

**Vestavia Hills
Amended
City Council Agenda
December 18, 2017
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – David Harwell
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. City Manager’s Report
7. Councilors’ Reports
8. Approval of Minutes – None

Old Business

9. Resolution Number 5007 – Vacation Of Ingress/Egress Easement; Lot 1K, Corporate Woods Addition To Liberty Park, Resurvey No. 3; The Bell Center, An Alabama Not-For-Profit Corporation, Owners; Joey Brightner, Walter Schoel Consulting, Representing (*public hearing*)
10. Ordinance Number 2736 – Rezoning – 4521 Pine Tree Circle; Lot 23, Topfield Subdivision; Rezone From Vestavia Hills R-1 (Low-Density Residential) To Vestavia Hills O-1 (Office District); Joseph F. Morad, Owner (*public hearing*)

New Business

11. Resolution Number 5015 – A Resolution Authorizing A Conditional Permissive Use Of A Portion Of The Public Right-Of-Way Of Beaumont Drive
12. Resolution Number 5017 – A Resolution Appointing A Member To The Vestavia Hills Library Board
13. Resolution Number 5018 – A Resolution Appointing A Member To The Vestavia Hills Parks And Recreation Board
14. Resolution Number 5019 – A Resolution Reappointing Members To The Vestavia Hills Design Review Board

New Business (Unanimous Consent Requested)

15. Resolution Number 5016 – A Resolution Authorizing The City Manager To Participate With The Vestavia Lake Homeowners Association For Sediment Removal Project At Vestavia Lake (*public hearing*)

First Reading (No Action Taken At This Meeting)

16. Resolution Number 5011 – Annexation – 90 Day – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
17. Ordinance Number 2737 – Annexation – Overnight – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
18. Resolution Number 5012 – Annexation – 90 Day – 1772 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
19. Ordinance Number 2738 – Annexation – Overnight – 1772 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
20. Resolution Number 5013 – Annexation – 90 Day – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
21. Ordinance Number 2739 – Annexation – Overnight – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
22. Resolution Number 5014 – Annexation – 90 day – 2300 St. Joseph Road; Lot 24-A, Resurvey of Lots 24 & 26, Amendment to St. Joseph Retreat; Linda Craft, Owner (*public hearing*)
23. Ordinance Number 2740 – Annexation – Overnight – 2300 St. Joseph Road; Lot 24-A, Resurvey of Lots 24 & 26, Amendment to St. Joseph Retreat; Linda Craft, Owner (*public hearing*)
24. Ordinance Number 2735 – Rezoning – 812 Chestnut Street; Lots 6 & 7, Block 14, South Birmingham Heights; Rezone From Vestavia Hills R-3 (Residential) To Vestavia Hills B-2 (Business District); Sloss HTP, Inc., Owners (*public hearing*)
25. Resolution Number 5002 – A Resolution Vacating A Portion Of An Alley At 812 Chestnut Street; Lots 6 & 7, Block 14, South Birmingham Heights; Sloss HTP, Owners (*public hearing*)
26. Resolution Number 5003 – A Resolution Determining The Value Of The Right-Of-Way Of An Alley Vacated By Resolution Number 5002 Located Adjacent To 812 Chestnut Street; Lots 6 & 7, Block 14, South Birmingham Heights; Sloss HTP, Owners (*public hearing*)
27. Citizen Comments
28. Motion For Adjournment

RESOLUTION NUMBER 5007

**A RESOLUTION APPROVING AND ASSENTING
TO A DECLARATION OF VACATION**

WITNESSETH THESE RECITALS

WHEREAS, a Declaration signed by the owners of all the lands abutting the following described ingress/egress easement situated in the City of Vestavia Hills, Jefferson County, Alabama, vacating said ingress/egress easement, has been duly presented to the City Council of the City of Vestavia Hills, Alabama, for assent and approval of said governing body; and

WHEREAS, a copy of said Declaration with map attached is marked as “Exhibit A”, attached hereto and incorporated into this Resolution by reference as though set out fully herein; and

WHEREAS, the above-referenced ingress/egress easement is commonly referred to as “ingress/egress easement (alley)” and is more particularly described as follows:

An easement for ingress and egress located on Lot 1K, Corporate Woods Addition to Liberty Park Resurvey No. 3, as recorded in Map Book 206, Page 51 in the office of the Judge of Probate of Jefferson County, Alabama and situated in the N.E. 1/4 of the S.W. 1/4 of Section 12, Township 18 South, Range 2 West, Jefferson County, Alabama, being more particularly described as follows:

Begin at the Northernmost corner of Lot 1K, Corporate Woods Addition to Liberty Park Resurvey No. 3, said point lying on the Southwesterly line of Corporate Woods Drive (a private road) and also lying on a curve to the left having a radius of 420.00 feet and a central angle of 14°11'19"; thence in a Southeasterly direction along the arc of said curve and the Southwesterly line of Corporate Woods Drive (a private road) a distance of 104.01 feet to a point; thence 73°19'03" to the right (angle measured to tangent) in a Southerly direction a distance of 45.02 feet to a point on a curve to the left having a radius of 730.30 feet and a central angle of 22°59'17"; thence 16°27'15" to the right (angle measured to tangent) in a Southwesterly and Southerly direction along the arc of said curve a distance of 293.01 feet to the P.C.C. (point of compound curve) of a curve to the left having a radius of 58.41 feet and a central angle of 49°18'06"; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 50.26 feet to a point; thence 58°40'46" to the right (angle measured to tangent) in a Southerly direction a distance of 37.38 feet to a point on a curve to the right having a radius of 92.41 feet and a

central angle of 61°26'25"; thence 109°10'54" to the right (angle measured to tangent) in a Northwesterly and Northerly direction along the arc of said curve a distance of 99.09 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 764.30 and a central angle of 21°09'39"; thence in a Northerly and Northeasterly direction a distance of 282.28 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 50.00 feet and a central angle of 81°28'51"; thence in a Northeasterly, Northerly and Northwesterly direction along the arc of said curve a distance of 71.11 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 307.23 feet and a central angle of 8°31'59"; thence in a Northwesterly direction along the arc of said curve a distance of 45.76 feet to a point on the Northwest line of said Lot 1K; thence 90°58'56" to the right (angle measured to tangent) in a Northeasterly direction along the Northwest line of said Lot 1K a distance of 24.97 feet to the Point of Beginning.

Containing 16,456 square feet or 0.378 acre.

WHEREAS, it appears to the City Council of the City of Vestavia Hills, Alabama, that said vacated ingress/egress easement shall still allow convenient and reasonable means of access as well as sewer access to all utilities running through the tract of land or eventually located in said tract of land; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the vacation of the hereinabove described ingress/egress easement is assented to and approved and the same is hereby vacated pursuant to the provision of Section 23-4-20 of the Code of Alabama, 1975.

RESOLVED, DONE AND ORDERED, on this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION

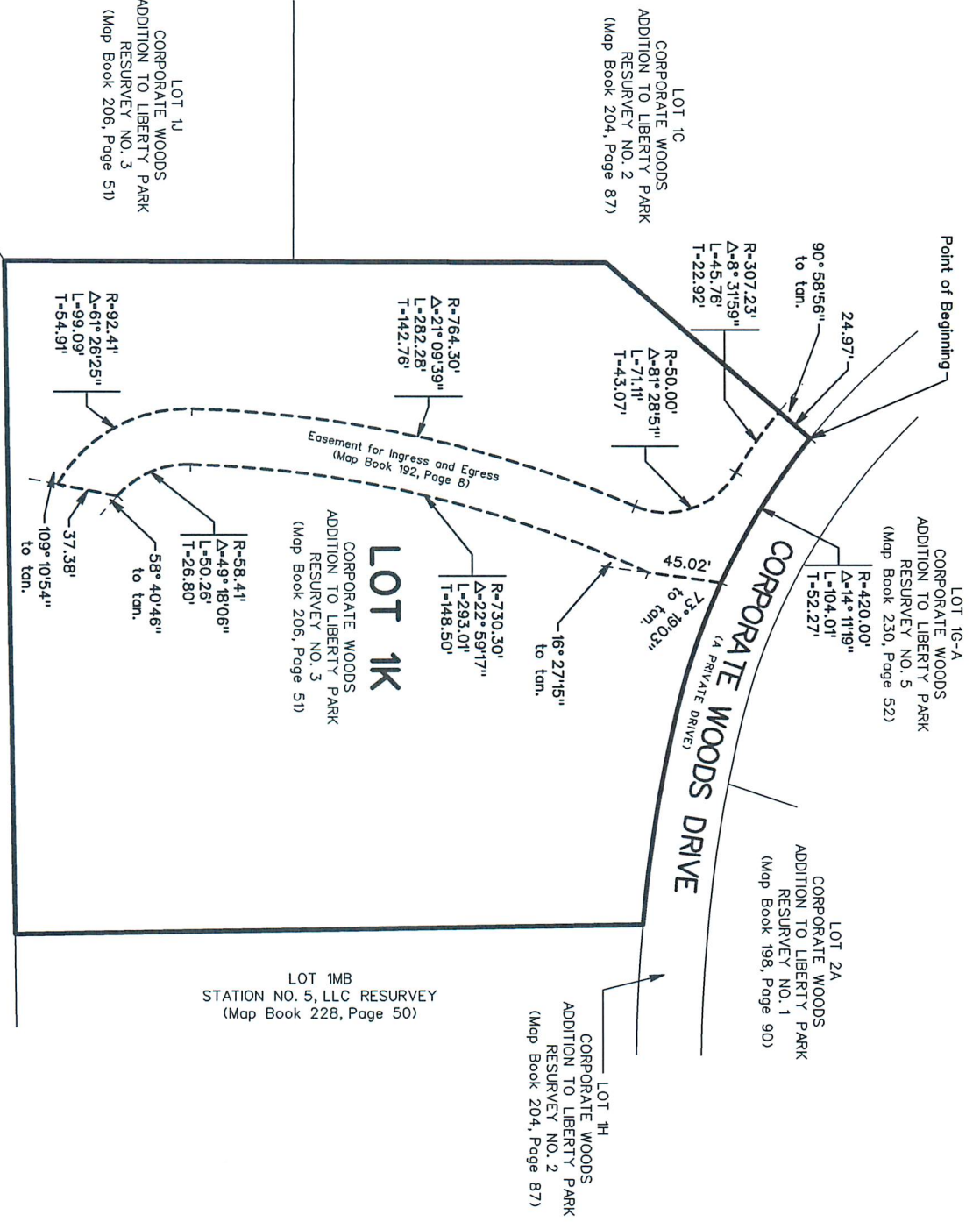
I, the undersigned qualified Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true copy of a Resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 18th day of December, 2017, and that such Resolution is of record in the Minute Book of the City at page _____ thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the _____ day of _____, 2017.

Rebecca Leavings
City Clerk



Graphic Scale



DATE: October 11, 2017
SCALE: 1" = 100'

g:/LIB/17139/Survey/Exhibit/17139_1K Exhibit.dgn

EASEMENT VACATION EXHIBIT



1001 22nd Street South
Birmingham, Alabama 35205
205.323.6166

Civil Surveying
Environmental Water Resources
High Definition Surveying

Copyright © 2017 Walter School Engineering Company, Inc.

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

DECLARATION OF VACATION

THE BELL CENTER FOR EARLY INTERVENTION PROGRAMS, an Alabama not-for-profit corporation (the “Bell Center”), as the sole owner of the real property described as: Lot 1K, according to the map of Corporate Woods Addition of Liberty Park Resurvey No. 3, as recorded in Map Book 206, Page 51, in the Probate Office of Jefferson County, Alabama (the “Bell Center Property”), does hereby record this Declaration to validate the vacation of a certain easement for ingress and egress described on Exhibit “A”, which is attached hereto and incorporated herein by reference (the “Easement”). The Easement being vacated herein sits entirely within the boundary of the Bell Center Property.

1. This Declaration of Vacation of the Easement is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 23-4-20 and Section 35-2-54, Code of Alabama, 1975.
2. It is in the public interest and in the interest of the Bell Center that the Easement be closed and vacated.
3. Such vacation will not deprive other property owners of convenient and reasonable means of ingress and egress to their property. Only the portion of the Easement sitting within the boundary of the Bell Center Property is being vacated hereunder.

4. The adjoining/abutting property owners, that being Liberty Park Joint Venture, LLP, an Alabama limited liability partnership ("LPJV") and Fairway-Prominence, LLC ("Fairway") join in the execution of this Declaration to consent to the vacation of the Easement.
5. All of the undersigned do hereby declare and consent to the vacation of the Easement and respectfully request the assent of the City Council of the City of Vestavia Hills, Alabama, to said vacation of the Easement.

IN WITNESS WHEREOF, the undersigned have hereunto set our hands and seals on this the 2nd day of November, 2017.

SIGNATURES on the following pages:

THE BELL CENTER FOR EARLY INTERVENTION PROGRAMS

By Jeannie Colquett
Its Executive Director

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

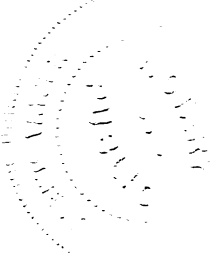
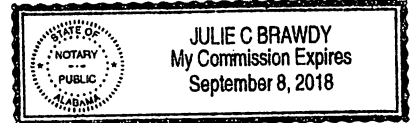
I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Jeannie Colquett, whose name as Executive Director of THE BELL CENTER FOR EARLY INTERVENTION PROGRAMS, an Alabama not-for-profit corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, as such Executive Director and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this 2nd day of November, 2017.

Julie C Brawdy
Notary Public

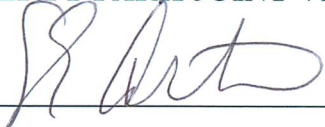
My Commission Expires _____

(SEAL)



For purposes of acknowledging and consenting to the Vacation:

LIBERTY PARK JOINT VENTURE, LLP

By 

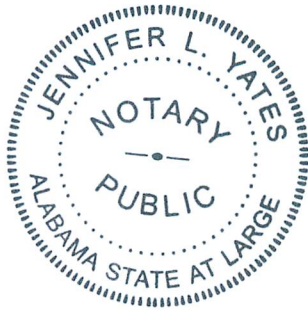
Its PROJECT MANAGER

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Shawn E. Arterburn, whose name as Project Manager of LIBERTY PARK JOINT VENTURE, LLP, an Alabama limited liability partnership, 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 Project Manager and with full authority, executed the same voluntarily for and as the act of said partnership.

Given under my hand and official seal, this 18th day of October, 2017.

(SEAL)



Jennifer L. Yates
Notary Public

My Commission Expires 5/9/20

For purposes of acknowledging and consenting to the Vacation:

FAIRWAY – PROMINENCE, LLC,
an Alabama limited liability company

By: The Thompson Development Company, Inc.,
an Alabama corporation, Its Manager

By: *[Signature]*
Name: *Guy S. Clifton*
Its: *vice-pres*

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that *Guy S. Clifton* whose name as *Vice President* of The Thompson Development Company, Inc., an Alabama corporation, as Manager of FAIRWAY – PROMINENCE, LLC, an Alabama limited liability company, is signed to the foregoing instrument, and who is known to me, acknowledged before me that, being informed of the contents of the instrument, (s)he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation and said limited liability company.

