City Manager to take all actions necessary to secure said demolition.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA:

1. The City Manager is hereby authorized to take all actions and execute all documents necessary to demolish and remove the structure on the property located at 2253 Great Rock Road at a total cost not to exceed \$33,515 (\$14,900 authorized in Resolution Number 4696 previously approved and an additional \$18,615 approved in this Resolution Number 4708); and
2. This Resolution Number 4708 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Keith Blanton
Sent: Monday, April 20, 2015 2:09 PM
To: Rebecca Leavings
Subject: 2253 Great Rock Road Demo
Attachments: Proposals.pdf

Hey,

I have the following.

Lakeshore Environmental Contractors – Asbestos Abatement - \$19,140.00
Tomlin Excavating – Demo Home - \$12,500.00
Proflow Plumbing – Cap Sewer Lateral - \$975.00
Total = \$32,615.00

Resolution 4696 - \$ 14,900.00
Asbestos testing - \$900.00

Remaining - \$14,000 - \$32,615.00 = \$18,615.00

I'm still checking prices trying to get it lower but this will be the max cost on finishing the project.

Thanks,

Keith Blanton, CBO, MCP
Building Official
City of Vestavia Hills
513 Montgomery Highway
Vestavia Hills, AL. 35216
Telephone: (205)978-0125 ext. 136
Fax: (205)978-0213
Email: kblanton@vhal.org
Website: www.vhal.org



Date: 3/25/2015
To: City of Vestavia
Project: 2253 Great Rock Rd.
Attention: Keith B.

We are pleased to submit our proposal for Plumbing work for the above referenced project.

Total Price: Plumbing \$ 975.00

Scope of work:

- Cap and plug sewer lateral and have inspected by Jefferson Co Environmental Services

Items not included:

-
-
-
-
-
-
-
-
-
-

We appreciate the opportunity to quote this project. Please call if you have any questions.

Thank you,

ProFlow Plumbing, LLC

Shane Bailey



EXCAVATING & DEMOLITION CO., INC.

625 SPRINGDALE ROAD
TARRANT, ALABAMA 35217
205-841-1148 PHONE / 205-841-8954 FAX
TOMLINEX@HIWAAY.NET

BOBBY R. TOMLIN

March 23, 2015

City of Vestavia
Attention: Keith

Reference: Demolition of House
2253 Rocky Ridge Road
Vestavia, AL 35216

We are pleased to offer you a price of **\$12,500.00** for the necessary labor, materials, equipment and supervision required to complete the demolition and removal on the above referenced project.

Also included in this quotation are rights to salvage, license, insurance, mobilization of equipment to and from the site, waste disposal fees, permits and inspections as required by the City of Vestavia and the Jefferson County Health Department. There is a 10 day notification For the Jefferson County Health Department. All utility disconnects will be by others. We also propose to remove the brush from around the house about 25'. All work will comply with OSHA & EPA guidelines.

Thank you kindly for the opportunity to bid on the above referenced project. If you have any additional questions please advise.

Yours respectfully,

Bobby R. Tomlin

Bobby R. Tomlin

By signing this letter and faxing back to (205) 841-8954 or presenting to Tomlin Excavating supervisor, I am accepting as an authorized Company Representative, this proposal to conduct the work described above and will pay in full upon completion.

Signature of Company Representative

Date



Friday, April 17, 2015

Keith Blanton
City of Vestavia Hills
513 Montgomery Highway
Vestavia Hills, AL 36216
kblanton@vhal.org

Subject: 2253 Great Rock Road Vestavia Hills, AL 35216
Asbestos Abatement

Mr. Blanton,

We are pleased to submit this proposal to furnish all labor and material necessary for the Abatement of the asbestos containing material at the subject location all as contained in Safety Environmental Laboratories and Consulting, Inc. Survey dated April 14th, 2015.

Lakeshore Environmental Contractors, LLC price for the above project is: \$ 19,140.00

If payment is not received within thirty (30) days from the date of the invoice, the undersigned agrees to pay a service charge of one and one-half percent (1½%) per month (18%) per annum on the outstanding balance. In the event the unpaid account is placed with an attorney or collection agency for collection, the undersigned agrees to pay a reasonable attorney's fee, costs of court and any other reasonable cost of collection.

If I can be of any assistance on this project please do not hesitate to call.

Sincerely,
Henry Harrison
Henry Harrison

Member
Lakeshore Environmental Contractors, LLC
5513 Eastcliff Industrial Loop
Birmingham, AL 35210-5418
Office 205-943-5711 **Fax** 205-943-8317 **Mobile** 205-281-8702
Email henryharrison@lecbiz.com

RESOLUTION NUMBER 4709

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A QUOTE FOR LANDSCAPE ARCHITECTURE SERVICES FOR LANDSCAPING ON A PROPOSED ROAD PROJECT ADJACENT TO THE VESTAVIA HILLS CAHABA HEIGHTS ELEMENTARY SCHOOL

WHEREAS, the City's Engineering Department is working with consultant Sain Engineering for designs of a roadway project located adjacent to Vestavia Hills Cahaba Heights Elementary School; and

WHEREAS, the project requires certain landscaping requirements in order to complete the roadway design and bid specifications; and

WHEREAS, the City Engineer has received a quote from Environmental Design Studio to perform landscape architectural services for said project at an estimated \$13,770 plus reimbursable expenses estimated at \$1,230 for a cost not to exceed \$15,000 a copy of which is marked as Exhibit A attached to and incorporated into this Resolution Number 4709 as though written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept said quote.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The City Manager is hereby authorized to accept a quote from Environmental Design Studio as detailed in attached Exhibit A at a cost not to exceed \$15,000; and
2. Said funding shall be derived from the City's Capital Projects Fund; and
3. This Resolution Number 4709 shall become effective immediately upon adoption and approval.

ADOPTED AND APPROVED this the 27th day of April, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Wednesday, April 22, 2015

Christopher Brady
City of Vestavia Hills
513 Montgomery Highway
Vestavia Hills Alabama 35216

Re: Oakview Lane Extension- Cahaba Heights:

Chris:

Thank you for the opportunity to respond to your request for landscape architecture services. We look forward to working with you on this project and hopefully others in the future.

Please accept this as our proposal for Landscape Architectural Services for the Landscape Architectural Design for the Streetscape irrigation, planting, and lighting for the Oakview Lane Extension in Cahaba Heights.

We propose our scope of service to be as follows:

Basic Services:

- I. **Schematic Design:** EDS, Inc. will prepare a Schematic Design for use in discussion with Stakeholders of surrounding properties or their representatives. We will meet and discuss the concept and coordination with adjacent properties

- a. Schematic Plan
 - b. Attendance at meeting with city staff and stakeholders.
(Approximately 1 meeting.)
- II. **Design Development:** EDS, Inc. will prepare a Design Development Planting Plan that provides calls outs of plant materials and quantities. The plan will include schematic lighting design with pole and fixture locations. EDS, Inc. will attend the meeting for Design Review Board. These services will include:
- a. Planting Plan.
 - b. Lighting Plan.
 - c. Attendance at meeting with city staff. (Approximately 1 meeting.)
 - d. Attendance at meeting with Design Review Board. (Approximately 1 meeting.)
- III. **Construction Documents:** EDS, Inc. will prepare construction documents necessary for bidding, permitting and construction. These services will include:
- a. Irrigation Plan, specifications and details.
 - b. Lighting Plan, specifications and details.
 - c. Electrical Plan, specifications and details.
 - d. Planting Plan, specifications and details.
 - e. Submittals to the engineer for bidding.
- IV. **Construction Administration:** EDS, Inc. will attend meetings, review submittals, make site visits to observe construction progress:
- a. Attendance at 1 pre-bidding meeting.
 - b. Attendance at 1 pre-construction meeting.
 - c. Site visits. (Approximately 2 visits.)
 - d. Submittal review for lighting, planting and irrigation

Additional Services:

Additional Services consist of any professional services provided which are not specifically described above and as mutually agreed upon between the Client and the Landscape Architect. Such services include, but are not limited to: site planning; geotechnical, civil, structural, electrical, or mechanical engineering; architecture; substantial increase in drawings or administration due to changes in the scope of work.

Additional Services will be billed on an hourly basis per our Schedule of Hourly Rates.

- a. Bidding and Contracting.

Schedule of Hourly Rates:

Principal:	\$135.00/hr.
Landscape Architect	\$100.00/hr.
Administrative / Clerical:	\$45.00/hr.

Client Responsibilities

The Client will provide full information and program regarding requirements for the project. The Client will furnish computer base documents for the Landscape Architect's use.

Reimbursable expenses such as printing, copies, long distance, and mileage will be billed at our cost plus a 10% administrative fee. We will invoice for services on a percent complete basis through the completion of the project.

Environmental Design Studio, Inc. proposes to provide **Items I-IV for a Stipulated Sum of \$13,770.** We will invoice for services on a percent complete basis through the completion of the project.

Payment for services is due within 21 days of date of invoice. In the event a payment is more than 15 days late, the client agrees to pay a late fee equivalent to five percent (5%) of the outstanding balance. If payment is more than 30 days past due then the purchaser will be in default of said contract. In the event of default the purchaser agrees to pay all costs of collecting the amount owed to Environmental Design Studio, Inc. under this agreement, including court costs, filing fees, and reasonable attorney fees if the outstanding balance owed exceeds \$500.00 and the debt is referred to collection.

The Client agrees that, in no event will Environmental Design Studio, Inc. or any of it's officers be liable for any work performed on the project in excess of the proposal amount.

Thank you for the opportunity to provide this proposal. We believe that can be of great service to the project.

Regards,
Environmental Design Studio, Inc.



Duane R. Pritchett, RLA
President, Environmental Design Studio, Inc.

Your signature will authorize us to proceed.

Name:

Date:

Title:

RESOLUTION NUMBER 4710

**A RESOLUTION AUTHORIZING THE MAYOR AND CITY MANAGER
TO EXECUTE AND DELIVER AN AGREEMENT FOR FINANCIAL
ADVISORY SERVICES FOR THE CITY OF VESTAVIA HILLS,
ALABAMA**

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF
VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. The Mayor and City Manager are hereby authorized to execute and deliver a Professional Services Agreement with Rice Advisory LLC for financial advisory services; and
2. A copy of said agreement is marked as Exhibit A, attached to and incorporated into this Resolution Number 4710 as though written fully therein; and
3. This Resolution Number 4710 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 11th day of May, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

PROFESSIONAL SERVICES AGREEMENT

THIS PROFESSIONAL SERVICES AGREEMENT (the “Agreement”) is entered into between the City of Vestavia Hills, Alabama (hereinafter called the “City”) and Rice Advisory, LLC (hereinafter called the “Financial Advisor”), whose offices are located at 250 Commerce Street, 3rd Floor, Montgomery, Alabama 36104.

