

Vestavia Hills
City Council Agenda
May 9, 2016
5:00 PM

1. Call to Order
2. Roll Call
3. Invocation – Coach Steve Gaydosh, Vestavia Hills High School
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Proclamation – National Police Week and Peace Officers Memorial Day – May 15-21 and May 15, 2016
7. City Manager’s Report
8. Councilors’ Reports
9. Approval of Minutes – April 25, 2016 (Regular Meeting)

Old Business

10. Resolution Number 4830 – A Resolution Authorizing The City Manager To Accept A Proposal To Design A Motor Scout Building For The City Of Vestavia Hills Police Department (*public hearing*)
11. Resolution Number 4831 – A Resolution Authorizing The City Manager To Accept A Proposal To Design A Municipal Fleet Operations Facility At Lot 1, Vestavia Sports Park And Renovation Of Current Park Maintenance Facility At Wald Park (*public hearing*)

New Business

12. Ordinance Number 4832 – A Resolution Determining That Certain Personal Property Is Not Needed For Public Or Municipal Purposes And Directing The Sale/Disposal Of Said Surplus Property
13. Resolution Number 4833 – A Resolution Granting A Power Easement For Alabama Power On The Property Located At 501 Montgomery Highway (Monopole site)
14. Resolution Number 4834 – A Resolution Granting A Power Easement For Alabama Power On The Property Located At 501 Montgomery Highway (Vestavia Hills Bill F. Towers Fire Station Number 1)
15. Resolution Number 4835 – A Resolution Authorizing The City Manager To Accept A Settlement Payment From Bariatrics Of Alabama, A Former Business Of The City Of Vestavia Hills

16. Ordinance Number 2538-A – An Ordinance Amending Ordinance Numbers 2538 And 2530 - Authorizing And Directing The Mayor And City Manager To Execute And Deliver The Second Amendment To Purchase And Sale Agreement, By And Between The City Of Vestavia Hills, Alabama, As “Seller” And Daniel Realty Company, LLC, An Alabama Limited Liability Company As “Purchaser”, For The Property Located In The Patchwork Farms PUD, Vestavia Hills, Alabama

New Business (Requesting Unanimous Consent)

First Reading (No Action Taken At This Meeting)

17. Ordinance Number 2655 – Annexation – 90-Day Final – 2425 Kenvil Circle; Lot 37, Resurvey of Lots 18-20, 33-37 & 46-48, Buckhead, 2nd Sector; Anna and Brandon Rooks (*public hearing*)
18. Ordinance Number 2656 – Rezoning – 2425 Kenvil Circle; Lot 37, Resurvey of Lots 18-20, 33-37 & 46-48, Buckhead, 2nd Sector; Rezone from Jefferson County E-2 to Vestavia Hills R-1; Anna and Brandon Rooks (*public hearing*)
19. Ordinance Number 2657 – Annexation – 90-Day Final – 3425 Jones Drive, Ralph and Alison McCall (*public hearing*)
20. Ordinance Number 2658 – Rezoning – 3425 Jones Drive; Rezone from JC E-2 to VH R-1; Ralph and Alison McCall (*public hearing*)
21. Ordinance Number 2659 – Annexation – 90-Day Final – 2510 & 2512 Dolly Ridge Road; Lots 21 & 22, Dolly Ridge Estates; Don and Kristie Garrett and Todd and Leeba Strong (*public hearing*)
22. Ordinance Number 2660 – Rezoning - 2510 & 2512 Dolly Ridge Road; Lots 21 & 22, Dolly Ridge Estates; Rezone from JC E-2 to VH R-1; Don and Kristie Garrett and Todd and Leeba Strong (*public hearing*)
23. Ordinance Number 2661 – Annexation – 90-Day Final – 2611 Alta Vista Circle; Lot 7, Altadena Valley Country Club Sector, Chad Speegle (*public hearing*)
24. Ordinance Number 2662 – Rezoning – 2611 Alta Vista Circle; Lot 7, Altadena Valley Country Club Sector; Rezoning from SC E-1 to VH E-2; Chad Speegle (*public hearing*)
25. Ordinance Number 2663 – Annexation – 90-Day Final – 4705 Caldwell Mill Road; David Acton Building Corporation (*public hearing*)
26. Ordinance Number 2664 – Rezoning – 4705 Caldwell Mill Road; Rezone from JC E-2 To VH R-1; David Acton Building Corp (*public hearing*)
27. Citizens Comments
28. Motion For Adjournment

PROCLAMATION

WHEREAS, the Congress and President of the United States have designated the week of May 15, 2016 as "National Police Week" and May 15 as "Peace Officers Memorial Day;" and

WHEREAS, the members of the Vestavia Hills Police Department play an essential role in safeguarding the rights and freedoms of the public and provide a critical public service to the community; and

WHEREAS, it is important that all citizens understand the challenges, duties, and responsibilities of their police department; and, that members of our Police Department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression and intimidation; and

WHEREAS, it is well known and accepted that law enforcement is an inherently dangerous and demanding profession in which dedicated professionals knowingly place their lives in harm's way to protect others who are unable to protect themselves;

NOW, THEREFORE, I, Alberto C. Zaragoza, Jr. by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim May 15-21, 2016 and May 15, 2016 as

NATIONAL POLICE WEEK AND PEACE OFFICERS MEMORIAL DAY

and hereby express our continued support of the Vestavia Hills Police Department and all peace officers throughout our nation in their efforts to build safer and more secure communities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

APRIL 25, 2016

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
Jim Sharp

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick H. Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Police Capt. Kevin York
Jimmy Coleman, Compliance Officer
Jim St. John, Fire Chief
Brian Davis, Public Services Director
Christopher Brady, City Engineer
Lori Beth Kearley, Asst. City Engineer
Melvin Turner, Finance Director
George Sawaya, Asst. City Treasurer

Invocation was given by Pastor Scott Guffin, Liberty Park Baptist Church, followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION, CANDIDATES

- Mr. Pierce recognized Michael Giardina and David Surber attending the meeting representing the Vestavia Hills Chamber of Commerce.
- The Mayor welcomed Dr. Sheila Phillips and David Powell of the Board of Education.

**PRESENTATION – MARCH 9, 2016
INCIDENT RESPONDER COMMENDATION**

Dr. Sheila Phillips thanked the Mayor and City Council for doing this presentation jointly between the Board of Education and the City Council. She explained the incident being referenced happened on March 9, 2016 when some students moving a goalpost were shocked when they encountered an electrical line. They are present at the meeting along with the Board and the Council to thank the first responders who reacted so fast when the incident occurred.

Mr. Henley called the names and each individual accepted the certificate and was thanked by the Mayor, Council, Superintendent and members of the Board of Education. Individuals included: Police Officer Andy Kimbrell, Police Office Jared Ling, Greg Smith, Hannah Peterson, Rob Hudson, Mandy Burgess, Tyler Burgess, Jeff Segars, Adam Martin, Joe Bowker.

PRESENTATION – JOAN WRIGHT – CHILD CARE RESOURCES

Joan Wright, Child Care Resources, thanked the Council and Mayor for past and continuing support of Child Care Resources. She explained her organization's programs and indicated that the link to their annual report can be found online.

PRESENTATION – JOHN NORRIS – A POLICE DEPARTMENT TRIBUTE

John Norris, 2700 Pruett Place, presented a letter paying a tribute to the Vestavia Hills Police Department. He cited the PD education, educational programs, positive community interaction, etc., and stated that he was proud that this community had such an outstanding group of officers.

Mr. Ammons thanked Mr. Norris for his comments and stated that the Sunrise Rotary held a celebration last Saturday to honor the first responders of the City and that Chief Rary is a great leader for the City's Police Department.

CITY MANAGER'S REPORT

- Mr. Downes explained the reasons for delay in the repaving of Rocky Ridge Road which is a multi-jurisdictional endeavor within 3 municipalities. He indicated that the project is funded through ALDOT and is supported by Hoover, Mountain Brook, Vestavia and Jefferson County.
 - Mark Thompson, 1359 Badham Drive, stated that the contractor is in negotiations with ALDOT on two drainage structures on Hoover's end of the roadway. This has been a lengthy process and they were informed by

ALDOT that they are close to a resolution and should begin moving forward soon. The contractor is ready to begin as soon as they are given the green light by ALDOT. Discussion ensued about the repairs will be on us or on Hoover and Mr. Downes explained that there is a mixture of shoulder work and the cost that he is talking about is very minimal.

- Mr. Downes stated that the other project that has been delayed is the construction of Meadowlawn Park. He gave a background on the process of purchasing the homes that were located on the site. He stated that there is a contractor ready to begin construction, but the City has been waiting on Charter Cable to relocate a line from some existing poles.
- Mr. Pierce asked about the progress of paving of Sicard Hollow. Mr. Downes stated that this is another multi-jurisdictional project which is being led by Jefferson County. Geotechnical work is being done in order to repair the road base adequately to determine what needs to be done prior to resurfacing. The timeframe was publicly announced and the milling should begin around late summer and we are tracking toward that goal.
- Mr. Henley asked how the City Hall facility is working when outside groups and celebrations are held. Mr. Downes stated they have had several celebrations here at City Hall and there is plenty of sitting room on grass all through the front of the building. The kitchen space, utilities, electricity, tents, etc., all work together to make the City Hall a great community space.

COUNCILORS' REPORTS

- Mr. Pierce announced that Thursday, June 30, 2016 will be the beginning of I Love America Day at Wald Park.

PROCLAMATION

Mr. Downes presented a proclamation designating the week of May 1-7, 2016, as Municipal Clerk's Week. He read the proclamation and presented it to City Clerk Rebecca Leavings.

FINANCIAL REPORTS

Mr. Sawaya presented the financial reports for month ending March 2016. He read and explained the balances and answered any questions from the City Council.

APPROVAL OF MINUTES

The minutes of April 11, 2016 (Regular Meeting) and April 18, 2016 (Special Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of April 11, 2016 (Regular Meeting) and April 18, 2016 (Special Meeting) and approve them as presented was by Mr. Henley and second by Mr. Pierce. Roll call vote as follows:

Mr. Pierce – yes

Mr. Henley – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

Motion carried.

OLD BUSINESS

ORDINANCE NUMBER 2652

Ordinance Number 2652 – An Ordinance Establishing Policy And Protocols To Manage Stray, Feral Or Abandoned Cats And Felines And To Prescribe Penalties For Violation Thereof (*Public Hearing*)

MOTION Motion to approve Ordinance Number 2652 was by Mr. Pierce and second was by Mr. Ammons.

Mr. Downes explained that this Ordinance is in response to numerous complaints referencing concerns over cats that appear to be undomesticated that are creating numerous nuisance issues around the City. Once investigated, it became concerning to the staff as well as the Council. It was soon realized that the City has no ordinance that addresses cats in the City. A committee was created and was led by Mr. Pierce to determine how to address this issue. Other committee members included Mr. Ammons, Ms. Leavings, Mr. Coleman and Mr. Downes. Cat experts were called in for advice on the issue and as the conversation furthered, Allison Black Cornelius came forward with an option to assist in controlling these animals. This Ordinance allows the City or its designee to provide a variety of services to deal with these cats which included adoption, a limited TNR (trap neuter release) and other humane euthanizing of cats that are diseased. Funding was appropriated by the City Council to execute an agreement with the Birmingham Humane Society in order to carry out these various options upon trapping of the cat.

Mr. Pierce agreed with Mr. Downes' description of the issues. He stated that he didn't know anything about a feral cat and they brought in and discussed these issues with experts and realize the sensitivity of dealing with cats because some have become pets. However, this situation has to be addressed.

Mr. Boone indicated that he has reviewed the Ordinance and the agreement and that the City Council has the ability to enter into this agreement.

Allison Black Cornelius, Birmingham Humane Society, was present and gave an overview of the agreement provisions and the services that the Humane Society will

provide the City of Vestavia Hills. The rates are the same offered to the County. She explained their facilities and stated that all cats would have a health assessment through licensed veterinarians and another veterinary student working under the supervision of an Auburn faculty member and the veterinarians.

Holly Baker, Birmingham Humane Society, explained that they want to get the needed equipment and manpower to trap the most concentrated areas. The animals would be held the requisite seven days and then assessed to determine if any can be adopted or need to be neutered/spayed. Once completed, they will do an assessment with the City to determine the process.

Mr. Pierce asked if community members would be notified.

Ms. Baker stated that their vehicles will be located on public/private properties and will be clearly labeled. The traps would be monitored multiple times per day and the officers will be communicating with residents of the area to notify when the trapping will occur.

Mr. Henley asked about the initial amount of \$10,000 being a guestimate as to what will be needed. If more funding is needed, would it take Council action?

Mr. Downes stated that that is correct.

Mr. Sharp asked about unqualified persons manipulating the traps.

Ms. Cornelius stated that they can bring out cameras and the enforcement would have to be relied upon by the police force.

Mr. Downes stated that Mr. Coleman will be the primary liaison.

Mr. Ammons stated that the seven-day detention is state law. Ms. Baker explained that the State of Alabama assumes that all cats are owned and are held for a seven-day day period in order to allow an owner to come and claim his pets. There is a website that's maintained and it uploads a picture of the animal online. However, if the animal is injured, suffering or contagious, the veterinary staff may make a decision to put the animal down. Animals should be "chipped" in order to identify a pet and should be kept up-to-date.

Discussion ensued as to the adoption of animals, marking of animals following TNR, etc.

The Mayor opened the floor for a public hearing. The following individuals addressed the Council regarding the Ordinances.

1. Jack London, 3156 Valley Park Drive; Vestavia Hills
2. Emily Vance, 3137 Valley Park Drive; Vestavia Hills

3. Pamela McEachern, 905 Wesford Drive, Birmingham
4. Thea Ostroy, 3425 Danbrooke Circle, Birmingham
5. Rita Taylor, 38191 River View Drive, Vestavia Hills
6. Susan Schong, 3768 Bambridge Trace Drive, Birmingham
7. Maggie Ashley (Purrfect Love Cat Rescue), 1585 Stonehaven Drive, Pelham
8. Jenny Kitty (Purrfect Love Cat Rescue), 1585 Stonehaven Drive, Pelham
9. Bruce Nelson, 1015 Haviland Drive, Vestavia Hills
10. Carol Greiner, 3112 Valley Park Drive, Vestavia Hills

Speakers spoke for and against adoption of the Ordinance expressing concerns including, but not limited to, the following: prohibiting the feeding of stray and feral cats; capturing of animals, TNR programs (trap, neuter, release), the number of cats in the Cahaba Heights community, the dangers of stray cats, allowing other agencies in to address the situation, whether or not the humane society can adequately address the situation, etc.

Ms. Cornelius and Ms. Baker, Birmingham Humane Society, addressed the Council to answer questions posed by the members of the public as well as those of the Council. She defined the difference between feral and stray cats and explained that they work pursuant to Alabama law and the only exception is when the cat is determined to not be able to hold the animal humanely for the required seven days. Examples include a bad injury or an animal that mutilates itself by being caged. She explained that a feeding ban added by many cities allows the easier capture of these animals. Mr. Ammons reiterated the state law governing this situation. Mr. Boone detailed statutes that allows municipalities to sterilize and even euthanize feral and abandoned animals. Feline leukemia is spread through various ways by body fluids and it is unhealthy to return an animal with the disease with healthy cats. Humane Society has been in existence for 135 years and they have been handling cats for a very long time. They have a capacity to take in 1800 animals a month and the State of Alabama is woefully behind in having laws to mandate that individuals take proper care of their animals. The cages are humane and once the cat is trapped, it is transferred into a feral cat bin which is an acrylic box with a window and reduces stress for the cat. The “den” is placed inside a cage to allow the animal to use a litter box, obtain food and water, etc., and allows the “den” to be closed when the cage needs cleaning while the animal stays safe. The Humane Society will assess each animal to determine if the animal can be adopted out to a good home. Ms. Baker explained the extreme variety of cats which range from lovable to feral cats which are equivalent to wildlife.

Ms. Baker explained exactly what would happen from the time the animal is captured, then evaluated, etc. She stated that during the 7-day period, the picture of the animal will appear on their website; the animal is evaluated and determined to be healthy. It is then transported to a facility where it is vaccinated, spayed/neutered, marked and then returned to the area where it was captured.

Mr. Pierce stated that there is no perfect system, but there is a problem that needs to be addressed. He stated that he has confidence in the Birmingham Humane Society and he feels this is the proper action.

There being no one else to address the Council regarding the request, the Mayor closed the public hearing and called for the question. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4821

Resolution Number 4821 – A Resolution Amending Resolution Number 4598 And Authorizing The City Manager To Complete All Actions Necessary To Secure Payment For Construction Of The New City Hall Facility Located At 1032 Montgomery Highway

MOTION Motion to approve Resolution Number 4821 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes explained that this is a Resolution to finalize payments for the new City Hall Facility. He showed a diagram of the original City Hall preconstruction budget totaling \$20.7 million. Currently the City has spent \$19.5 million and the final contracts are coming due. The City originally went out to borrow and approved \$20 million for construction knowing that the final costs would require an additional approval of the Council. This final action will approve an additional \$755,000 to pay the final items including the architectural services which is a percentage of the construction costs.

Mr. Henley asked if this will be pulled from Capital Reserve Funds and is there anything else that needs to be included. Mr. Downes stated that there was a wish list and it was narrowed to determine what was needed.

Mr. Pierce stated that these were not change orders. This was actually brought in on time and under budget. Mr. Downes stated that there were some change orders but they were paid out of contingency or by value engineering. It helped to have a construction manager on site.

The Mayor opened the floor for a public hearing. There being no one else to address the Council regarding the request, the Mayor closed the public hearing and called for the question. Roll call vote as follows. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

NEW BUSINESS

ORDINANCE NUMBER 2653

Ordinance Number 2653 – Annual Jefferson County Tax Levy

MOTION Motion to approve Ordinance Number 2653 was by Mr. Ammons and second was by Mr. Pierce.

Mr. Downes explained that this is an annual Ordinance to allow the County to do the City's ad valorem assessment and collection in Jefferson County pursuant to state law.

There being no further questions, the Mayor called for the question. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

ORDINANCE NUMBER 2654

Ordinance Number 2654 – Annual Shelby County Tax Levy

MOTION Motion to approve Ordinance Number 2654 was by Mr. Ammons and second was by Mr. Henley.

Mr. Downes explained that this is an annual Ordinance to allow the County to do the City's ad valorem assessment and collection in Shelby County pursuant to state law.

There being no further questions, the Mayor called for the question. Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4825

Resolution Number 4825 – Appointing A Member To The Vestavia Hills Board Of Education

MOTION Motion to approve Resolution Number 4825 was by Mr. Henley and second was by Mr. Sharp.

MOTION Motion to amend Resolution Number 4825 to appoint Lisa Baker was by Mr. Henley and second was by Mr. Sharp. Roll call vote as follows:
Mr. Pierce – yes Mr. Henley – yes
Mr. Sharp – yes Mr. Ammons – yes
Mayor Zaragoza – yes Motion carried.

The Mayor opened the floor for a Council discussion.

Mr. Henley explained that there were ten applicants and five individuals stood on their prior interviews and five others actually re-interviewed. He indicated that all ten were well qualified but there's only one appointment.

Mr. Pierce stated that the City has very involved residents in all aspects of the community and the commitment to the Board of Education is extremely important to this Council.

The Mayor closed the public hearing and called for the question.

Mr. Pierce – no Mr. Henley – yes
Mr. Sharp – yes Mr. Ammons – yes
Mayor Zaragoza – yes Motion carried.

Ms. Baker was present at the meeting and thanked the Mayor, Council and the Community for allowing her to interview and that she is anxious to contribute.

RESOLUTION NUMBER 4817-A

Resolution Number 4817-A – A Resolution Amending Resolution Number 4817 – A Resolution Approving An Additional \$24,000 For Mowing Of The Former Altadena Valley Country Club

MOTION Motion to approve Resolution Number 4817-A was by Mr. Ammons and second was by Mr. Henley.

Ms. Leavings explained that this is a cleanup of a typographical error on the previous ordinance to change “per month” to “per cut.” She explained that she misread the memorandum for the Resolution and Finance asked that it be corrected.

The Mayor called for the question.

Mr. Pierce – yes Mr. Henley – yes
Mr. Sharp – yes Mr. Ammons – yes
Mayor Zaragoza – yes Motion carried.