Given under my hand and official seal, this *26th* day of *October*,
2017.

[Signature]
Notary Public

My Commission Expires *10/1/19*

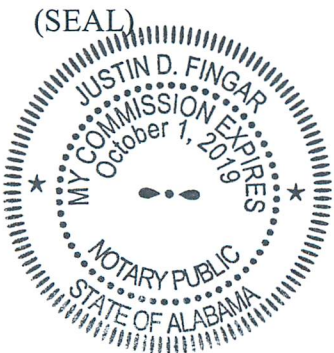


EXHIBIT "A"

**LOT 1K, CORPORATE WOODS ADDITION
TO LIBERTY PARK RESURVEY NO. 3
INGRESS AND EGRESS
EASEMENT TO BE VACATED**

An easement for ingress and egress located on Lot 1K, Corporate Woods Addition to Liberty Park Resurvey No. 3, as recorded in Map Book 206, Page 51 in the office of the Judge of Probate of Jefferson County, Alabama and situated in the N.E. 1/4 of the S.W. 1/4 of Section 12, Township 18 South, Range 2 West, Jefferson County, Alabama, being more particularly described as follows:

Begin at the Northernmost corner of Lot 1K, Corporate Woods Addition to Liberty Park Resurvey No. 3, said point lying on the Southwesterly line of Corporate Woods Drive (a private road) and also lying on a curve to the left having a radius of 420.00 feet and a central angle of 14°11'19"; thence in a Southeasterly direction along the arc of said curve and the Southwesterly line of Corporate Woods Drive (a private road) a distance of 104.01 feet to a point; thence 73°19'03" to the right (angle measured to tangent) in a Southerly direction a distance of 45.02 feet to a point on a curve to the left having a radius of 730.30 feet and a central angle of 22°59'17"; thence 16°27'15" to the right (angle measured to tangent) in a Southwesterly and Southerly direction along the arc of said curve a distance of 293.01 feet to the P.C.C. (point of compound curve) of a curve to the left having a radius of 58.41 feet and a central angle of 49°18'06"; thence in a Southerly and Southeasterly direction along the arc of said curve a distance of 50.26 feet to a point; thence 58°40'46" to the right (angle measured to tangent) in a Southerly direction a distance of 37.38 feet to a point on a curve to the right having a radius of 92.41 feet and a central angle of 61°26'25"; thence 109°10'54" to the right (angle measured to tangent) in a Northwesterly and Northerly direction along the arc of said curve a distance of 99.09 feet to the P.C.C. (point of compound curve) of a curve to the right having a radius of 764.30 and a central angle of 21°09'39"; thence in a Northerly and Northeasterly direction a distance of 282.28 feet to the P.R.C. (point of reverse curve) of a curve to the left having a radius of 50.00 feet and a central angle of 81°28'51"; thence in a Northeasterly, Northerly and Northwesterly direction along the arc of said curve a distance of 71.11 feet to the P.R.C. (point of reverse curve) of a curve to the right having a radius of 307.23 feet and a central angle of 8°31'59"; thence in a Northwesterly direction along the arc of said curve a distance of 45.76 feet to a point on the Northwest line of said Lot 1K; thence 90°58'56" to the right (angle measured to tangent) in a Northeasterly direction along the Northwest line of said Lot 1K a distance of 24.97 feet to the Point of Beginning.

Containing 16,456 square feet or 0.378 acre.

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES
OFFICE OF CITY ENGINEER
INTER-DEPARTMENT MEMO

December 4, 2017

To: Rebecca Leavings, City Clerk

CC: Brian Davis, Director of Public Services

From: Christopher Brady, City Engineer

RE: vacation of easement, Corporate Woods Drive, Lot 1K

I have reviewed the requested vacation of this easement and have no concerns related to this request. I hereby provide favorable recommendation for approval.

Please let me know if questions,

Sincerely,
-Christopher

A handwritten signature in blue ink, appearing to read "C. Brady", written over the typed name "Christopher".

ORDINANCE NUMBER 2736

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 VESTAVIA HILLS R-1 TO VESTAVIA HILLS O-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 Vestavia Hills R-1 (low density residential district) to Vestavia Hills O-1 (office district):

4521 Pine Tree Circle
Lot 23, Topfield Subdivision
Joseph F. Morad, Owner(s)

APPROVED and ADOPTED this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

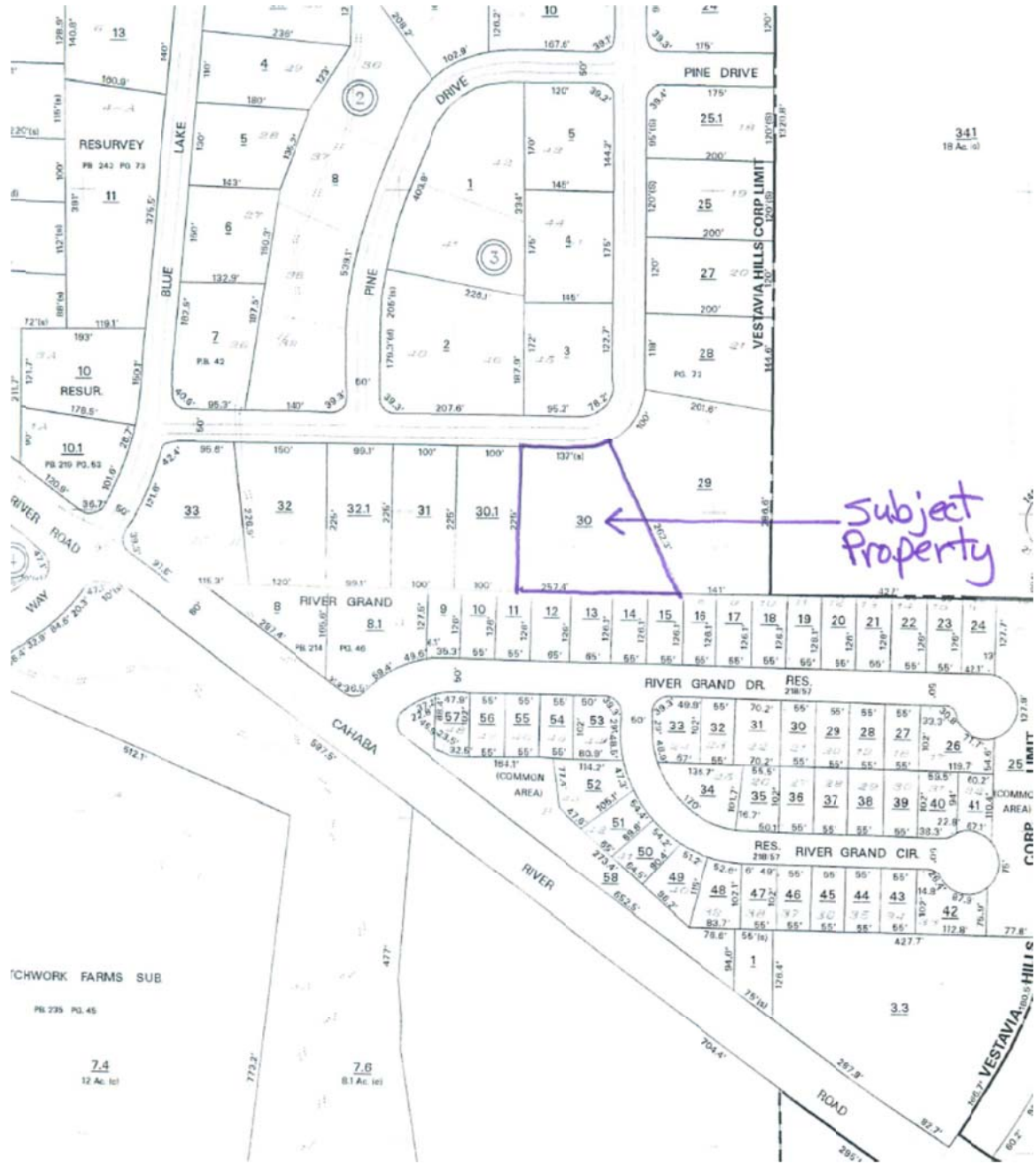
Rebecca Leavings
City Clerk

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 # 2736 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 18th day of December, 2017 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 _____, 2017.

Rebecca Leavings
City Clerk



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

Date: NOVEMBER 9, 2017

- **CASE:** P-1117-52
- **REQUESTED ACTION:** Rezoning Vestavia Hills R-1 Vestavia Hills O-1
- **ADDRESS/LOCATION:** 4521 Pine Tree Cir.
- **APPLICANT/OWNER:** Joseph Morad
- **REPRESENTING AGENT:** Brian Harris
- **GENERAL DISCUSSION:** Property is on southern end of Pine Tree Cir. Applicant is seeking rezoning to build a one-story office building (498 sq. ft. +/-). The proposed building meets all requirements of an O-1 zoning, including parking and buffering. The architecture is attached. As required by the Blue Lake Area Study, sidewalks are planned. A proposed site plan and tree save plan is attached.
- **CAHABA HEIGHTS COMMUNITY PLAN:** The request is consistent with the Cahaba Heights Community Plan for Limited Mixed Use.
- **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 problems noted
 2. **City Engineer Review:** No problems noted.
 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. Goodwin made a motion to recommend rezoning approval of 4521 Pine Tree Cir. from Vestavia Hills R-1 Vestavia Hills O-1. Second was by Mrs. Cobb. Motion was carried on a roll call; vote as follows:

Mr. Goodwin– yes
Mrs. Cobb – yes
Mr. House – yes
Motion carried

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



RENDERING

A210

RENDERING

SHEET NAME

DATE Oct. 5th, 2017

PROJECT VALUE

2561,000

NO. OF SHEETS

1	
2	
3	
4	
5	
6	
7	
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	
26	
27	
28	
29	
30	
31	
32	
33	
34	
35	
36	
37	
38	
39	
40	
41	
42	
43	
44	
45	
46	
47	
48	
49	
50	

SOUTHERN BLOOD SERVICES

4521 Pine Tree Circle Vestavia, AL

ARCHITECTURE WORKS
 1000 UNIVERSITY AVENUE, SUITE 1000
 BIRMINGHAM, AL 35203
 TEL: 205.975.1100 FAX: 205.975.1101
 WWW.ARCHITECTUREWORKSAL.COM
 ARCHITECTS OF RECORD SINCE 1982



SOUTHERN BLOOD SERVICES

4521 Pine Tree Circle Vestavia, AL

NO.	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	10/9/17
2	REVISION	
3	REVISION	
4	REVISION	
5	REVISION	
6	REVISION	
7	REVISION	
8	REVISION	
9	REVISION	
10	REVISION	

PROJECT NO. 2561.000
 DATE Oct. 9th, 2017
 SHEET NAME SITE / AREA PLANS

SHEET NO. A100



SCHEMATIC SITE PLAN 01
 1/8" = 1'-0"