NOW, THEREFORE, the City and the Financial Advisor mutually agree as follows:

1 **Scope of Services.**

The Financial Advisor shall provide financial advisory services on an ongoing basis to the City as may be directed. Pursuant to the terms of this Agreement, it is expressly understood that the Financial Advisor represents only the City. For the purposes of this Agreement, “City” shall include those agencies, component units, authorities and public corporations, which are, or may become, authorized to incur debt. The scope of services to be performed shall include, but not be limited to:

- a) Assisting the City in financial analysis and suggesting possible revisions to the City’s debt policies and strategies;
- b) Advising the City on continuing matters relating to its overall debt management including actions to be taken by the City to improve or maintain the credit ratings of the City;
- c) Analyzing financing alternatives for the City;
- d) Preparation of Requests for Proposals (RFPs) in advance of any contemplated City financing projects and distribution of such RFPs to a wide selection of capable professional firms;
- e) Evaluation of financial proposals received by the City from underwriters, banks and other entities (including those received pursuant to RFPs) and assisting the City and its counsel in the selection of professionals for participation in City financing projects;
- f) Working to minimize the professional fees and expenses payable in connection with any City financing in order to produce the lowest possible effective financing costs for the City;
- g) Comparing the debt management practices of the City with those of other municipalities and making recommendations for improvements;
- h) Preparing analyses and evaluations of potential refunding and new money issues, to include cost-benefit analysis of credit enhancement, coordinating team communications and activities, providing document review, participation in due diligence and disclosure activities, reviewing underwriter’s analysis related to sizing, structure and flow of funds, allocation, advising on pricing and coordination of post-closing review;
- i) Providing as-needed financial advice regarding market conditions and trends, financial products, credit and credit analysis, third party alternative financing and special facility financing;
- j) Reviewing and evaluating financing options, derivative and other innovative products, financial feasibility studies, legal documents, and escrow agreements;
- k) Preparation of rating agency presentations, official statements and other disclosure materials;

- l) Monitoring congressional, legislative and regulatory developments which might impact the City;
- m) Assisting the City in the preparation of reports, disclosure documents and other tasks related to Dodd-Frank compliance requirements;
- n) Providing advice on economic incentives and innovative financing structures in support of the City's economic, industrial and commercial development initiatives, including providing support in all recruitment efforts of the City;
- o) Attendance at City Council meetings or meetings of other City boards and agencies as requested, with reasonable notice provided;
- p) Participation in all teleconferences as requested; and
- q) Providing other financial advisory services as requested.

2 Compensation.

- a) **Per-transaction fee.** With respect to the issuance of each series of bonds, notes or other debt of the City or its agencies, the fees to the Financial Advisor will be determined on a cost per \$1,000.00 basis, with no such per-transaction fees payable until and unless a transaction is closed, as shown below:
 - i) For amounts up to \$10 million: \$2.00 per \$1,000.00 with a minimum fee of \$20,000.00;
 - ii) For amounts over \$10 million up to \$15 million: \$1.90 per \$1,000.00 for the amount above \$10 million, plus amount due pursuant to (i) above;
 - iii) For amounts over \$15 million up to \$20 million: \$1.80 per \$1,000.00 for the amount above \$15 million, plus amount due pursuant to (i) and (ii) above;
 - iv) For amounts over \$20 million: \$1.70 per \$1,000.00 for the amount above \$20 million, plus amount due pursuant to (i), (ii) and (iii) above, provided, however, that in no case shall the Financial Advisor's total per-transaction fee exceed \$50,000.00 for any transaction.
- b) **Hourly fee.** There will be no additional charge, hourly or otherwise, for work completed in connection with a specific financing transaction of the City as described in paragraph 2(a) above. Fees for general financial advisory services not connected to a specific financing transaction will be billed monthly, in arrears, commencing _____ 1, 2015 and on the first day of each month thereafter for the term of this Agreement at the rate of \$140.00 per hour. Such hourly fees will be payable only for work performed by Registered Municipal Advisors employed by the Financial Advisor. No hourly fee work will be commenced without the City's authorization, and the Financial Advisor will be required to provide the City with written "not to exceed" estimates before commencing such work.
- c) **Expenses.** No reimbursement will be expected for normal operating expenses or general office overhead including telephone, regular postage, and related items. Automobile travel to locations other than the City in furtherance of City business will be reimbursed at the rate of \$0.50 per mile. At no time will the City incur any such expense without first discussing with the Financial Advisor.
- d) **Per-transaction expenses.** Expenses directly attributable to a specific transaction will be reimbursed at cost. In no event will the total cost of reimbursable expenses for any

single transaction exceed \$2,500 for such transaction unless approved in advance by the City.

- e) **Other expenses.** Other costs of any transaction, for example: bond counsel fees, disclosure counsel fees, rating agency fees, printing, and other related costs are considered outside of the definition of reimbursable expenses as contemplated above. However, the Financial Advisor will be involved in minimizing these costs, where and when appropriate, on behalf of the City.

3 Independent Contractor. The Financial Advisor acknowledges and agrees that it is an independent contractor and this agreement does not create an employer-employee relationship between the Financial Advisor and the City.

4 Insurance. The Financial Advisor does hereby agree to name the City as “Additional Insured-As Their Interest May Appear,” in its Commercial Auto Liability Insurance and Commercial General Liability Insurance; and to keep in effect at all times during the term of this Agreement the following minimum limits of insurance, and to provide the City with Certificates of Insurance with a 30 day Notice of Cancellation evidencing such insurance:

Commercial Automobile Liability Insurance including Hired and Non-Owned Auto Liability: \$1,000,000 Combined Single Limit of Liability;

Commercial General Liability Insurance: \$1,000,000 Combined Single Limit Per Occurrence/\$2,000,000 Aggregate Limit of Liability; \$1,000,000 Personal and Advertising Injury; \$2,000,000 Products and Completed Operations Liability;

Workers Compensation and Employers Liability Insurance: Insurance must meet the insurance requirements as set forth in the current Workers Compensation Act of the State of Alabama. Minimum Employers Liability Limits: \$1,000,000 Each Accident; \$1,000,000 Disease Each Employee; \$1,000,000 Disease policy Limit.

5 Immigration Law Compliance. By signing this contract, the contracting parties affirm, for the duration of the agreement, that they will not violate federal immigration law or knowingly employ, hire for employment or continue to employ an unauthorized alien within the State of Alabama. Furthermore, a contracting party found to be in violation of this provision shall be deemed in breach of the Agreement and shall be responsible for all damages resulting therefrom.

6 Indemnification. The Financial Advisor shall indemnify, hold harmless, and defend the City, its officers, employees, council members, agents, and representatives from and against any and all liens, claims, actions, suits, damage judgments, liabilities, causes of action, assessments, fines, loss, injuries (including death), costs and/or expenses (including without limitation attorneys fees and all other costs and expenses), amounts paid in settlement or otherwise suffered or incurred by the City, its officers, employees, council members, agents, or representatives caused by, arising out of, or by reason of any wrongful act, omission, or non-action of the Financial Advisor or its officers, employees, agents, servants, sub-contractors, or representatives arising from, incidental to or in any way related to the Financial Advisor’s services under this Agreement.

7 No Assignment. No part of this Agreement, nor any right, obligation, or privilege created or provided hereunder, shall be assigned or transferred unless the City shall first approve the same in writing, nor shall the Financial Advisor attempt to sell or attempt to transfer this Agreement or any rights hereunder to another without written approval of the City.

8 Governing Law and Dispute Resolution. This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Alabama. Any and all disputes arising under, out of, or in relation to this Agreement, its negotiation, performance, termination, or any alleged breach thereof (which dispute is not resolved by negotiation between the parties within thirty days after written demand therefor is made by either party), shall, upon thirty days written notice by either party to the other, first be resolved by the parties attempting mediation in the City, by a single mediator pursuant to the Alabama Civil Court Mediation Rules. The parties shall share equally the costs of the Mediator, and each party shall bear its own costs. If the dispute is not resolved by mediation within sixty days of the commencement of the mediation, either party may elect to litigate the dispute in the state or federal courts located in the State of Alabama.

9 Term of Agreement. This Agreement shall be effective upon the date of its execution and shall terminate on _____, 20___. This Agreement may be extended for one (1) year term or on a month-to-month basis at the option of the City. In no event shall a term of this Agreement exceed a period of three (3) years.

10 Termination. The City may, at any time and without cause, cancel this Agreement by serving ninety (90) days written notice to the Financial Advisor of its intent to cancel. In the event of such cancellation, the City’s only obligation to the Financial Advisor shall be payment for services rendered prior to the effective date of the cancellation. All information and work product developed by the Financial Advisor shall be turned over to and deemed the property of the City.

DONE this ___ day of _____, 2015.

THE CITY OF VESTAVIA HILLS, ALABAMA

RICE ADVISORY, LLC

By: _____
Its _____

By: _____
Its Managing Director

THE CITY OF VESTAVIA HILLS, ALABAMA

By: _____
Its _____

ATTEST:

City Clerk

SEAL

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720
TELEPHONE (205) 324-2018
FACSIMILE (205) 324-2295

To: Becky L.
For inclusion w/
Council packet.
PHB/4-20-15

April 16, 2015

By Hand Delivery

City Manager Jeffrey D. Downes
Vestavia Hills Municipal Center
513 Montgomery Highway
Vestavia Hills, Alabama 35216

In Re: Proposed Agreement By and Between the City of Vestavia Hills, Alabama ("City") and
Rice Advisory, LLC ("Financial Advisor")

Dear Mr. Downes:

On April 15, 2015, you sent to me via electronic mail a proposed agreement by and between the City of Vestavia Hills, Alabama ("City") and Rice Advisory, LLC ("Financial Advisor") with a request that I review the same and provide you with my written legal opinion. The purpose of this letter is to comply with your request.

It is my legal opinion that the proposed agreement complies with the requirements of Alabama law. I do not have any recommendations for additions, deletions, changes and/or corrections. From a legal standpoint, I recommend the agreement and its approval by the City Council.

Please call me if you have any questions regarding this matter.

Very truly yours,



Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

RESOLUTION NUMBER 4711

**A RESOLUTION PROPOSING THE ANNEXATION
OF CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE CITY OF VESTAVIA HILLS,
ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated February 27, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 11th day of May, 2015; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 13th day of May, 2015.

2. That on the 24th day of August, 2015, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4711 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

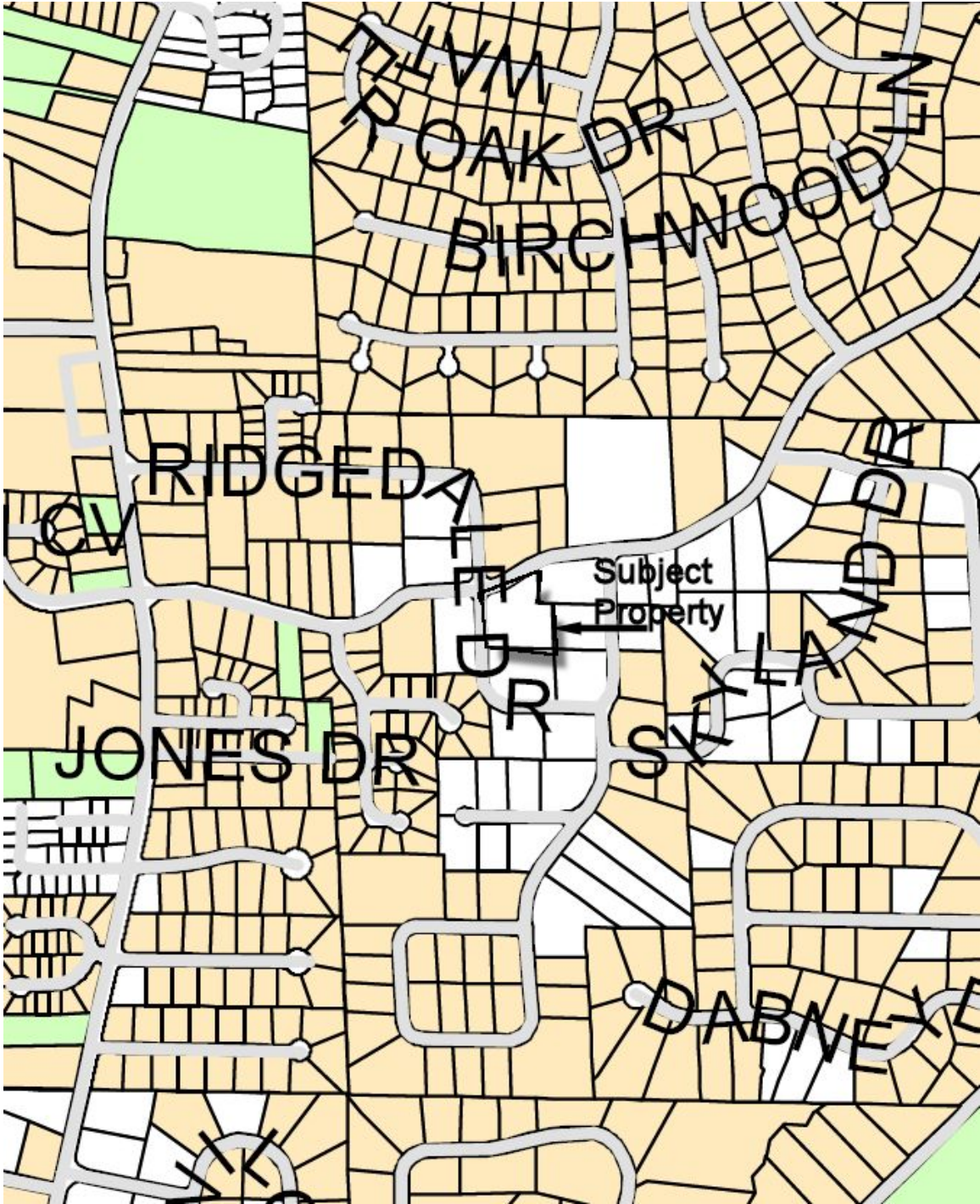
2501 Dolly Ridge Road
Lot 31 and the West 50' of Lot 29, Rocky Ridge Estates (MB 28 MP 78)
David Acton Building Building Corporation, Owner(s)

APPROVED and ADOPTED this the 11th day of May, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 4711 Caldwell Mill Road

Owners: Virginia Acton; David Acton Building representing

Date: 3-12-15

1. The property in question is contiguous to the city limits.
Yes No Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 201,900. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 13 Number in city 8
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 4711 Caldwell Mill Rd.