RESOLUTION NUMBER 4822

Resolution Number 4822 – A Resolution Establishing The Use Of Electronic Vote Counting Devices For Municipal Elections

MOTION Motion to approve Resolution Number 4822 was by Mr. Pierce and second was by Mr. Henley.

Ms. Leavings explained that Jefferson County has purchased new electronic tabulators which were used in February’s primaries. In order for the City to utilize these machines, the Council has to approve this Resolution and the Clerk file it with the Secretary of State.

The Mayor called for the question.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4823

Resolution Number 4823 – A Resolution Declaring Certain Personal Property As Surplus And Directing The Sale/Disposal Of Said Property

MOTION Motion to approve Resolution Number 4823 was by Mr. Sharp and second was by Mr. Pierce.

Mr. Downes explained that this surpluses a trailer and several obsolete police vehicles and allows the disposal/sale of said property.

The Mayor called for the question.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4824

Resolution Number 4824 – A Resolution Granting An Overhead Power Easement For Alabama Power On The Property Located At 501 Montgomery Highway

MOTION Motion to approve Resolution Number 4824 was by Mr. Sharp and second was by Mr. Pierce.

Mr. Downes stated that this allows relocated power lines for the new Chick-Fil-A and the Fire Department.

The Mayor closed the public hearing.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4826

Resolution Number 4826 – A Resolution initiating the rezoning of the property located at 1280 Montgomery Highway from Unzoned to VH B-2

MOTION Motion to approve Resolution Number 4826 was by Mr. Henley and second was by Mr. Pierce.

Mr. Downes stated that the Council voted at the last meeting to sell the Public Works property to Freddy’s and as part of this contract, the City is responsible to request a petition for rezoning of this property from Unzoned to Vestavia Hills B-2 for consideration of rezoning.

The Mayor called for the question.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

RESOLUTION NUMBER 4827

Resolution Number 4827 – A Resolution Initiating A Conditional Use Approval For Major Mechanical On A Portion Of Lot 1, Vestavia Hills Sports Park For Construction Of A City Fleet Operations Facility

MOTION Motion to approve Resolution Number 4827 was by Mr. Ammons and second was by Mr. Sharp.

Mr. Downes explained that this allows a petition to be submitted in order for consideration to be given for a conditional use approval in order to allow a fleet operations facility to be constructed on property that is now a park maintenance facility with immediate access to Sicard Hollow and an exit modified to allow park traffic to exit without accessing this new facility. A tentative site plan was shown to the audience and Council and explained by Mr. Downes, including a left-hand turn lane for easier access

form Sicard Hollow. This begins the public process to Planning and Zoning and ultimately to the Council. Mr. Downes explained that the company doing these designs also did the designs for the pedestrian tunnel in order to allow all of the developments to come together in unison.

Discussion ensued as to the location of the facility, the accessibility of the soccer fields, the increase of traffic, hours of operation of the facility from 7:00 to 3:30 weekdays with an average of 10 vehicles on any given day, etc.

The Mayor called for the question.

Mr. Pierce – yes

Mr. Henley – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

Motion carried.

RESOLUTION NUMBER 4828

Resolution Number 4828 – A Resolution Authorizing The City Manager To Execute And Deliver An Agreement With The Alabama Department Of Transportation For Project Number ACA59494-ATRP(006); ATRIP #37-03-33

MOTION Motion to approve Resolution Number 4828 was by Mr. Pierce and second was by Mr. Henley.

Mr. Downes stated that this is the agreement with ALDOT which will ultimately allow the resurfacing of Columbiana Road, Tyler Road and Overton Road. This was in process three years ago and is finally moving forward. This updates the agreement with ALDOT that will allow an award of the bid. The expenditure was approved previously by the Council.

The Mayor opened the floor for a public hearing. There being no one to address the Council, the Mayor called for the question.

Mr. Pierce – yes

Mr. Henley – yes

Mr. Sharp – yes

Mr. Ammons – yes

Mayor Zaragoza – yes

Motion carried.

RESOLUTION NUMBER 4829

Resolution Number 4829 - A Resolution Authorizing The City Manager To Execute And Deliver An Agreement With The Alabama Department Of Transportation For Project Cmaq-7030(600), Project Reference Number 100057174; Construction Project For Sidewalks Along Portions Of Massey Road, Columbiana Road And Montgomery Highway

MOTION Motion to approve Resolution Number 4829 was by Mr. Sharp and second was by Mr. Pierce.

Mr. Downes stated that this project has been in the works for an estimate and based upon the revised estimates, the cost of the City's share will decrease. This amends the original number and allows this project to go out for bid. The expenditures have been previously approved.

Mr. Boone stated that he has reviewed these agreements and they always stated that ALDOT will do the bidding and the contract on behalf of the City. He stated that he requests that if this is approved that the City notify ALDOT that the construction contract will have language to indemnify the City and the State of Alabama and that the insurance requirements with the contractor provide that the City will be named as an additional insured. He stated that he has the language to be inserted.

MOTION Motion to amend Resolution Number 4829 to amend the agreement Sharp/Pierce.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

Mr. Henley asked if ALDOT does not allow this, will it have to come back to Council.

Mr. Boone stated that it would.

Discussion ensued as to whether or not this would delay the project. Mr. Brady indicated that ALDOT is waiting on this and it could become a delay on the previous project, but could also delay project.

Mr. Boone clarified that they cannot go back on an existing contract but they could on this project.

The Mayor called for the question.

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

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 May 9, 2016 at 5 PM.

- Resolution Number 4830 – A Resolution Authorizing The City Manager To Accept A Proposal To Design A Motor Scout Building For The City Of Vestavia Hills Police Department
- Resolution Number 4831 – A Resolution Authorizing The City Manager To Accept A Proposal To Design A Municipal Fleet Operations Facility At Lot 1, Vestavia Sports Park And Renovation Of Current Park Maintenance Facility At Wald Park

CITIZEN COMMENTS

Patrick Dewees, Asbury Park Place, stated that he was one of the applicants for the Board of Education. He congratulated Ms. Baker on her appointment and asked when the opening on the Library Board will be announced. The Mayor stated the appointment occurs in December so it'd be a couple of months prior to that.

Deloye Burrell, 3273 Farrington Woods Drive, thanked the City Manager for the information on Charter Cable for holding up on the Meadowlawn Park. He asked if there was any way to determine when it would be done. Mr. Downes indicated that he has made several phone calls to no avail. Mr. Burrell asked about the use of drones in the City. He asked about the how someone can legally take down a drone which apparently is controlled by FAA.

EXECUTIVE SESSION

The Mayor indicated that the Council needed to go into Executive Session for an estimated 45 minutes for Economic Development 36-25A-7, Code of Alabama, 1975. He opened the floor for a motion. The Mayor stated that there would be no business conducted after the Executive Session.

MOTION Motion to go into Executive Session for a period of 45 minutes for the purpose of Economic Development pursuant to Section 36-25A-7, Code of Alabama, 1975 was by Mr. Ammons and second was by Mr. Henley Roll call vote as follows:

Mr. Pierce – yes	Mr. Henley – yes
Mr. Sharp – yes	Mr. Ammons – yes
Mayor Zaragoza – yes	Motion carried.

The Council exited the Council Chamber and entered into Executive Session at 7:45 PM. At 8:35 PM the Council re-entered the Chamber and the Mayor called the meeting back to order.

At 8:36 PM, Mr. Pierce made a motion to adjourn; seconded by Mr. Henley. Meeting adjourned at 8:37 PM.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 4830

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL TO DESIGN A MOTOR SCOUT BUILDING FOR THE CITY OF VESTAVIA HILLS POLICE DEPARTMENT

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 proposal from Williams Blackstock for design of a motor scout building for the City of Vestavia Hills Police Department at a cost not to exceed \$20,800 (\$19,800 plus \$1,000 travel/misc. expenses); and
2. A copy of said proposal is marked as “Exhibit A” attached to and incorporated into this Resolution Number 4830 as though written fully therein; and
3. This Resolution Number 4830 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

WILLIAMS · BLACKSTOCK

A R C H I T E C T S

April 20, 2016

Christopher Brady
City of Vestavia Hills
1032 Montgomery Hwy
Vestavia Hills, AL 35216

Re: Vestavia Hills Motor Scout Building – Proposal for Architectural/Engineering Services

Christopher,

We really appreciate this opportunity to work with the City of Vestavia Hills to relocate the Motor Scout storage facility to the City Hall and Police Department grounds in an effort to better streamline City services. We have prepared this proposal for architectural and engineering services for this building design based on our discussions concerning scope and overall vision for the building to blend in with the new City Hall aesthetic.

SCOPE

We understand the scope of this project is to construct a new storage and reporting facility for Motor Scout division of the Vestavia Hills Police Department. This facility will primarily consist of a storage room for motorcycles with overhead door access and a storage room for supplies. This space will be used for storage and routine maintenance of the vehicles. The building will also include office space and a reporting room for the patrols.

The building will be located in a triangular area of unoccupied land on the City Hall site immediately north of the secured/fenced parking area, and access will be provided from the secured parking area.

The building will be roughly 800 to 850 square feet and be used for routine, light maintenance and will not include water or toilets due to the proximity of the existing facilities, and also due to likely high cost for extending water and sanitary sewer utilities to this area. The building office space will be conditioned at a minimum, with the storage/maintenance space being heated and vented at a minimum. The facility will need power and data from the existing facility so they are tied together.

Based on preliminary information we anticipate this facility and affected site work to be in the \$100,000 to \$150,000 cost range.

SCHEDULE

We will work as quickly as you need us to in order to meet your schedule needs.

SERVICES

Our services will include the normal architectural services, as well as civil site design, mechanical and electrical engineering services. Our services will include preliminary and final drawing reviews with the appropriate City officials and stakeholders. At this time we anticipate the project will be bid to general contractors and we our services will include bidding and construction administration services.

COMPENSATION

We propose to provide these services outlined above for schematic design through construction administration (from beginning to end) on a lump sum basis for \$19,800.

We propose to invoice for these services on a monthly basis as work is completed.

ADDITIONAL SERVICES

Additional Services are services outside the scope of Basic Services or services that are unanticipated or may typically be provided by the Owner. We will provide these services if requested or approved by you in advance. The fee for additional services, if required will be a lump sum fee negotiated for the scope of work or on an hourly basis per the attached hourly rates. Additional services by our consultants will be invoiced at 1.2 times direct cost. Additional services that could possibly be required may include, but are not limited to the following:

- Geotechnical and environmental engineering, or studies (anticipate to use recent report)
- Construction Materials Testing (anticipate by Owner)
- ADEM NPDES Construction Stormwater General Permit (need not anticipated)
- ADEM Permit (need not anticipated)
- Major design changes after Owner approval of design (need not anticipated)
- LEED Certification (need not anticipated)
- Major Roadway and/or Utility redevelopment (need not anticipated)

REIMBURSABLE EXPENSES

Reimbursable expenses are in addition to compensation incurred by the Architect and its consultants in the interest of the Project and include drawing reproductions, postage, delivery, long distance communications, renderings, etc. Reimbursable expenses will be billed monthly at a multiple of 1.20 times the expenses incurred. We would be willing to provide a cap on reimbursable expenses with a lump sum amount upon request.

We greatly appreciate the opportunity to provide you with this proposal and really want to work with you. If our assumptions about the scope of work are not quite correct please let us know and we can revisit the work scope and related fee to ensure you can provide you with the most effective services and value.

If after review you find this proposal acceptable, please indicate by signing below and we will formalize our agreement with a standard AIA (American Institute of Architects) Agreement between Owner Architect. If you have any questions, or if we can be of further service, please do not hesitate to call.

Sincerely,



Stephen Allen

Accepted by: _____

Date: _____

RESOLUTION NUMBER 4831

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A PROPOSAL TO DESIGN A MUNICIPAL FLEET OPERATIONS FACILITY AT LOT 1, VESTAVIA SPORTS PARK; LIBERTY PARK ATHLETIC COMPLEX AND RENOVATIONS AT THE PARK MAINTENANCE FACILITY AT WALD PARK

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 proposal from Volkert, Inc., for design of a municipal fleet operations facility for the City of Vestavia Hills and for renovations of the Park Maintenance Facility at Wald Park at a cost not to exceed \$189,400 (\$184,400 plus \$5,000 bid /misc. expenses); and
2. A copy of said proposal is marked as “Exhibit A” attached to and incorporated into this Resolution Number 4831 as though written fully therein; and
3. This Resolution Number 4831 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



Volkert, Inc.

Two North Twentieth Building
2 20th Street North, Suite 300
Birmingham, AL 35203

Office 205.214.5500
Fax 205.214.5501
birmingham@volkert.com

www.volkert.com

May 3, 2016

Mr. Christopher Brady
City Engineer, Public Service Department
City of Vestavia Hills
513 Montgomery Highway
Vestavia Hills, Alabama 35216

**RE: Proposal for Design Services
Public Works Improvements at Wald Park and New Municipal Fleet Operations Facility at
Sicard Hollow Road**

Dear Mr. Brady:

Please find herein Volkert Inc.'s proposal to perform certain professional and engineering design services as requested by the City for the following two (2) sites:

- Design of improvements to repurpose the existing public works facility and construct a new 3,000 square foot (SF) building at Wald Park to house facilities for Public Works and Parks and Recreation. The new building will be conventional construction.
- Design of a new municipal fleet operations facility located along Sicard Hollow Road at Liberty Park. The building shall be a pre-engineered metal building with a conventional façade and shall be approximately 6,400 SF with three (3) drive through bays and other support facilities.

The scope of services proposed to complete this project is summarized herein below.

A. SCOPE OF WORK

- Conduct a project kick-off meeting to discuss project details, schedule, and confirm City's goals and objectives.
- Preliminary Engineering/Design and Programming:
 - Boundary survey and topographic survey, including location of existing utilities, for both sites. Assist with rezoning documentation and proceedings.
 - Subsurface evaluation of both sites, including test pit excavations and rock core borings in planned cut areas (Wald Park) and soil borings.
 - Hazardous materials assessment at the existing facility located at the Sicard Hollow Road site.
 - Programming and preliminary plan layout for each facility
 - Site layout, drainage, and utility plans
- Final Design Engineering and Plan Preparation
 - Final site design include grading, drainage, utilities, and erosion control.
 - Final Architectural, including structural and MEP services.
 - Preparation of final plans and specifications for bidding

Office Locations:

Birmingham, Foley, Mobile, Montgomery, Alabama • Chipley, Ft. Myers, Gainesville, Pensacola, Tampa, Florida
Atlanta, Columbus, Georgia • Collinsville, Wheaton, Illinois • Baton Rouge, New Orleans, Slidell, Louisiana
Jackson, Mississippi • Jefferson City, Missouri • Raleigh, North Carolina • Harrisburg, Pennsylvania
Chattanooga, Nashville, Tennessee • Alexandria, Chesapeake, Virginia • Washington, D.C.



- Development of a final construction estimate
- QA/QC to include conformance of documents and constructability review
- Bid Phase Services
 - Coordinating responses to contractor RFIs.
 - Review of bid documents and recommendation of award.

This proposal includes time for coordination of the Fleet Operations Facility with the Sicard Hollow Pedestrian Tunnel design. We anticipate some revisions required to the tunnel design to account for CCTV/lighting and general site grading/layout that will integrate with the operations facility/site.

Additionally, the proposal includes time for attending three (3) project meetings for design programming, review, and assistance communicating the improvements to the City Council and public.

B. SCHEDULE - Work will be scheduled upon receipt of authorization with a goal of overall project completion (beneficial occupancy of facilities) no later than April 2017. Volkert shall provide the design resources required to meet the determined design schedule.

C. FEE – The Lump Sum Fee for Engineering Services shall be \$181,400, plus reimbursables. Reimbursable costs include the cost of advertisements. Fee does not include Construction Engineering and Inspection services. Construction Period Services shall be added by supplemental agreement. Fees will be billed monthly based on the Engineer's estimate of services completed.

We appreciate the opportunity to work with the City. Please call me with any questions or concerns you have.

Sincerely,



Kirk Mills, P.E.
Vice President

CC: Mr. Brian Davis, PE
Mrs. Lori Beth Kearley, PE
Mr. Rob Vermillion
Mr. John Smith

RESOLUTION NUMBER 4832

**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 "Exhibit A"; 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 4832 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Description	Estimated Value	Serial Number
Savin 2522 copier		252222125622
Xerox Copycentre C123 Model HFD!		0701-05-0069 789 797382 772
Polycom ip phone		000452356A73
Polycom ip phone		0004F2356891
Polycom ip phone		0004F2357ED1
Polycom ip phone		0004F23EE02
Polycom ip phone		0004F235802F
Polycom ip phone		0004F2357F84
Polycom ip phone		0004F234EF2D
Polycom ip phone		0004F234F117
Polycom ip phone		0004F235804E
Polycom ip phone		0004F23F4081
Polycom ip phone		0004F234EFD2
Polycom ip phone		0004F2356881
Polycom ip phone		0004F235802D
Polycom ip phone		0004F2358257
Polycom ip phone		0004F2358165
Polycom ip phone		0004F234EE98
Polycom ip phone		0004F2357E17
Polycom ip phone		0004F234EF51
Polycom ip phone		0004F236660F
Polycom ip phone		0004F23581B8
Polycom ip phone		0004F2340714
Polycom ip phone		58300004F23E
Polycom ip phone		0004F234F08F
Polycom ip phone		0004F23567BB
Polycom ip phone		0004F234F12F
Polycom PKM		W2111000152B
Polycom PKM		W21110001513
Polycom PKM		W211100014F4
Polycom PKM		W21110001608
Polycom PKM		W2111000154C
Polycom PKM		W21110001520
Polycom PKM		W2111000156F
Polycom PKM		W21047001280
3 COM Phone		245504687826
3 COM Phone		245505103474
3 COM Phone		2500070011ba
Netvanta 7100 Telephone PBX		LBADTN1202AP293
Adtran Atlas 550 Integrated Access Device		LBADTN1048AO348
Adtran Atlas 550 Integrated Access Device		LBADTN1048AD345

Acer 19 monitor		AAN73910101
Acer 19 monitor		80900035363
Dell 14 in Monitor		cn0n300h6418003aolql
Dell 15 in monitor		CN0F50356418054KOVES
Dell 23 in monitor		cn0u783f6418096503js
Dell 23 in monitor		cn0uh837482206b504iq
Dell 23 in monitor		CN0C730C7162307N0231
Dell 23 in monitor		CN0DW7117162306R0229
Dell 23 in monitor		CN0DW7117162306R0131
Dell 23 in monitor		CN0DW7117162306R0189
Dell 23 in monitor		CN0DW7117162306R0075
Dell 23 in monitor		CN0C730C7162307N0525
Dell 23 in monitor		CN0G433H71618
Dell 23 in monitor		CN0R230K7426193H7VHS
Dell 17 in Monitor		CN0R230K7426193H7VES
Dell 17 in Monitor		CN09M62C7426103525WL
Dell 17 in Monitor		CN0R230K7426193H7VGS
Dell 17 in Monitor		CN0Y4299716185CKCN3S
Dell 17 in Monitor		CN09M62C7426103535UL
Dell 17 in Monitor		CN0H329N7287297A2EVL
Dell 17 in Monitor		CN0WH320466367R3COL
Dell 17 in Monitor		cn0wh3204663367r3avl
Dell 19 inch monitor		cn0dw7117162306r0185
Dell 17 in Monitor		CN0WH3197287272C16DL
Bosch 23 in monitor		BSH1007VYT00166
3M touch screen monitor		69710926CV00080
3M touch screen monitor		51300527CR00190
viewsonic 23 in monitor		qsd081721413
JVC 14 inch CRT monitor		16311544
HP Deskjet 6122 Printer		my2a22b3sk
Pulse Data microfiche machine		981230188

RESOLUTION NUMBER 4833

**A RESOLUTION GRANTING ALABAMA POWER COMPANY A
UTILITY EASEMENT FOR CONNECTION OF ELECTRICAL
SERVICE**

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

1. The Mayor is hereby authorized to sign an agreement with Alabama Power Company to grant an easement, right and privilege as described in said agreement (copy attached); and
2. Resolution Number 4833 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EASEMENT - UNDERGROUND

STATE OF ALABAMA
COUNTY OF JEFFERSON
W.E. No. A6173-06-AF16
APCO Parcel No. _____

Transformer No. S1438
This instrument prepared by: Dean Fritz

Alabama Power Company
2 Industrial Park Drive
Pelham, AL 35124

KNOW ALL MEN BY THESE PRESENTS, That City of Vestavia Hills, Alabama, an Alabama Municipal Corporation as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantor in hand by Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to Alabama Power Company, its successors and assigns (the "Company"), the easements, rights and privileges described below.