VICINITY MAP

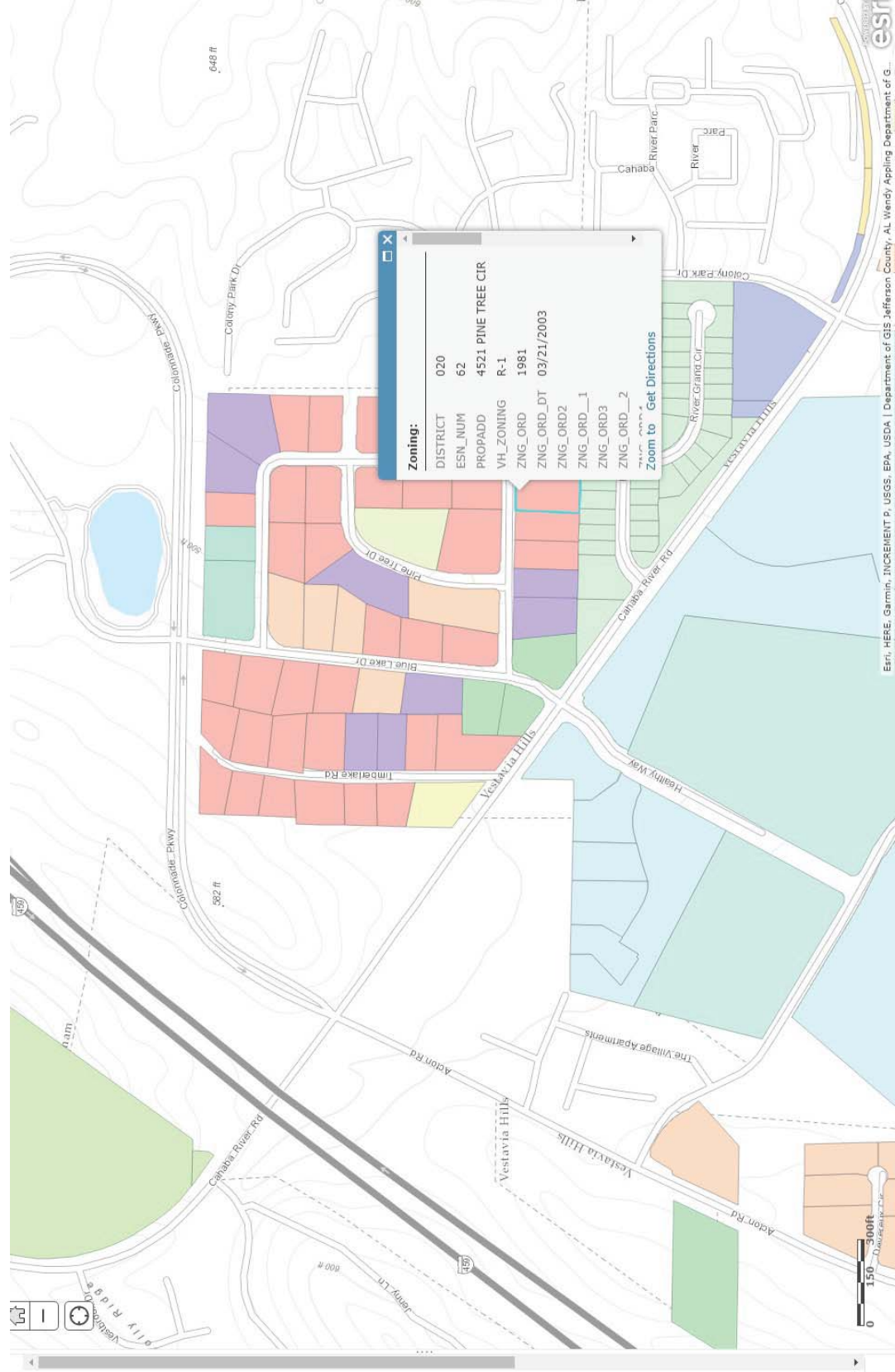
Legend

Zoning - Vestavia_Hills_Address_Points










Zoning

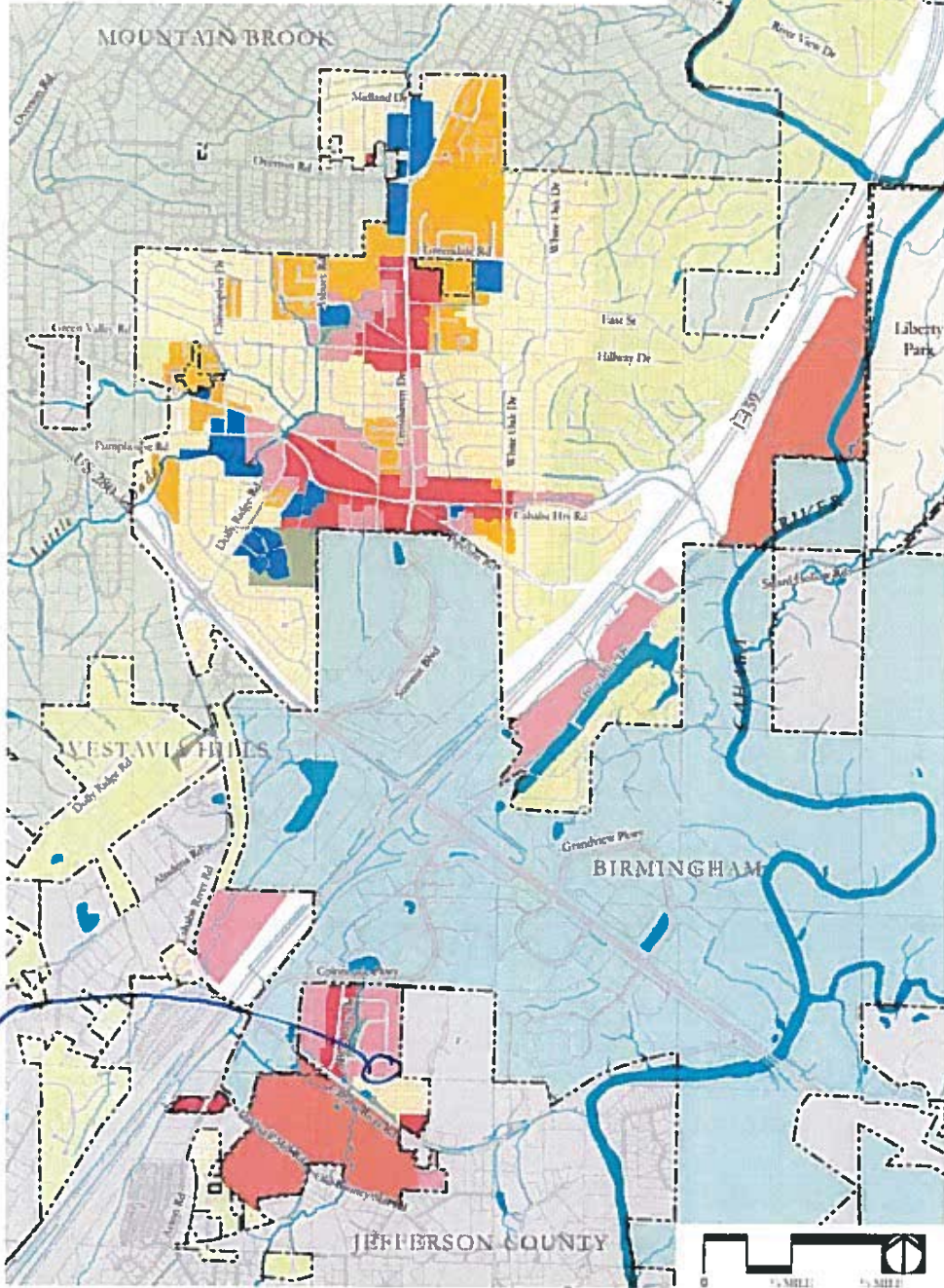
- A
- B-1
- B-1*
- B-1.2
- B-1.2*
- B-2
- B-2*
- B-3
- B-3*
- E-2
- E-2*
- Inst-1
- Inst-1*
- O-1
- O-1*
- O-2
- O-2*
- PUD-MU
- PUD-PB
- PUD-PB*
- PUD-PB-CU
- PUD-PI
- PUD-PNC
- PUD-PO
- PUD-PR-1
- PUD-PR-1 (CU)

0 150 300ft
 Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA, | Department of GIS Jefferson County, AL, Wendy Appling, Department of G...
 Esri.com | ArcGIS Marketplace Help | Terms of Use | Privacy | Contact Esri | Report Abuse



Future Land Use

- | | | |
|--|---|--|
|  Low-Density Residential |  Retail Mixed Use |  Institutional |
|  Medium-Density Residential |  Limited Mixed Use |  Parks and Open Space |
|  High Density Residential |  Planned Mixed Use | |
|  Birmingham |  Jefferson County |  Mountain Brook |



Subject Parcel

Figure 4: Future Land Use Map

RESOLUTION NUMBER 5015

**A RESOLUTION AUTHORIZING A CONDITIONAL PERMISSIVE USE
OF A PORTION OF THE PUBLIC RIGHT-OF-WAY OF BEAUMONT
DRIVE**

THIS RESOLUTION NUMBER 5015 is approved and adopted by the City of Vestavia Hills, Alabama on this the 18th day of December, 2017.

WITNESSETH THESE RECITALS:

WHEREAS, Article XII, Section 220 of the *Constitution of Alabama of 1901* provides as follows:

“No person, firm, association, or corporation shall be authorized or permitted to use the streets, avenues, alleys, or public places of any city, town, or village for the construction or operation of any public utility or private enterprise, without first obtaining the consent of the property authorities of such city, town, or village.”; and

WHEREAS, Ordinance Number 826 enacted by the City Council of the City of Vestavia Hills, Alabama (“City”) on March 17, 1986 provides in pertinent part as follows:

“3. Should any person, firm or corporation wish to place any rocks or other encumbrances on any part of the unimproved portion of any dedicated public street, road or alley in the City of Vestavia Hills, Alabama, then in such event such rocks and other encumbrances shall be placed a minimum distance of one (1) foot from the edge of the improved street, road or alley and in such a manner so as to not interfere or obstruct motor vehicular traffic along the improved portion of said dedicated public street, road or alley.”; and

WHEREAS, Beaumont Drive is a fifty foot (50’) public dedicated street (right-of-way) owned by the City; and

WHEREAS, Dennis E. Goldasich (“Property owner”) is the owner of the real estate and improvements situated at 320 Beaumont Drive, which is a part of Lot 6 and 7 Vestavia—Club Estates as recorded in Map Book 32, Page 14 in the office of the Judge of Probate of Jefferson County, Alabama (“Property”); and

WHEREAS, the Property owner has requested the City to allow him to use a portion of the public right-of-way of Beaumont Drive in order to build a stone retaining wall; and

WHEREAS, the City is willing to grant to the Property owner a conditional permissive use of a portion of the public right-of-way of Beaumont Drive subject to the following terms, provisions and conditions itemized below in sections 1 through 10.

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

1. The City grants to the Property owner a conditional permissive use of a portion of the public right-of-way of Beaumont Drive for the purpose of the installation of a stone retaining wall.

2. The stone retaining wall when constructed shall not extend into the public right-of-way of Beaumont Drive further than eight feet (8') from the front line of the Property.

3. The stone retaining wall when constructed shall be no closer to the paved portion of Beaumont Drive than five feet (5').

4. If in the future the City needs that portion of the public right-of-way of Beaumont Drive where the stone wall was installed for public purposes, then in such event the Property owner shall remove the stone retaining wall at the sole expense of the Property owner and at no expense to the City.

5. The installation of the stone retaining wall on a portion of the public right-of-way of Beaumont Drive shall not interfere in any way whatsoever with any utilities situated on, along or under Beaumont Drive.

6. The liability of the City, if any, arising out of any incident caused directly or indirectly by the stone retaining wall situated in a portion of the public right-of-way of Beaumont Drive shall be determined by Title 11-47-190, *Code of Alabama, 1975*.

7. Any judgment rendered against the City and any other party or parties arising out of the installation of the stone retaining wall on a portion of the public right-of-way of Beaumont Drive shall be paid and satisfied all in accordance with the terms and provisions of Title 11-47-191, *Code of Alabama, 1975*.

8. This resolution shall be binding on the Property owner and his heirs, successors and assigns.

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

10. This Resolution Number 5015 shall become effective immediately upon adoption.
DONE, ORDERED, ADOPTED and APPROVED this the 18th day of December,
2017.

APPROVED BY:

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES

December 13, 2017

To: Jeff Downes, City Manager

From: Christopher Brady, City Engineer



RE: 320 Beaumont Drive

The property owner that resides at 320 Beaumont Drive has submitted permit drawings to the City that show a proposed stone retaining wall and steps to be constructed within the public right-of-way. The retaining wall is proposed to be constructed along the face of some existing large boulders as an aesthetic improvement and to allow for a brick overflow parking area to be constructed in front of the wall, with the steps providing connectivity to a front walkway.

Pat Boone prepared a Resolution for a conditional permissive use of a portion of public right-of-way.

If the right-of-way encroachment is approved by the City Council, the project will continue through the City's standard permitting and inspection process.

Please let me know if you have any questions or need additional information.

RESOLUTION NUMBER 5017

**APPOINTING A MEMBER TO THE
VESTAVIA HILLS LIBRARY BOARD**

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

WHEREAS, _____ is hereby re-appointed as a member of
the City of Vestavia Hills Library Board; and

WHEREAS, the said appointment shall be effective January 1, 2018 and shall
expire December 31, 2021.

APPROVED AND ADOPTED this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5018

**APPOINTING A MEMBER TO THE VESTAVIA HILLS
PARKS AND RECREATION BOARD**

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

WHEREAS, _____ is hereby appointed as a member of the City of
Vestavia Hills Parks and Recreation Board; and

WHEREAS, the appointment shall be effective January 1, 2018, and shall expire
December 31, 2022.

APPROVED AND ADOPTED this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5019

**A RESOLUTION RE-APPOINTING MEMBERS TO
THE VESTAVIA HILLS DESIGN REVIEW BOARD**

WHEREAS, the Mayor has recommended the reappointment of Mae Coshatt and Robert Thompson to the Vestavia Hills Design Review Board in an email dated December 13, 2017. A copy of said email is marked as Exhibit A and is attached to and incorporated into this Resolution Number 5019 as though written fully therein; and

WHEREAS, the Council concurs with the Mayor's recommendation.

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

1. Mae Coshatt and Robert Thompson are hereby reappointed to the Vestavia Hills Design Review Board effective January 1, 2018; and
2. Said appointments shall expire on December 31, 2020; and
3. This Resolution Number 5019 shall become effective upon approval and adoption.

APPROVED AND ADOPTED this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

From: Ashley Curry
Sent: Wednesday, December 13, 2017 10:12 AM
To: Rusty Weaver; George Pierce; Kimberly Cook; Paul Head
Cc: Conrad Garrison; Rebecca Leavings
Subject: Design Review Board
Attachments: Design Review Board.pdf

All,

At the Council meeting next Monday I will be recommending the re-appointment of Robert Thompson and Mae Coshatt to the Design Review Board (DRB). Their terms expire 12/31/17. The DRB is composed of seven members with no alternates that serve a 4 year term. Conrad Garrison is the city liaison for this Board.

As you will note on the attached DRB roster, the board is comprised of 3 architects and 3 landscape architects with Mae Coshatt being the resident advocate for the board. Incidentally, Mae has served on the board since Mayor McCallum's first term.

I have discussed the board and board members with Conrad. I am basing my recommendation for the re-appointments on what he described as a very effective and efficient group of professionals from the architectural and landscape community. I have copied Conrad on this email and he will address any questions you may have about the board.

I will ask Becky to place this item on the agenda.



ASHLEY C. CURRY

Mayor

P 205 978 0130 | vhal.org

City of Vestavia Hills



WWW.ALIFEABOVE.ORG

RESOLUTION NUMBER 5016

A RESOLUTION DECLARING THAT SEDIMENT REMOVAL FROM VESTAVIA LAKE IS A PUBLIC PURPOSE AND AUTHORIZING THE EXPENDITURE OF PUBLIC FUNDS IN AN AMOUNT NOT TO EXCEED ONE HUNDRED FIFTY-EIGHT THOUSAND FIVE HUNDRED DOLLARS (\$158,500.00) FOR SAID SEDIMENT REMOVAL PROJECT AT VESTAVIA LAKE

WHEREAS, Vestavia Lake is an artificial lake with an earth dam and spillway that was constructed circa 1954; and

WHEREAS, Vestavia Lake is situated in the City of Vestavia Hills, Alabama adjacent to Vestavia Lake Subdivision; and

WHEREAS, Vestavia Lake is private property owned by Vestavia Lake Addition Homeowners Association, Inc. (“Association”); and

WHEREAS, the City of Vestavia Hills, Alabama (“City”) has no right, title or interest in and to Vestavia Lake; and

WHEREAS, the Association, by an e-mail dated December 11, 2017 from Alan Arrington to City Manager Jeff Downes, has requested that the City pay to the Association the sum of One Hundred Fifty-eight Thousand Five Hundred Dollars (\$158,500.00), which would be used for a “one-time” clean up due to years of sediment build up in the lake caused by surrounding commercial construction and storm water runoff. A copy of that e-mail is attached hereto, marked as Exhibit A and is incorporated into this Resolution Number 5016 by reference as though set out fully herein; and

WHEREAS, the Association has submitted documentation to the City setting forth the basis of its request for the payment of One Hundred Fifty-eight Thousand Five Hundred Dollars (\$158,500.00). A copy of said documentation is attached hereto, marked as Exhibit B and is incorporated into this Resolution Number 5016 by reference as though set out fully herein; and

WHEREAS, the Association has also submitted to the City a copy of an Agreement for Sediment Removal Between Vestavia Lake Homeowners Association and Vestavia Country Club, dated November 17, 2017. A copy of said Agreement is attached hereto, marked as Exhibit C and is incorporated into this Resolution Number 5016 by reference as though set out fully herein; and

WHEREAS, Article IV, Section 94, as amended by Amendments 112 and 558 of the *Constitution of Alabama, 1901*, provides as follows:

"The legislature shall not have power to authorize any county, city, town or other subdivision of this state to lend its credit, or to grant public money or thing of value in aid of, or to any individual, association or corporation whatsoever."; and

WHEREAS, municipalities in Alabama may spend public funds only for public purposes. The Supreme Court of Alabama has interpreted the language of Sections 93 and 94 of the *Constitution of Alabama* to allow appropriations of public funds when the appropriation is used for public purposes. *Alabama Constitution* amend. 93; *Alabama Constitution* amend. 94; *Slawson v. Alabama Forestry Comm'n*, 631 So.2d 953 (Ala.1994). *Opinion of the Justices No. 269*, 384 So.2d 1051 (1980); *Stone v. State*, 251 Ala. 240 (1948).; and

WHEREAS, the Supreme Court of Alabama has addressed the issue of what constitutes a public purpose by *Opinion of the Justices No. 269*, 384 So.2d 1051 (1980) and *Opinion of the Justices No. 261*, 373 So.2d 292 (1979); and

WHEREAS, the City Council has reviewed the request (Exhibit A) and documentation (Exhibit B) submitted by the Association.