8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$_____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes No _____ Comments: Due to traffic and low sight distance, recommend a shared driveway

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No _____ Comments: NA

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 32 4 004 001.000
OWNER: MOORER SCOTT D & LESLIE V
ADDRESS: 2501 DOLLY RIDGE RD VESTAVIA AL 35243-4611
LOCATION: 2501 DOLLY RIDGE RD BHAM AL 35243

[111-D0] Baths: 3.0 H/C Sqft: 2,278
 18-034.0 Bed Rooms: 4 Land Sch: L1
 Land: 93,300 Imp: 109,700 Total: 203,000
 Acres: 0.000 Sales Info: 09/01/1993
 \$107,500

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1
 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$203,000.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$93,340
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 UTILITY WOOD OR 26WCCAV \$2,300
 BLDG 001 111 \$107,400
 TOTAL MARKET VALUE [APPR. VALUE: \$203,000]: \$203,040
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$20,300	\$131.95	\$4,000	\$26.00	\$105.95
COUNTY	3	2	\$20,300	\$274.05	\$2,000	\$27.00	\$247.05
SCHOOL	3	2	\$20,300	\$166.46	\$0	\$0.00	\$166.46
DIST SCHOOL	3	2	\$20,300	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$20,300	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$20,300	\$103.53	\$0	\$0.00	\$103.53
SPC SCHOOL2	3	2	\$20,300	\$341.04	\$0	\$0.00	\$341.04

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$20,300.00

\$1,017.03

GRAND TOTAL: \$969.03

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
9314-497	09/28/1993	12/8/2014	2014	WELLS FARGO HOME MORTGAGE	\$969.03
		12/11/2013	2013	WELLS FARGO	\$969.03
		12/20/2012	2012	WELLS FARGO	\$969.03
		20111209	2011	***	\$1,043.18
		20101208	2010	***	\$1,105.30
		20100203	2009	***	\$1,115.82
		20090222	2009	***	\$1,161.05

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 2/27/2015

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in Jefferson County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: Lots 31 & W 50 Ft of 29

BLOCK: _____

SURVEY: Rocky Ridge Estates

RECORDED IN MAP BOOK 28, PAGE 78 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

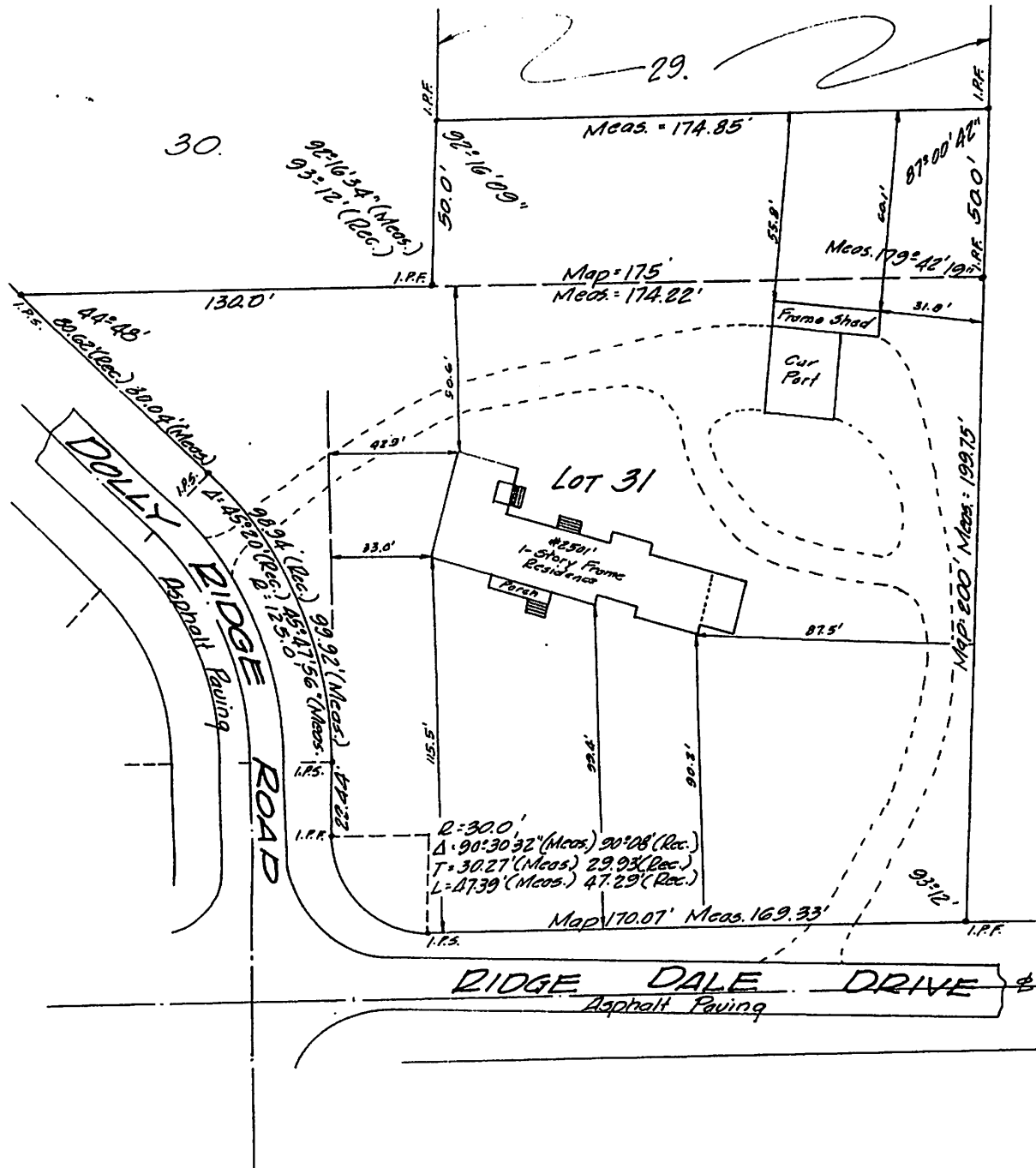
COUNTY ZONING: E-2

COMPATIBLE CITY ZONING: R-2

LEGAL DESCRIPTION (METES AND BOUNDS):

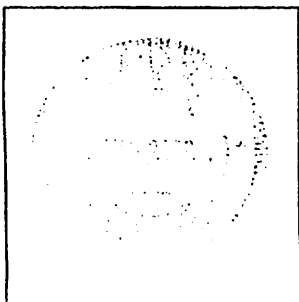
LOTS 31 & W 50 FT OF 29 ROCKY RIDGE ESTS

SEE ATTACHED



STATE OF ALABAMA
SHELBY COUNTY

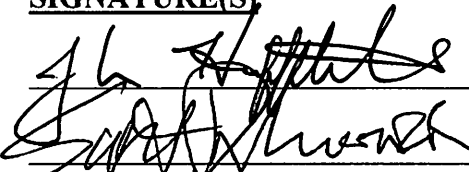
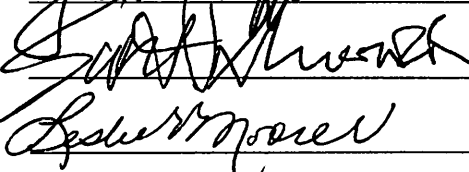
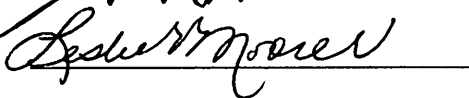
I, ROBERT O. BLAIN, A REGISTERED LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY STATE THAT THE SURVEY SHOWN HEREON IS TRUE AND CORRECT COPY OF A SURVEY MADE BY OR SUPERVISED BY ME AND THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN MADE PREPARED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA. I FURTHER STATE THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT PLAT OF LOT # 31, BLOCK 29, OF THE SURVEY OF Rocky Ridge Estates AS RECORDED IN MAP BOOK 29, PAGE 10, IN THE OFFICE OF THE JUDGE OF PROBATE OF Jefferson COUNTY, ALABAMA; THAT THE BUILDING/S ERECTED ON SAID LOT ARE WITHIN THE BOUNDARIES OF SAME; THAT THERE ARE NO ENCROACHMENTS BY BUILDINGS OF ADJOINING PROPERTIES; THAT THERE ARE NO EASEMENTS, RIGHTS OF WAYS OR JOINT USE FACILITIES OVER OR ACROSS SAID PROPERTY VISIBLE ON THE SURFACE, EXCEPT AS NOTED HEREON; THAT I HAVE INVESTIGATED THE FEDERAL INSURANCE ADMINISTRATION "FLOOD HAZARD BOUNDARY MAP" AND HAVE DETERMINED THAT THIS PROPERTY DOES NOT APPEAR TO BE IN A SPECIAL FLOOD HAZARD AREA, UNLESS NOTED HEREON; THAT THE CORRECT STREET ADDRESS IS No. 2501 Dolly Ridge Road, Birmingham, ALABAMA.



Robert O. Blain
ROBERT O. BLAIN, AL. REG. NO. 9789

F.I.R.M. FLOOD ZONE: "C" SCALE OF MAP: 1" = 40'
TYPE OF SURVEY: Mortgage Loan DATE: 9-25-93
PURCHASER: Moorer JOB NO.: 9311.27

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	31' x W 50' Lot of 29 Block Survey <u>Rocky Ridge Estates</u>
	31' x W 50' Lot of 29 Block Survey <u>Rocky Ridge Estates</u>
	31' x W 50' Lot of 29 Block Survey <u>Rocky Ridge Estates</u>

(Use reverse side hereof for additional signatures and property descriptions, if needed).

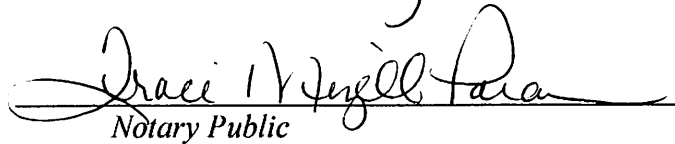
STATE OF ALABAMA

Shelby COUNTY

JORDAN HUFFSTETLER being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

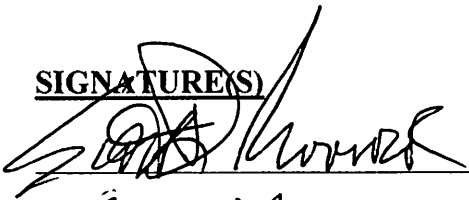
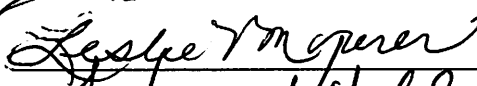
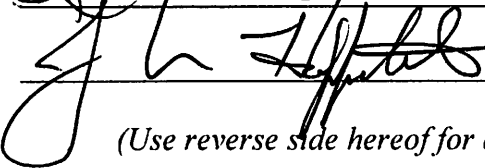

Signature of Certifier

Subscribed and sworn before me this the 26th day of February, 2015.