The right from time to time to construct, install, operate and maintain upon, under and across the Property described below, all wires, cables, trans closures, transformers, conduits, fiber optics, communication lines and other facilities useful or necessary in connection therewith (collectively, the "Facilities"), for the underground transmission and distribution of electric power and communications, along a route selected by the Company which is generally shown on the Company's drawing attached hereto and made a part hereof and which is to be determined by the locations in which the Company's Facilities are installed, such drawing showing the general location of underground facilities in an area ten feet (10') in width and also the right to clear and keep clear a strip of land extending five feet (5') from each side of said Facilities. Grantor hereby grants to the Company all easements, rights and privileges necessary or convenient for the full enjoyment and use thereof, including without limitation the right of ingress and egress to and from the Facilities and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut, remove and otherwise keep clear any and all structures, obstructions or obstacles of whatever character, on, under, adjacent to, and above said Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following real property situated in Jefferson County, Alabama (the "Property"): A part of a parcel of land located in the SW¼ of the SE¼ of Section 19, Township 18 South, Range 2 West, more particularly described in those certain instruments recorded in Map Book 241, Page 82, in the Office of the Judge of Probate of said County.

In the event it becomes necessary or desirable for the Company from time to time to move any of the Facilities in connection with the construction or improvement of any public road or highway in proximity to the Facilities, Grantor hereby grants to the Company the right to relocate the Facilities and, as to such relocated Facilities, to exercise the rights granted above; provided, however, the Company shall not relocate the Facilities on the Property at a distance greater than ten feet (10') outside the boundary of the right of way of any such public road or highway as established or re-established from time to time. This grant and agreement shall be binding upon and shall inure to the benefit of Grantor, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" as used in this instrument shall be deemed to include the heirs, personal representatives, successors and assigns of such parties.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____, its authorized representative, as of the _____ day of _____, 20____.

ATTEST (if required) or WITNESS:

City of Vestavia Hills, Alabama, an Alabama Municipal Corporation
(Grantor - Name of Corporation/Partnership/LLC)

By: _____

By: _____ (SEAL)

Its: _____

Its: _____
[indicate President, General Partner, Member, etc.]

Parcel Number: _____

For Alabama Power Company Corporate Real Estate Department Use:

All facilities on Grantor: _____ Station to Station: _____

CORPORATION/LLC NOTARY

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public in and for said County in said State, hereby certify that _____
_____ as _____ of _____
_____ a _____ is
signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the
instrument, he/she, as such _____ and with full authority, executed the same voluntarily, for
and as the act of said _____.

Given under my hand and official seal this the _____ day of _____, 20_____.

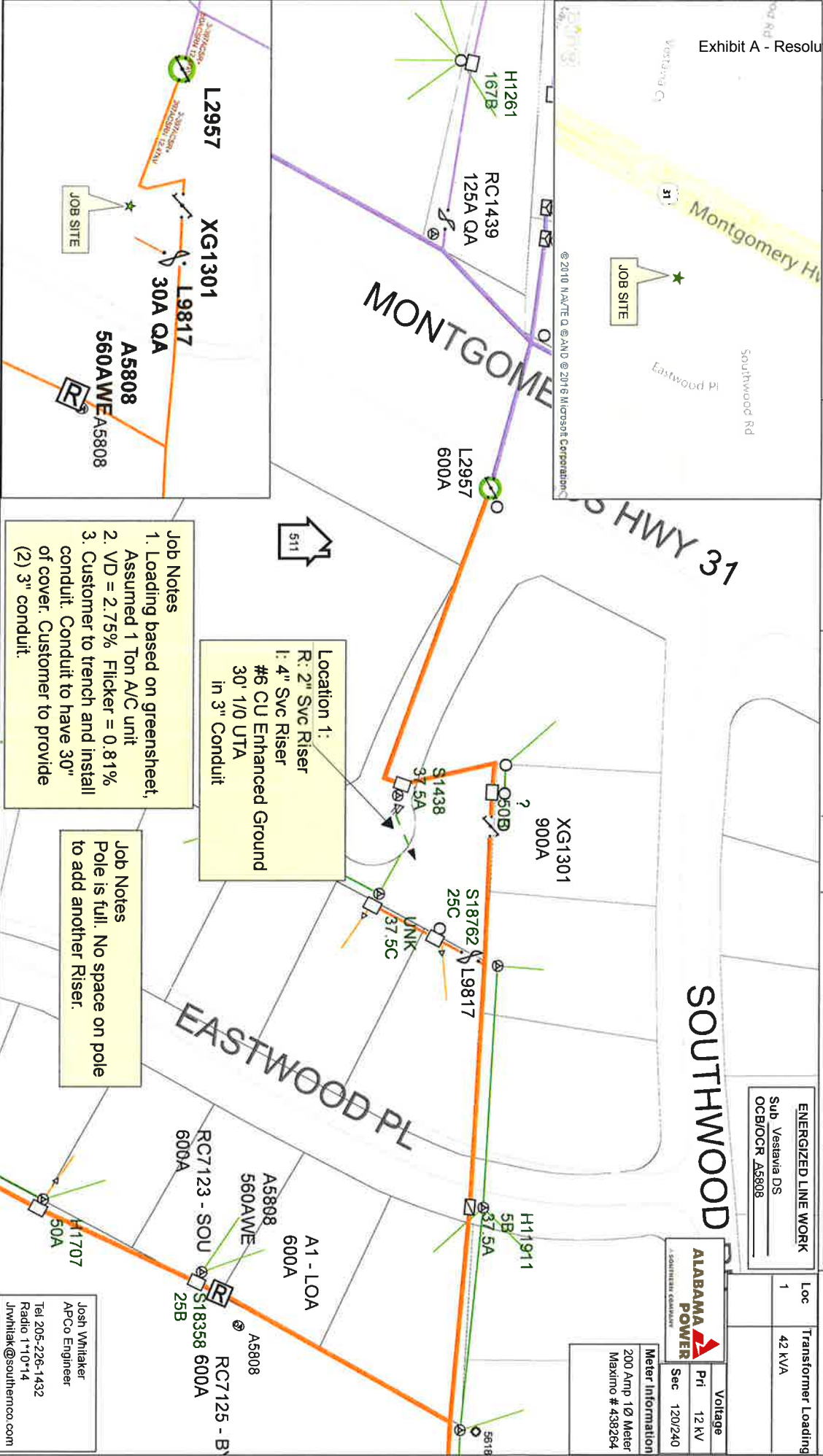
Notary Public

[SEAL]

My commission expires: _____

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Customer Verizon - Cell Tower	Location 511 Montgomery Hwy	City/Service Date 5/30/2016	County Jefferson	Section 19	Township 18S	Range 02W	Estimate No. A6173-06-AF16
Division PD Birmingham	District Metro South	Town Vestavia Hills	User/ID jrvh1ak	Created: 4/28/2016	Substation X_04976	Y_ XG1301	MISSALL#
Map Center UTM: 1705173 12143178			Map Center Lat/lon: 33.450469 -86.787626			Add'l Info. ENERGIZED LINE WORK Sub Vestavia DS OCB/OCR A5808	



ALABAMA POWER
A SOUTHERN COMPANY

Meter Information:
 200 Amp 1Ø Meter
 Maximo # 438264

Voltage
 Pri 12 KV
 Sec 120/240

Josh Whitaker
 APCo Engineer
 Tel: 205-226-1432
 Radio: 1*10*14
 Jrvh1ak@southemco.com

RESOLUTION NUMBER 4834

**A RESOLUTION GRANTING ALABAMA POWER COMPANY A
UTILITY EASEMENT FOR CONNECTION OF ELECTRICAL
SERVICE**

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

1. The Mayor is hereby authorized to sign an agreement with Alabama Power Company to grant an easement, right and privilege as described in said agreement (copy attached); and
2. Resolution Number 4834 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EASEMENT – UNDERGROUND

STATE OF ALABAMA
COUNTY OF JEFFERSON
W.E. No. A6173-40-A116

APCO Parcel No. _____

Transformer No. S19077

This instrument prepared by: Dean Fritz

Alabama Power Company
2 Industrial Park Drive
Pelham, AL 35124

KNOW ALL MEN BY THESE PRESENTS, That City of Vestavia Hills, Alabama, an Alabama Municipal Corporation as grantor(s), (the "Grantor", whether one or more) for and in consideration of One and No/100 Dollar (\$1.00) and other good and valuable consideration paid to Grantor in hand by Alabama Power Company, a corporation, the receipt and sufficiency of which are hereby acknowledged, does hereby grant to Alabama Power Company, its successors and assigns (the "Company"), the easements, rights and privileges described below.

The right from time to time to construct, install, operate and maintain upon, under and across the Property described below, all wires, cables, translosures, transformers, conduits, fiber optics, communication lines and other facilities useful or necessary in connection therewith (collectively, the "Facilities"), for the underground transmission and distribution of electric power and communications, along a route selected by the Company which is generally shown on the Company's drawing attached hereto and made a part hereof and which is to be determined by the locations in which the Company's Facilities are installed, such drawing showing the general location of underground facilities in an area ten feet (10') in width and also the right to clear and keep clear a strip of land extending five feet (5') from each side of said Facilities. Grantor hereby grants to the Company all easements, rights and privileges necessary or convenient for the full enjoyment and use thereof, including without limitation the right of ingress and egress to and from the Facilities and the right to excavate for installation, replacement, repair and removal thereof; and also the right to cut, remove and otherwise keep clear any and all structures, obstructions or obstacles of whatever character, on, under, adjacent to, and above said Facilities.

The easements, rights and privileges granted hereby shall apply to, and the word "Property" as used in this instrument shall mean, the following real property situated in Jefferson County, Alabama (the "Property"): A part of a parcel of land known as Lot 2 located in the SW¼ of the SE¼ of Section 19, Township 18 South, Range 2 West, more particularly described in those certain instrument recorded in Map Book 241, Page 82, in the Office of the Judge of Probate of said County.

In the event it becomes necessary or desirable for the Company from time to time to move any of the Facilities in connection with the construction or improvement of any public road or highway in proximity to the Facilities, Grantor hereby grants to the Company the right to relocate the Facilities and, as to such relocated Facilities, to exercise the rights granted above; provided, however, the Company shall not relocate the Facilities on the Property at a distance greater than ten feet (10') outside the boundary of the right of way of any such public road or highway as established or re-established from time to time. This grant and agreement shall be binding upon and shall inure to the benefit of Grantor, the Company and each of their respective heirs, personal representatives, successors and assigns and the words "Company" and "Grantor" as used in this instrument shall be deemed to include the heirs, personal representatives, successors and assigns of such parties.

TO HAVE AND TO HOLD the same to the said Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the said Grantor, has caused this instrument to be executed by _____, its authorized representative, as of the _____ day of _____, 20_____.

ATTEST (if required) or WITNESS:

City of Vestavia Hills, Alabama, an Alabama Municipal Corporation
(Grantor - Name of Corporation/Partnership/LLC)

By: _____

By: _____ (SEAL)

Its: _____

Its: _____
[Indicate Managing Member or Manager etc.]

Parcel Number: _____

For Alabama Power Company Corporate Real Estate Department Use:

All facilities on Grantor: _____ Station to Station: _____

CORPORATION/LLC NOTARY

STATE OF _____

COUNTY OF _____

I, _____, a Notary Public in and for said County in said State, hereby certify that _____, as _____ of _____, a _____ is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, as such _____ and with full authority, executed the same voluntarily, for and as the act of said _____.

Given under my hand and official seal this the _____ day of _____, 20_____.

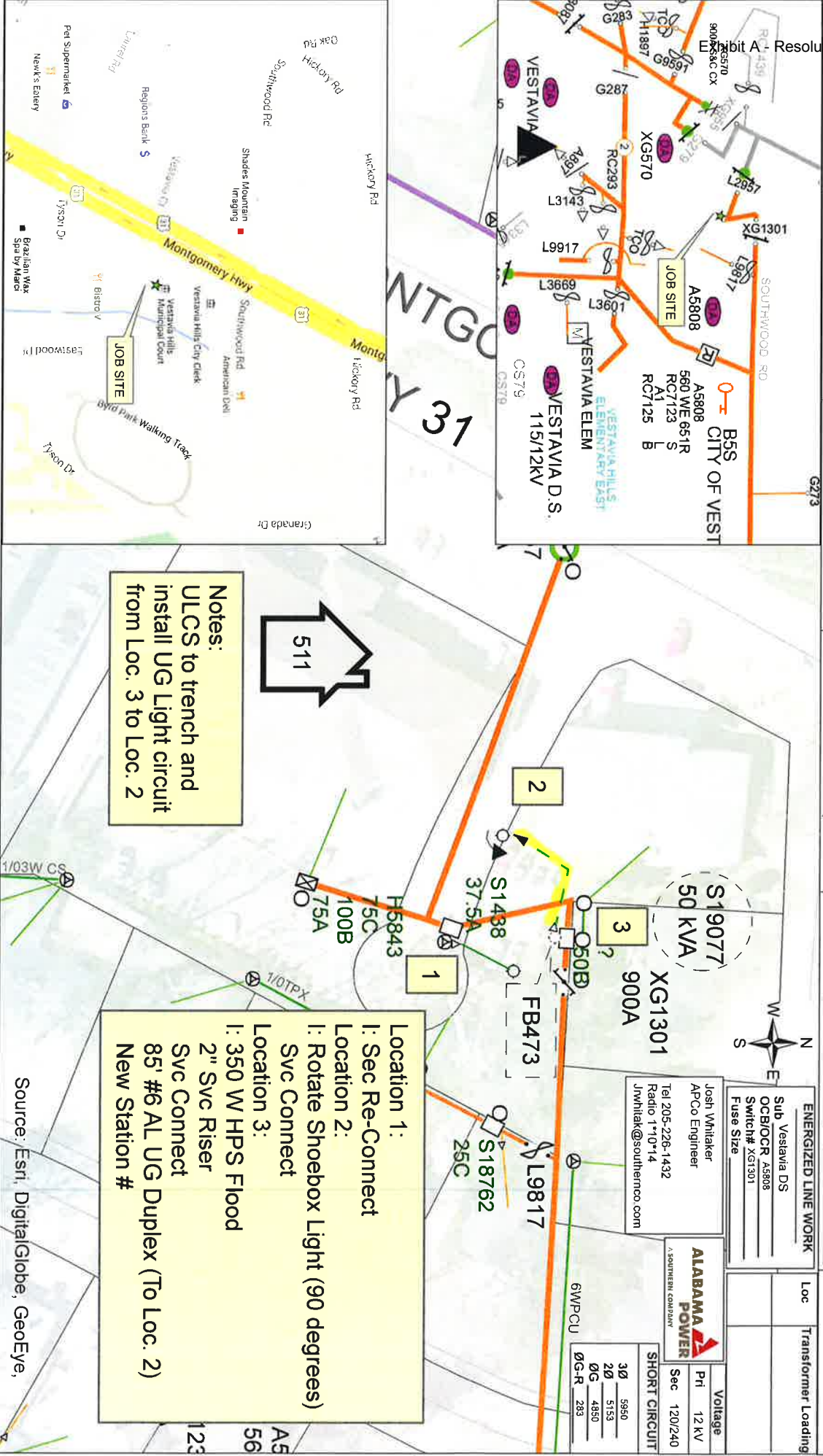
Notary Public

[SEAL]

My commission expires: _____

SKETCH OF PROPOSED WORK - SIMPLIFIED W.E.

Customer No. 1705097	Location 511 Montgomery Hwy	Map Center UTM: 12143148	Map Center Lat/Lon: 33 450388 -86 787875	1 inch = 52 feet	Estimate No. A6173-40-A116	
City of Vestavia - Firestation Lights	511 Montgomery Hwy	1/31/2015	Section 19	Township 18S	Range 02W	Add'l Info.
Division PD Birmingham	District Metro South	Town Vestavia Hills	County Jefferson	Substation X-04976	Y-XG1301	Loc Transformer Loading
			UserID jrvhtrak	Created: 1/14/2016		



Notes:
 ULCCS to trench and install UG Light circuit from Loc. 3 to Loc. 2

- Location 1:
 !: Sec Re-Connect
- Location 2:
 !: Rotate Shoebox Light (90 degrees)
 Svc Connect
- Location 3:
 !: 350 W HPS Flood
 2" Svc Riser
 Svc Connect
 85' #6 AL UG Duplex (To Loc. 2)
 New Station #

ENERGIZED LINE WORK
 Sub Vestavia DS
 OCBOCR 45808
 Switch# XG1301
 Fuse Size

ALABAMA POWER
 A SOUTHERN COMPANY
 Josh Whitaker
 APCo Engineer
 Tel 205-226-1432
 Radio 1*10*14
 Jmwhitrak@southernco.com

3Ø	5850
2Ø	5133
ØG	4850
ØG-R	283

Source: Esri, DigitalGlobe, GeoEye,

RESOLUTION NUMBER 4835

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT A SETTLEMENT PAYMENT FROM BARIATRICS OF ALABAMA, A FORMER BUSINESS OF THE CITY OF VESTAVIA HILLS

WHEREAS, Bariatrics of Alabama was formerly a business that operated in the City of Vestavia Hills, Alabama at 2017 Canyon Road, Suite 17; and

WHEREAS, Bariatrics of Alabama began operations in 2011 and closed in 2016 at which time they sold health and wellness products pursuant to treatment for obesity and/or medical weight loss programs and deemed their sales of food plan items and dietary food exempt from sales taxes as property transfer by a doctor to a patient; and

WHEREAS, the business was audited by the City's designated auditor RDS, who determined that the above-described sales were indeed subject to sale taxes for audited periods extending from February 2011 through February 2015, resulting in an assessment of \$83,057 in unpaid sales taxes; and

WHEREAS, the owners were cooperative during the audit and were believed to be working under a good-faith misinterpretation of the sales tax laws. The business has ceased all operations and is now insolvent; and

WHEREAS, the owners have offered a settlement of \$40,000 in an offer to settle the matter which they feel is the best that they can offer; and

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

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 the proposed settlement from Bariatrics of Alabama in the amount of \$40,000; and
2. This Resolution Number 4835 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Melvin Turner
Sent: Tuesday, May 03, 2016 9:22 AM
To: Jeff Downes; Butch Zaragoza
Cc: Bo Seagrist; Rebecca Leavings
Subject: FW: Bariatrics of Alabama - Settlement Offer

Hello Mr. Downes and Mayor Zaragoza,

Please review the communications below from RDS relative to a settlement from Bariatrics of Alabama, a former business of Vestavia Hills who have since ceased operations.

Given the overall amount involved and the amount they are asking be forgiven, in my opinion, would require action by the City Council.

Finance is gathering additional information on Bariatrics of Alabama and will be available for discussion. Please apprise.

Melvin

From: Jonathan V. Gerth [<mailto:jvgerth@REVDS.com>]
Sent: Monday, May 02, 2016 5:00 PM
To: Melvin Turner
Subject: Bariatrics of Alabama - Settlement Offer

Mr. Turner,

Bariatrics of Alabama was a bariatric treatment clinic in Vestavia Hills located at 2017 Canyon Rd, STE 17, Vestavia, AL 35216. They began operations in or around January of 2011, and closed in or around January of 2016. They sold health and wellness products pursuant to treatment for obesity and/or medical weight loss programs and deemed their sales of food plan items and dietary food exempt from sales taxes as property transferred by a doctor to a patient that is incidental to the professional services provided by the doctor. RDS conducted an audit of the taxpayer and determined that the food sales were taxable retail sales subject to sales tax, primarily because they were not unique to the treatment by the physician because patients could purchase the same items from other non-physician vendors as well. Thus, they were distinguishable from a prescription drug, prosthetic, or other implant that would be specific to a physician's treatment. This determination was recently upheld by the Alabama Tax Tribunal in *Bariatric Health & Wellness v. Tuscaloosa County, Ala, Tax Trib., Dkt. No. County 15-101* (Dec 30, 2015). The audit covered periods extending from February 2011 through February 2015, and resulted in an assessment of \$83,057 in unpaid sales tax. Vestavia Hills was billed \$3,487 for the audit by RDS.