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

1. The City Council hereby finds, determines and declares that the sediment removal project at Vestavia Lake will serve a public purpose.
2. The City Manager is hereby authorized to spend an amount not to exceed One Hundred Fifty-eight Thousand Five Hundred Dollars (\$158,500.00) presently in the Capital Projects Fund to pay a portion of the cost for sediment removal at Vestavia Lake.
3. The City Manager and Mayor are hereby authorized and directed to take any and all action and to execute any and all documents necessary to complete the sediment removal at Vestavia Lake consistent with this Resolution Number 5016, specifically including, but not limited to, engaging an engineering firm to determine the scope of the work for sediment removal at Vestavia Lake; to complete the competitive bid process; and to execute any and all contracts and other documents required to complete the work.

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

5. This Resolution Number 5016 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 18th day of December, 2017.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Rebecca Leavings

Subject: FW: Requested City Council Vote on Vestavia Lake
Attachments: Vestavia Lake Island Estimate 12.7.17.pdf; ATT00001.htm; Talking Points as of August 1st.pdf; ATT00002.htm; City Council working Sesssion.pptx.pdf; ATT00003.htm

From: Alan Arrington [<mailto:arrington@charter.net>]

Sent: Monday, December 11, 2017 3:25 PM

To: Jeff Downes <jdownes@vhal.org>

Cc: Kirkpatrick Bo and Jan <BKirkpatrick@carrallison.com>; Garber Michael <mgarber@blharbert.com>; McCain Tommy <tsmhmccain@gmail.com>; donnaa1992@charter.net; England Louis and Gayle <geengland@bellsouth.net>; eschermb@gmail.com

Subject: Requested City Council Vote on Vestavia Lake

Jeff,

The Vestavia Lake Homeowners Association requests assistance from the city of Vestavia Hills towards an ongoing sediment removal project at Vestavia Lake. The association is presently conducting a sediment removal project in partnership with Vestavia Country Club. The equipment to remove sediment is onsite now and a quick decision is necessary. The city has the opportunity to contribute in a cost-effective manner by only contributing resources to the removal cost since equipment mobilization expenses are included in the country club's effort. The assistance we request would cost the city \$158,500 (see attached estimate from Beatty Construction). These funds would apply towards a one-time cleanup due to years of sediment build up in the lake caused by surrounding commercial construction and storm water runoff.

Vestavia Lake has served as a storm water retention pond for approximately 341 acres within the city of Vestavia Hills for 60+ years. The current project is the second sediment removal effort at the lake in the past five years and to date, the city has not contributed any resources despite the lake serving as an integral piece of the city's storm water management infrastructure. While this requires public funds to be spent on a project involving private property, precedent has been established that this is permissible when it serves a public purpose.

We are requesting a city council vote on this matter at the council meeting on December 18th, 2017.

As additional support for the request, we submit the following information:

- * Records show a history of the Vestavia Lake Home Owners Association meeting with city representatives between February 1996 and May 2017
- * Vestavia Lake is the de-facto storm water management plan
- * Vestavia Lake is a retention pond for 341 acres
- * Commercial development increased the velocity of storm water runoff which increases sediment build up and spillway erosion
- * Vestavia lake reduces flows from commercial development by as much as 40%

- * Spillway erosion poses threat to neighboring properties
- * Emergency action plan needs to be developed for potential slope or dam failure

Sources: Watts Engineering, Schoel Engineering, Gallet & Associates, Building and Earth Geotechnical Engineers and Vestavia Lake Home Owners Association Documentation

The Vestavia Lake Association is proud of Vestavia Lake and how it has served as an outstanding asset to the community; however, we believe private citizens alone should not be responsible for maintaining public infrastructure. In addition to the public purpose it serves today, many citizens who grew up in Vestavia Hills have enjoyed positive encounters on the lake over the decades of its existence and we want those experiences to continue.

The association also understands the lake serves a necessary function to collect storm water and the associated runoff. Quick action is necessary to restore the lake. Significant damage has been done and it increases exponentially with each passing day. Liability risks continue to rise as the velocity of storm water inflows increases while the storage capacity of the lake decreases. The founders of the lake and the city of Vestavia Hills could not have envision how the area surrounding the lake would have evolved and how the lake would be used for storm water management.

The Vestavia Lake Homeowners Association welcomes the opportunity to partner with the city on this extremely important project. Thank you and we look forward to the support.

Regards,

Vestavia Lake Homeowners Association


VESTAVIA LAKE CLEAN UP

Schoel Engineering
November 7, 2017

Schedule "A"
Budget Estimate

Item	Description	Quantity	UM	Total Price
Option Island, 850cy:				
1	MOBILIZATION/SUPERVISION	1	LS	
2	REMOVE & REMEDIATE YARD 1	300	SY	
3	ROCK WORK PLATFORM EXTENSION TO ISLAND	500	TN	
4	EXCAVATE, LOAD AND HAUL ISLAND AREA	750	CY	
5	PLACE AND SPREAD AT DUMP SITE	120	HOURS	
6	DAILY CLEANUP AND MAINTENANCE	140	HOURS	
TOTAL ESTIMATE				\$ 143,500.00
Allowance for new driveway if required (not included in total est. above)				\$ 15,000.00

- 1 Pricing is based removing approximately 850cy of silt and wasting off site.
- 2 850cy of silt removed from exposed island, assumed area to be 150' x 100', 1.5' ave. dept.
- 3 We have included maintenance of existing siphon system in order to keep the lake elevation 2' below bottom of weir.
- 4 Access point for equipment entering the lake is based on delivery through the existing 2125 Vestavia Lake Drive property.
- 5 We have included replacing the damaged sod areas where working and clean up when complete with silt removal operations.
- 6 We have included all required work at the waste site in preparation of receiving the material from the lake excavation operations.
- 7 We have priced starting this work immediately following the completion of our current contract with VCC and complete in 15 work days.
- 8 We have included an allowance to replace the concrete driveway if required due to truck and/or equipment damage.
- 9 We propose to perform all work on a time and material basis.

1



Vestavia Lake September 2017

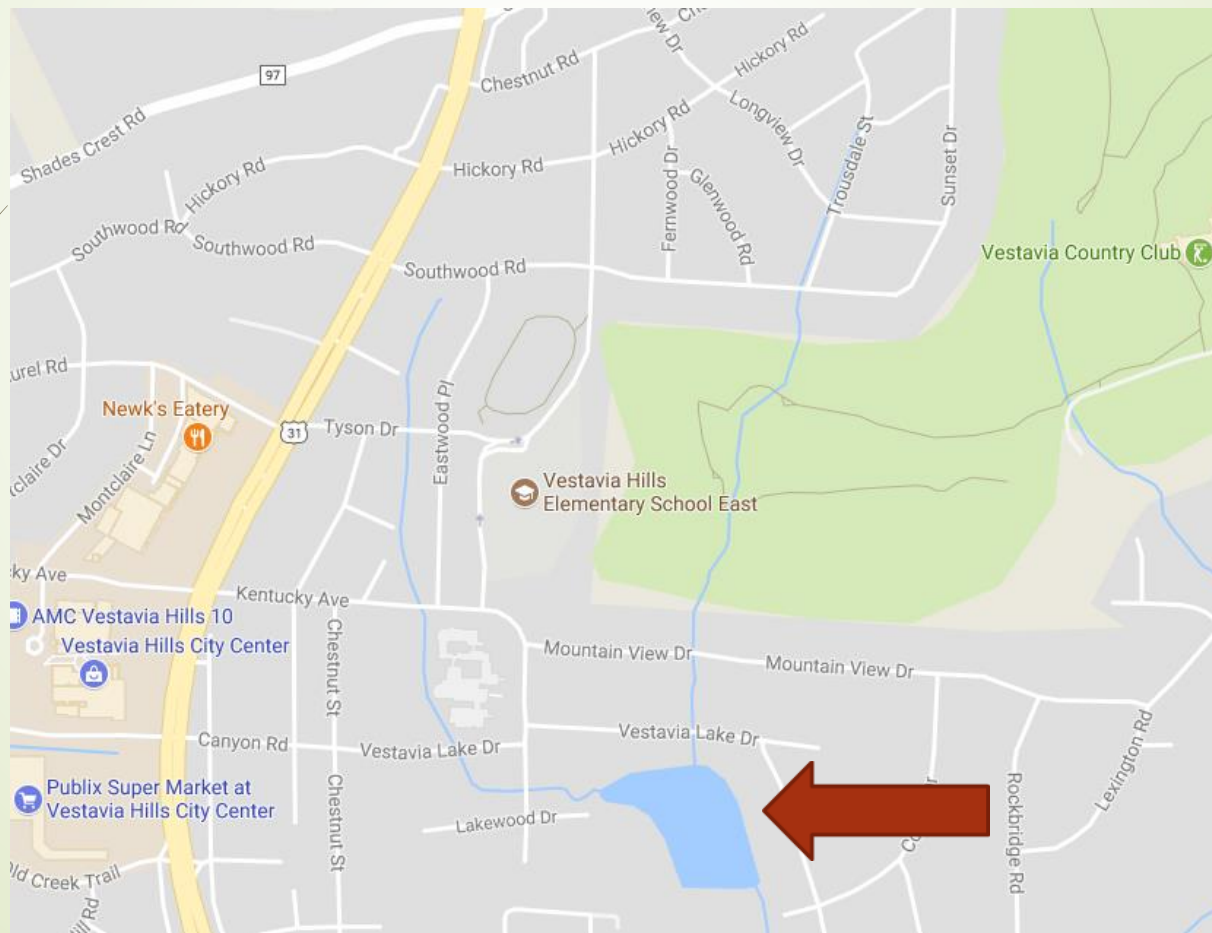
Vestavia Lake Homeowners Association

- ❖ 17 members with associated housing
- ❖ Documentation dating back to 1998 of VLHA attempts to engage the City of Vestavia Hills for assistance
- ❖ The Vestavia Lake Homeowner's Association (VLHA) wants the City of Vestavia Hills to provide resources to assist in maintaining Vestavia Lake, which is used by the city for storm water management.
- ❖ The resources should be used for an initial lake cleanup due to the many years, or decades, of neglect and establishment of preventative measures to effectively manage future storm water inflows.

3

Vestavia Lake

- ❖ Storm water from development to the north is directed into the ~5 acre lake which serves as a retention pond



4

Vestavia Lake

- ❖ Records show a history of VLHA meeting with city representatives from February 1996 to May 2017
 - Two previous meetings with current City Manager to discuss concerns

- ❖ Key Issues identified by independent industry experts:
 - Vestavia Lake is the city's de-facto storm water management plan
 - Vestavia Lake is a retention pond for ~341 acres
 - Commercial development has increased velocity of storm water runoff which increases sediment build up and spillway erosion
 - Vestavia Lake reduces flows from commercial development by as much as 40%
 - Spillway erosion poses threat to neighboring properties
 - Emergency action plan needs to be developed for potential slope or dam failure

Sources: Watts Engineering, Schoel Engineering, Gallet & Associates, and Building and Earth Geotechnical Engineers

Building and Earth Geotechnical Engineers

January 2017

Seepage at Toe



Slope Failure



6

Depth loss due to sediment build up

- ❖ Since 1999 the lake has lost an estimated 3 to 6 feet of depth, or capacity due to sedimentation from storm water runoff.

Vestavia Lake Depth Readings 2/6/1999 vs. 7/22/2017			
Depth pt	2/6/1999 Reading	7/22/2017 Reading	
1	4'	1' 15"	
2	5'	2' 4"	
3	5'	2' 4"	
4	5'	1' 5"	
5	5'	2'	
6	5'	3' 2"	
7		3'	
8	5'	5' 4"	
9		5' 4"	
10	12'	5' 4"	
11	9'	8'	
12	8'	6' 2"	
13	5'	3'	
14	6'	4' 2"	
15	12'	9' 9"	
16	15'	13' 9"	
17	12'	12'	
18	2'	4' 2"	*1999 reading taken closer to shore
19	10'	6' 1"	
20	12'	12' 10"	
21	16'	16' 6"	
22	18'	10' 6"	
23	12'	4' 6"	
24	11'	4' 5"	
25	17'	7' 11"	
26	18'	16'	
27	14'	14' 6"	
28	17'	5' 8"	
29		4'	*approx 2' from spillway
30		9"	*between S. island and shore
31		3' 6"	*approx 2' from creek entrance
32		2'	*between N. island and shore

Public Purpose of Vestavia Lake

- ❖ City storm water infrastructure serves a public purpose
- ❖ Vestavia Lake is part of city storm water infrastructure
 - What does the lake do?
 - 1) Accepts storm water directed into it from ~341 acres north of the lake
 - 2) Retains storm water to prevent flooding south of the lake
- ❖ Precedent already established for public projects involving private property when the project serves a public purpose
 - Morgan Drive storm water pipe repair
 - Meadowlawn Park

City of Vestavia Hills & VLHA Partnership

City & VLHA:

- ❖ Create an emergency action plan in the event of a dam breach
- ❖ Address recommendations from the Building & Earth Geotechnical Engineers study
- ❖ Develop and provide resources for an ongoing maintenance program

City:

- ❖ Develop and implement a plan to reduce the velocity of inflows of water and sediment into Vestavia Lake
- ❖ Coordinate with Vestavia Country Club to provide additional resources for upcoming silt removal

9

Additional questions:

Could downstream infrastructure effectively handle water flow from a sudden breach of the dam which forms Vestavia Lake?

Could downstream infrastructure effectively handle storm water flow without Vestavia Lake?

What follow up discussion has there been to the City Manager's recent presentation regarding storm water infrastructure and Vestavia Lake? i.e. Public-Private partnerships?

**Vestavia Lake Homeowner's Association
Talking Points as of August 15th, 2017
For City of Vestavia Hills**

The Vestavia Lake Homeowner's Association (VLHA) wants the City of Vestavia Hills to provide resources to assist in maintaining Vestavia Lake, which is used by the city for storm water management. The resources should be used for an initial lake cleanup due to the many years, or decades, of neglect and establishment of preventive measures to effectively management future stormwater inflows.

Reports from independent industry experts state the lake, dam, spillway and berm pose threats to public safety due to the need for ongoing maintenance. Since 1999 the lake has lost an estimated 3 to 6 feet of depth, or capacity, in many places due to sedimentation from stormwater runoff. According to estimates, the loss of volume may equate to approximately 900 dump truck loads of dirt or sediment. The VLHA has been meeting with the city requesting assistance since at least 1998 and resources have not been provided.

Vestavia Lake is a privately-owned lake with 17 members who have houses surrounding the lake. The lake is a separate parcel of land owned by the association. Houses on Vestavia Lake and Lakewood drives surround the five acre lake.