Notary Public

My commission expires: 4/10/2017

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

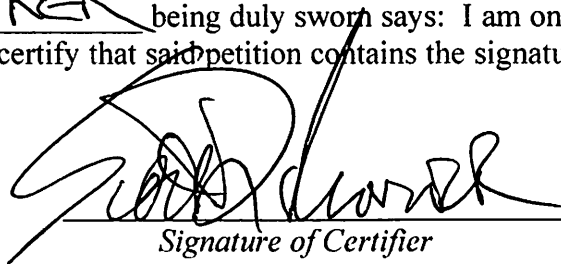
<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	31' x W 50' Lot ^{0F} 29 Block Survey <u>Rocky Ridge Estates</u>
	31' x W 50' Lot ^{0F} 29 Block Survey <u>Rocky Ridge Estates</u>
	31' x W 50' Lot ^{0F} 29 Block Survey <u>Rocky Ridge Estates</u>

(Use reverse side hereof for additional signatures and property descriptions, if needed).


STATE OF ALABAMA

Shelby COUNTY

Scott D. Moore being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.


Signature of Certifier

Subscribed and sworn before me this the 26th day of February, 2015.


Notary Public

My commission expires: 4/10/2017

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION
1204 Montgomery Highway
Vestavia Hills AL 35216

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): N/A

Address: _____

City: _____ State: _____ Zip: _____

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	N/A				
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": _____

dauid acton

building corporation

4898 Valleydale Rd. Suite A4
Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Proposed Annexation, Subdivision, and Re-Zoning

For the Property Located at:
2501 Dolly Ridge Rd.
Birmingham, AL 35243

Table of Contents

- Request Introduction
- Vicinity Map
- Proposed Plot Plan
- Existing Survey
- Area Analysis
- Annexation Merits

Request Introduction

- Property Location: The property is located at 2501 Dolly Ridge Rd., approximately 1/4 mile east of Rocky Ridge Rd. Intersection.
- Property Owner: David Acton Building Corp.
- Proposal Introduction: We propose to Annex the subject 1.26 Acre parcel into the City of Vestavia Hills, Re-Zone the Property to Vestavia Hills R-2 Zoning, and Subdivide the Property into (2) lots in compliance with R-2 Zoning.
- Proposed Homes: While we are requesting R-2 zoning for the purposes of yielding (2) desirable lots, our proposed house sizes would meet at least Vestavia's R-1 minimum requirements. Each home will be between 3000 and 3500 Square Feet, include main level garages, and will be priced in the \$600,000 - \$700,000 price range.

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building corporation

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dabc.jordan@gmail.com
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Vicinity Map

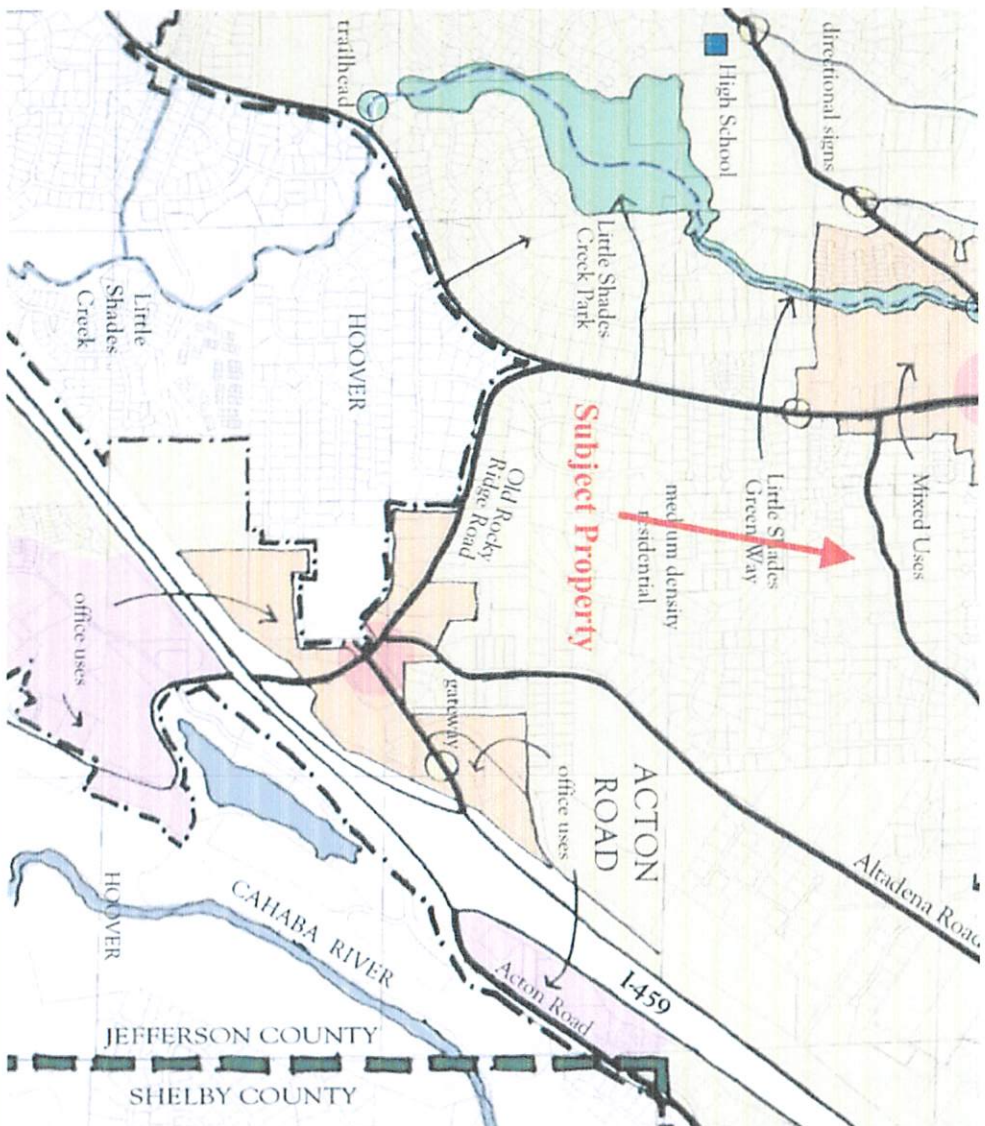
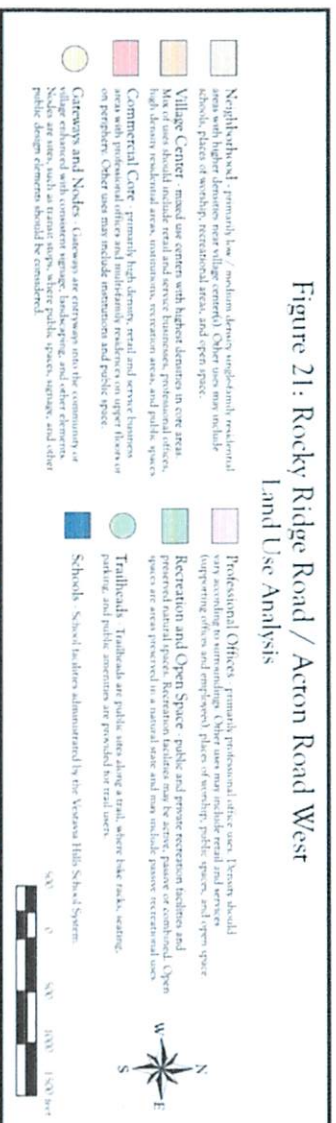


Figure 21: Rocky Ridge Road / Acton Road West
Land Use Analysis



david acton
building corporation

4898 Valleydale Rd. Suite A4
Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Proposed Plot Plan



Proposed Subdivision of
1.26 Acres Located at
2501 Dolly Ridge Rd.

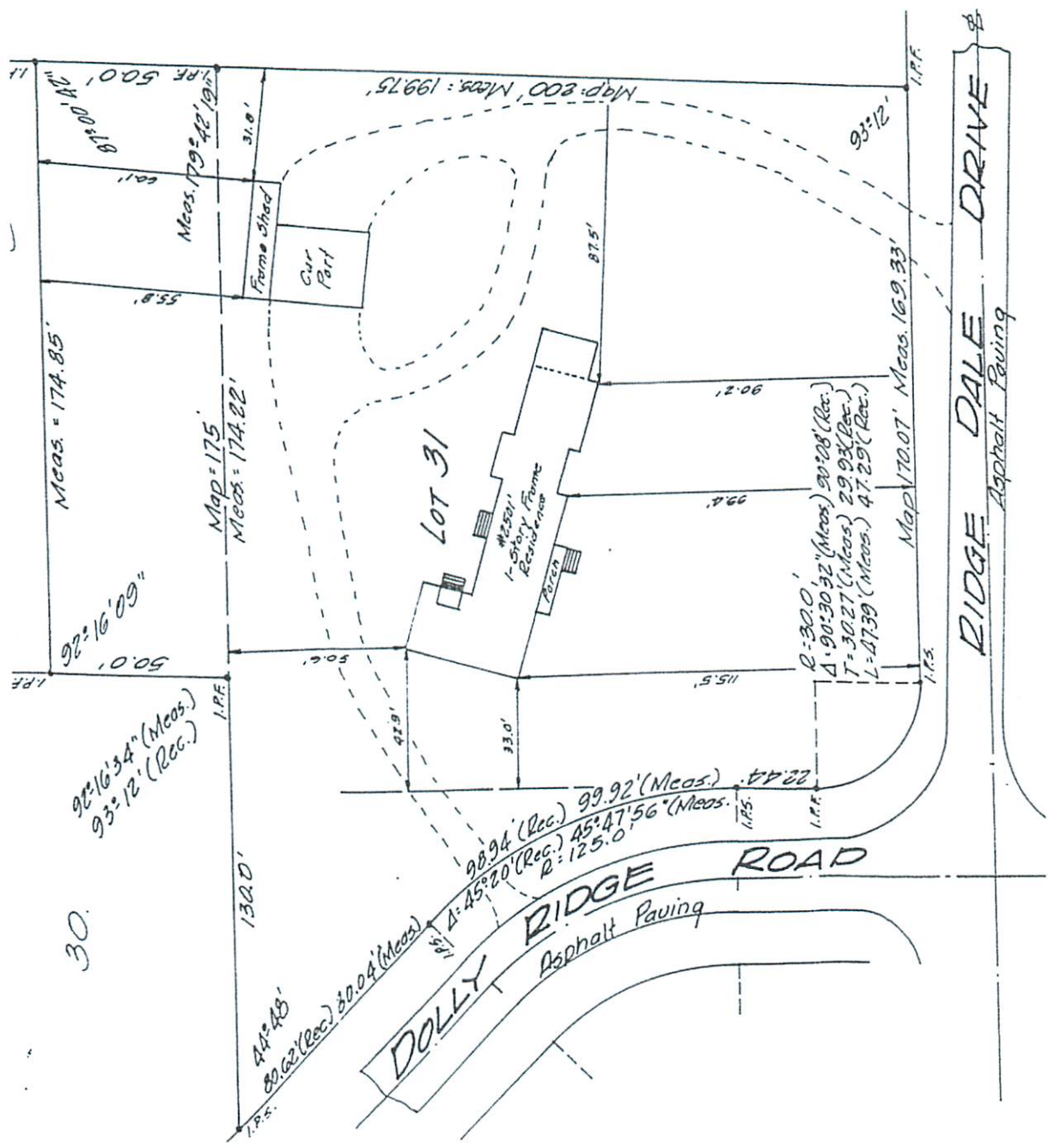
david acton building corporation

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Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Existing Survey