Notably, the taxpayer was not collecting tax on the sales from customers and failing to remit it (a much more culpable scenario), and thus has to pay the amounts due out-of-pocket. They were very cooperative on the audit, and we believe that were operating under a good-faith misinterpretation of the sales tax laws and exemptions available for physicians and medical operations. The business ceased all operations in January 2016 and is now insolvent. They are attempting to pay off liabilities. They have offered \$40,000 in an effort to settle the matter, and they claim that is the best they can offer under their distressed financial situation.

Please let me know if you think this is an acceptable offer, or if you need any further information.

Best regards,

Jonathan V. Gerth, Esq.
VP, Tax & Audit Services
PRA Government Services, LLC / RDS / MuniServices
205-423-4177 Office
205-910-1820 Cell

CONFIDENTIALITY NOTICE: This e-mail, and any information or attachments, is intended only for the addressee and may contain material that is privileged and confidential under the Alabama Taxpayers' Bill of Rights, ALA. CODE § 40-2A-1 *et seq.*, or prohibitive disclosure provisions under other states' tax laws. Any interception, review, retransmission, dissemination, or the taking of any action upon this information by persons or entities other than the intended recipient is prohibited by law and may subject them to criminal and/or civil liability. If you received this communication in error, please contact the sender immediately at 205-423-4100, and delete the communication from any computer or network system. Although this e-mail and any attachments are believed to be free of any virus or other defect that might negatively affect any computer system into which it is received and opened, it is the responsibility of the recipient to ensure that it is virus free and no responsibility is accepted by RDS for any loss or damage arising in any manner in the event that such a virus or defect exists. Nothing in this message is intended to be used, and cannot be used by any taxpayer, for the purpose of avoiding any penalties that may be imposed. The reader is hereby notified that any disclosure of this communication is strictly prohibited.

ORDINANCE NUMBER 2538-A

AN ORDINANCE AMENDING ORDINANCE NUMBERS 2538 AND 2530 - AUTHORIZING AND DIRECTING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER THE SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT, BY AND BETWEEN THE CITY OF VESTAVIA HILLS, ALABAMA, AS “SELLER” AND DANIEL REALTY COMPANY, LLC, AN ALABAMA LIMITED LIABILITY COMPANY AS “PURCHASER”, FOR THE PROPERTY LOCATED IN THE PATCHWORK FARMS PUD, VESTAVIA HILLS, ALABAMA.

THIS ORDINANCE NUMBER 2538-A is approved and adopted by the Mayor and City Council of the City of Vestavia Hills, Alabama on this the 9th day of May, 2016.

WITNESSETH THESE RECITALS:

WHEREAS, the City of Vestavia Hills, Alabama (“Seller”) owned the real estate situated within the Patchwork Farms Planned Unit Development which is currently vacant; (the “Property”); and

WHEREAS, on August 25, 2014, the City Council approved and adopted Ordinance Number 2530 authorizing and directing the Mayor and City Manager to execute and deliver a Purchase and Sale Agreement by and between the City of Vestavia Hills (“City”) and Daniel Realty Corporation, (“Daniel”); and

WHEREAS, On September 9, 2014 the City and Daniel Realty Company LLC executed said Purchase and Sale Agreement; and

WHEREAS, on October 27, 2014, the City Council adopted Ordinance Number 2538 authorizing the Mayor and City Manager to execute and deliver a First Amendment to said Purchase and Sale Agreement; and

WHEREAS, on October 29, 2014, the City executed and delivered said First Amendment to said Purchase and Sales Agreement wherein Daniel agreed, as part of the consideration to be paid to the City, to assume the obligation to perform infrastructure work; and

WHEREAS, the City and Daniel agree that said infrastructure work needed to also be addressed within the Patchwork PUD “nature park” area and has delivered a Second Amendment to Purchase and Sale agreement, a copy of which is marked as Exhibit A and is attached to and incorporated into this Ordinance Number 2538-A as though written fully therein; and

WHEREAS, the Mayor and City Council agree it is in the best public interest that the Mayor and City Manager execute and deliver said Second Amendment to Purchase and Sale agreement.

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

1. The Mayor and City Manager are hereby authorized and directed to execute and deliver the written Second Amendment to Purchase and Sale Agreement, marked as “Exhibit A” and attached hereto.

2. If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance which shall continue in full force and effect notwithstanding such holding.

3. The provision of the ordinance shall become effective immediately upon the passage and approval thereof by the City Council of the City of Vestavia Hills, Alabama and the publication and/or posting thereof as required by Alabama law.

DONE, ORDERED, APPROVED and ADOPTED, on this the 9th day of May, 2016.

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 # 2538-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 9th day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk

SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT

THIS SECOND AMENDMENT TO PURCHASE AND SALE AGREEMENT (this “Amendment”) is made and entered into as of the _____ day of _____, 2016 by and between **CITY OF VESTAVIA HILLS, ALABAMA**, an Alabama municipal corporation (“Seller”), and **DANIEL PATCHWORK FARMS, LLC**, an Alabama limited liability company (“Purchaser”).

RECITALS:

Seller and Daniel Realty Company, LLC, an Alabama limited liability company (“Daniel”), have heretofore entered into a Purchase and Sale Agreement dated as of September 9, 2014, as amended by First Amendment thereto dated October 29, 2014 (collectively, the “Agreement”) pursuant to which Seller agreed to sell, and Daniel agreed to purchase, certain real property owned by Seller and Daniel agreed, as part of the consideration to be paid to Seller, to assume the obligation to perform the Infrastructure Work, as more particularly described in the Agreement. *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Agreement.*

Daniel has previously assigned to Purchaser, and Purchaser has assumed, all of Daniel’s right and obligations under the Agreement. The Closing under the Agreement has occurred and Purchaser is in the process of completing all of the Infrastructure Work. The parties desire to amend the definition of Infrastructure Work set forth in the Agreement in order to clarify certain additional obligations which Purchaser has agreed to perform as part of the Infrastructure Work.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto agree as follows:

1. Paragraph 3(b) of the Agreement and the defined term “Infrastructure Work” are hereby amended to provide that the term “Infrastructure Work” shall mean and include certain landscaping work and other improvements (collectively, the “Landscaping Work”) within the “Nature Park”, as more particularly shown on the Patchwork Farms Nature Park Plan dated 02/19/16 (the “Landscaping Plan”) prepared by Nimrod Long and Associates, Inc. Seller and Purchaser agree that the “Estimated Cost” of the Landscaping Work is set forth in the Patchwork Park Budget Estimate (NLA Patchwork Park Updated Plan—to 2.19.2016)(the “Landscaping Budget”). Copies of the Landscaping Plan and Landscaping Budget are attached hereto and incorporated herein by reference. From and after the date hereof, the term “Infrastructure Work” shall include the Landscaping Work.

2. Seller and Purchaser acknowledge and agree that the Estimated Costs for the Infrastructure Work, as defined in Paragraph 3(b) of the Agreement, previously agreed upon by Seller and Purchaser is hereby increased by the amount set forth in the Landscaping Budget.

3. Seller and Purchaser do hereby acknowledge and agree that with respect to the Landscaping Work, the same will be deemed to have achieved Substantial Completion at such time as Nimrod Long and Associates, Inc. issues a letter or certificate of completion for the Landscaping Work and that the Final Cost, as such term is defined in Paragraph 13(c) of the Agreement, shall also include an itemized accounting of the actual third party costs and expenses paid by Purchaser in connection with the construction and completion of the Infrastructure Work (including the Landscaping Work), excluding any fee or overhead of Purchaser.

4. Expressly as modified and amended herein, all of the terms and provisions of the Agreement shall remain in full and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment of the day and year first above written.

SELLER:

CITY OF VESTAVIA HILLS, ALABAMA, an Alabama municipal corporation

By: _____
Printed Name: _____
Its: _____

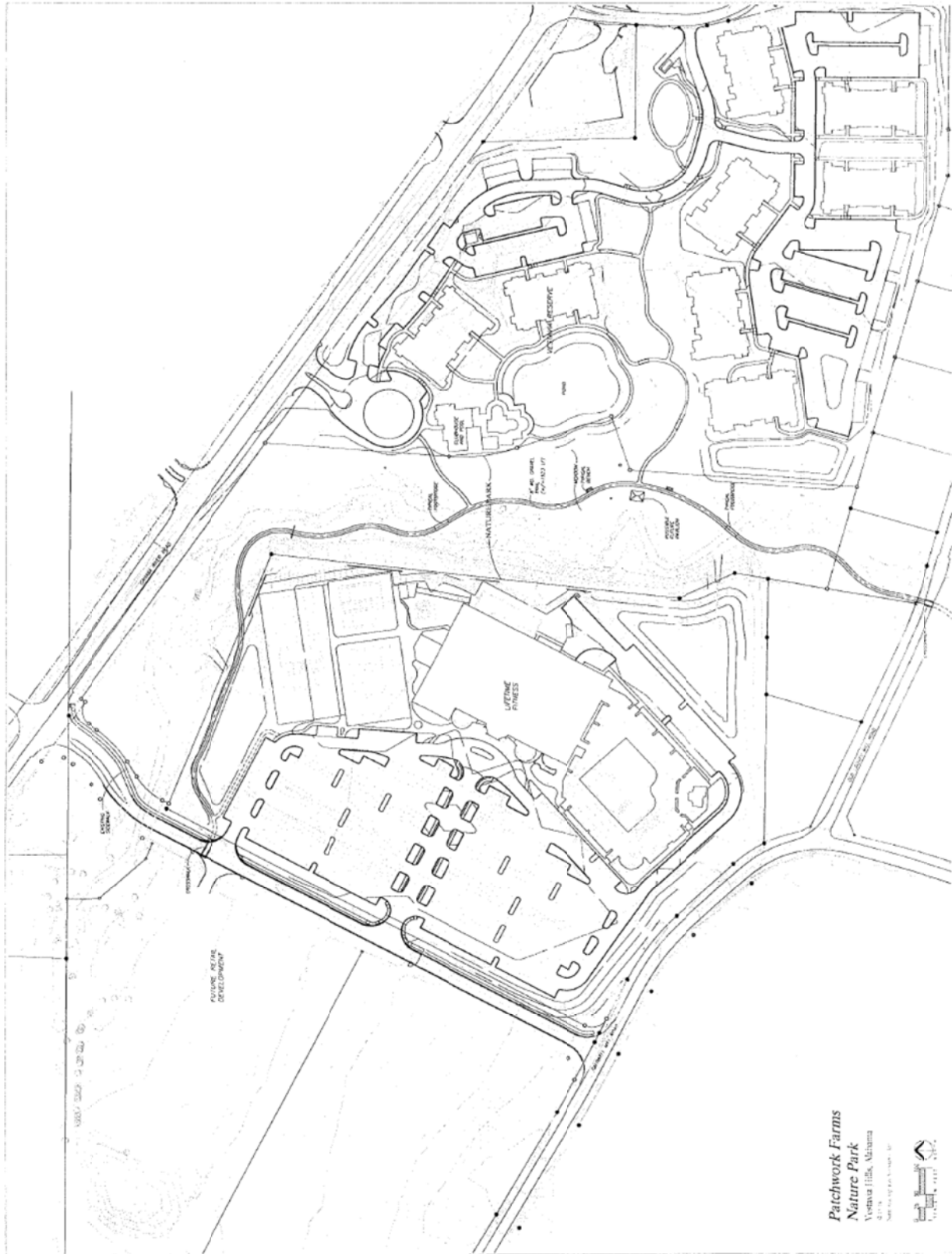
By: _____
Printed Name: _____
Its: _____

PURCHASER:

DANIEL PATCHWORK FARMS, LLC, an Alabama limited liability company

By: Daniel Management Corporation, an Alabama corporation, Its Manager

By: _____
Printed Name: _____
Its: _____



Patchwork Park Budget Estimate

NLA Patchwork Park updated plan - 2.19.2016

Clear understory and spray park area	\$	32,500
Add area west of Healthy Way	\$	15,000
Landscape Architect	\$	5,000
Misc. Engineering and Layout	\$	5,000
Geotechnical Investigation, Testing	\$	7,500
Nature Walk		
8'0 wide gravel path with 1x4 border	\$	26,154
2 Trailblazer bridges	\$	33,000
http://pioneerbridges.com/trailblazer		
Installation and abutments	\$	54,923
Erosion control	\$	4,216
Landscaping	\$	15,000
15% Contingency	\$	30,000
		<hr/>
Subtotal	\$	228,293
Daniel Fee @ 7.5%	\$	17,122
		<hr/>
Total Estimated Cost	\$	245,415
Exclusions		
Gazebos/Pavilions		
Benches/Exercise stations		
Lighting		
Alternates		Approximate Added Costs
York Bridges in lieu of Pioneer	\$	29,252
http://www.ybc.com/		
Asphalt Path in lieu of gravel	\$	108,000

ORDINANCE NUMBER 2655

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 22nd day of February, 2016, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2425 Kenvil Circle
Lot 37, Resurvey of Lots 18-20, 33-37, and 46-48, Buckhead, 2nd Sector
Anna and Brandon Rooks, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and record a copy with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

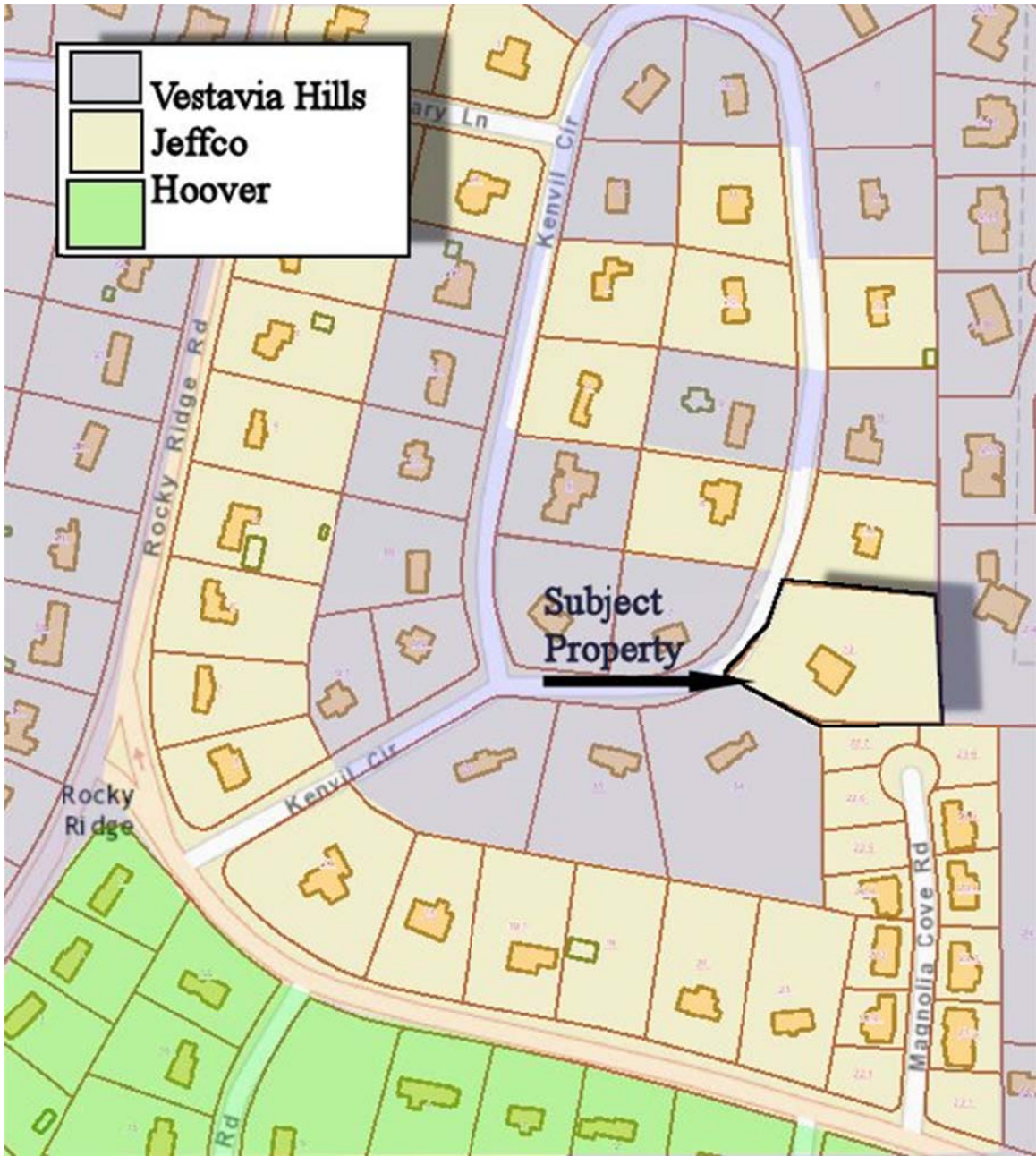
Rebecca Leavings
City Clerk

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 # 2655 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 23rd day of May, 2016, 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 _____, 2016.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2425 Kenvil Circle

Owners: Anna and Brandon Rooks

Date: 1/19/2016

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 Not significant drainage infrastructure

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 309,400. 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 30 Number in city 20
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: 2425 Kenvil Circle

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 3; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____

~~George Pierce~~
Chairman
Jchn Henry
Council rep

PARCEL #: 40 00 05 2 001 013.000
OWNER: RICH ELIZABETH
ADDRESS: 3344 CASTLE CREST DR VESTAVIA HILLS AL 35216
LOCATION: 2425 KENVIL CIR BHAM AL 35243

[111-C-] Baths: **3.0** H/C Sqft: **3,506**
18-015.0 Bed Rooms: **4** Land Sch: **L1**
 Land: **134,600** Imp: **174,800** Total: **309,400**
 Acres: **0.000** Sales Info: **10/29/2014**
\$175,000

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

Tax Year : 2015

[SUMMARY](#) [LAND](#) [BUILDINGS](#) [SALES](#) [PHOTOGRAPHS](#) [MAPS](#)

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS:	3 OVER 65 CODE:	LAND VALUE 10%	\$134,580
EXEMPT CODE:	2-2 DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE:	02 COUNTY HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE:	\$0.00 TOTAL MILLAGE: 50.1	<u>CLASS 3</u>	
CLASS USE:		POOL VINYL 500 29VP500	\$10,000
FOREST ACRES:	0 TAX SALE:	BLDG 001 111	\$164,800
PREV YEAR VALUE:	\$322,300.00 BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$309,400]:	\$309,380
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$30,940	\$201.11	\$4,000	\$26.00	\$175.11
COUNTY	3	2	\$30,940	\$417.69	\$2,000	\$27.00	\$390.69
SCHOOL	3	2	\$30,940	\$253.71	\$0	\$0.00	\$253.71
DIST SCHOOL	3	2	\$30,940	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$30,940	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$30,940	\$157.79	\$0	\$0.00	\$157.79
SPC SCHOOL2	3	2	\$30,940	\$519.79	\$0	\$0.00	\$519.79

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$30,940.00 **\$1,550.09** **GRAND TOTAL: \$1,502.09**

Payoff Quote

DEEDS

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
201510-19841	10/29/2014		2015		\$0.00
3586-773	12/14/1988	12/2/2014	2014	CORELOGIC INC	\$1,567.22
		11/19/2013	2013	CORELOGIC INC	\$1,486.06
		11/21/2012	2012	CORELOGIC INC	\$1,486.06
		20111216	2011	***	\$1,502.09
		20101201	2010	***	\$1,502.09

EXHIBIT "C"

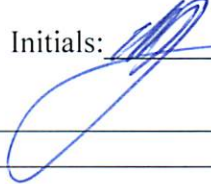
CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2425 Kenvil Circle

Engineering: _____ **Date:** _____ **Initials:** _____
Comments: _____

Public Services _____ **Initials:** _____
3425 Kenvil Circle – no major concerns noted; Kenvil Circle is a narrow 20-foot wide roadway without significant drainage infrastructure.

Police Department: _____ **Date:** 1-6-16 **Initials:** 
Comments: No problems

Fire Department: _____ **Date:** 12/29/2015 **Initials:** SL
Comments: No problems

December 7, 2015
Anna and Brandon Rooks
P.O. Box 660451
Birmingham, AL 35266

To whom it may concern,

We are submitting a petition for annexation of the property at 2425 Kenvil Circle by the city of Vestavia Hills. Our family has resided in Vestavia for the past ten years and we love living in this city. We enjoy all of the benefits of living here, not the least of which are our church, Shades Mountain Baptist, and our city's top-notch school system. Our two older children, Madeline and Eli, are currently third graders at VHEW. Before starting kindergarten there, they attended St. Mark for preschool. Our youngest child, Ward, is currently at St. Mark and will start kindergarten next year. We have every desire to keep our children in Vestavia schools.