Important Events:

- **February 1996** - Watts Engineering reported that commercial development significantly increased the velocity of storm water runoff causing rapid build of sediment and spillway erosion
- **May 11, 1998** Edgar R Watts, Watts Engineering: Letter to Mayor Pat Reynolds regarding follow up to 6/4/1998 meeting between Mayor and VLHA. Flooding at the Lakewood drainage ditch, remove the silt filling up the lake and stop the erosion in the draining ditch downstream. Identify problems are caused by commercial construction around highway 31. Mayor asks VLHA to obtain quotes for silt removal.
- **August 22, 2001** George Edwards, VLHA meets with Mayor Pat Reynolds, Zhaleh McCullers – ADEM Stormwater Management Authority. Discussed lake silting and issues. ADEM states they will pursue any financial aid and reviewed approach to remove silt.

- **May 20, 2002** George Edwards, VLHA meets with Vestavia Mayor and Eddie McMillan. VLHA presents issue of silting and asks for city involvement. City was provided copy of lake width and depths along with McCord's estimate to remove/dredge silt. VLHA proposed a public access pier for fishing be built to justify city money being spent.
- **May 3, 2003** George Edwards, VLHA meets with Mayor and Jeff Kendrick, City Engineer. Lake is largest stormwater detention pond in Vestavia. Mayor reviewed city finances and indicated lack of funds to assist. Engineering survey for Patton Creek does not include Vestavia Lake nor its drainage into the Cahaba River. Follow up noted to take place with City Attorney, VHUMC, Jeff Kendrick.
- **April 7 2005** Bo Kirkpatrick, VLHA sends letter to Mayor Scott McCallum and acknowledged previous meeting with Mayor on 4/5/2005. City Engineer brought in to discuss concerns regarding silt buildup. Per discussion, VLHA has provided bids for cost of dredging. VLHA will await city response.
- **April 19, 2005** George Edwards, VLHA meets with City Council and presents maps of area and proposal for removing sediment from lake. Council requested engineering evaluations.
- **June 1, 2005** George Edwards, VLHA indicates Vestavia Mayor advised there could be an application for federal grant to help clean up lake.
- **June 4, 2005** George Edwards, VLHA states Marty Martin, Army Corp of Engineers has no objection to removal of silt. Army Corp of Eng. offers to call Mayor to discuss result of silt from city storm water. Advised that city application for federal grant would be to FEMA. FEMA concern would be flooding below the dam and not siltation.
- **June 24, 2005** George Edwards, VLHA and City Engineer, Christopher Brady discuss earth fill and Walgreens construction and inadequacy of silt fences on construction site. City Engineer stated he would consider situation.
- **August 8, 2005** Bo Kirkpatrick, VLHA sends letter to Mayor Scott McCallum stating VLHA working with engineer to provide report for city regarding benefits the lake provides to citizens of Vestavia Hills. Acknowledged mayor for applying for federal grant for VLHA. Discussion points re: River/Stream Buffer Ordinance. Expressed concerns with regards to ordinances potential application to Vestavia Lake.
- **March 2011** Gallet & Associates reported to VLHA significant erosion of the spillway and potential damage to neighbor's properties
- **August 22, 2012** George Edwards, VLHA meets with Christopher Brady, City Engineer and Randy Robertson, City Manager regarding history & past meetings with the city. Presented topo map of area and 341 acres of

- stormwater drainage into lake. Requested city assistance to obtain finances to remove silting. City responded they would consider situation and advise.
- **January 2014** Schoel Engineering reported to VLHA that Vestavia Lake serves as a retention pond and reduces flows from commercial development by 40%. Lake serves as the de-facto storm water management plan
 - **July 2015** VLHA Board and Officers met with Jeff Downs, City of Vestavia Manager to share concerns and request action.
 - **January 2017** Building and Earth Geotechnical Engineers reported to VLHA a slope failure and the need to develop an emergency action plan in the event of a dam failure
 - **April to July 2017** VCC golf course and sedimentation problem is the most recent of many over the 50+ year history of the lake. ADEM complaints filed and club responds it will remedy
 - **May 2017** VLHA Board and Officers met with Jeff Downs, City of Vestavia and the city engineer to share concerns and request action
 - **July 2017** VLHA members attend the city council meeting and learn new stormwater management guidelines. Also, discussed consideration of guidelines for public and private partnerships on private issues creating public concerns. Tommy McCain had a conversation with Pat Boone, City Attorney and Pat said he was open to discussing Vestavia Lake.
 - **August 14, 2017** Tommy McCain VLHA discussed support with Jeff Downes, City Manager and he indicated the focus would be on “public” storm water issues and that does not include Vestavia Lake

Sediment Removal Agreement
November 17, 2017

**AGREEMENT FOR SEDIMENT REMOVAL
BETWEEN
VESTAVIA LAKE HOMEOWNERS ASSOCIATION
AND
VESTAVIA COUNTRY CLUB**

November 17, 2017

This **AGREEMENT**, entered into by and between Vestavia Lake Homeowners Association (VLHA) and Vestavia Country Club (VCC), is for sediment removal within Vestavia Lake associated with mitigating offsite sediment during the course of renovations to the Vestavia Country Club golf course. The Scope of Work is detailed below.

Removal/Remediation Area

Exhibit A is enclosed and shows the approximate sediment removal/remediation area.

Sediment Removal and Disposal

Schoel Engineering calculated a total sediment loss of 394.5 tons or 292 cubic yards from Vestavia Country Club for the period of April 5, 2017 through October 8, 2017 using the Modified Universal Soil Loss Equation (MUSLE). The final sediment removal quantity to be removed from Vestavia Lake by VCC is **336 cubic yards** of material, which is the calculated 292 cubic yards plus an additional 15%.

Sediment accumulations identified in the removal/remediation area will be removed from the lake and disposed at the Vestavia Country Club. The sediment removal work will be performed by a contractor selected by VCC. Excavation equipment would access the lake through an established access path at 2125 Vestavia Lake Drive.

Prior to the sediment removal work, the lake pool will be lowered to limit soil agitation and turbidity in the lake. Erosion and sediment control measures will be implemented at the site before the material removal phase begins to prevent the migration of sediment offsite. A long reach excavator will be used to remove sediment accumulations from the lake bed. Sediment accumulations will be excavated from the exposed sediment deposits and stockpiled and dewatered in the designated area outside the lake footprint located in the backyard of the residence at 2125 Vestavia Lake Drive. The dewatered sediment will be loaded into trucks for transport to the disposal site at Vestavia Country Club. Sediment removal will be considered complete when a total of **336 cubic yards** of sediment has been removed.

Sediment Removal Agreement
November 17, 2017

Sediment Removal Contractor has included a temporary siphon in order to lower the lake an additional 2 feet below bottom of the lake weir elevation. This is required due to needed freeboard during rain events. Total lake elevation drop is estimated to be 3.5 feet which needs to be accomplished 2 weeks prior to start date.


Upon completion of the sediment removal operations from the lake bed, remediation measures will commence at the residence at 2125 Vestavia Lake Drive. This includes replacing the backyard sod and cleaning up the yard and driveway. If required due to truck and/or equipment damage, the driveway will be repaired or replaced. In addition, VCC will repair any damage to piers or headwalls attributed to the sediment removal work. Any damages to the adjacent driveway east of 2125 Vestavia Lake Drive will be repaired or replaced.

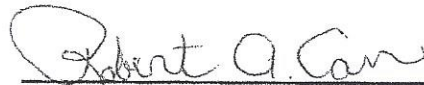
In consideration for the sediment removal work being provided by VCC in accordance with this Agreement, VLHA agrees, upon completion of the work required by the Agreement, that VLHA does hereby release and forever discharge VCC and its employees, agents, board members, successors, and assigns from any and all claims, demands, damages, actions, causes of action, or suits of any kind that VLHA has or may have arising out of or in any way relating to any sedimentation of Vestavia Lake occurring on or before October 8, 2017.

ACCEPTANCE OF AGREEMENT

Vestavia Lake Homeowners Association

Vestavia Country Club





(Signature of Authorized Representative)

(Signature of Authorized Representative)

Alan Arrington

ROBERT A. CARR

(Print Name of Authorized Representative)

(Print Name of Authorized Representative)

President

COO/ GM

Title

Title

11/20/17

11/24/2017

Date

Date

RESOLUTION NUMBER 5011

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

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated September 1, 2017, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 8th day of January, 2018; and

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

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

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 10th day of January, 2018.

2. That on the 23rd day of April, 2018, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5011 by the City Council of the City of Vestavia Hills, Alabama, and as

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

2672 Dolly Ridge Road
Binita and Niraj "Neil" Parekh, Owner(s)

More particularly described as follows:

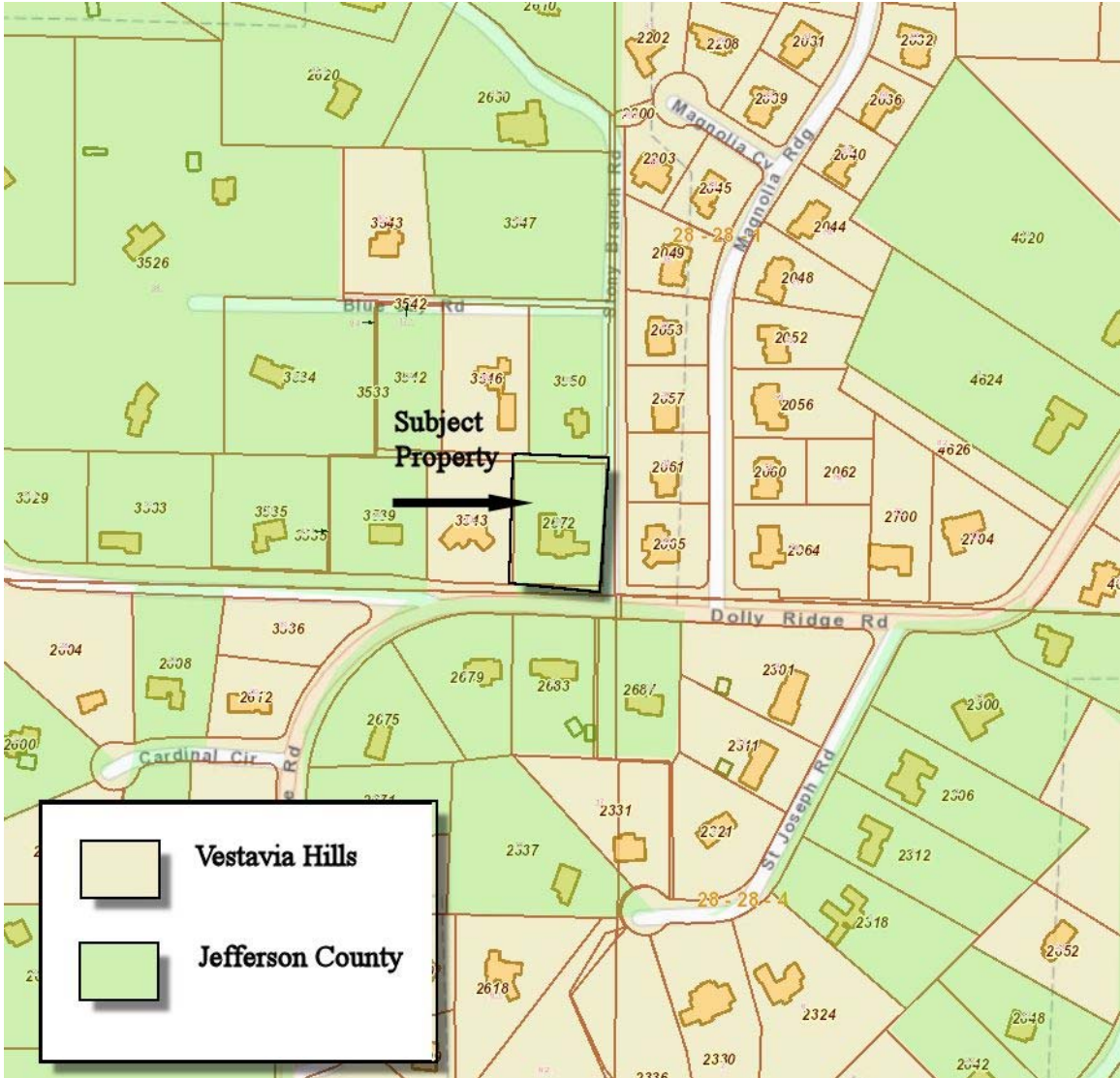
Commence at the SE corner of the SE ¼ of the NW ¼ of Section 28, Township 18 South of the Huntsville Base Line, Range 2 West of the Huntsville Meridian; proceed North along the East line of said 1/4-1/4 Section (being the center line of Stony Branch Road) for a distance of 266.64 feet; turn an angle to the left of 86 degrees 36'21" and proceed for a distance of 25.04 feet to a point on the West right-of-way of Stony Branch Road, being the point of beginning; continue along said course for a distance of 184.96 feet; turn an angle to the left 93 degrees 22' 15" and proceed for a distance of 238.40 feet to the north right-of-way of Dolly Ridge Road; turn an angle to the left of 87 degrees 06'33" and proceed along said right-of-way for a distance of 184.97 feet to the West right-of-way of Stony Branch Road, turn an angle to the left of 92 degrees 54'51" and proceed along said right-of-way for a distance of 236.85 feet to the point of beginning.

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk





**2672 Dolly Ridge Road
Binita and Neil Parekh**

Annexation Committee Petition Review

Property: 2672 Dolly Ridge Rd

Owners: Binita + Neil Parekh

Date: 10-12-17

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 street is under county
through road & roomed for county maintenance
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 429,100.. 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 6 Number in city 4
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: 2672 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: STREET will be maintained by JOFFERSON + MRA - Road Agreement.

11. Information on children: Number in family 1; Plan to enroll in VH schools Yes No _____ Comments: _____

Other Comments: _____


George Pierce
Chairman
10-18-17

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 2672 Dolly Ridge Rd

Engineering; Public Services

Date: 9/21 Initials: CB

2672 Dolly Ridge Road -- no significant concerns noted; Dolly Ridge Road is on proposed Jefferson County Through-Road agreement for County maintenance; **Stony Branch** Road is a narrow roadway with limited right-of-way width, is in poor condition, but is anticipated to continue to be on Jefferson County's roadway maintenance schedule.

Police Department:

Date: 9-25-17 Initials: CUN

Comments: N/A

Fire Department:

Date: 9/25/17 Initials: (SK)

Comments: N/A

Board of Education:

Date: _____ Initials: _____

Comments: _____

Rebecca, I don't see this affecting the growth projections for the school system, it falls within our projected numbers. Let me know if you require anything else for this.