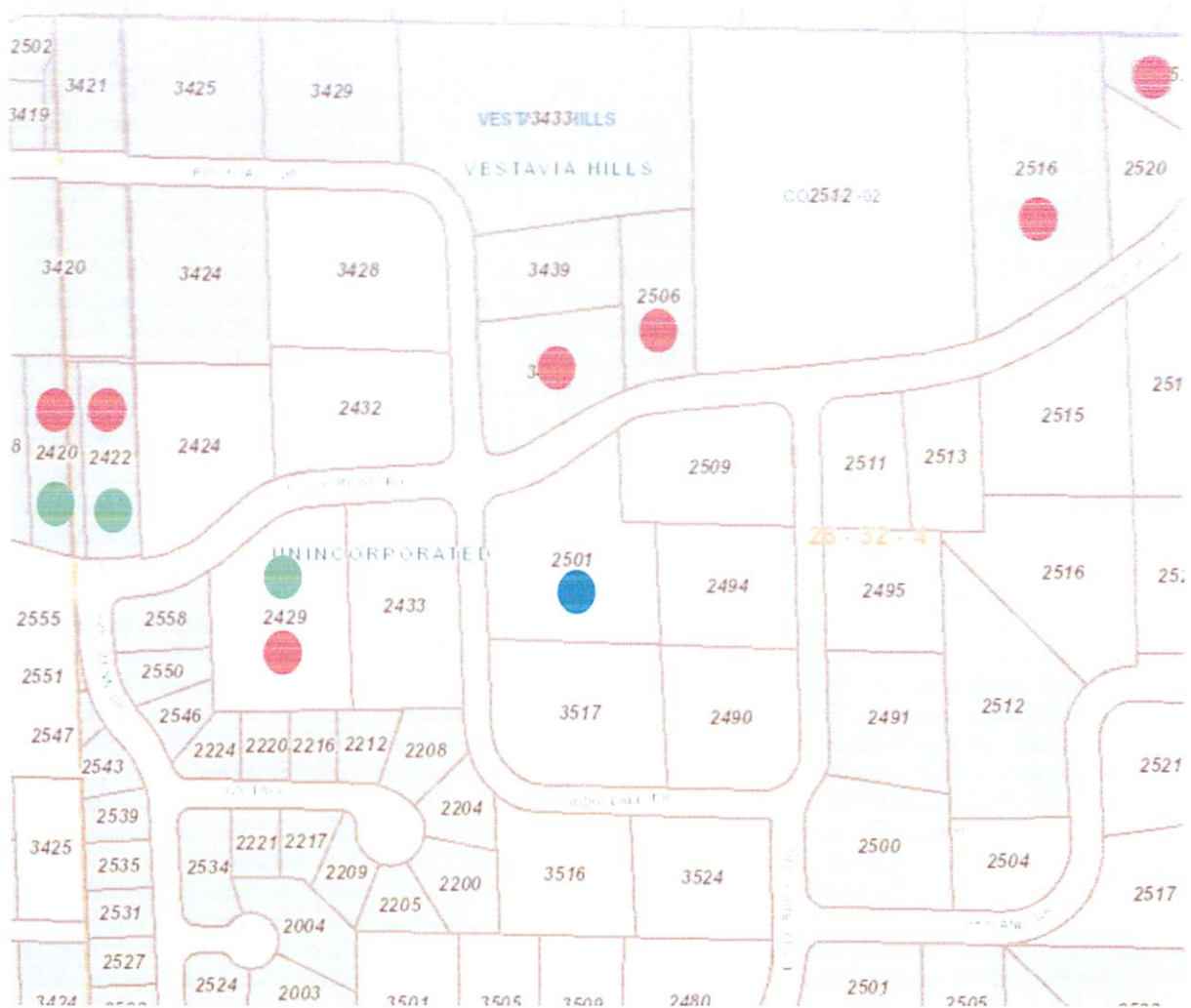
david acton
building corporation

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Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Area Analysis



- Blue Dot - Subject Property
- Red Dot - Dolly Ridge Rd. Address and located within City Limits
- Green Dot - On Dolly Ridge Rd. and recently annexed in City Limits under R-2 Zoning.

Annexation Merits

- Property is Contiguous to Vestavia city limits.
- Proposed Subdivision is compatible with land use in the area.
- Annexation of the Subject Property fills in gaps in the City Limits.
- Property is identified in September 2006 Annexation Policy Task Force Report as an area of interest for the City of Vestavia.
- Any concerns City Departments have with the physical condition of the property can be addressed in the construction process.
- Property Values and Market Demand:
 - Market Demand - We have spoken with numerous existing Vestavia Hills residents who are frustrated by the lack New Construction inventory that is both in close proximity to City center and within our target price range. We feel that the proposed Subdivision meets the needs of current City residents looking for "upward mobility" into larger, newer, and more modern properties.
 - Property Values - David Acton Building Corp. is not a volume leader amongst Birmingham homebuilders. We were ranked in the 2013 Birmingham Business Journal Top 25 Homebuilders List based off total new construction permits issued. Our average sales price per home was the highest of any homebuilder on the list. Our typical client chooses us based on our reputation for building quality homes, our finish material selections, and our attention to detail. Based on our history and where we operate within the industry, we are confident that the homes we build on the 2 Proposed Lots will enhance the property values and overall stature of the area.

RESOLUTION NUMBER 4712

**A RESOLUTION PROPOSING THE ANNEXATION
OF CERTAIN TERRITORY TO THE CORPORATE
LIMITS OF THE CITY OF VESTAVIA HILLS,
ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated February 27, 2015, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 11th day of May, 2015; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 13th day of May, 2015.

2. That on the 24th day of August, 2015, in the Vestavia Hills Municipal Center, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 4712 by the City Council of the City of Vestavia Hills, Alabama, and as

annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

4711 Caldwell Mill Road
Virginia Acton, Owner(s)

More Particularly Described as Follows:

Part of the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, more particularly described as follows:

Begin at the SE corner of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 233.0 feet; thence 90 Degrees left 224.0 feet; thence 90 degrees right 83.30 feet; thence 77 degrees 50 minutes left 334.17 feet to a point on the east right-of-way of a County Road (Caldwell Mill Road) thence 85 degrees 35 minutes left along said right-of-way 33.93 feet; thence 8 degrees 19 minutes left 191.5 feet; thence 92 degrees 29 minutes left 139.75 feet; thence 88 degrees 29 minutes right 118.0 feet to a point on the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence 91 degrees, 08 minutes, 44 seconds left along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section 460.85 feet to the point of beginning.

APPROVED and ADOPTED this the 11th day of May, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



JACKSON PL

FIVE OAKS

ADENA

LAKWOOD DR

Subject Property

Annexation Committee Petition Review

Property: 4711 Caldwell Mill Road

Owners: Virginia Acton; David Acton Building representing

Date: 3-12-15

1. The property in question is contiguous to the city limits.
Yes No Comments: _____

2. The land use of the petitioned property is compatible with land use in the area.
Yes No Comments: _____

3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes No Comments _____

4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes No Comments _____

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 201,900. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 13 Number in city 8
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 4711 Caldwell Mill Rd.


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

10. Are there any concerns from city departments?
Yes No _____ Comments: Due to traffic and low sight distance, recommend a shared driveway

11. Information on children: Number in family _____; Plan to enroll in VH schools Yes _____ No _____ Comments: NA

Other Comments: _____



George Pierce
Chairman

PARCEL #: 28 00 34 3 008 003.000
OWNER: ACTON VIRGINIA L
ADDRESS: 4065 CROSSINGS LN BIRMINGHAM AL 35242-4473
LOCATION: 4711 CALDWELL MILL RD BHAM AL 35243

Baths: **0.0** H/C Sqft: **0**
 Bed Rooms: **0** Land Sch: **A116**
 Land: **201,900** Imp: **0** Total: **201,900**
 Acres: **0.000** Sales Info: **\$0**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2013

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 2 OVER 65 CODE:
 EXEMPT CODE: DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$0
 LAND VALUE 20% \$201,900
 CURRENT USE VALUE [DEACTIVATED] \$0
 TOTAL MARKET VALUE [APPR. VALUE: \$201,900]: \$201,900
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

CLASS USE:

FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$201,900.00 BOE VALUE: 0

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$40,380	\$262.47	\$0	\$0.00	\$262.47
COUNTY	2	1	\$40,380	\$545.13	\$0	\$0.00	\$545.13
SCHOOL	2	1	\$40,380	\$331.12	\$0	\$0.00	\$331.12
DIST SCHOOL	2	1	\$40,380	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$40,380	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$40,380	\$205.94	\$0	\$0.00	\$205.94
SPC SCHOOL2	2	1	\$40,380	\$678.38	\$0	\$0.00	\$678.38

TOTAL FEE & INTEREST: (Detail) \$15.00

ASSD. VALUE: \$40,380.00

\$2,023.04

GRAND TOTAL: \$2,038.04

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
	12/29/2014	2014		ACTON, VIRGINIA	\$2,038.04
	1/3/2014	2013		-	\$2,038.04
	11/19/2012	2012		ACTON VIRGINIA L	\$2,038.04
	20111231	2011		***	\$2,038.04
	20101231	2010		***	\$2,196.35
	20100215	2009		***	\$2,196.35
	20081208	2008		***	\$3,450.86
	20021118	2002		***	\$900.40
	20011114	2001		***	\$900.40
	20001212	2000		***	\$900.40

STATE OF ALABAMA
JEFFERSON _____ **COUNTY**

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 2/27/2015

To the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama:

We, the undersigned owners of the properties set out in red outline in Exhibit "A" attached hereto, which properties are contiguous to the City limits of the City of Vestavia Hills, Alabama, under the authority of Act No. 32 of the Special Session of the Alabama Legislature of 1964, do hereby petition the City of Vestavia Hills, Alabama, that the properties set out in red outline in Exhibit "A" attached, situated in **Jefferson** County, Alabama, be annexed to the City of Vestavia Hills, Alabama. The metes and bounds description of the boundary of the property of the undersigned proposed to be annexed is also set out on said Exhibit "A" and a map showing in red the property proposed for annexation by this petition is also attached and made a part hereof.

The undersigned petitioners do further petition that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, set a date for the hearing of this petition and any objections in writing to the petition or protest, on a date certain and that no less than ninety (90) days before said date certain for said hearing on this petition, that a notice of said hearing along with this petition be published in a newspaper of general circulation in Jefferson County, Alabama.

We, the undersigned petitioners do also ask that the Honorable Mayor and City Council of the City of Vestavia Hills, Alabama, do all things necessary and requisite to comply with the terms of Act No. 32 of the Special Session of the Alabama Legislature of 1964.

EXHIBIT "A"

LOT: 003.000 _____

BLOCK: 008 _____

Map Number: 28-00-34-3-008
SURVEY: _____

RECORDED IN MAP BOOK _____, PAGE _____ IN THE
PROBATE OFFICE OF _____ COUNTY, ALABAMA.