We sold our previous home in Vestavia in June of this year. After ten years and bringing home three children there, we had simply outgrown it and have been renting in Vestavia and searching for our forever home since then. We believe we have found that home in 2425 Kenvil Circle. We have some dear friends who live just a few doors down from this house on Kenvil Circle. They have children who attend Vestavia schools. There are also several other homes with families with children on the street who are zoned Vestavia, including the home next door to 2425 and the one across the street from it. We do not plan to flip this property. We plan to invest in it to make it a beautiful home for our family, and we want our home to always be in Vestavia Hills. We are excited about the prospect of living in a nice Vestavia neighborhood filled with friends and so conveniently located to schools and shopping.

We thank you in advance for your consideration of our petition and we hopefully look forward to many more years in Vestavia.

Sincerely,

The image shows two handwritten signatures in blue ink. The first signature is 'Anna Rooks' and the second is 'Brandon Rooks'. Both are written in a cursive, flowing style.

Anna and Brandon Rooks

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 12/07/2015

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: 37

BLOCK: Buckhead, 2nd Sector

SURVEY: Resurvey of Lots 18, 19, 20, 33, 34, 35, 36, 37, 46, 47, and 48

RECORDED IN MAP BOOK 33, PAGE 22 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: Jefferson

COMPATIBLE CITY ZONING: Unincorporated

LEGAL DESCRIPTION (METES AND BOUNDS):

Lot 37, according to the Resurvey of Lots 18, 19, 20, 33, 34, 35, 36, 37, 46, 47, and 48 of Buckhead, 2nd Sector, as recorded in Map Book 33, Page 22, in the Probate Office of Jefferson County, Alabama.

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>Annforth</u> <u>Bla</u>	Lot <u>37</u> Block <u>Buckhead, 2nd sector</u> Survey <u>Resurvey of lots 18, 19, 20, 33, 34, 35, 36, 37, 46, 47, and 48</u>
	Lot <u>37</u> Block <u>Buckhead, 2nd sector</u> Survey <u>Resurvey of lots 18, 19, 20, 33, 34, 35, 36, 37, 46, 47, and 48</u>
	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Anna Rooks 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 Rooks
Signature of Certifier

Subscribed and sworn before me this the 7th day of December, 2015.

Keegan Powell
Notary Public

My commission expires: May 4, 2019



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): Brandon and Anna Rooks

Address: P.O. Box 660451

City: Birmingham State: AL Zip: 35266

Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
1.	Madeline Rooks	8	3	X	
2.	Eli Rooks	8	3	X	
3.	Ward Rooks	4	Pre-K	X	
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": 01/01/16

ORDINANCE NUMBER 2656

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

2425 Kenvil Circle
Lot 37, Resurvey of Lots 18-20, 33-37 & 46-48, Buckhead, 2nd Sector
Brandon and Anna Rooks, Owner(s)

APPROVED and ADOPTED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

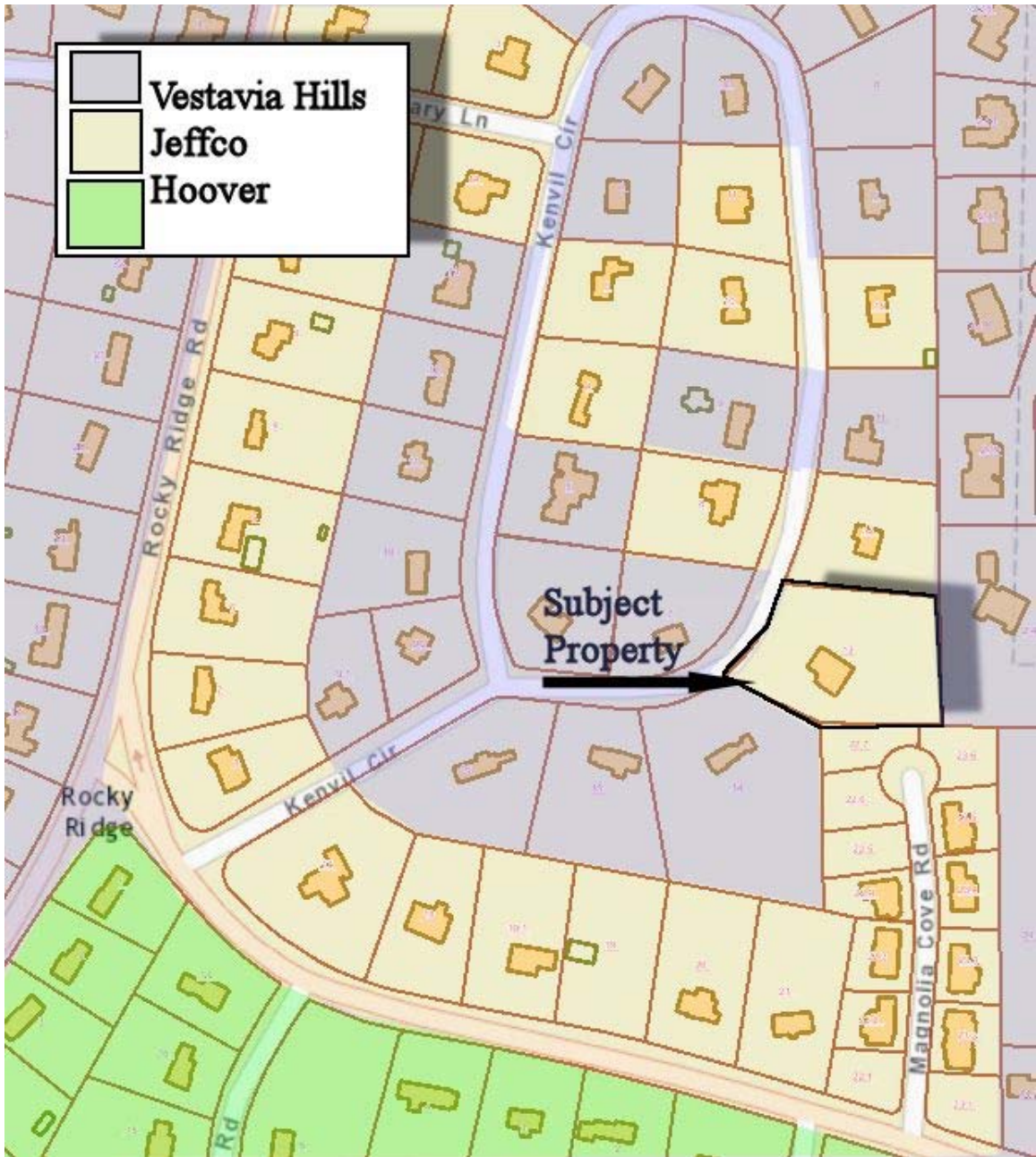
Rebecca Leavings
City Clerk

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 # 2656 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 23rd day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk



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

Date: APRIL 14, 2016

- **CASE: P-0416-16**
- **REQUESTED ACTION:** Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2425 Kenvil Cir.
- **APPLICANT/OWNER:** Brandon & Anna Rooks
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Kenvil Cir, adjacent to Rocky Ridge Rd. Property began the annexation process by City Council with their approval of the overnight annexation (Ord. 26454) on 2/22/16. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for medium density residential.
- **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: No recommendation
 2. **City Engineer Review:** I have reviewed the application and 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. Burrell made a motion to recommend approval of Rezoning for 2425 Kenvil Cir. from Jefferson County E-2 to Vestavia Hills R-1 For The Purposes Of Annexation. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Visintainer – yes
Mr. House – yes
Motion carried.

Mr. Burrell – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mr. Larson – yes

ORDINANCE NUMBER 2657

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 22nd day of February, 2016, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

3425 Jones Drive
Ralph and Alison McCall, Owners

More particularly described as follows:

Part of the Northeast quarter of the Southwest quarter of Section 32, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the Southeast corner of said Northeast quarter of Southwest quarter, run thence Northwardly along the East line of said quarter-quarter section for a distance of 210 feet; run thence Westwardly for a distance of 105 feet; run thence Southwardly for a distance of 105 feet; run thence Southwardly for a distance of 210 feet; run thence Eastwardly for a distance of 105 feet to the point of beginning.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

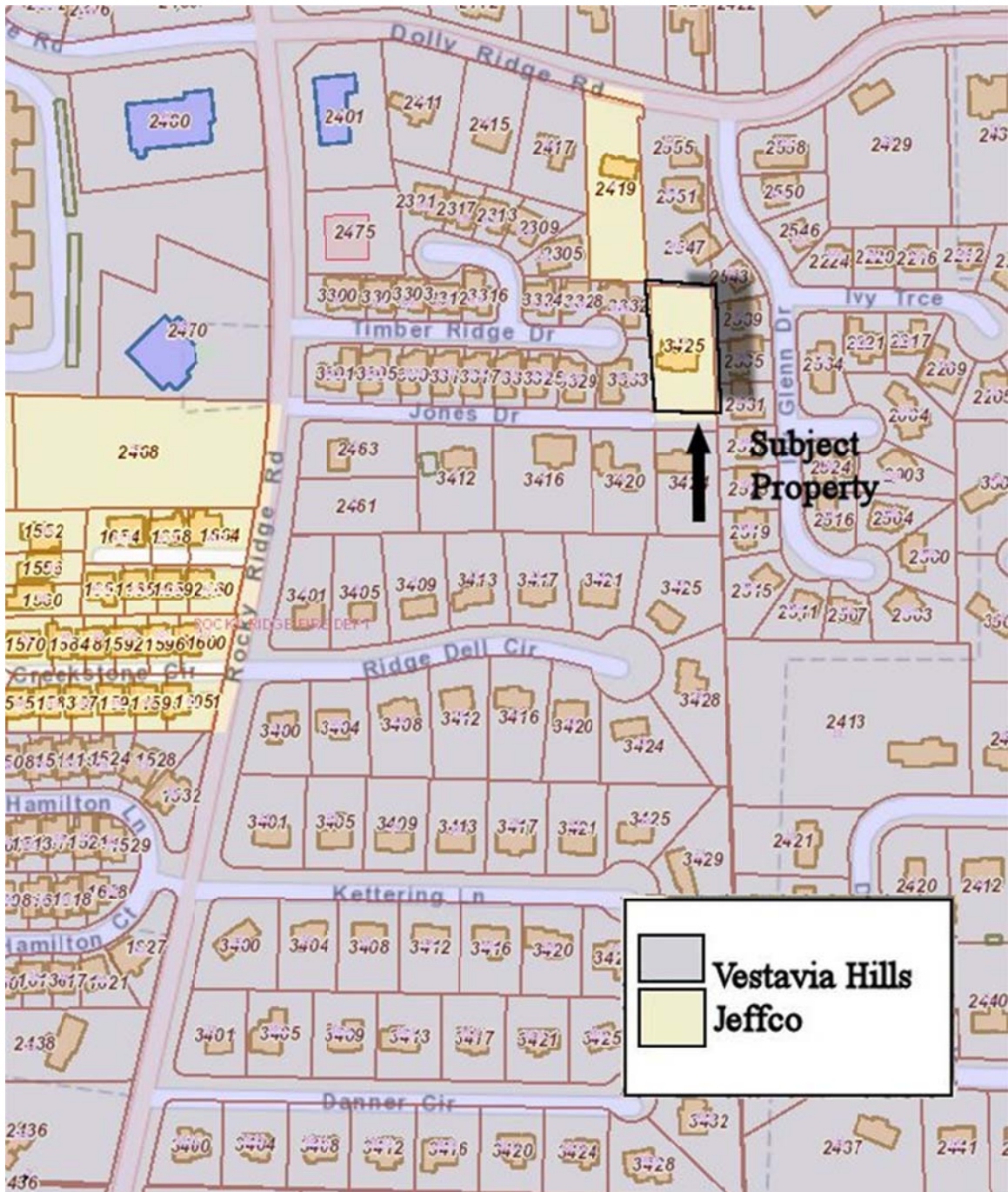
Rebecca Leavings
City Clerk

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 # 2657 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 23rd day of May, 2016, 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 _____, 2016.

Rebecca Leavings
City Clerk



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

Date: APRIL 14, 2016

- **CASE: P-0416-17**
- **REQUESTED ACTION:** Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 3425 Jones Dr.
- **APPLICANT/OWNER:** Ralph & Alison McCall
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Jones Dr., adjacent to Rocky Ridge Rd. Property began the annexation process by City Council with their approval of the overnight annexation (Ord. 2642) on 2/22/16. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for medium density residential.
- **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: No recommendation
 2. **City Engineer Review:** I have reviewed the application and 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 Rezoning for 3425 Jones Dr. from Jefferson County E-2 to Vestavia Hills R-1 For The Purpose Of Annexation. Second was by Mr. Burrell. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Visintainer – yes
Mr. House – yes
Motion carried.

Mr. Burrell – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mr. Larson – yes

ORDINANCE NUMBER 2658

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

3425 Jones Drive
Ralph and Alison McCall, Owners

More particularly described as follows:

Part of the Northeast quarter of the Southwest quarter of Section 32, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the Southeast corner of said Northeast quarter of Southwest quarter, run thence Northwardly along the East line of said quarter-quarter section for a distance of 210 feet; run thence Westwardly for a distance of 105 feet; run thence Southwardly for a distance of 105 feet; run thence Southwardly for a distance of 210 feet; run thence Eastwardly for a distance of 105 feet to the point of beginning.

APPROVED and ADOPTED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

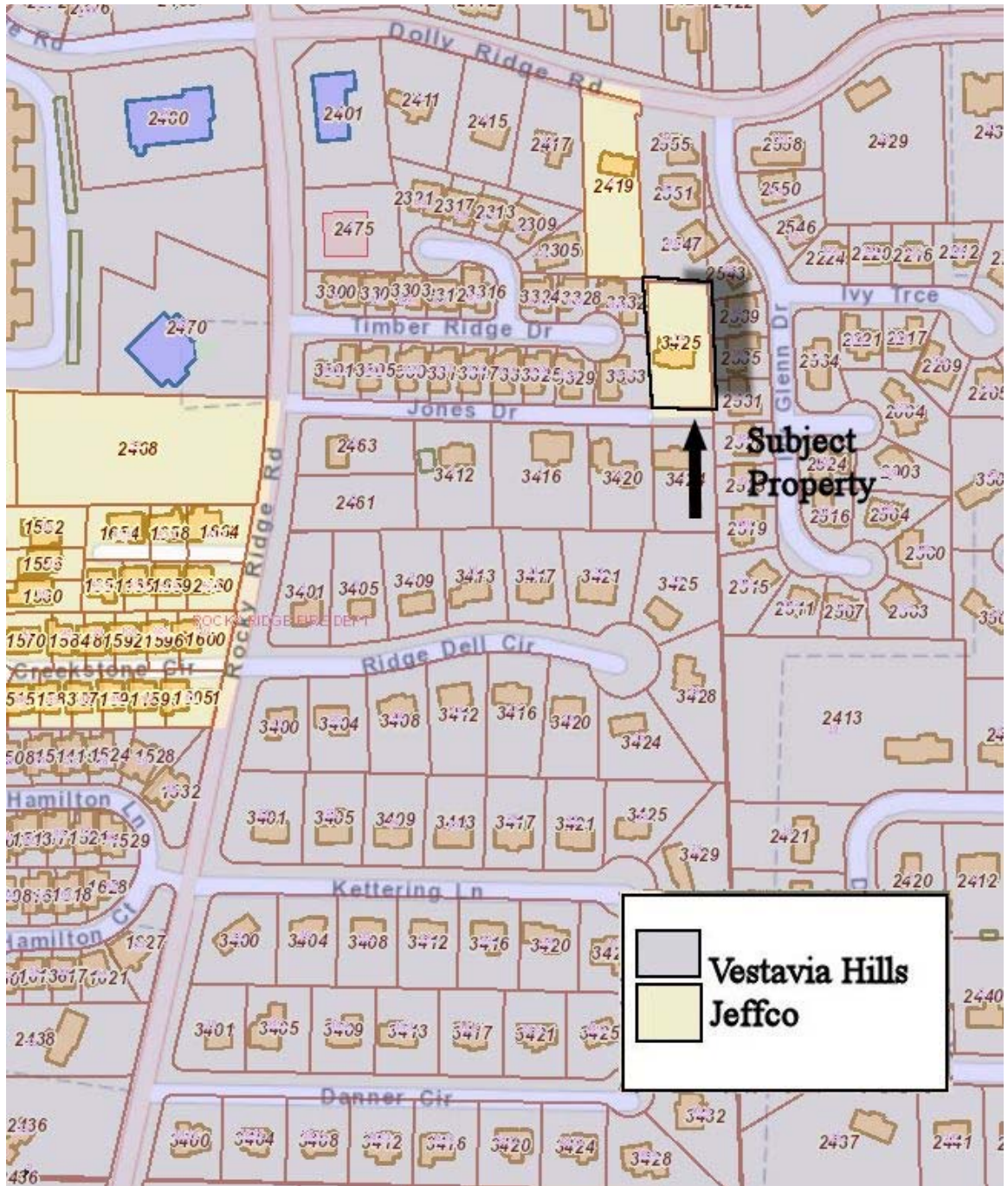
Rebecca Leavings
City Clerk

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 # 2658 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 23rd day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk



ORDINANCE NUMBER 2659

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 22nd day of February, 2016, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2510 & 2512 Dolly Ridge Road
Lots 21 & 22, Dolly Ridge Estates
Don and Kristie Garrett & Todd and Leeba Strong, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