Thank you,
Steve

PARCEL #: 28 00 28 2 001 034.000
OWNER: ROSENSTIEL DONALD G & NANCY A
ADDRESS: 2672 DOLLY RIDGE RD VESTAVIA AL 35243-2227
LOCATION: 2672 DOLLY RIDGE RD BHAM AL 35243

[111-B-] Baths: 5.5 H/C Sqft: 3,965
18-012.0 Bed Rooms: 6 Land Sch: A114
 Land: **161,600** Imp: **267,500** Total: **429,100**
 Acres: **0.000** Sales Info: **02/01/2008**
\$410,000

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

Tax Year : 2017

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

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 01 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

VALUE

LAND VALUE 10% \$161,600
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
CLASS 3
 POOL GUNITE 50 29G0500 \$11,900
 BLDG 001 111 \$255,600
 TOTAL MARKET VALUE [APPR. VALUE: \$429,100]: \$429,100
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$42,920	\$278.98	\$4,000	\$26.00	\$252.98
COUNTY	3	1	\$42,920	\$579.42	\$2,000	\$27.00	\$552.42
SCHOOL	3	1	\$42,920	\$351.94	\$0	\$0.00	\$351.94
DIST SCHOOL	3	1	\$42,920	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$42,920	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$42,920	\$218.89	\$0	\$0.00	\$218.89
SPC SCHOOL2	3	1	\$42,920	\$721.06	\$0	\$0.00	\$721.06

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$42,920.00

\$2,150.29

GRAND TOTAL: \$2,102.29

Payoff Quote

DEEDS

INSTRUMENT NUMBER

[200803-17121](#)
[200508-6131](#)
[0-0](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
02/29/2008		2017		\$0.00
06/17/2005	11/21/2016	2016	CORELOGIC	\$2,102.29
05/13/2002	12/1/2015	2015	CORELOGIC INC	\$2,102.29
	12/2/2014	2014	CORELOGIC INC	\$2,076.24
	11/19/2013	2013	CORELOGIC INC	\$2,067.22
	12/20/2012	2012	WELLS FARGO	\$2,066.73

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Sept 1, 2017

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.

NIRAJ (Neil) Parekh

205-352-4248

SLPHEALTH@gmail.com

EXHIBIT "A"

LOT: 034.000

BLOCK: 1 (One)

SURVEY: _____

N/A (metes and bounds)

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

COUNTY ZONING: E1

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

BEG NW INT STONY BRANCH RD & DOLLY RIDGE RD TH W ALONG DOLLY
RIDGE RD 185 FT S TH N 238.1 FT TH E ALONG RD 191 FT TH S ALG STONY
BRANCH RD 251 FT TO POB SECT 28 TWSP 18S RANGE 2W

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>B.K. Parekh</u>	Lot <u>34</u> Block <u>1</u> Survey <u>see metes and bounds</u>
<u>Dot Parekh</u>	Lot <u>34</u> Block <u>1</u> Survey <u>see metes and bounds</u>
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson County COUNTY

NIRAS K. Parekh 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.

B.K. Parekh
Signature of Certifier

Subscribed and sworn before me this the 21st day of September, 2017.

Kristen Gulley
Notary Public

My commission expires: 04-27-2021



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): NIRAS & Binita Parekh
Address: 2672 Dollyridge Road
City: Vestavia Hills State: AL Zip: _____

Information on Children:

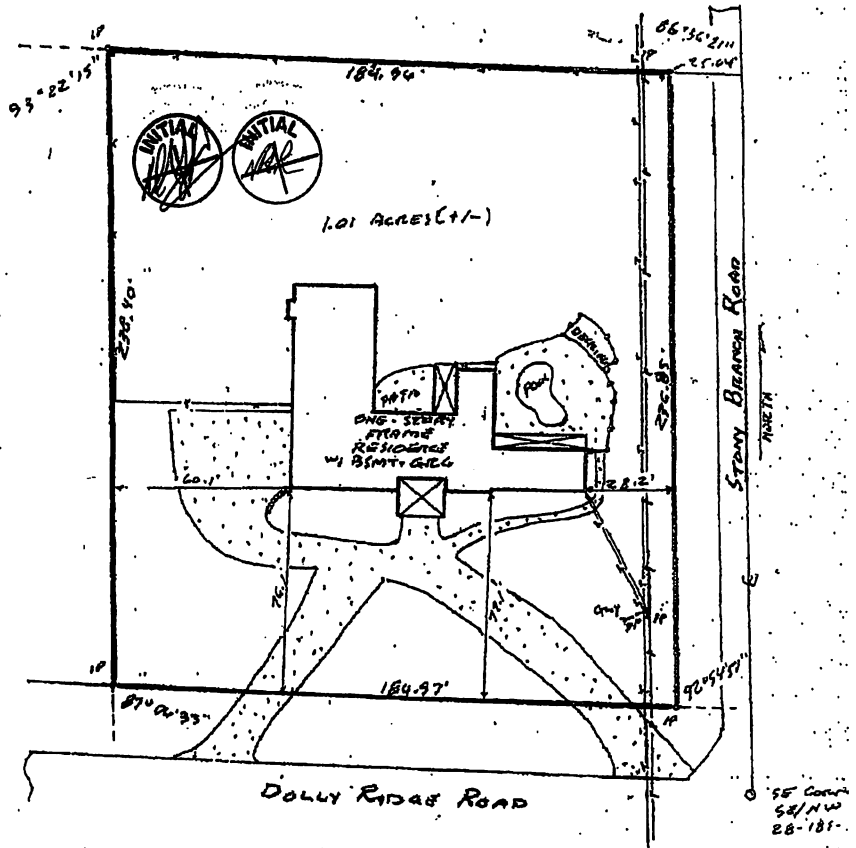
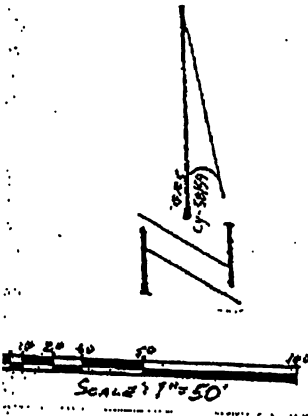
**Plan to Enroll In
Vestavia Hills School?**

	Name(s)	Age	School Grade	Yes	No
1.	Monsi Parekh	11	6	✓	
2.					
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": 12/1/18

LEGEND

- WIRE FENCE
- WOOD (PRIVACY) FENCE
- POLE POWER LINE
- TELEPHONE / CABLE LINE
- IRON PIN
- CONCRETE
- 1" = 100' P.I.



STATE OF ALABAMA:
BESSEMER COUNTY:

I, Gary R. Smith, a Licensed Professional Land Surveyor in the State of Alabama, hereby state that the foregoing is a plat or map of the following described property:

--SEE ATTACHED DESCRIPTION--

I further state that: the building(s) now erected on said land lie(s) within the boundaries of same, except as may be shown; there are no encroachments by buildings on the adjoining lands, except as may be shown; there are no easements, rights-of-way or joint driveways over or across said land visible on the surface of the ground or found in public record, except as may be shown; there are no electric or telephone wires (excluding wire which serves the premises only) or structures or supports therefor over or across said land, except as may be shown; iron pins and/or markers shown on this plat have been located by me; the basis of bearing is the call for bearing in the above-cited description; the property is NOT within a "Special Flood Hazard Area"; this survey meets precision standards for Suburban property; and, 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.

The correct address is 2672 Dolly Ridge Road, VOTAWA HILLS, Alabama.

According to my survey this 22 day of FEBRUARY, 2008.

Gary R. Smith
GARY R. SMITH
 PLS, Ala. Reg. #13199
 GRS Surveying CA 772-S
 19800 Zanzibar Lane, Vance, Alabama 35490
 Mailing Address P. O. Box 608
 Bessemer, Alabama 35021
 (205) 960-2252



This survey prepared for Clearing/Load purposes only

Survey Order # 2008-0092









ORDINANCE NUMBER 2737

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

WHEREAS, a certain petition signed by Binita and Niraj "Neil" Parekh dated September 1, 2017, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

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

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

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

2672 Dolly Ridge Road
Binita and Niraj "Neil" Parekh, Owner(s)

More particularly described as follows:

Commence at the SE corner of the SE ¼ of the NW ¼ of Section 28, Township 18 South of the Huntsville Base Line, Range 2 West of the Huntsville Meridian; proceed North along the East line of said 1/4-1/4 Section (being the center line of Stony Branch Road) for a distance of

266.64 feet; turn an angle to the left of 86 degrees 36'21" and proceed for a distance of 25.04 feet to a point on the West right-of-way of Stony Branch Road, being the point of beginning; continue along said course for a distance of 184.96 feet; turn an angle to the left 93 degrees 22' 15" and proceed for a distance of 238.40 feet to the north right-of-way of Dolly Ridge Road; turn an angle to the left of 87 degrees 06'33" and proceed along said right-of-way for a distance of 184.97 feet to the West right-of-way of Stony Branch Road, turn an angle to the left of 92 degrees 54'51" and proceed along said right-of-way for a distance of 236.85 feet to the point of beginning.

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

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

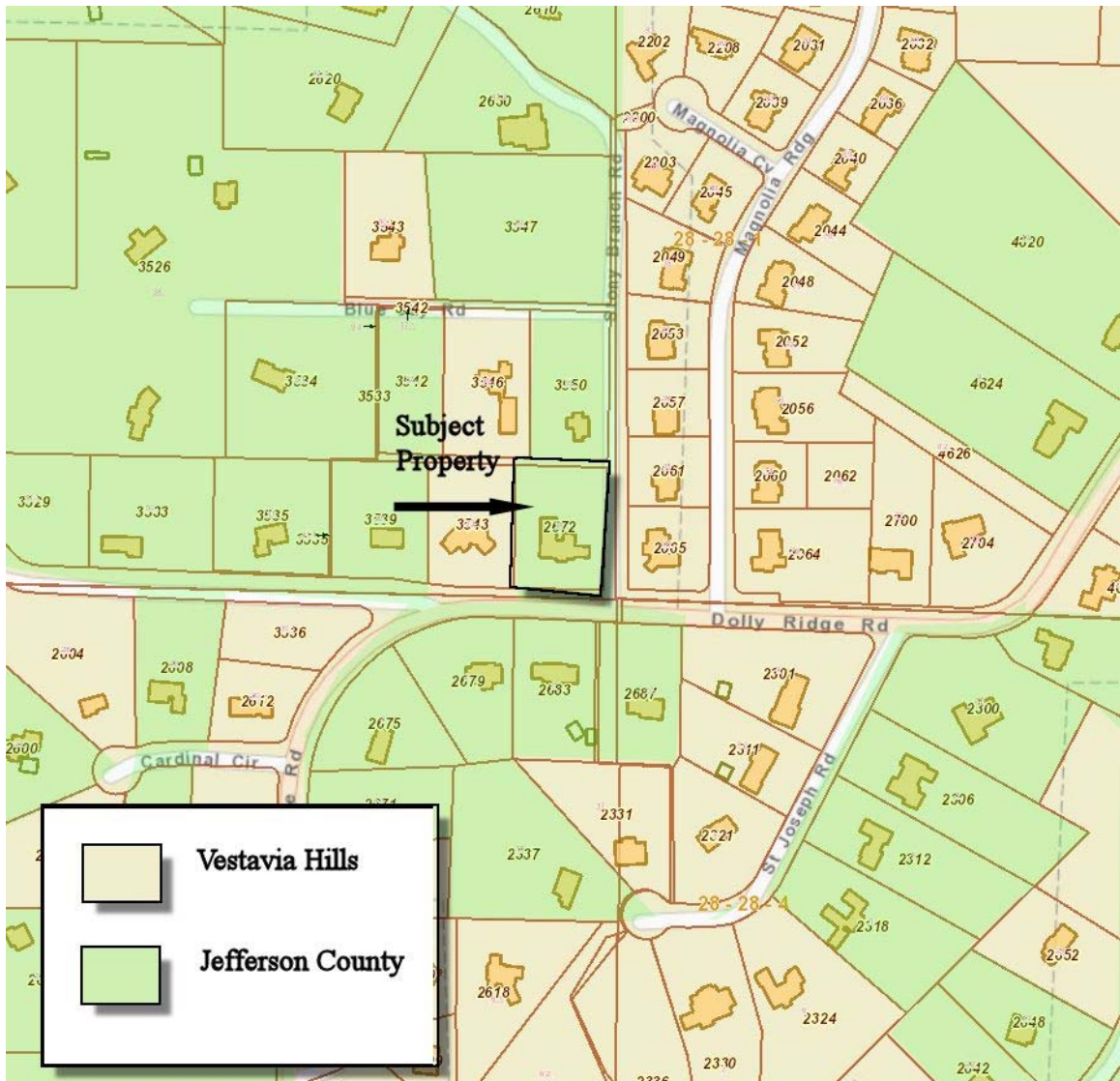
Rebecca Leavings
City Clerk

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 # 2737 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 8th day of January, 2018, 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 _____, 2017.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 5012

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

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated July 20, 2017, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 8th day of January, 2018; and

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

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

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 10th day of January, 2018.

2. That on the 23rd day of April, 2018, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5012 by the City Council of the City of Vestavia Hills, Alabama, and as

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

1772 Vestaview Lane
Shades Mountain Baptist Church, Owner(s)

More particularly described as follows:

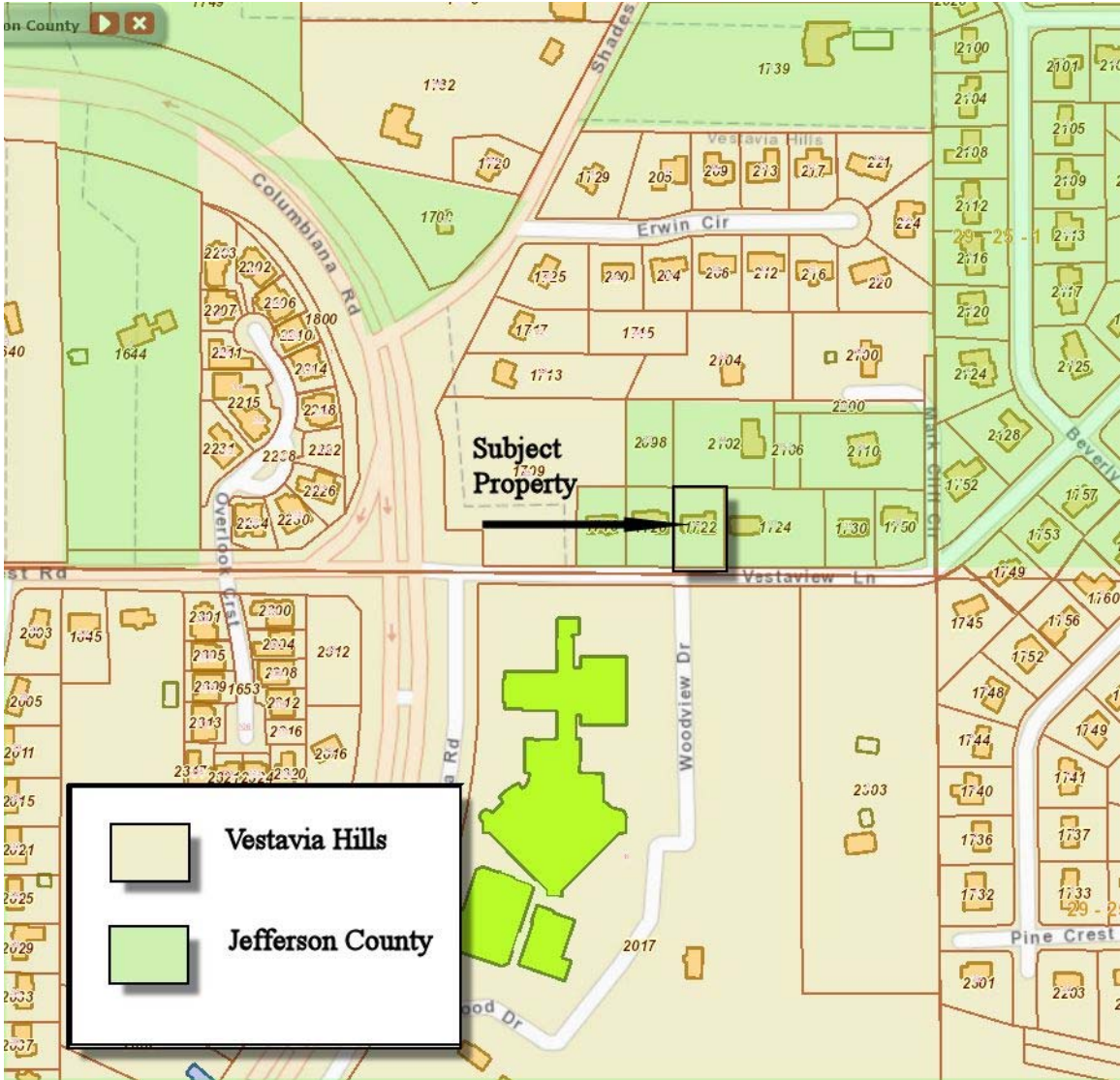
Part of the SE ¼ of the NW ¼ of Section 25, Township 18, Range 3 West, more particularly described as follows: Begin at the SE corner of the 1/4-1/4 section, thence West along the South line thereof a distance of 438.6 feet to a point of beginning of tract here described; said point being in the center of Rogers Road; thence continue West along South line of 103.4 feet; thence to the right at an angle of 88 degrees 53'30" run North 179.57 feet; thence at an angle to the right of 90 degrees 55' run east 103.39 feet; thence at an angle to the right of 89 degrees 05' run South 179.92 feet to the point of beginning. Except right-of-way of Rogers Road over the South 15 feet of said property.

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk





**1722 Vestaview Lane
Shades Mountain Baptist Church**

Annexation Committee Petition Review

Property: 1772 Vestaview Ln
Owners: ~~1772~~ Shades Mtn Church
Date: 10-12-17

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 231,800.. 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 12 Number in city 11
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: 1772 Vestaview Lane

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

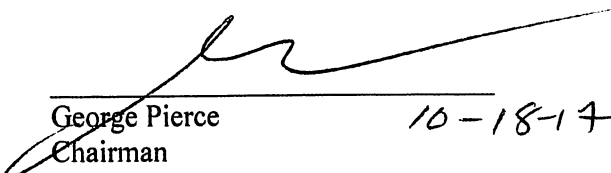
9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

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

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

House to be used as Shades Mountain Baptist Church parsonage. Tenant not determined

Other Comments: _____


George Pierce
Chairman

10-18-17

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 1722 Vestaview Lane

Engineering; Public Services Date: 9/21 Initials: CB

Comments:
1722 Vestaview Lane -- no concerns noted; roadway is in generally good condition and is already on City's maintenance schedule.

Police Department: Date: 9/26/17 Initials: CNN

Comments: N/A

Fire Department: Date: 9/25/17 Initials: SD

Comments: N/A

Board of Education: Date: _____ Initials: _____

Comments: _____

Rebecca, I don't see this affecting the growth projections for the school system, it falls within our projected numbers. Let me know if you require anything else for this.

Thank you,
Steve

PARCEL #: 29 00 25 2 009 033.000
OWNER: STEWART PAULA J B
ADDRESS: 430 PLANATION PL HELENA AL 35080
LOCATION: 1722 VESTAVIEW LN VESTAVIA HILLS AL 35216

[111-C0] Baths: 1.0 H/C Sqft: 1,598
 18-020.0 Bed Rooms: 3 Land Sch: L1
 Land: 148,500 Imp: 83,300 Total: 231,800
 Acres: 0.000 Sales Info: 03/01/2008
\$135,000

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

Tax Year : 2017

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS:	2	OVER 65 CODE:		VALUE	
EXEMPT CODE:		DISABILITY CODE:		LAND VALUE 10%	\$0
MUN CODE:	01 COUNTY	HS YEAR:	0	LAND VALUE 20%	\$148,530
SCHOOL DIST:		EXM OVERRIDE AMT:	\$0.00	CURRENT USE VALUE [DEACTIVATED]	\$0
OVR ASD VALUE:	\$0.00	TOTAL MILLAGE:	50.1	<u>CLASS 2</u>	
				BLDG 001	111
					\$83,300
				<u>CLASS 3</u>	
CLASS USE:				TOTAL MARKET VALUE [APPR. VALUE: \$231,800]:	\$231,830
FOREST ACRES:	0	TAX SALE:		Assesment Override:	
PREV YEAR VALUE:	\$227,900.00	BOE VALUE:	0	MARKET VALUE:	
				CU VALUE:	
				PENALTY:	
				ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$46,360	\$301.34	\$0	\$0.00	\$301.34
COUNTY	2	1	\$46,360	\$625.86	\$0	\$0.00	\$625.86
SCHOOL	2	1	\$46,360	\$380.15	\$0	\$0.00	\$380.15
DIST SCHOOL	2	1	\$46,360	\$0.00	\$0	\$0.00	\$0.00
CITY	2	1	\$46,360	\$0.00	\$0	\$0.00	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	2	1	\$46,360	\$236.44	\$0	\$0.00	\$236.44
SPC SCHOOL2	2	1	\$46,360	\$778.85	\$0	\$0.00	\$778.85

ASSD. VALUE: \$46,360.00

\$2,322.64

GRAND TOTAL: \$2,322.64

Payoff Quote

DEEDS

INSTRUMENT NUMBER

[2017055198](#)
[201416-11666](#)
[200409-2784](#)
[9808-4036](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
3/31/2017		2017		\$0.00
8/25/2014	10/25/2016	2016	ROBERT LOGAN	\$2,283.56
06/30/2004	10/30/2015	2015	ROBERT LOGAN KATHLEEN I HAMM	\$2,236.46
06/22/1998	4/27/2015	2014	ROBERT LOGAN	\$2,453.96
	1/11/2014	2013	EQUIVEST FINANCIAL, LLC	\$2,262.49
	1/7/2013	2012	EQUIVEST FINANCIAL LLC	\$2,262.49
	20111231	2011	***	\$2,251.46

STATE OF ALABAMA

Jefferson COUNTY

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

Date of Petition: July 20, 2017

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.

Contact: Denise Bruce
dbruce@shades.org
205-822-1670

EXHIBIT "A"

LOT: See legal description below

BLOCK: _____

SURVEY: _____

Instrument Number
RECORDED IN MAP BOOK 2017055198, PAGE _____ IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: Jefferson

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):


Part of the SE 1/4 of the NW 1/4 of Section 25, Township 18, Range 3 West, more particularly described as follows:

Begin at the Southeast corner of said 1/4-1/4 section, thence West along the South line thereof a distance of 438.6 feet to the point of beginning of tract here described; said point being in the center of Rogers Road; thence continue West along South line 103.4 feet; thence to the right at an angle of 88° 53' 30" run North 179.57 feet; thence at an angle to the right of 90° 55' run East 103.39 feet; thence at an angle to the right of 89° 05' run South 179.92 feet to the point of beginning. Except right of way of Rogers Road over the South 15 feet of said property.

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

	Lot _____ Block _____ Survey _____
Tom Boston, Minister of Administration	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Sarah Beth Lovingsgood 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 20 day of July, 2017.


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): Shades Mountain Baptist Church

Address: 1722 Vestaview Lane

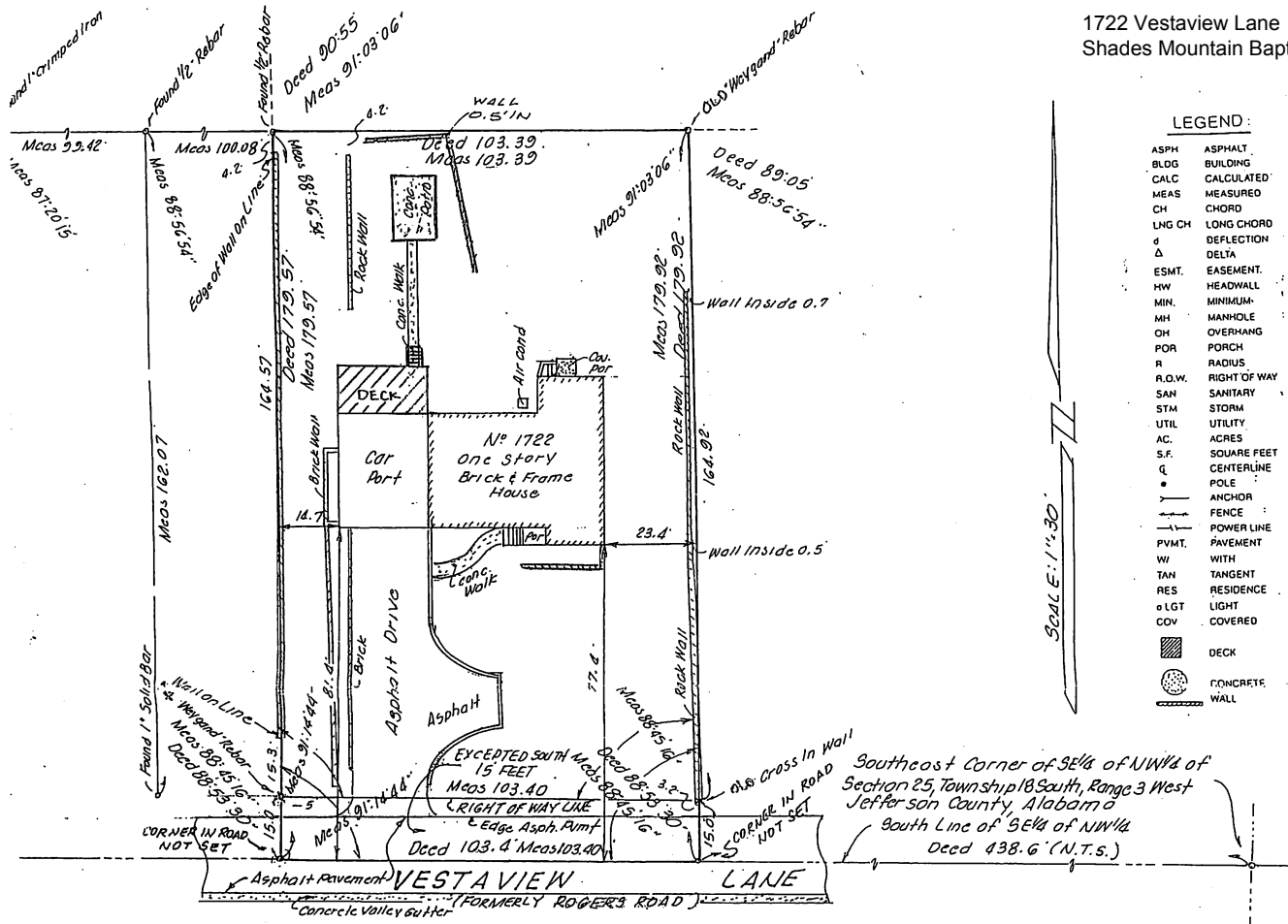
City: Vestavia Hills State: AL Zip: 35216

Information on Children: N/A

**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": _____

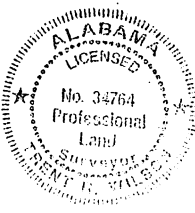


LEGEND:

ASPH	ASPHALT
BLDG	BUILDING
CALC	CALCULATED
MEAS	MEASURED
CH	CHORD
LNG CH	LONG CHORD
d	DEFLECTION
Δ	DELTA
ESMT.	EASEMENT
HW	HEADWALL
MIN.	MINIMUM
MH	MANHOLE
OH	OVERHANG
POR	PORCH
R	RADIUS
R.O.W.	RIGHT OF WAY
SAN	SANITARY
STM	STORM
UTIL	UTILITY
AC.	ACRES
S.F.	SQUARE FEET
C	CENTERLINE
•	POLE
—	FENCE
—	POWER LINE
PVMT.	PAVEMENT
W	WITH
TAN	TANGENT
RES	RESIDENCE
o LGT	LIGHT
COV	COVERED
▨	DECK
◐	CONCRETE WALL

SCALE: 1"=30'

Southeast Corner of SE 1/4 of NW 1/4 of Section 25, Township 18 South, Range 3 West Jefferson County, Alabama
South Line of SE 1/4 of NW 1/4 Deed 438.6 (N.T.S.)



State of Alabama
Jefferson County)

"Closing Survey"

I, Trent R. Wilson, a registered Land Surveyor, certify that I have surveyed the land shown and described hereon; that there are no rights-of-way, easements, or joint driveways over or across said land visible on the surface except as shown; that there are no electric or telephone wires (excluding wires which serve premises only) or structures or supports therefor, including poles, anchors and guy wires, on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown. I hereby state 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.

Legal Description:

Part of the SE 1/4 of the NW 1/4 of Section 25, Township 18 South, Range 3 West more particularly described as follows:

Begin at the Southeast corner of said quarter-quarter section; thence West along the South line thereof a distance of 438.6 feet to the point of beginning of tract here described, said point being in the center of Rogers Road; thence continue West along South line 103.4 feet; thence to the right at an angle of 88°53'-30" run North 179.57 feet; thence at an angle to the right of 90°55' run East 103.39 feet; thence at an angle to the right of 89°05', run South 179.92 feet to the point of beginning. Except right of way for Rogers Road over the South 15 feet of said property.

According to my survey of: March 28, 2017

Order No.: 51154

Purchaser: _____

Address: 1722 Vestaview Lane

Survey invalid if not sealed in red.

Trent R. Wilson
Trent R. Wilson Reg. L.S. #34764
Weygand Surveyors, Inc.
169 Oxmoor Road, PH: 942-0086
Homewood, AL 35209 © Copyright

ORDINANCE NUMBER 2738

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

WHEREAS, a certain petition signed by Shades Mountain Baptist Church dated July 20, 2017, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

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

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

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

1772 Vestaview Lane
Shades Mountain Baptist Church, Owner(s)

More particularly described as follows:

Part of the SE ¼ of the NW ¼ of Section 25, Township 18, Range 3 West, more particularly described as follows: Begin at the SE corner of the 1/4-1/4 section, thence West along the South line thereof a distance of 438.6 feet to a point of beginning of tract here described; said point being in the

center of Rogers Road; thence continue West along South line of 103.4 feet; thence to the right at an angle of 88 degrees 53'30" run North 179.57 feet; thence at an angle to the right of 90 degrees 55' run east 103.39 feet; thence at an angle to the right of 89 degrees 05' run South 179.92 feet to the point of beginning. Except right-of-way of Rogers Road over the South 15 feet of said property.