COUNTY ZONING: E-2 _____

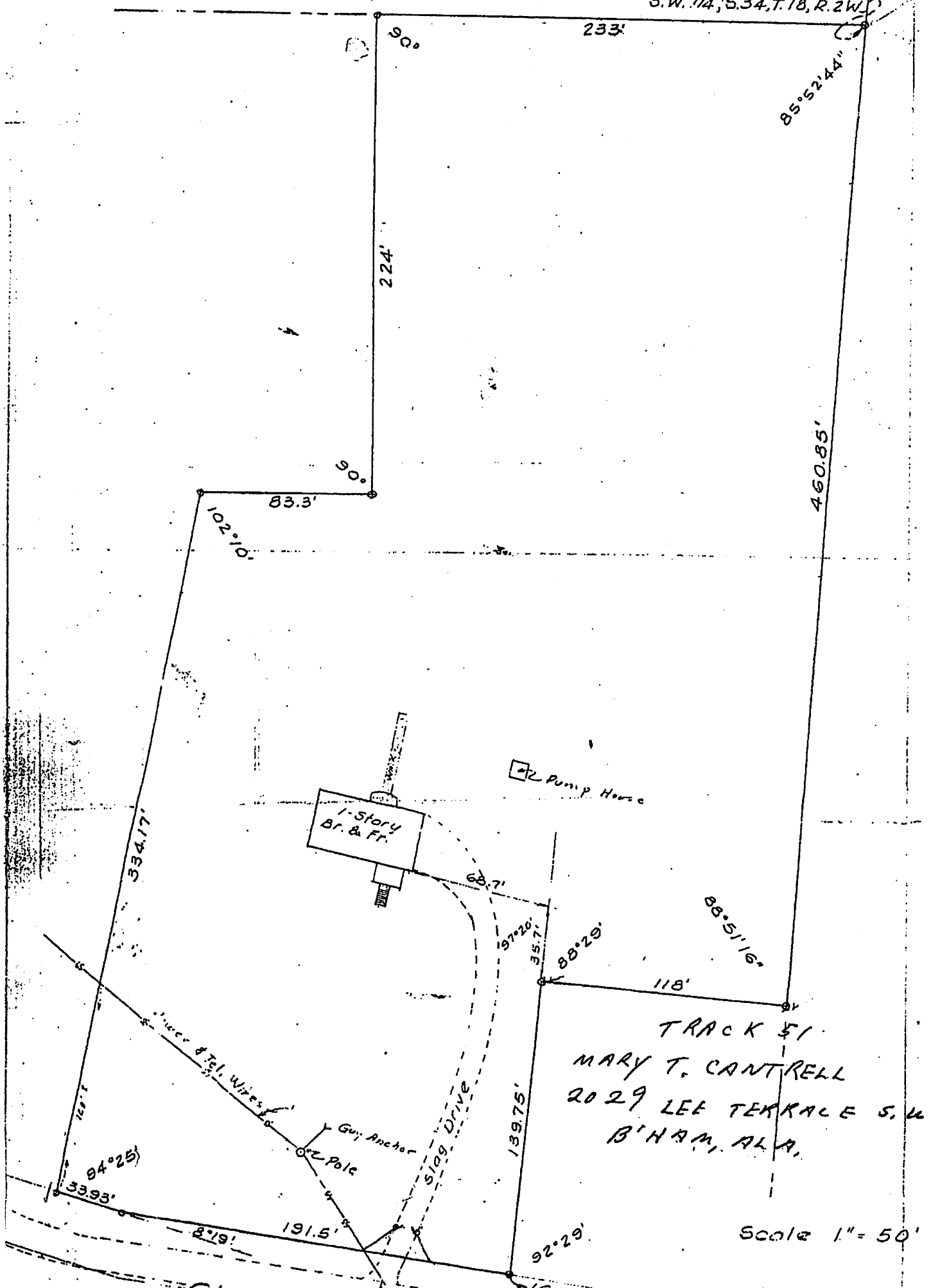
COMPATIBLE CITY ZONING: R-1 _____

LEGAL DESCRIPTION (METES AND BOUNDS):

**BEG SE COR NE 1/4 SW 1/4 TH N ALONG E LINE OF 1/4 1/4 233 FT S TH W
220 FT S TH N 63 FT S TH W 351 FT S TO E ROW OLD CALDWELL MILL
RD TH S ALONG ROW 200 FT S TH ELY 133 FT S TH S 118 S TO S LINE OF
1/4 1/4 TH E ALONG S LINE 459 S TO POB**

SEE ATTACHED

S.E. cor. N.E. 1/4 of
S.W. 1/4, S.34, T.18, R.2W



TRACK 51
MARY T. CANTRELL
2029 LEE TERRACE S.W.
B'HAM, ALA.

Scale 1" = 50'

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Virginia L. Acton</u>	Lot <u>003</u> Block <u>008</u> Survey <u>28-00-34-3-008</u>
<u>J. L. Huffstubb</u>	Lot <u>003</u> Block <u>008</u> Survey <u>28-00-34-3-008</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

Virginia L. Acton being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Virginia L. Acton
Signature of Certifier

Subscribed and sworn before me this the 24th day of February, 2015.

Isaac Miguel Lara
Notary Public

My commission expires: 4/10/2017

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>J L Huffstetler</u>	Lot <u>003</u> Block <u>008</u> Survey <u>28-00-34-3-008</u>
<u>Virginia L. Acker</u>	Lot <u>003</u> Block _____ Survey <u>28-00-34-3-008</u>
_____	Lot _____ Block _____ Survey _____

(Use reverse side hereof for additional signatures and property descriptions, if needed).

STATE OF ALABAMA

Jefferson COUNTY

JORDAN HUFFSTETLER being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

J L Huffstetler
Signature of Certifier

Subscribed and sworn before me this the 24th day of February, 2015.

Traci Maxwell Lane
Notary Public

My commission expires: 4/10/2017

EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
Vestavia Hills AL 35216**

(To be completed by the City)

Date of Annexation Petition _____ Action Taken: Grant _____
Deny _____
Resolution: Date: _____ Number: _____
Overnight Ordinance: Date: _____ Number: _____
90 Day Final Ordinance: Date: _____ Number: _____

(To be completed by Homeowner)

Name(s) of Homeowner(s): N/A

Address: _____

City: _____ State: _____ Zip: _____

Information on Children:

**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	N/A				
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes". _____

dauid acton
building corporation

4898 Valleydale Rd. Suite A4
Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Proposed Annexation, Subdivision, and Re-Zoning

For the Property Located at:
4711 Caldwell Mill Rd.
Birmingham, AL 35243

Table of Contents

- Request Introduction
- Vicinity Map
- Proposed Plot Plan
- Existing Survey
- Area Analysis
- Annexation Merits

Request Introduction

- Subject Property: The property is located at 4711 Caldwell Mill Rd., approximately 1/3 mile South of Patchwork Farms.
- Property Owner: David Acton Building Corp.
- Proposal Introduction: We propose to Annex the subject 3.43 Acre parcel into the City of Vestavia Hills, Re-Zone the Property to Vestavia Hills R-1 Zoning, Subdivide the Property into (2) lots in compliance with R-1 Zoning, and construct (2) Single Family Residences in compliance with R-1 Zoning.
- Proposed Homes: Our plans are to construct (2) homes with 3000-3500 SF each and to market the homes in the \$600,000-\$700,000 price range. Both homes will be built to a high quality standard and offer many upgraded amenities.

Vicinity Map

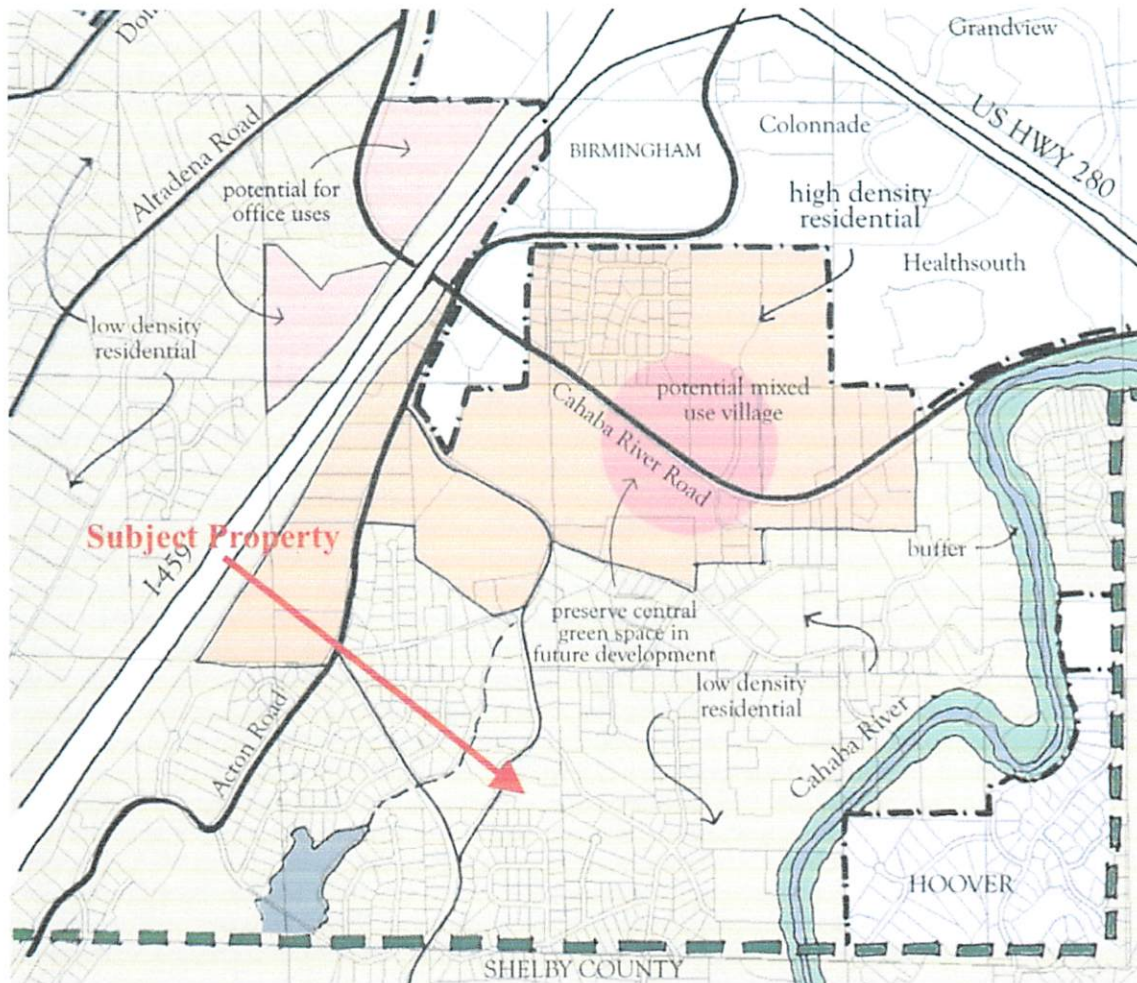
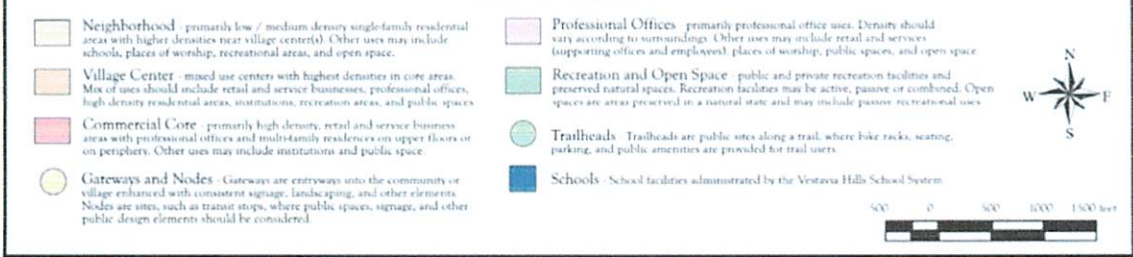