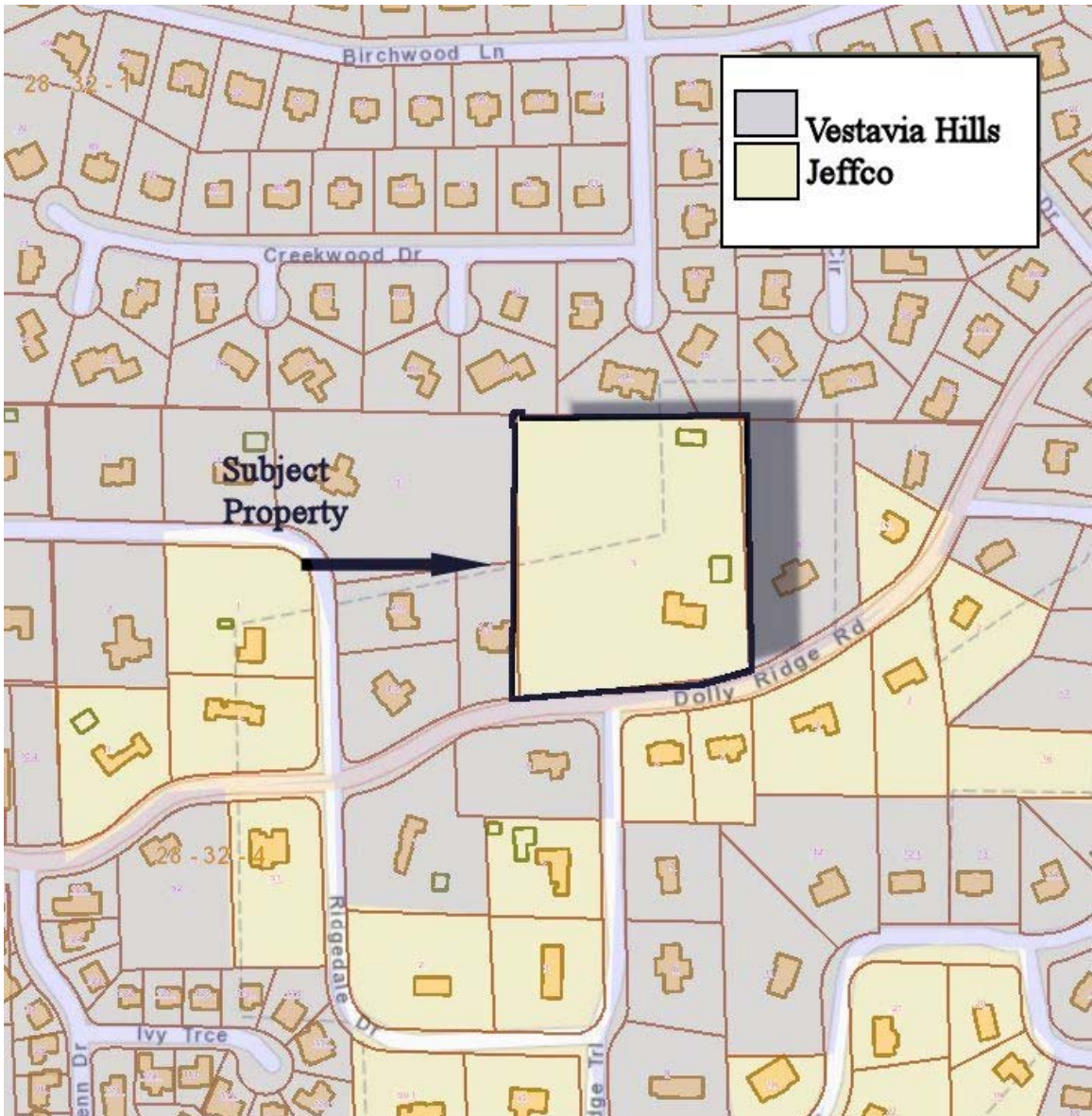
Rebecca Leavings
City Clerk

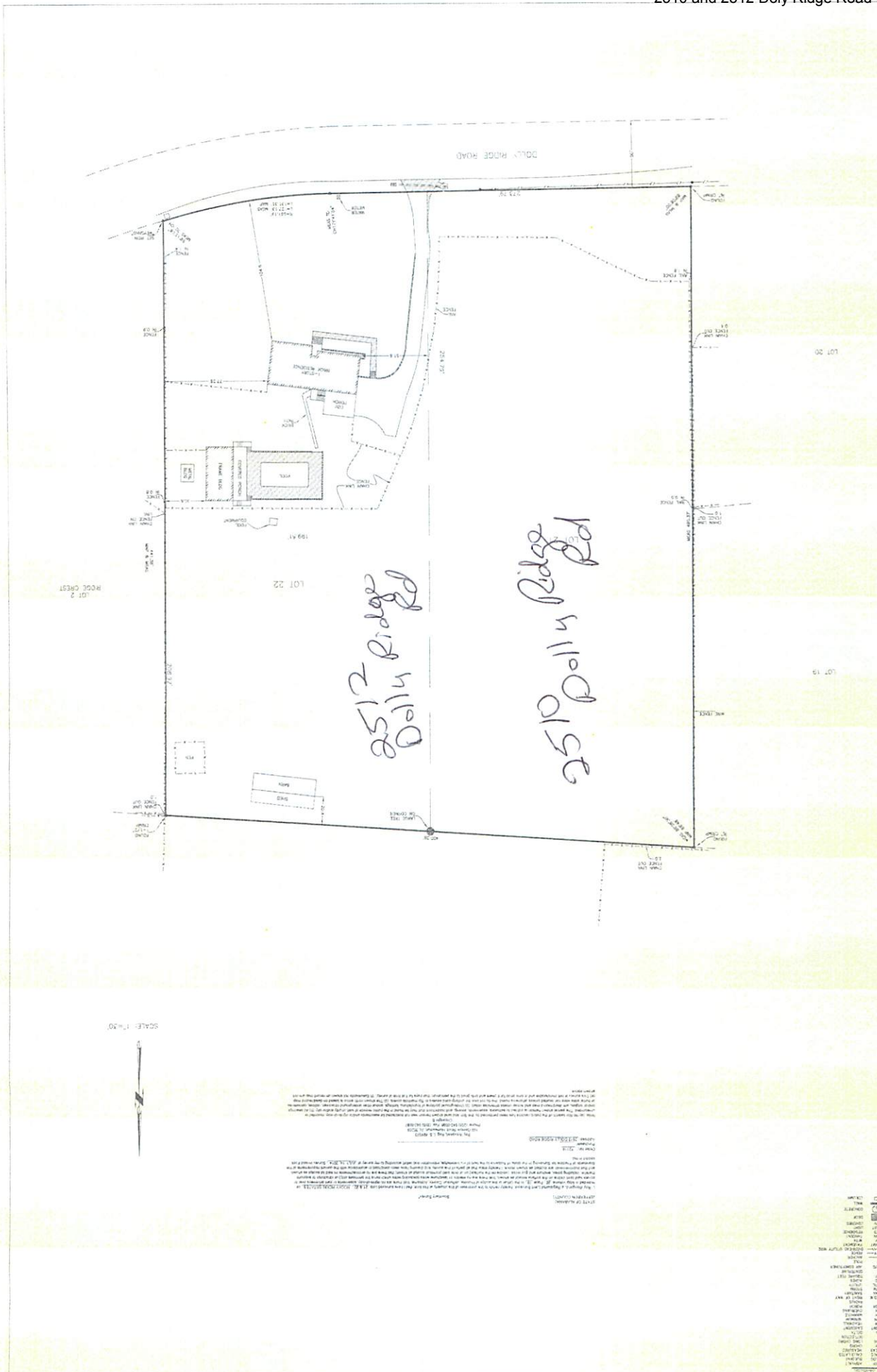
CERTIFICATION:

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 # 2659 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 23rd day of May, 2016, 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 _____, 2016.

Rebecca Leavings
City Clerk





SCALE: 1"=30'



11/11/2011
 DOLY RIDGE ROAD
 11/11/2011

- 1. Building Footprint
- 2. Parking Space
- 3. Easement
- 4. Utility Line
- 5. FENCE
- 6. DRIVEWAY
- 7. CURB
- 8. SIDEWALK
- 9. LOT
- 10. STREET
- 11. ADJACENT LOT
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- 99. ADJACENT LOT
- 100. ADJACENT LOT

Annexation Committee Petition Review

Property: 2510 & 2512 Dolly Ridge Road

Owners: Don and Kristie Garrett & Todd and Leeba Strong

Date: _____

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: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No _____ *N/A*
Number of total homes _____ Number in city _____
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: 2510 & 2512 Dolly Ridge Road


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 5; Plan to enroll in VH schools Yes No _____ Comments: in VH school Already enrolled

Other Comments: _____


~~George Pierce~~ John Henley
~~Chairman~~ Council Rep

PARCEL #: 28 00 32 4 002 005.000
OWNER: MITCHELL JANE
ADDRESS: 2512 DOLLY RIDGE RD VESTAVIA AL 35243-4610
LOCATION: 2512 DOLLY RIDGE RD BHAM AL 35243

[111-D-] Baths: 2.0 H/C Sqft: 2,037
18-034.0 Bed Rooms: 2 Land Sch: L1
Land: 164,600 Imp: 179,400 Total: 344,000
Acres: 0.000 Sales Info: \$0

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

Tax Year : 2015

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
EXEMPT CODE: 3-2 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: \$340,600.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$164,610
LAND VALUE 20% \$0
CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
BLDG 002 111 \$29,000
POOL VINYL 60 29VP600 \$8,600
BLDG 001 111 \$141,800
TOTAL MARKET VALUE [APPR. VALUE: \$344,000]: \$344,010
Assesment Override:
MARKET VALUE:
CU VALUE:
PENALTY:
ASSESSED VALUE:

TAX INFO

Table with columns: CLASS, MUNCODE, ASSD. VALUE, TAX, EXEMPTION, TAX EXEMPTION, TOTAL TAX. Rows include STATE, COUNTY, SCHOOL, DIST SCHOOL, CITY, FOREST, SPC SCHOOL1, SPC SCHOOL2.

ASSD. VALUE: \$34,400.00

\$1,723.44

GRAND TOTAL: \$1,472.84

FULLY PAID

DEEDS

INSTRUMENT NUMBER

5862-516

PAYMENT INFO

Table with columns: DATE, PAY DATE, TAX YEAR, PAID BY, AMOUNT. Rows show payment history from 2010 to 2015.

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2510 & 2512 Dolly Ridge Road

Engineering: Date: _____ Initials: _____

Comments: _____

2510/2512 Dolly Ridge Road -- no concerns noted

Public Services: Date: _____

Comments: _____

Police Department: Date: 1-6-16 Initials: 

Comments: No problems _____

Fire Department: Date: 12/29/2015 Initials: 

Comments: No problems _____

STATE OF ALABAMA

JEFFERSON

COUNTY

PETITION FOR ANNEXATION TO THE

CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 11/23/2015

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.

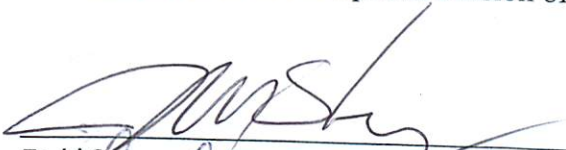
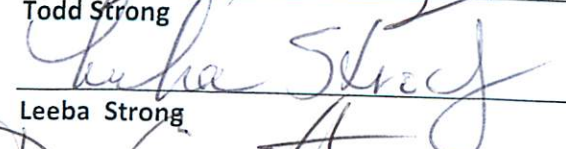

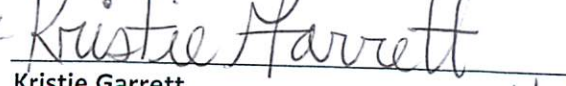
	<u>(205) 915-6346</u>
Todd Strong	CONTACT NUMBER
	<u>(205) 616-8546</u>
Leeba Strong	CONTACT NUMBER
	<u>(205) 410-2407</u>
Don Garrett	CONTACT NUMBER
* 	<u>(205) 533-1959</u>
Kristie Garrett	CONTACT NUMBER
<u>kagarrett@bellsouth.net</u>	

EXHIBIT "A"

LOT: 21 and 22

BLOCK: _____

SURVEY: Rocky Ridge Estates

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

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Parcel # 28 00 32 4 002 005.000
2512 Dolly Ridge Road, Vestavia 35243

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>Jane N. Mitchell</u>	Lot <u>21^{1/2} 22</u> Block _____ Survey <u>ROCKY RIDGE ESTATES</u>
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

JANE N MITCHELL 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.


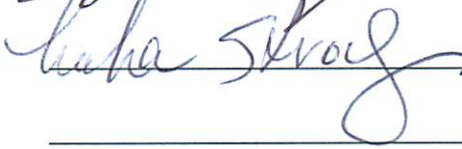
Jane N. Mitchell
Signature of Certifier

Subscribed and sworn before me this the 17 day of November, 2015.

Mildred H. Osborn
Notary Public

My commission expires: Aug 21, 2019

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>
	Lot <u>22</u> Block _____ Survey <u>Rocky Ridge Estates</u>
	Lot <u>22</u> Block _____ Survey <u>Rocky Ridge Estates</u>
_____	Lot _____ Block _____ Survey _____


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

STATE OF ALABAMA

Jefferson COUNTY

J Todd Strong; Lee Ba Strong 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 17th day of November, 2015.



 Notary Public

My commission expires: Aug 21, 2019

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>Don Garrett</u>	Lot <u>21</u> Block _____ Survey <u>Rocky Ridge Estates</u>
<u>Kristie Garrett</u>	Lot <u>21</u> Block _____ Survey <u>Rocky Ridge Estates</u>
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Don Garrett & Kristie Garrett 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.

Kristie Garrett

 Signature of Certifier

Don Garrett

Subscribed and sworn before me this the 17th day of November, 2015.

Mildred H. Ashorn

 Notary Public

My commission expires: Aug 21, 2019

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): Don & Kristie Garrett
Todd & Leeba Strong

Address: 2512 Dolly Ridge Road

City: Vestavia State: AL Zip: 35243

Information on Children:

Already enrolled
~~Plan to Enroll In~~
Vestavia Hills School?

	Name(s)	Age	School Grade	Yes	No
1.	Daniel Strong	17	11	VHHS	
2.	Matthew Strong	12	6	Pizitz	
3.	Haley Garrett	14	8	Pizitz	
4.	Sam Garrett	12	6	Pizitz	
5.	Ben Garrett	10	4	Central	
6.					

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

ORDINANCE NUMBER 2660

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

2510 and 2512 Dolly Ridge Road
Don Garrett, Kristie Garrett, Todd Strong and Leba Strong, Owners

APPROVED and ADOPTED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

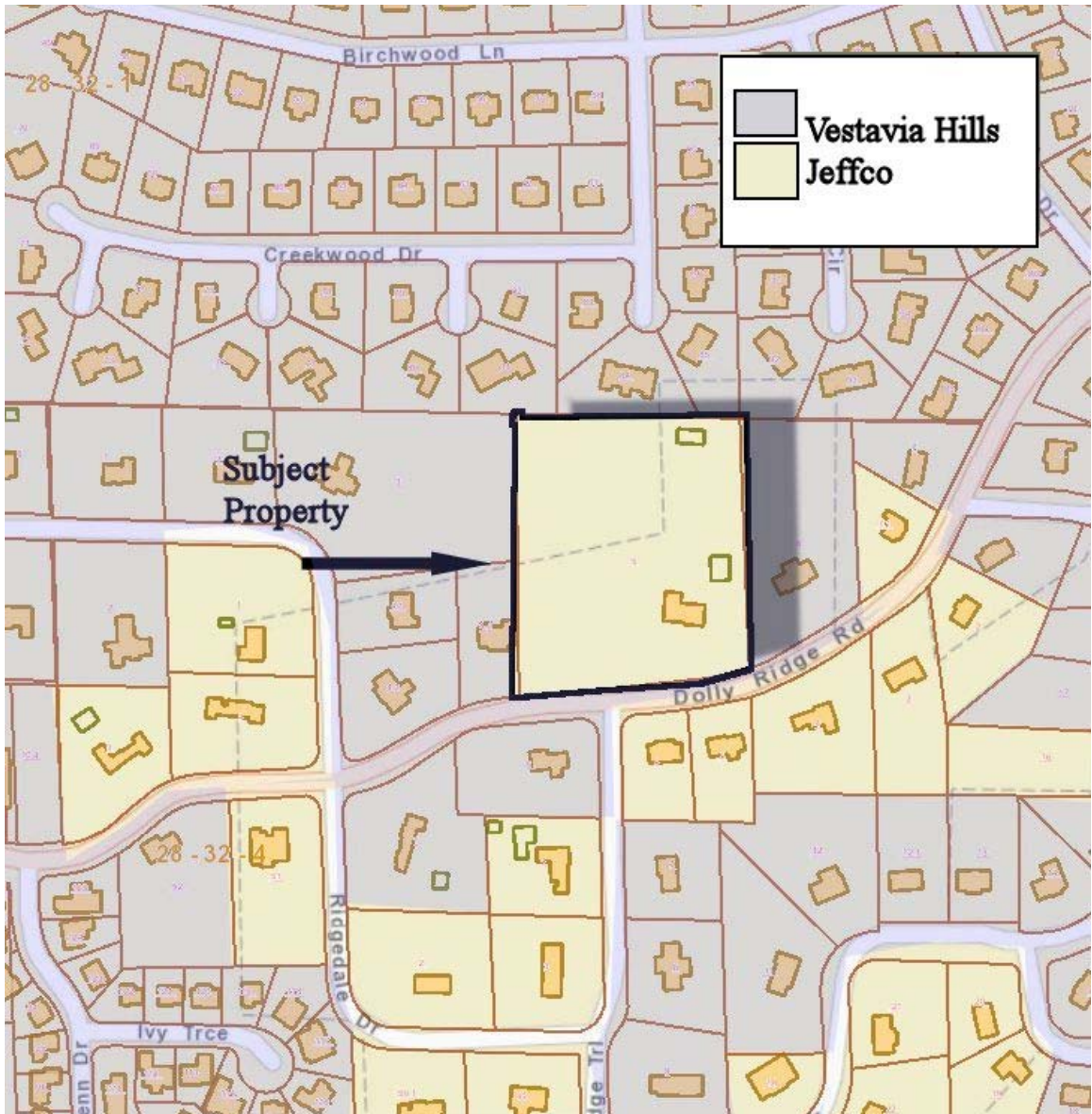
Rebecca Leavings
City Clerk

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 # 2660 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 23rd day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk



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

Date: APRIL 14, 2016

- **CASE: P-0416-18**
- **REQUESTED ACTION:** Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2510 & 2512 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Todd & Leeba Strong & Don & Kristie Garrett
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Dolly Ridge Rd., close to Rocky Ridge Rd. Property began the annexation process by City Council with their approval of the overnight annexation (Ord. 2643) on 2/22/16. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for medium density residential.
- **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: No recommendation
 2. **City Engineer Review:** I have reviewed the application and 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 Rezoning for 2510 & 2512 Dolly Ridge Rd. from Jefferson County E-2 to Vestavia Hills R-1 For The Purposes Of Annexation. Second was by Mr. House. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Visintainer – yes
Mr. House – yes
Motion carried.

Mr. Burrell – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mr. Larson – yes

ORDINANCE NUMBER 2661

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 22nd day of February, 2016, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

2611 Alta Vista Circle
Lot 7, Altadena Valley Country Club Sector
Chad Speegle, Owner(s)

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

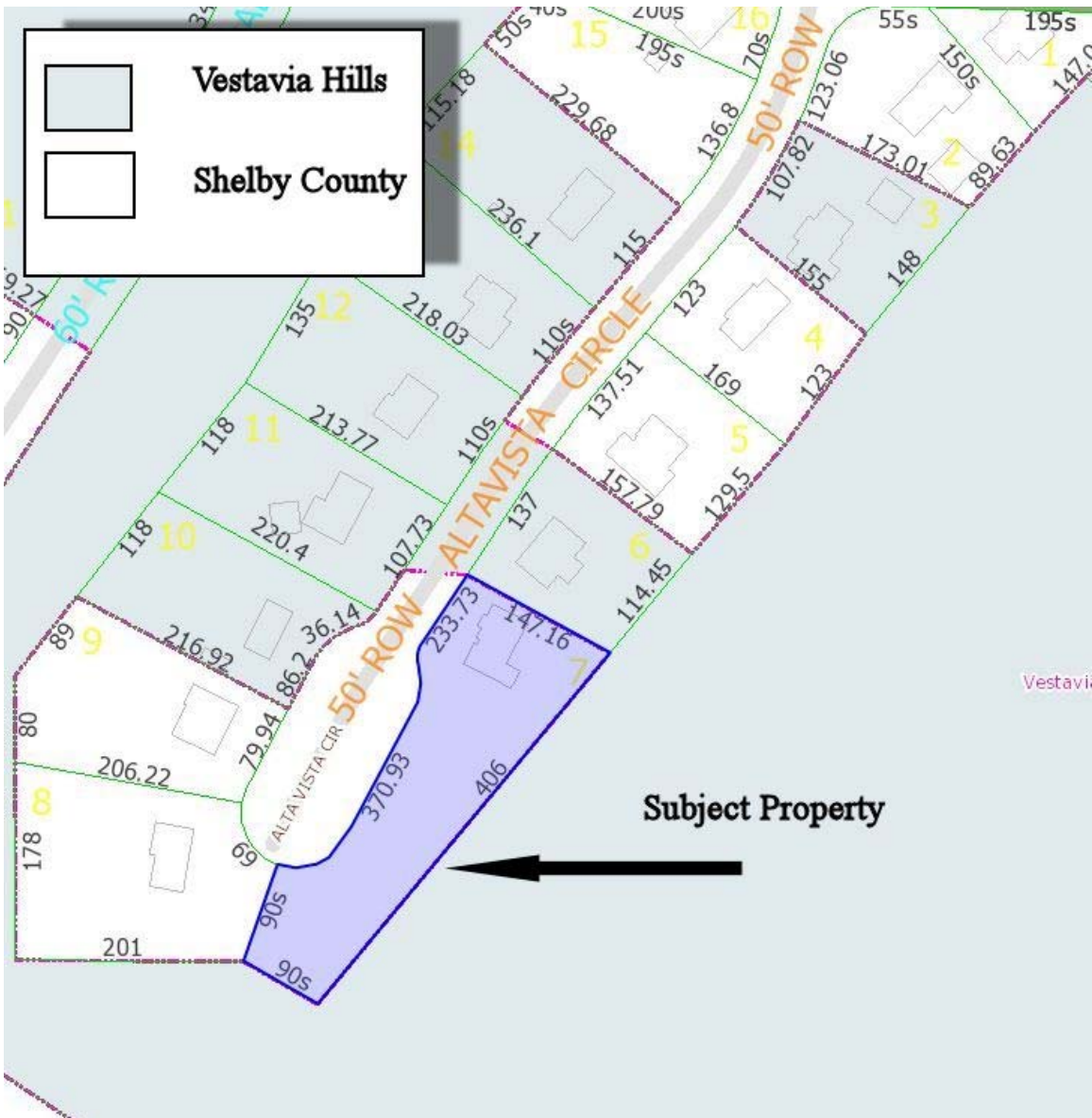
Rebecca Leavings
City Clerk

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 # 2661 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 23rd day of May, 2016, 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 _____, 2016.

Rebecca Leavings
City Clerk



Annexation Committee Petition Review

Property: 2611 Alta Vista Circle

Owners: Chad Speegle

Date: 1-19-16

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 Eng & aware & on watch list

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$331,600. 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 15 Number in city 7
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: 2611 Alta Vista Circle

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 1; Plan to enroll in VH
schools Yes _____ No Comments: _____

Other Comments: _____



George Pierce
Chairman
John Henley
Council rep



SHELBY COUNTY, ALABAMA. CITIZEN ACCESS PORTAL

WELCOME PROPERTY TAX BOE PERSONAL PROPERTY REDEMPTION

- Search
- Pay Tax
- Assessment
- Forms

PARCEL #: 10 2 04 0 001 007.000
OWNER: SPEEGLE CHAD ERIC
ADDRESS: 2611 ALTAVISTA CIRCLE BHAM AL 35243

Baths: 3.5 **H/C Sqt:** 2,853
Land: 80,000 **Imp:** 251,600 **Total:** 331,600
Acres: 0.950 **Sales Info:** \$0

Prev Next >> [1 / 9 Records]

Tax Year : 2015

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS:	2	OVER 65 CODE:	LAND VALUE 10% \$0
EXEMPT CODE:		DISABILITY CODE:	LAND VALUE 20% \$80,000
MUN CODE:	01 COUNTY	HS YEAR:	0
SCHOOL DIST:	2	EXM OVERRIDE AMT:	\$0.00
OVR ASD VALUE:	\$0.00		
CLASS USE:		CLASS 2	
FOREST ACRES:	0	TAX SALE:	
PREV YEAR VALUE:	\$334,300.00	BOE VALUE:	0
		CLASS 3	
		TOTAL MARKET VALUE:	\$331,600

- QUICK LINKS
- PTC Info
 - Assessment
 - Collection
 - Property Deeds
 - Millage Rate
 - Contact Us
 - County Site
 - Get Adobe Reader

• ** News **

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$66,320	\$431.08	\$0	\$0.00	\$431.08
COUNTY	2	1	\$66,320	\$497.40	\$0	\$0.00	\$497.40
SCHOOL	2	1	\$66,320	\$1,061.12	\$0	\$0.00	\$1,061.12
DIST SCHOOL	2	1	\$66,320	\$928.48	\$0	\$0.00	\$928.48
CITY	2	1	\$66,320	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00

ASSD. VALUE: \$66,320.00

\$2,918.08

GRAND TOTAL: \$2,918.08

DEEDS

INSTRUMENT NUMBER

- [20051123000610570](#)
- [20050106000008520](#)
- [20041014000567580](#)
- [20000001508600000](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
11/23/2005	11/18/2015	2015	CORELOGIC REAL ESTATE TAX SERVICE	\$2,918.08
1/5/2005	11/20/2014	2014	CORELOGIC	\$2,941.84
1/7/2004	11/15/2013	2013	RESURGENT CAPITAL SERVICES LP	\$1,430.36
5/2/2000	11/8/2012	2012	GREEN TREE SERVICING	\$1,430.36
	11/17/2011	2011	FIRST FEDERAL OF ALABAMA	\$1,441.80
	11/23/2010	2010	FIRST FEDERAL OF ALABAMA	\$1,464.68
	11/16/2009	2009	FIRST FEDERAL OF ALABAMA	\$1,322.12
	11/19/2008	2008	FIRST FEDERAL OF ALABAMA	\$1,322.12
	11/19/2007	2007	FIRST FEDERAL OF ALABAMA	\$1,316.84
	11/20/2006	2006	FIRST FEDERAL OF ALABAMA	\$1,223.56
	11/18/2005	2005	FIRST FEDERAL BANK	\$2,471.92
	11/8/2004	2004	FIRST FEDERAL BANK	\$396.00

DON ARMSTRONG
Property Tax Commissioner

SHELBY COUNTY
102 Depot Street
Columbiana, AL 35051
(205) 670-6900



Powered By: E-Ring, Inc.

Website Disclaimer

EXHIBIT "C"

CITY OF VESTAVIA HILLS

*Department Review of Proposed Annexation
(To Be completed by City Staff)*

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 2611 Alta Vista Circle

Engineering: _____ Date: _____ Initials: _____

Comments: _____

Public Serv.:

2611 Alta Vista Circle -- within Shelby County; pavement is in poor condition and needs resurfacing in near future; this lot sits below street level and has existing drainage concerns with water from street; home has existing landscape blocks used to act as a curbing -- this "make shift" curbing will not be maintained by the City.

Police Department: _____ Date: 1-6-16 Initials: _____

Comments: No problems _____

Fire Department: _____ Date: 12/29/2015 Initials: SK

Comments: No problems _____

STATE OF ALABAMA

SHELBY COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 12-17-15

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 SHELBY 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.

CESPEEGLE@hotmail.com

205-243-6604

EXHIBIT "A"

LOT: 7

BLOCK: _____

SURVEY: ALTADENA VALLEY COUNTRY CLUB

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

COUNTY ZONING: SHELBY COUNTY E2

COMPATIBLE CITY ZONING: VESTAVIA

LEGAL DESCRIPTION (METES AND BOUNDS):

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

Chad Speegle Lot 7 Block _____ Survey ALTADENA VALLEY COUNTRY CLUB

_____ Lot _____ Block _____ Survey _____

_____ Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

SHELBY COUNTY

CHAD SPEEGLE 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.

Chad Speegle
Signature of Certifier

Subscribed and sworn before me this the _____ day of _____, 20____.

Notary Public

My commission expires: _____

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): CHAD SPEEGLE
 Address: 2611 ALTA VISTA CIRCLE
 City: BIRMINGHAM State: AL Zip: 35243

Information on Children:

**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 2662

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM SHELBY COUNTY E-1 TO VESTAVIA HILLS E-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Shelby County E-1 (low density residential district) to Vestavia Hills E-2 (low density residential district):

2611 Alta Vista Circle
Lot 7, Altadena Valley Country Club Sector
Chad Speegle, Owners

APPROVED and ADOPTED this the 23rd day of May, 2016.

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 # 2662 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 23rd day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk

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

Date: APRIL 14, 2016

- **CASE: P-0416-20**
- **REQUESTED ACTION:** Jefferson County E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 2611 Alta Vista Cir.
- **APPLICANT/OWNER:** Chad Speegle
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Alta Vista Cir., adjacent to defunct AVCC. Property began the annexation process by City Council with their approval of the overnight annexation (Ord. 2644) on 2/22/16. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for medium density residential.
- **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: No recommendation
 2. **City Engineer Review:** I have reviewed the application and 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. Wolfe made a motion to recommend approval of Rezoning for 2611 Alta Vista Cir. from Jefferson County E-1 to Vestavia Hills E-2 For The Purpose Of Annexation. Second was by Mr. Gilchrist. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Visintainer – yes
Mr. House – yes
Motion carried.

Mr. Burrell – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mr. Larson – yes

ORDINANCE NUMBER 2663

**ANNEXING CERTAIN TERRITORY TO THE
CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, on the 22nd day of February, 2016, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

WHEREAS, the City Council of the City of Vestavia Hills, at the time and place of its regular meeting on said date, made a determination that the matters contained in the Petition were true and that it was in the public interest that said property be annexed to the City of Vestavia Hills, Alabama.

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

1. That the following property which was described in said petition be annexed to the City of Vestavia Hills, Alabama:

4705 Caldwell Mill Road
David Acton Building Corporation, Owner(s)

More particularly described as follows:

Part of the Northeast 1/4 of Southwest 1/4 of Section 34. Township 18. Range 2 West described as follows: Begin at the Southeast corner of the Northeast 1/4 of Southwest 1/4 of Section 34, Township 18. Range 2 West and run North along the Easterly boundary of said.1/4 1/4 for 233 feet to the point of beginning; thence tum an angle to the left of 90 degrees and run In a westerly direction for 224 feet to a point; thence tum an angle to the right of 90 degrees and run in a northerly direction for 83.3 feet to a point; thence tum an angle to the left of 77 degrees 50' and run in a Northeasterly direction for 169.8 feet to a point; thence tum an angle to the right of 121 degrees 30' and run in a Northeasterly direction 210 feet to a point; then tum an angle to the right of 61degrees 18' and run in a Southeasterly direction for 250.2 feet to a point on the easterly boundary line of said 1/4 1/4 thence tum an angle to right of 72 degrees 33' and run in a southerly direction 199 feet to the point of beginning. Excepting any part of subject property which lies north of that certain hollow set out in instrument recorded in Volume 3779, Page 203. in the Office of the Judge of Probate of Jefferson County, Alabama.

AND ALSO, begin at the Southwest corner of the Northeast 1/4 of Southwest 1/4 of Section 34, Township 18, Range 2 West and run North along the easterly boundary of said 1/4 for 233 feet to a point; thence tum an angle to the left of 90 degrees and run In a westerly direction 224 feet to a point; thence tum an angle to the right of 90 degrees and run in a northerly direction 83.3 feet to a point; thence tum an angle to the left of 77 degrees 50' and run in a Northwesterly direction for 169.8 to the point of beginning; thence continue in a Northwesterly direction along the last described course for a distance of 210 feet; thence tum an angle to the right of 107 degrees 46' and run in a Northeasterly direction for a distance of 53.3 feet to a point; thence tum an angle to the right of 38 degrees 42' and run in a Northeasterly direction for 156.7 feet to a point; thence tum an angle to the right of 20 degrees 54' and run in a Northeasterly direction for 179 feet to a point; thence tum an angle to the right of 315 degrees 08' and run in a Southwesterly direction for 8 distance of 210 feet to the point of beginning.

Excepting any part of Subject property which lies north of that certain hollow set out in Instrument recorded in Volume 3779, Page 204. in the Office of the Judge of Probate of Jefferson County, Alabama.

2. That this Annexation shall become effective upon the adoption and approval of this Ordinance in accordance with the provisions of law, after which the heretofore described property shall become a part of the City of Vestavia Hills, Alabama.

3. That the City Clerk be and is hereby directed to publish this Ordinance in accordance with the requirements of the law and to file a copy hereof, together with a duly certified copy of the petition, with the Probate Judge of Jefferson County, Alabama.

ADOPTING and APPROVED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

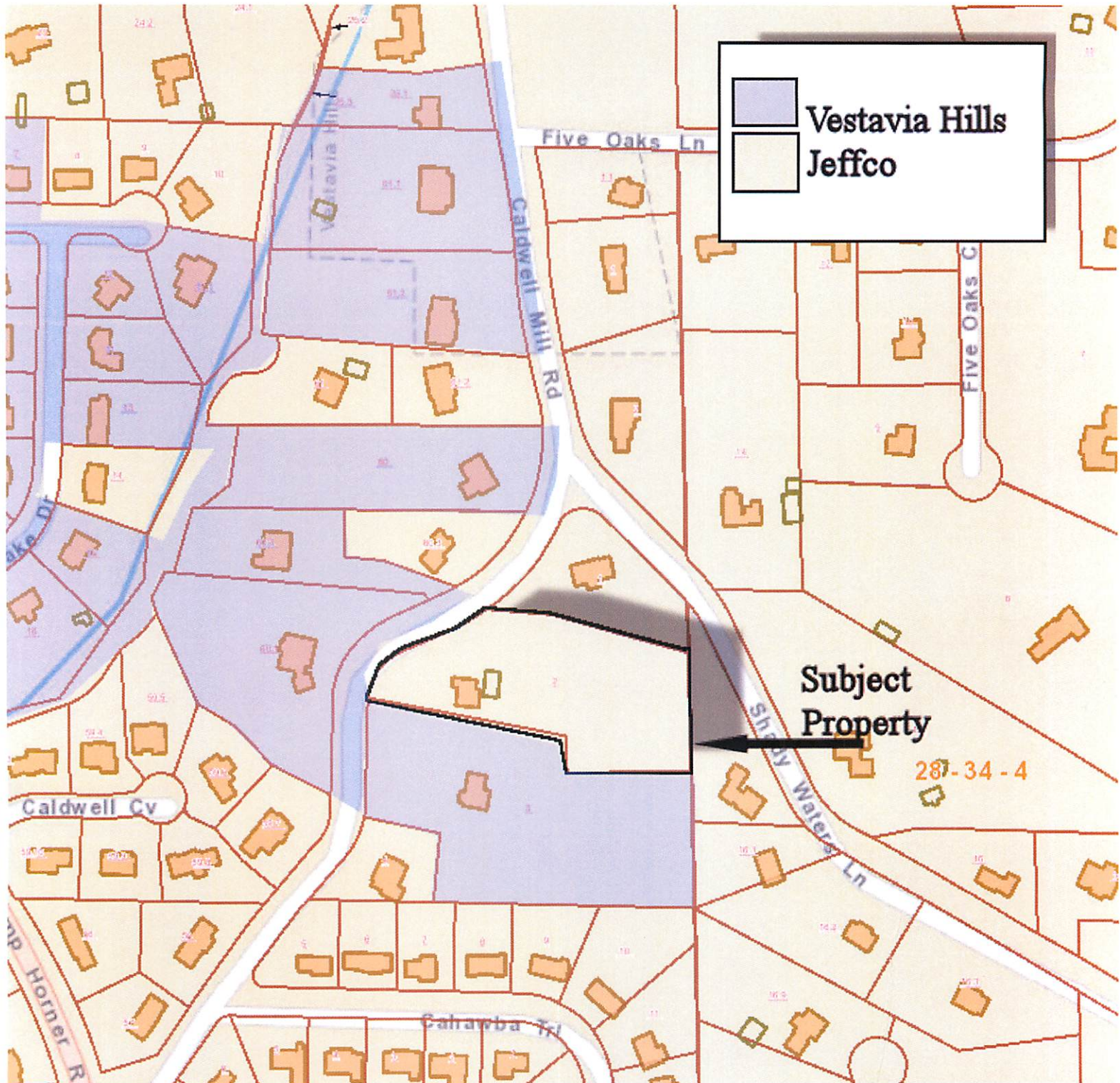
Rebecca Leavings
City Clerk

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 # 2663 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 23rd day of May, 2016, 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 _____, 2016.

Rebecca Leavings
City Clerk



PARCEL #: 28 00 34 3 008 002.000
OWNER: ALLEN JOYCE
ADDRESS: 4705 CALDWELL MILL RD VESTAVIA AL 35243-3035
LOCATION: 4705 CALDWELL MILL RD BHAM AL 35243

[111-C0] Baths: 1.0 H/C Sqft: 1,338
 18-040.0 Bed Rooms: 2 Land Sch: A416
 Land: 166,200 Imp: 66,100 Total: 232,300
 Acres: 0.000 Sales Info: \$0

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

Tax Year : 2015

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS: 3	OVER 65 CODE:	LAND VALUE 10%	\$166,200
EXEMPT CODE: 2-2	DISABILITY CODE:	LAND VALUE 20%	\$0
MUN CODE: 01 COUNTY	HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED]	\$0
SCHOOL DIST:	EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>	
OVR ASD VALUE: \$0.00	TOTAL MILLAGE: 50.1	<u>CLASS 3</u>	
CLASS USE:		GARAGE WOOD OR 24WCBNA	\$9,400
FOREST ACRES: 0	TAX SALE:	BLDG 001 111	\$56,700
PREV YEAR VALUE: \$232,300.00	BOE VALUE: 0	TOTAL MARKET VALUE [APPR. VALUE: \$232,300]:	\$232,300
		Assesment Override:	
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$23,240	\$151.06	\$4,000	\$26.00	\$125.06
COUNTY	3	1	\$23,240	\$313.74	\$2,000	\$27.00	\$286.74
SCHOOL	3	1	\$23,240	\$190.57	\$0	\$0.00	\$190.57
DIST SCHOOL	3	1	\$23,240	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$23,240	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$23,240	\$118.52	\$0	\$0.00	\$118.52
SPC SCHOOL2	3	1	\$23,240	\$390.43	\$0	\$0.00	\$390.43

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$23,240.00

\$1,164.32

GRAND TOTAL: \$1,116.32

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
		12/7/2015	2015	THE LAW OFFICES OF CHARLES D STEWART JR	\$1,122.34
		12/9/2014	2014	JOYCEALLENLOGAN	\$1,116.32
		10/25/2013	2013	-	\$1,116.32
		11/6/2012	2012	ALLEN JOYCE	\$1,115.83
		20111025	2011	***	\$1,121.85
		20101101	2010	***	\$1,049.70
		20091118	2009	***	\$1,049.70

EXHIBIT "C"

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To Be completed by City Staff)

The following properties have requested to be annexed into the City. Please review this request and then forward your comments to the City Clerk as soon as is reasonably possible.

Location: 4705 Caldwell Mill Road

Engineering: Date: _____ Initials: _____

Comments: _____

Public Services:

4705 Caldwell Mill Road -- no concerns noted; existing pavement is in good condition; future development will need to consider potential driveway location to avoid poor sight distance concerns.

Police Department:

Date: 1-6-16 Initials: _____

Comments: No problems _____

Fire Department:

Date: 12/29/2015 Initials: (SK)

Comments: No problems _____

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 11/30/2015

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.

Jordan (205) 281-1226

EXHIBIT "A"

LOT: 002.000

BLOCK: 008

SURVEY: 28-00-34-3-008

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

COUNTY ZONING: E2

COMPATIBLE CITY ZONING: R1

LEGAL DESCRIPTION (METES AND BOUNDS): **See Next Page**

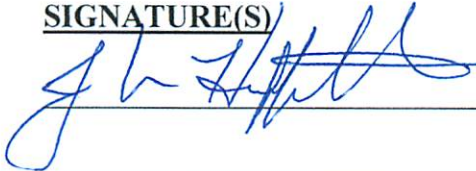
LEGAL DESCRIPTION

Part of the Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 34, Township 18, Range 2 West described as follows: Begin at the Southeast corner of the Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 34, Township 18, Range 2 West and run North along the Easterly boundary of said $\frac{1}{4}$ $\frac{1}{4}$ for 233 feet to the point of beginning; thence turn an angle to the left of 90° and run in a westerly direction for 224 feet to a point; thence turn an angle to the right of 90° and run in a northerly direction for 83.3 feet to a point; thence turn an angle to the left of $77^\circ 50'$ and run in a Northeasterly direction for 169.8 feet to a point; thence turn an angle to the right of $121^\circ 30'$ and run in a Northeasterly direction 210 feet to a point; then turn an angle to the right of $61^\circ 18'$ and run in a Southeasterly direction for 250.2 feet to a point on the easterly boundary line of said $\frac{1}{4}$ $\frac{1}{4}$; thence turn an angle to right of $72^\circ 33'$ and run in a southerly direction 199 feet to the point of beginning. Excepting any part of subject property which lies north of that certain hollow set out in instrument recorded in Volume 3779, Page 203, in the Office of the Judge of Probate of Jefferson County, Alabama.

AND ALSO

Begin at the Southwest corner of the Northeast $\frac{1}{4}$ of Southwest $\frac{1}{4}$ of Section 34, Township 18, Range 2 West and run North along the easterly boundary of said $\frac{1}{4}$ $\frac{1}{4}$ for 233 feet to a point; thence turn an angle to the left of 90° and run in a westerly direction 224 feet to a point; thence turn an angle to the right of 90° and run in a northerly direction 83.3 feet to a point; thence turn an angle to the left of $77^\circ 50'$ and run in a Northwesterly direction for 169.8 to the point of beginning; thence continue in a Northwesterly direction along the last described course for a distance of 210 feet; thence turn an angle to the right of $107^\circ 46'$ and run in a Northeasterly direction for a distance of 53.3 feet to a point; thence turn an angle to the right of $38^\circ 42'$ and run in a Northeasterly direction for 156.7 feet to a point; thence turn an angle to the right of $20^\circ 54'$ and run in a Northeasterly direction for 179 feet to a point; thence turn an angle to the right of $315^\circ 08'$ and run in a Southwesterly direction for a distance of 210 feet to the point of beginning. Excepting any part of subject property which lies north of that certain hollow set out in instrument recorded in Volume 3779, Page 204, in the Office of the Judge of Probate of Jefferson County, Alabama.