Figure 22: Cahaba River Road / Acton Road East
Land Use Analysis



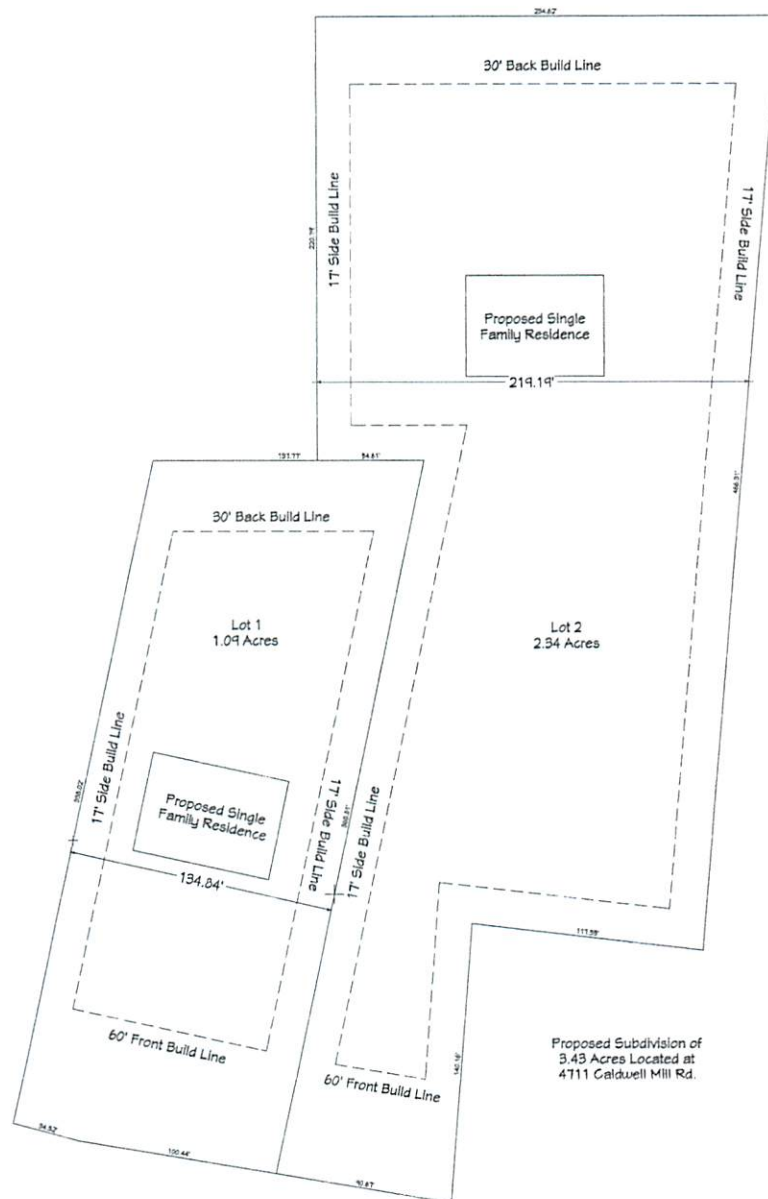
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Proposed Plot Plan



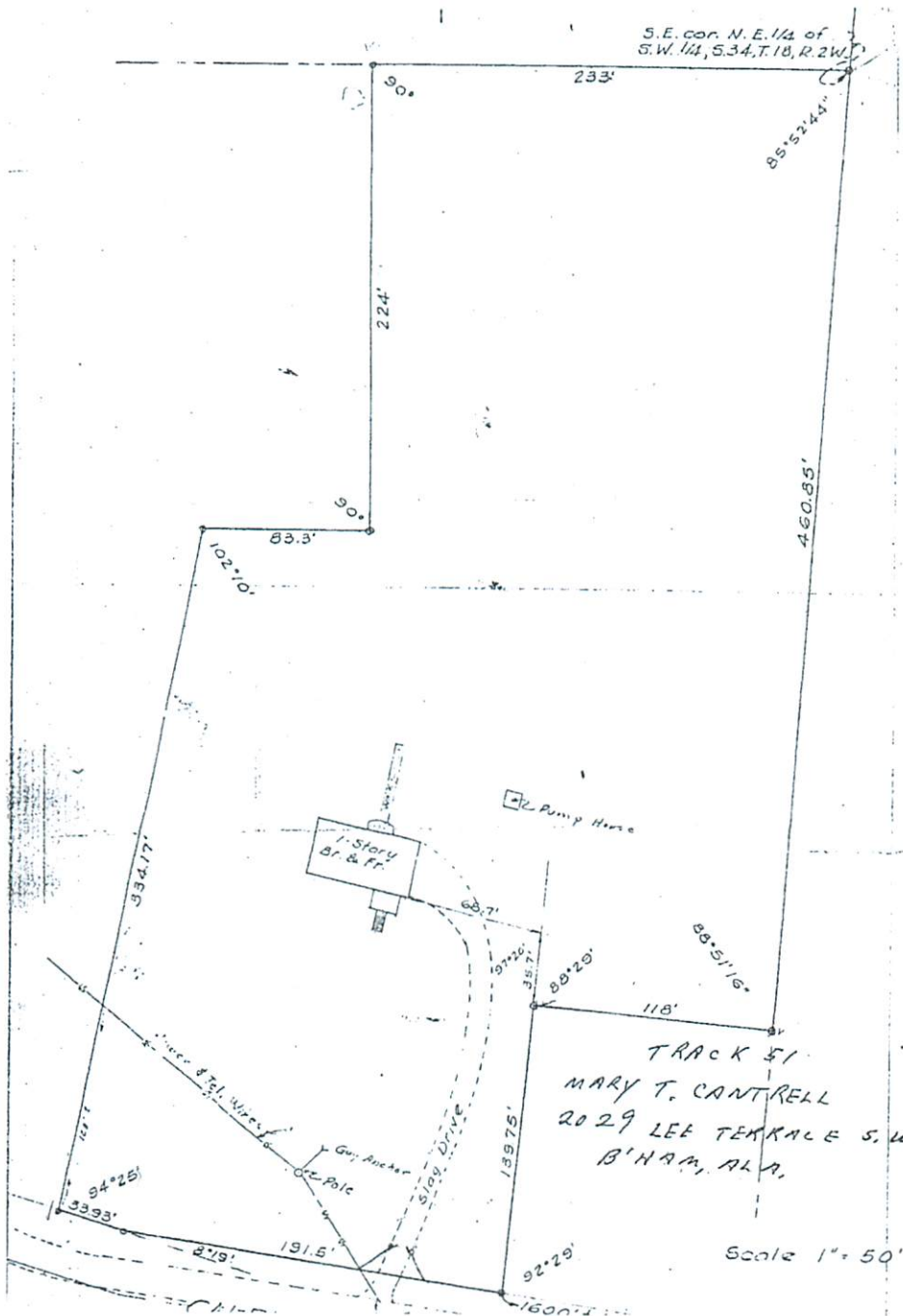
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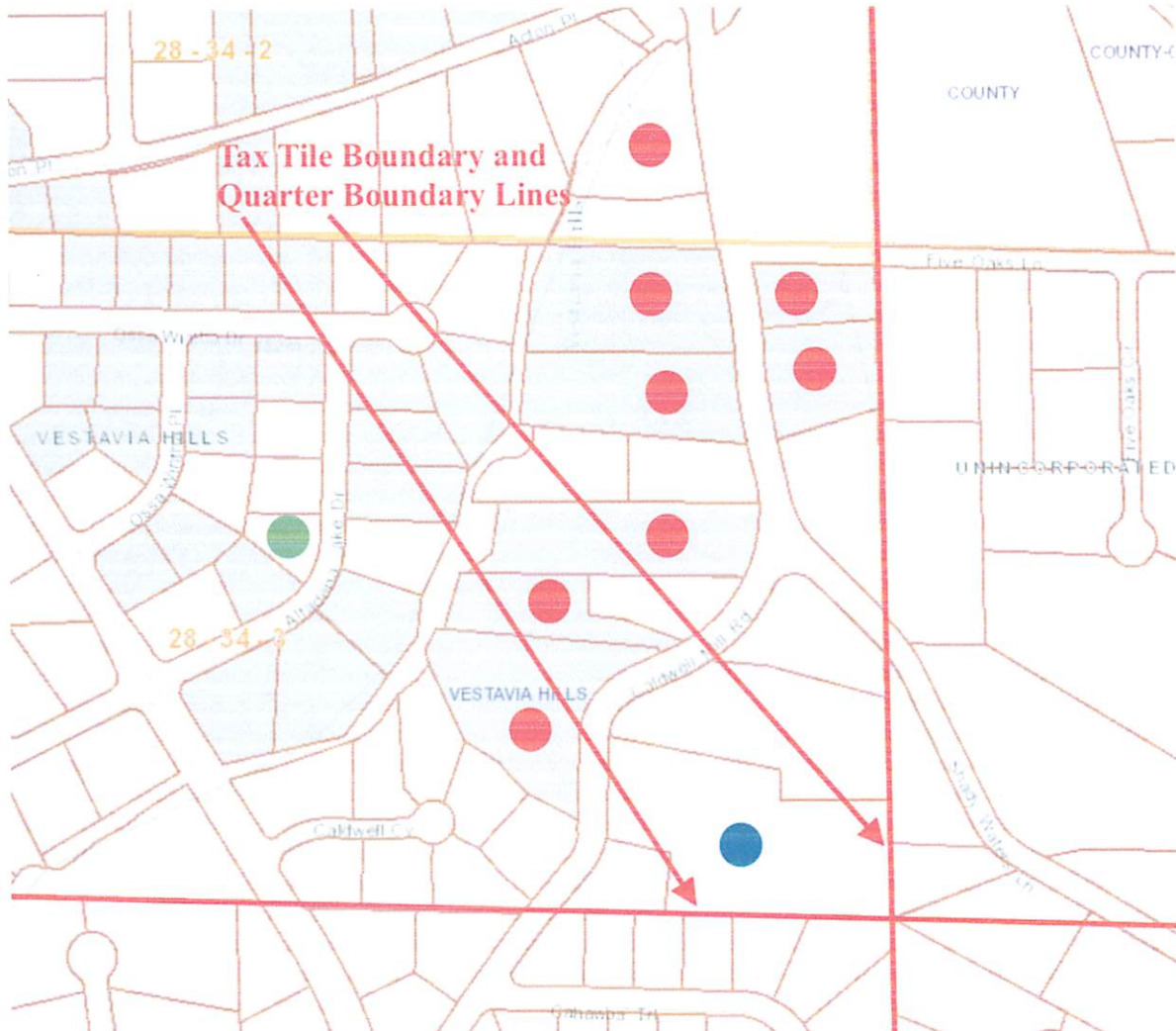
T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

Existing Survey



Area Analysis



- Blue Dot - Subject Property
- Red Dot - Caldwell Mill Rd. Address and located within City Limits
- Green Dot - Not referenced in 2006 Annexation Policy Task Force Report and successfully annexed into City Limits since publication of Report.

Annexation Merits

- Property is Contiguous to Vestavia city limits.
- Proposed Subdivision is compatible with land use in the area.
- Annexation of the Subject Property can serve a dual purpose in relationship to the City's boundaries:
 - Logically define City Limit's - The Subject Property's southern property line serves as the boundary line with the SE 1/4 of Tax Tile number 28-34-3 and it's eastern property line serves as the boundary line with Tax Tile number 28-34-4. The locations of the property lines provide natural and logical boundary lines for the City to utilize to prohibit the City's expansion to area's that are not a priority, if necessary.
 - Fill in gaps in the City Limit's created by Annexation approvals - Of the approximately 15 Residences located on Caldwell Mill Rd. between the Subject Property and Caldwell Mill's intersection with Acton Place, 8 are currently located within the limits of Vestavia. 2 of the 8 properties within the city limits are located on the same side of Caldwell Mill Rd. as the Subject Property. As there are already numerous properties on the street that are served by the City, annexation of the Subject Property will bring the total number of homes on the street that are within the City Limit's closer to 100%.
- While property is not specifically identified in September 2006 Annexation Policy Task Force Report, Property is located within same Tax Tile Number (28-34-3) as other properties that have successfully petitioned Vestavia for Annexation.
- Any concerns City Departments have with the physical condition of the property can be addressed in the construction process.
- Property Values and Market Demand:
 - Market Demand - Vestavia and Birmingham have invested heavily in Patchwork Farms, Grandview Medical, and other development along Acton Rd. and Cahaba River Rd. We believe that many of the professionals who support the operations of these developments will desire New Construction that is both within Vestavia city limits and located in close proximity to these developments.
 - Property Values - David Acton Building Corp. is not a volume leader amongst Birmingham homebuilders. We were ranked in the 2013 Birmingham Business Journal Top 25 Homebuilders List based off total new construction permits issued. Our average sales price per home was the highest of any homebuilder on the list. Our typical client chooses us based on our reputation for building quality homes, our finish material selections, and our attention to detail. Based on our history and where we operate within the industry, we are confident that the homes we build on the 2 Proposed Lots will enhance the property values and overall stature of the area.

ORDINANCE NUMBER 2567

AN ORDINANCE OF THE CITY OF VESTAVIA HILLS TO ESTABLISH A PROCEDURE FOR THE ABATEMENT OF GRASS AND WEEDS AND FOR THE PROSECUTION OF GRASS AND WEEDS VIOLATIONS.

WHEREAS, Alabama Act Number 2010-562 allows Class 7 Municipalities, such as the City of Vestavia Hills, Alabama (“the City”) to adopt their own procedures for abating grass and weed nuisances;

WHEREAS, the Mayor and City Council desire to establish procedures relating to the abatement of grass and weeds within the City and to establish procedures relating to the prosecution of grass and weeds violations within the City;

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS AS FOLLOWS:

Section 1. Definitions:

(a) Misdemeanor. It shall be the duty of every occupant of or person in possession of or in charge or control of the lower or ground floor or story of any house, building or structure, whether the same be used for dwelling or other purpose, and of every owner or agent or person in charge or control of any vacant lot abutting, situated on or facing any sidewalk that has been provided with curbing or that has been paved, macadamized or otherwise improved, to keep such sidewalk so bordering such premises and one-half of the street both in front and on the side thereof, free from grass, weeds or other voluntary or spontaneous growth of like nature, and any owner or agent, occupant or person in possession of or in charge or control of any of the premises described in this Section who shall permit such grass, weeds or other voluntary or spontaneous growth to obtain a height of over twelve (12) inches shall be guilty of a misdemeanor.

(b) Weed Defined. For purposes of this Article, a weed is defined as a plant of no value, undesirable and usually of rank

growth; grass, shrubs, underbrush, and other vegetable growth higher than twelve (12) inches.

(c) Agricultural Zoning Exception. The provisions of Ordinance Number 2567 of the City of Vestavia Hills, Alabama, shall not apply to any property that has been zoned agricultural property.

(d) Use of UNTCC Authorized. A law-enforcement officer may, in his or her sole discretion, choose to cite and release a defendant charged pursuant to this Article by utilizing the Uniform Nontraffic Citation and Complaint (“UNTCC”) as the charging instrument. However, any defendant charged pursuant to this Article must appear in court to answer the charged offense and may not plead guilty before a magistrate.

Section 2. Applicability and Intent:

An abundance of overgrown grass or weeds within the corporate limits of the City that is injurious to the general public health, safety, and general welfare by providing breeding grounds and shelter for rats, mice, snakes, mosquitoes, and other vermin, insects, and pests; or attaining heights and dryness that constitute a serious fire threat or hazard; or bearing wingy or downy seeds, when mature, that cause the spread of weeds and, when breathed, irritation to the throat, lungs, and eyes of the public; or hiding debris, such as broken glass or metal, that could inflict injury on a person going upon the property; or being unsightly; or a growth of grass or weeds, other than ornamental plant growth, that exceeds 12 inches in height, may be declared to be a public nuisance by the City Council and abated as provided this Ordinance Number 2567, City of Vestavia Hills, Alabama. The term “corporate limits of the City” as defined in this Article does not include the police jurisdiction of the City.

Section 3. Weeds and Other Vegetation—Abatement”:

(a) First Demand. Whenever there is a growth of weeds to a height of over twelve inches or otherwise constituting a nuisance pursuant to Sections 2 of this Ordinance Number 2567, the City Compliance Officer, the City Clerk, the Mayor, or any police officer of the City may serve notice upon the owner, occupant, and/or agent of owner or occupant of any improved lot or the owner and/or agent of the owner of any vacant lot

where the nuisance is located demanding that the growth be cut within forty-eight (48) hours.

(b) **Setting of Public Hearing.** If any such person or entity fails or refuses to cut such vegetation within such time as provided in Subsection (a), then the City Compliance Officer, the City Clerk, the Mayor, or any police officer of the City may set the matter for a public hearing to determine whether the nuisance should be abated. Said persons may set the matter for a public hearing by requesting that the Mayor or City Clerk add the matter to the applicable meeting agenda of the City Council. Alternatively, whether or not the first demand provided for by Subsection (a) has been made, whenever there is a growth of weeds to a height of over twelve inches or otherwise constituting a nuisance pursuant to Section 2 of this Ordinance Number 2567, the City Clerk may, by resolution, set a public hearing to determine whether the nuisance should be abated. In either case, such public hearing shall be set for the next meeting of the City Council that is at least ten calendar days from the date that notice is served upon the owner, occupant, and/or agent of owner or occupant of any improved lot or the owner and/or agent of the owner of any vacant lot where the nuisance is located or at any meeting thereafter. Although notice of a public hearing need not adhere to any particular form, it should inform the person or entity served of the time, date, and place of the hearing and the reason for the hearing.

(c) **Service.** Service under this Section shall be made by delivering a copy to the owner, occupant, and/or agent of owner or occupant of any improved lot or the owner and/or agent of the owner of any vacant lot where the nuisance is located or by mailing it to the owner, occupant, and/or agent of owner or occupant of any improved lot or the owner and/or agent of the owner of any vacant lot where the nuisance is located at said person or entity's last known address. Delivery of a copy under this Section means: handing it to the owner, occupant, and/or agent of owner or occupant of any improved lot or the owner and/or agent of the owner of any vacant lot where the nuisance is located; or leaving it at said person or entity's office with a clerk or other person in charge thereof; or, if there is no one in charge, leaving it in a conspicuous place therein; or leaving it at the person's dwelling house or usual place of abode with some person of suitable age and discretion then residing therein; or by leaving it in a conspicuous place at the lot or parcel (whether improved or not) where the nuisance is located. Service by mail is complete upon mailing. For purposes of this Article, the person making service may (but is not required to) rely upon any information appearing on record in the office of the Jefferson County Tax Assessor to establish the identity of an owner of

property or to establish a person or entity's last known address, which if utilized shall be deemed conclusive and sufficient proof of the same.

(d) **Optional Notice.** The City Compliance Officer, the City Clerk, the Mayor, and/or any police officer of the City is authorized within their sole discretion, but not required, to utilize any additional means of providing notice deemed appropriate. Specifically, said persons are authorized to, but not limited to, provide this additional, optional notice by placement of notice in a public place or places located within the City, by publishing notice in a newspaper of general circulation published in the City as often and for as long as deemed appropriate, or by the placement of a sign or signs upon the offending property. The additional, optional notice provided for in this Subsection may be provided in whatever form the person giving notice deems appropriate in their sole discretion. Any person, other than a City officer, agent, or employee, who removes a sign or notice placed pursuant to this Subsection prior to the time that the offending growth is cut or abated in its entirety shall be guilty of a misdemeanor.

(e) **Public Hearing.** At the time stated in the notice for the public hearing, the City Council shall hear and consider all evidence, objections, and protests regarding the proposed removal of weeds. The City Council (either by vote of simple majority of those present or through the direction of the Mayor as chair of the meeting) may continue the hearing from time to time.

(f) **Resolution to Abate.** After public hearing, if it is found that there is a growth of weeds to a height of over twelve inches or otherwise constituting a nuisance pursuant to Section 2 of this Ordinance Number 2567, the City Council may, by resolution, declare the weeds to be a public nuisance and order its abatement. The resolution shall refer to the street by the name under which it is commonly known or describe the property upon which or in front of which the nuisance exists by giving a legal description of the property and no other description of the property shall be required. Any number of streets, sidewalks, or parcels of private property may be included in one resolution. The City Council, by passage of the resolution, shall be deemed to have acquired jurisdiction to proceed and either to perform or have performed the work of removal or abatement with respect to the property or part thereof. The decision of the City Council on the matter shall be deemed final and conclusive.

(g) **Abatement of Nuisance.** After the City Council passes the resolution finding the conditions of the property to be a nuisance and ordering its abatement, all officers, employees, and agents of the City may

enter upon the private property to abate the nuisance. Alternatively, the City Council may authorize private contractors, companies, enterprises, or individuals to abate and remove the nuisance. The City Council (by resolution), the Mayor, and/or any other agent, officer, or employee of the City so authorized by the Mayor shall designate the contractors, companies, enterprises, or individuals who may perform the work. Those persons so designated may enter upon private property for purposes of abating or removing the nuisance. For purposes of this Article, compliance with the competitive bid law is not required.

(h) City Compliance Officer. For purposes of this Article, this City Compliance Officer shall be the City Police Officer and/or any other agent, officer, or employee of the City so authorized by the Mayor.

Section 4. Weeds and other vegetation—Reporting, Assessment, and Collection

of Costs of Abatement:

(a) Reporting of Costs. The City adopts Section 11-67-65 of the *Code of Alabama* (1975) as that section may be amended or renumbered over time as its procedures for the reporting of costs of abating or removing a nuisance. However, this Subsection (a) is merely directory, and failure to comply with this provision shall not render any weed lien void or otherwise invalidate an action or omission of a City officer, agent, or employee when they are exercising their discretion.

(b) Weed Lien: Generally. After the abatement of any overgrown grass or weeds pursuant to the procedures provided in Section 2 of this Ordinance Number 2567 the costs of abatement shall be assessed and collected as a weed lien in the same manner as provided in Section 11-67-66 of the *Code of Alabama* (1975).

(c) Weed Lien: State Land. The City may assess the costs authorized against any lot or lots or parcel or parcels of land purchased by the State of Alabama or any purchaser at any sale for the nonpayment of taxes and where an assessment is made against a lot or lots or parcel or parcels of land, a subsequent redemption thereof by a person authorized to redeem or sale thereof by the State, shall not operate to discharge, or in any manner affect the lien of the City for the assessment, but a person redeeming the property or purchaser at a sale by the State of any lot or lots or parcel or parcels of land upon which an assessment has been levied, whether prior to or subsequent to a sale to the State or

purchaser for the nonpayment of taxes, shall take the same subject to the assessment.

(d) Cumulative Effect. This Article is cumulative in nature and in addition to any and all power and authority that the City may have under any other law.

Section 5. That this Ordinance shall become effective upon its adoption as provided by law;

Section 6. That the provisions of this Ordinance shall be included in and incorporated in the Code of Ordinances of the City of Vestavia Hills as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code; and

Section 7. That the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable, and if any phrase, clause sentence, paragraph or section of this Ordinance shall be declared unconstitutional by a court of competent jurisdiction, then such ruling shall not affect any other paragraph and sections, since the same would have been enacted by the City Council without the incorporation of any such unconstitutional phrase, clause, sentence, paragraph or section.

ADOPTED AND APPROVED this the 11th day of May, 2015.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, City Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Vestavia Hills, Alabama, on the 11th day of May, 2015.

The above and foregoing ordinance was published on the _____ day of _____, 2015, by posting copies thereof in three public places within the City of Vestavia Hills, one of which was the post office or the Mayor's office in the City of Vestavia Hills.

Witness my hand and seal of office this ____ day of _____, 2015.

Rebecca Leavings, City Clerk



**CITY OF VESTAVIA HILLS
INTEROFFICE MEMORANDUM**

TO: James Coleman, Compliance Officer
Dan Rary, Police Chief
Rebecca Leavings, City Clerk

FROM: Jeff Downes, City Manager

DATE: April 16, 2015

RE: City of Vestavia Hills Grass and Weed Fee Structure

The Minimum Fees if Grass/Weeds are Removed by Property Owner will total a \$200 administrative fee if the property owner remediates the property himself. If the City remediates the property, then in such event the total cost will be the cost of remediation by the City or Contractor plus an additional \$200 administrative fee.