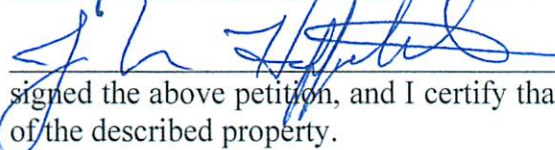
IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

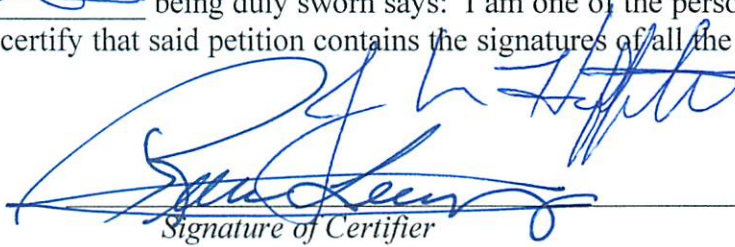
<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	Lot <u>002.000</u> Block <u>008</u> Survey <u>MAP # 28-00-34-3-008</u>
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

 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 30th day of Nov., 2015.


Notary Public

My commission expires: 7/15/2019

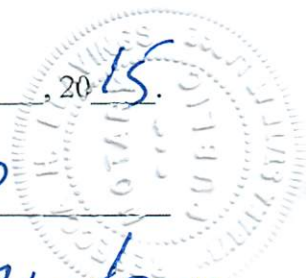


EXHIBIT "B"

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): DAVID ACTON BUILDING CORP.
 Address: 4705 CALDWELL MILL RD.
 City: BIRMINGHAM State: AL Zip: 35243

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": _____

david acton
building corporation

4705 Caldwell Mill Road

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:
4705 Caldwell Mill Rd.
Birmingham, AL 35243

4705 Caldwell Mill Road

4898 Valleydale Rd. Suite A4
Birmingham, AL 35242

T 205.980.9567
F 866.322.2120
dabc.jordan@gmail.com

www.davidactonbuilding.com

d a v i d a c t o n
b u i l d i n g c o r p o r a t i o n

Table of Contents

- Request Introduction
- Vicinity Map
- Existing Survey
- Area Analysis
- Annexation Merits

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building corporation

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Request Introduction

- Subject Property: The property is located at 4705 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 2.29 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 \$700,000 price range. Both homes will be built to a high quality standard and offer many upgraded amenities.

Vicinity Map

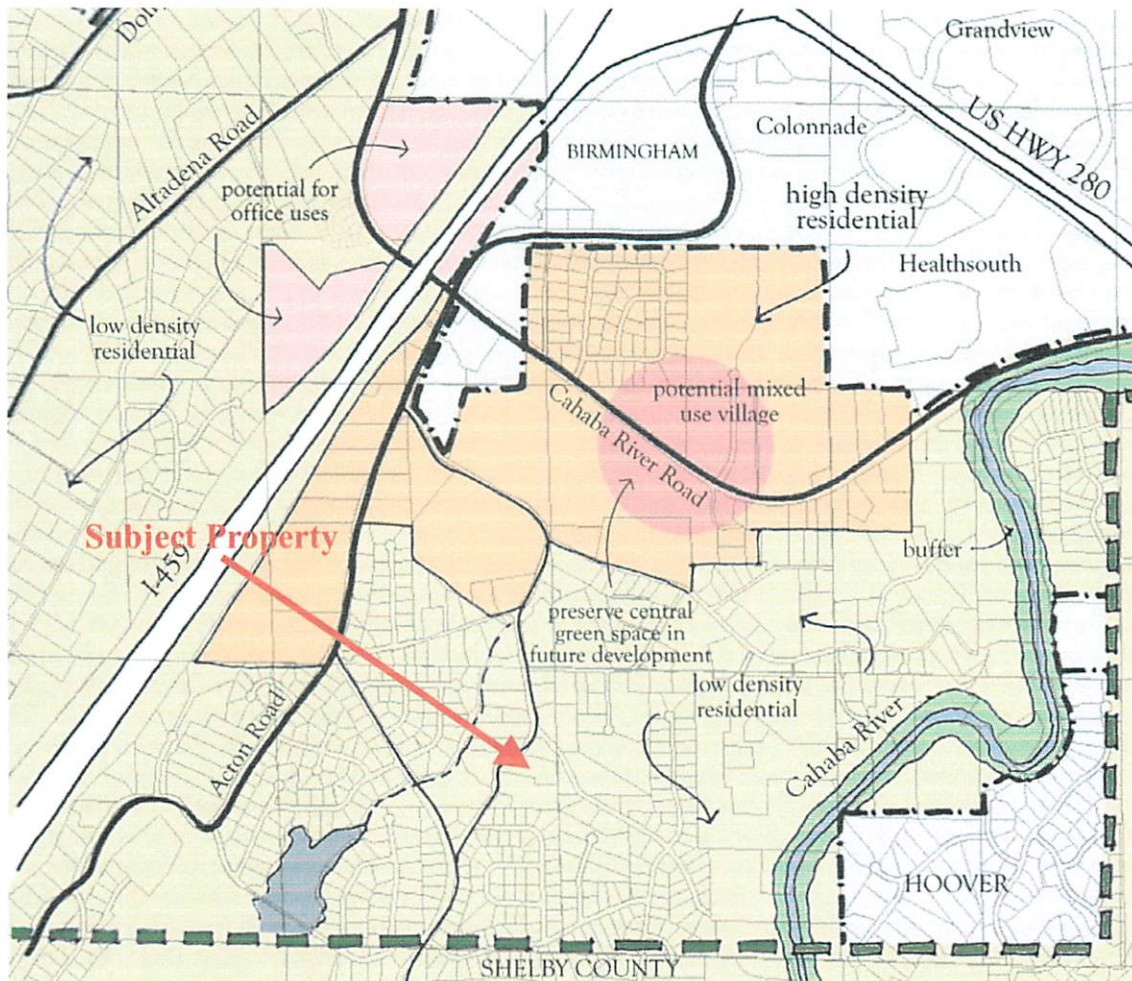
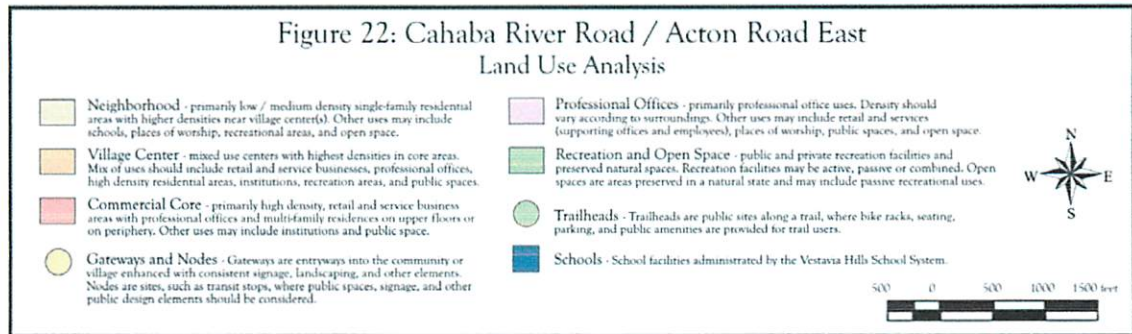


Figure 22: Cahaba River Road / Acton Road East
Land Use Analysis



dauid acton building corporation

4705 Caldwell Mill Road

4898 Valleydale Rd. Suite A4
Birmingham, AL 35242

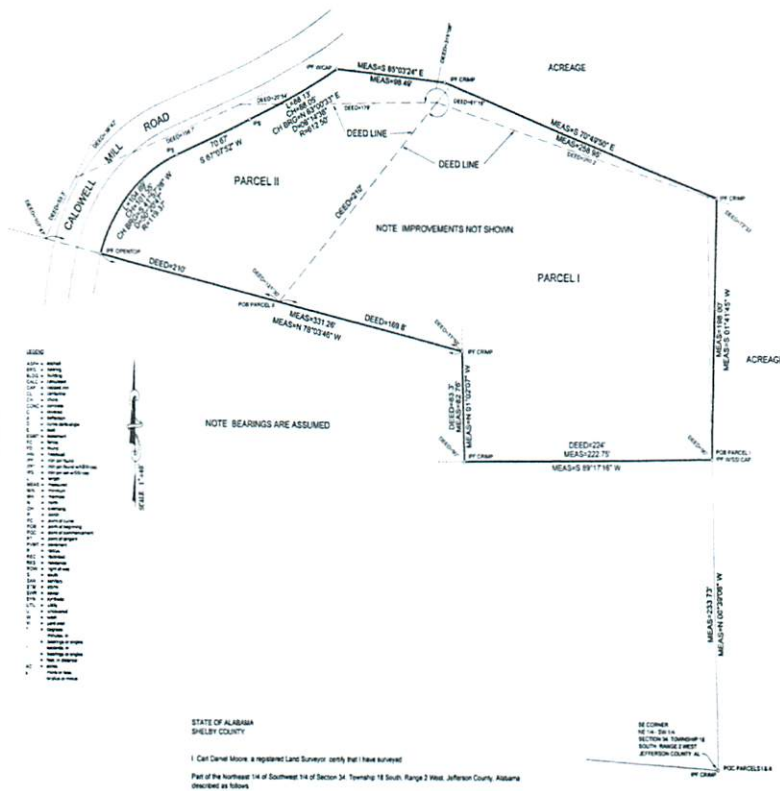
T 205.980.9567

F 866.322.2120

dabc.jordan@gmail.com

www.davidactonbuilding.com

Existing Survey



STATE OF ALABAMA
SHELBY COUNTY

I, Carl Daniel Moore, a registered Land Surveyor, certify that I have surveyed:
Part of the Northeast 1/4 of Southeast 1/4 of Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama, described as follows:

PARCEL I

Commence at the Southeast corner of the Northeast 1/4 of Southeast 1/4 of Section 34, Township 18 South, Range 2 West, and run North along the Eastern boundary of said 1/4 for 233 feet to the point of beginning; thence run an angle to the left of 80° and run in a westerly direction for 224 feet to a point; thence run an angle to the right of 87° and run in a northerly direction for 83.3 feet to a point; thence run an angle to the left of 77°30' and run in a northerly direction for 188.8 feet to a point; thence run an angle to the right of 121°33' and run in a northerly direction 210 feet to a point; thence run an angle to the right of 61°18' and run in a Southwesterly direction for 255.2 feet to a point on the Eastern boundary line of said 1/4; thence run an angle to the right of 72°33' and run in a southerly direction 168 feet to the point of beginning. Excepting any part of subject property which has north of that certain hollow set out in instrument recorded in volume 3178, Page 261, in the Office of the Judge of Probate of Jefferson County, Alabama.

AND ALSO

PARCEL 2

Commence at the Southeast corner of the Northeast 1/4 of Southeast 1/4 of Section 34, Township 18 South, Range 2 West, and run North along the easterly boundary of said 1/4 for 233 feet to a point; thence run an angle to the left of 80° and run in a westerly direction 224 feet to a point; thence run an angle to the right of 87° and run in a northerly direction 83.3 feet to a point; thence run an angle to the left of 77°30' and run in a northerly direction for 188.8 feet to the point of beginning; thence continue in a Northwesterly direction along the East described corner for a distance of 210 feet; thence run an angle to the right of 107°46' and run in a Northwesterly direction for a distance of 53.3 feet to a point; thence run an angle to the right of 28°42' and run in a Northwesterly direction for 136.7 feet to a point; thence run an angle to the right of 27°34' and run in a Northwesterly direction for 178 feet to a point; thence run an angle to the right of 215°00' and run in a Southwesterly direction for a distance of 210 feet to the point of beginning. Excepting any part of subject property which has south of that certain hollow set out in instrument recorded in volume 3178, Page 264, in the Office of the Judge of Probate of Jefferson County, Alabama.

I furthermore certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief; that the correct address is as follows: 4705 Caldwell Mill Road, according to my survey of 11/28/2015. Survey is not void unless it is signed with embossed seal or stamped in red.

SURVEYING SOLUTIONS, INC.
2032 CANADA VALLEY DRIVE, SUITE W
BIRMINGHAM, AL 35242
PHONE: 205-984-8885



Order No. 1480
Purchase Address
Type of Survey: Closing

Carl Daniel Moore
11 - 30 - 25
Date of Signature

MCN52650NCSHELBYCOALYRESITES AT CALDWELL MILL RD 1822N 4705 CALDWELL MILL ROAD

Annexation Merits

- Property is Contiguous to Vestavia city limits.
- Proposed Subdivision is compatible with land use in the area.
- Annexation of the Subject Property will fill in gaps in the City Limit's created by previous Annexation approvals - Of the approximately 19 Residences located on Caldwell Mill Rd. between the Camp Horner and Acton Place, 11 are currently located within the limits of Vestavia. 4 of the 11 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 2664

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Jefferson County E-2 (low density residential district) to Vestavia Hills R-1 (low density residential district):

4705 Caldwell Mill Road
David Acton Building Corporation, Owner(s)

More particularly described as follows:

Part of the Northeast 1/4 of Southwest 1/4 of Section 34, Township 18, Range 2 West described as follows: Begin at the Southeast corner of the Northeast 1/4 of Southwest 1/4 of Section 34, Township 18, Range 2 West and run North along the Easterly boundary of said 1/4 1/4 for 233 feet to the point of beginning; thence tum an angle to the left of 90 degrees and run In a westerly direction for 224 feet to a point; thence tum an angle to the right of 90 degrees and run in a northerly direction for 83.3 feet to a point; thence tum an angle to the left of 77 degrees 50' and run in a Northeasterly direction for 169.8 feet to a point; thence tum an angle to the right of 121 degrees 30' and run in a Northeasterly direction 210 feet to a point; then tum an angle to the right of 61degrees 18' and run in a Southeasterly direction for 250.2 feet to a point on the easterly boundary line of said 1/4 1/4 thence tum an angle to right of 72 degrees 33' and run in a southerly direction 199 feet to the point of beginning. Excepting any part of subject property which lies north of that certain hollow set out in instrument recorded in Volume 3779, Page 203. in the Office of the Judge of Probate of Jefferson County, Alabama.

AND ALSO, begin at the Southwest corner of the Northeast 1/4 of Southwest 1/4 of Section 34, Township 18, Range 2 West and run North along the easterly boundary of said 1/4 for 233 feet to a point; thence tum an angle to the left of 90 degrees and run In a westerly direction 224 feet to a point; thence tum an angle to the right of 90 degrees and run in a northerly direction 83.3 feet to a point; thence tum an angle to the left of 77 degrees 501 and run in a Northwesterly direction for 169.8 to the point

of beginning; thence continue in a Northwesterly direction along the last described course for a distance of 210 feet; thence tum an angle to the right of 107 degrees 46' and run in a Northeasterly direction for a distance of 53.3 feet to a point; thence tum an angle to the right of 38 degrees 42' and run in a Northeasterly direction for 156.7 feet to a point; thence tum an angle to the right of 20 degrees 54' and run in a Northeasterly direction for 179 feet to a point; thence tum an angle to the right of 315 degrees 08' and run in a Southwesterly direction for 8 distance of 210 feet to the point of beginning.

Excepting any part of Subject property which lies north of that certain hollow set out in Instrument recorded in Volume 3779, Page 204. in the Office of the Judge of Probate of Jefferson County, Alabama.

APPROVED and ADOPTED this the 23rd day of May, 2016.

Alberto C. Zaragoza, Jr.
Mayor

ATTESTED BY:

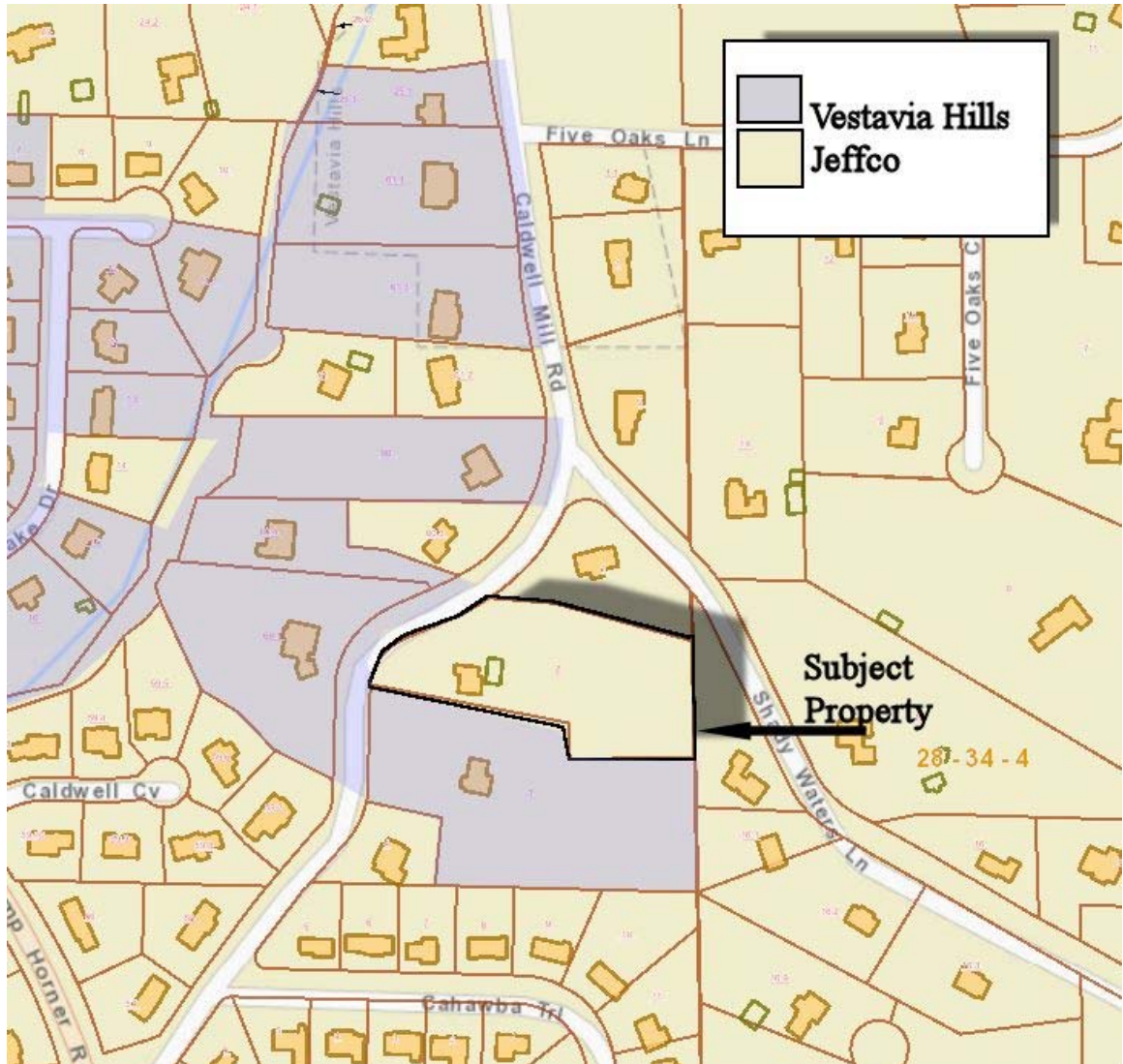
Rebecca Leavings
City Clerk

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 # 2664 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 23rd day of May, 2016 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, New Merkle House and Vestavia Hills Recreational Center this the _____ day of _____, 2016.

Rebecca Leavings
City Clerk



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

Date: APRIL 14, 2016

- **CASE: P-0416-23**
- **REQUESTED ACTION:** Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2611 Alta Vista Cir.
- **APPLICANT/OWNER:** David Acton Building Corp.
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property is on Caldwell Mill Rd., adjacent to Shady Waters Ln. Property began the annexation process by City Council with their approval of Resolution 4798 on 2/22/16. This is a compatible rezoning.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for medium density residential.
- **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: No recommendation
 2. **City Engineer Review:** I have reviewed the application and 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 Rezoning for 4705 Caldwell Mill Rd. from Jefferson County E-2 to Vestavia Hills R-1 For The Purpose Of Annexation. Second was by Mr. Wolfe. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Sharp – yes
Mr. Visintainer – yes
Mr. House – yes
Motion carried.

Mr. Burrell – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mr. Larson – yes