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

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

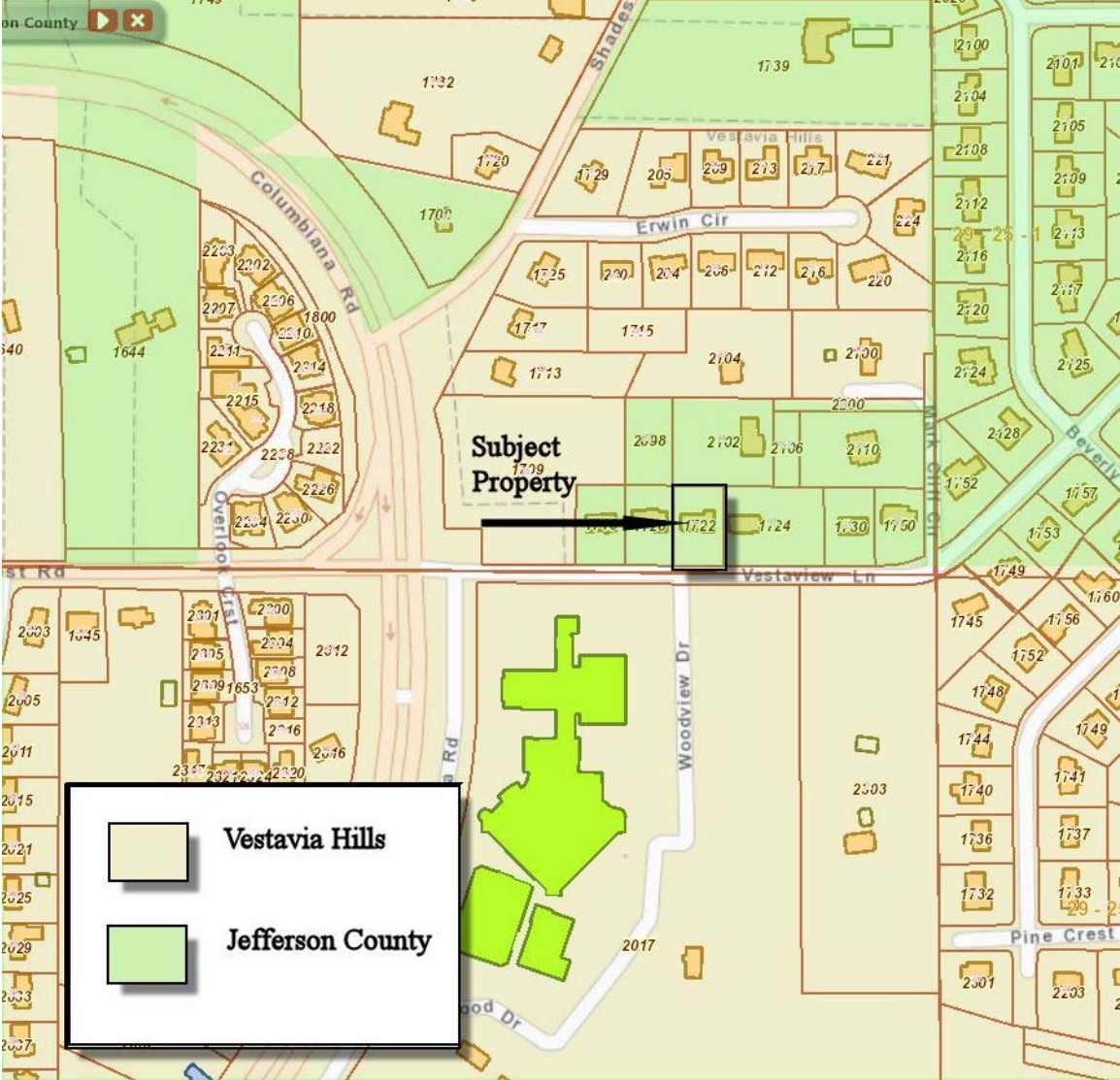
Rebecca Leavings
City Clerk

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 # 2738 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 8th day of January, 2018, 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 _____, 2018.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 5013

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

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated July 12, 2017, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 8th day of January, 2018; and

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

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

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 10th day of January, 2018.

2. That on the 23rd day of April, 2018, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5013 by the City Council of the City of Vestavia Hills, Alabama, and as

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

3640 Altadena Drive
Lot 1, Altadena Acres
Kevin and Georgia Holdefer, Owner(s)

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk





**3640 Altadena Drive
Kevin and Georgia Holdefer**

Annexation Committee Petition Review

Property: 3640 Altadena Drive

Owners: Kevin & Georgia Holdefer

Date: 10-12-17

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 312,200.. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No ?
Number of total homes 10 Number in city 5
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: 3640 Altadena DRIVE

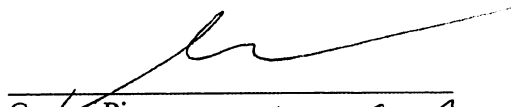
8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

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

10-18-17

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 3640 Altadena Drive

Engineering; Public Services Date: 9/21 Initials: CB

Comments: _____
3640 Altadena Drive -- no concerns noted; the roadway was resurfaced in 2015 and is in good condition; includes concrete valley gutter, also in good condition, and meets City standards.

Police Department: Date: _____ Initials: _____

Comments: _____

Fire Department: Date: 9/25/17 Initials: (SK)

Comments: N/A

Board of Education: Date: _____ Initials: _____

Comments: _____

Rebecca, I don't see this affecting the growth projections for the school system, it falls within our projected numbers. Let me know if you require anything else for this.

Thank you,
Steve

PARCEL #: 28 00 33 2 001 011.000
OWNER: HOLDEFER KEVIN & GEORGIA
ADDRESS: 3640 ALTADENA DR VESTAVIA AL 35243-2211
LOCATION: 3640 ALTADENA DR BHAM AL 35243

[111-C0] Baths: 2.5 H/C Sqft: 2,450
 18-013.0 Bed Rooms: 4 Land Sch: A114
 Land: 177,900 Imp: 134,300 Total: 312,200
 Acres: 0.000 Sales Info: 05/01/2009
 \$301,000

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

Tax Year : 2017

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS:	3	OVER 65 CODE:	LAND VALUE 10%
EXEMPT CODE:	2-2	DISABILITY CODE:	LAND VALUE 20%
MUN CODE:	02 COUNTY	HS YEAR:	CURRENT USE VALUE [DEACTIVATED]
SCHOOL DIST:		EXM OVERRIDE AMT:	\$0.00
OVR ASD VALUE:	\$0.00	TOTAL MILLAGE:	50.1
			<u>CLASS 2</u>
			<u>CLASS 3</u>
			BLDG 001 111
			\$134,300
CLASS USE:		TOTAL MARKET VALUE	[APPR. VALUE: \$312,200]: \$312,190
FOREST ACRES:	0	TAX SALE:	Assesment Override:
PREV YEAR VALUE:	\$297,500.00	BOE VALUE:	0
		MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$31,220	\$202.93	\$4,000	\$26.00	\$176.93
COUNTY	3	2	\$31,220	\$421.47	\$2,000	\$27.00	\$394.47
SCHOOL	3	2	\$31,220	\$256.00	\$0	\$0.00	\$256.00
DIST SCHOOL	3	2	\$31,220	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$31,220	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$31,220	\$159.22	\$0	\$0.00	\$159.22
SPC SCHOOL2	3	2	\$31,220	\$524.50	\$0	\$0.00	\$524.50

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$31,220.00

\$1,564.12

GRAND TOTAL: \$1,516.12

Payoff Quote

DEEDS

INSTRUMENT NUMBER

[200905-16362](#)

[9914-559](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
05/01/2009		2017		\$0.00
10/12/1999	11/21/2016	2016	CORELOGIC	\$1,442.98
	12/1/2015	2015	CORELOGIC INC	\$1,442.98
	12/2/2014	2014	CORELOGIC INC	\$1,358.81
	11/19/2013	2013	CORELOGIC INC	\$1,358.81
	11/21/2012	2012	CORELOGIC INC	\$1,424.45
	20111208	2011	***	\$1,439.97

STATE OF ALABAMA

Jefferson COUNTY

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

Date of Petition: July 12, 2017

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.

Kholdefer@gmail.com
205-585-1297

EXHIBIT "A"

LOT: 1

BLOCK: Altadena Acres

SURVEY: _____

RECORDED IN MAP BOOK 51, PAGE 73 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Lot 1 Altadena Acres 51/73

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>Kevin P. Holdefer</u>	Lot <u>1</u> Block _____ Survey _____
<u>Georgia Holdefer</u>	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Kevin P. Holdefer 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.

Kevin P. Holdefer
Signature of Certifier

Subscribed and sworn before me this the 10th day of February, 2017.

Richard Wesley Allen
Notary Public

My commission expires: _____ MY COMMISSION EXPIRES JUNE 17, 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 July 12, 2017 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): Kevin and Georgia Holdefer
Address: 3640 Altadena Drive
City: Birmingham State: AL Zip: 35243

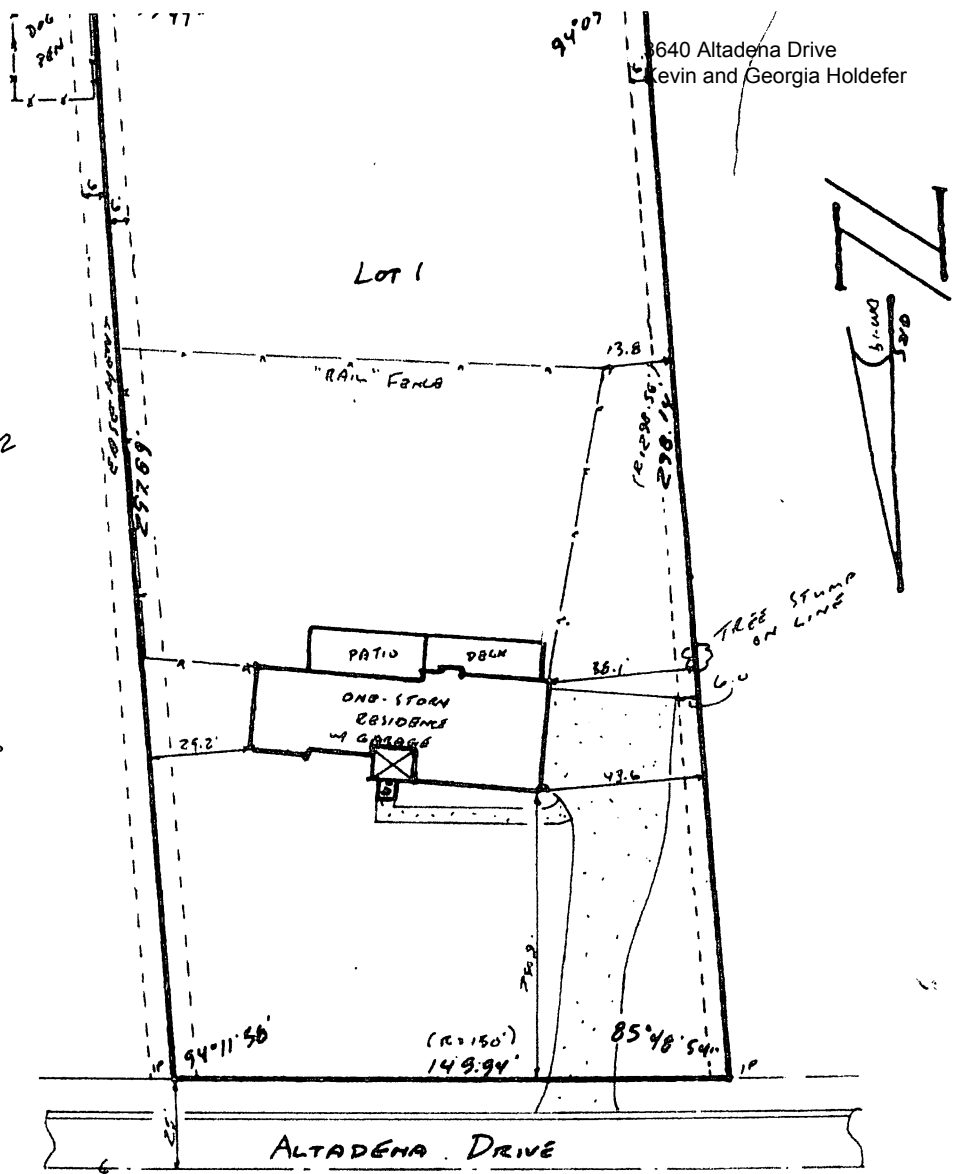
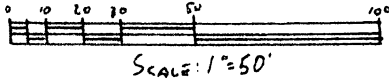
Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
1.	William Holdefer	15	10		✓
2.	Elisabeth Holdefer	13	8		✓
3.	Anna Holdefer	11	6		✓
4.					
5.					
6.					

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

- BUILDING SETBACK LINE
- EASEMENT
- WIRE FENCE
- PRIVACY FENCE
- POLE POWER LINE
- RETAINING WALL
- "OVER HANG"
- DOT ON FOUNDATION
- PORCH/ENTRY/COVERED DECK
- CONCRETE
- IRON PIN
- RECORD DIMENSION
- R - CURVE RADIUS
- A - CURVE LENGTH
- CA - CHORD LENGTH
- Δ - CENTRAL ANGLE



STATE OF ALABAMA:
JEFFERSON COUNTY:

I, Gary R. Smith, a Licensed Professional Land Surveyor in the State of Alabama, hereby state that the foregoing is a plat or map of the following described property:

Lot 1, Block _____, of ALTADENA ACRES, as recorded in Map (Plat) Book 51, Page 28, Judge of Probate's Office, JEFFERSON County, Alabama

I further state that: the building(s) now erected on said land lie(s) within the boundaries of same, except as may be shown; there are no encroachments by buildings on the adjoining lands, except as may be shown; there are no easements, rights-of-way or joint driveways over or across said land visible on the surface of the ground or found in public record, except as may be shown; there are no electric or telephone wires (excluding wire which serves the premises only) or structures or supports therefor over or across said land, except as may be shown; iron pins and/or markers shown on this plat have been located by me; the basis of bearing is the above-cited record map; the property IS NOT within a "Special Flood Hazard Area"; and, 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.

The correct address is 3640 ALTADENA DRIVE, VESTAVIA HILLS, Alabama.

According to my survey this 8 day of July, 2009.

Gary R. Smith
GARY R. SMITH
 PLS, Ala. Reg. #13199



ORDINANCE NUMBER 2739

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

WHEREAS, a certain petition signed by Kevin and Georgia Holdefer dated July 12, 2017, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

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

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

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

3640 Altadena Drive
Lot 1, Altadena Acres
Kevin and Georgia Holdefer

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

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

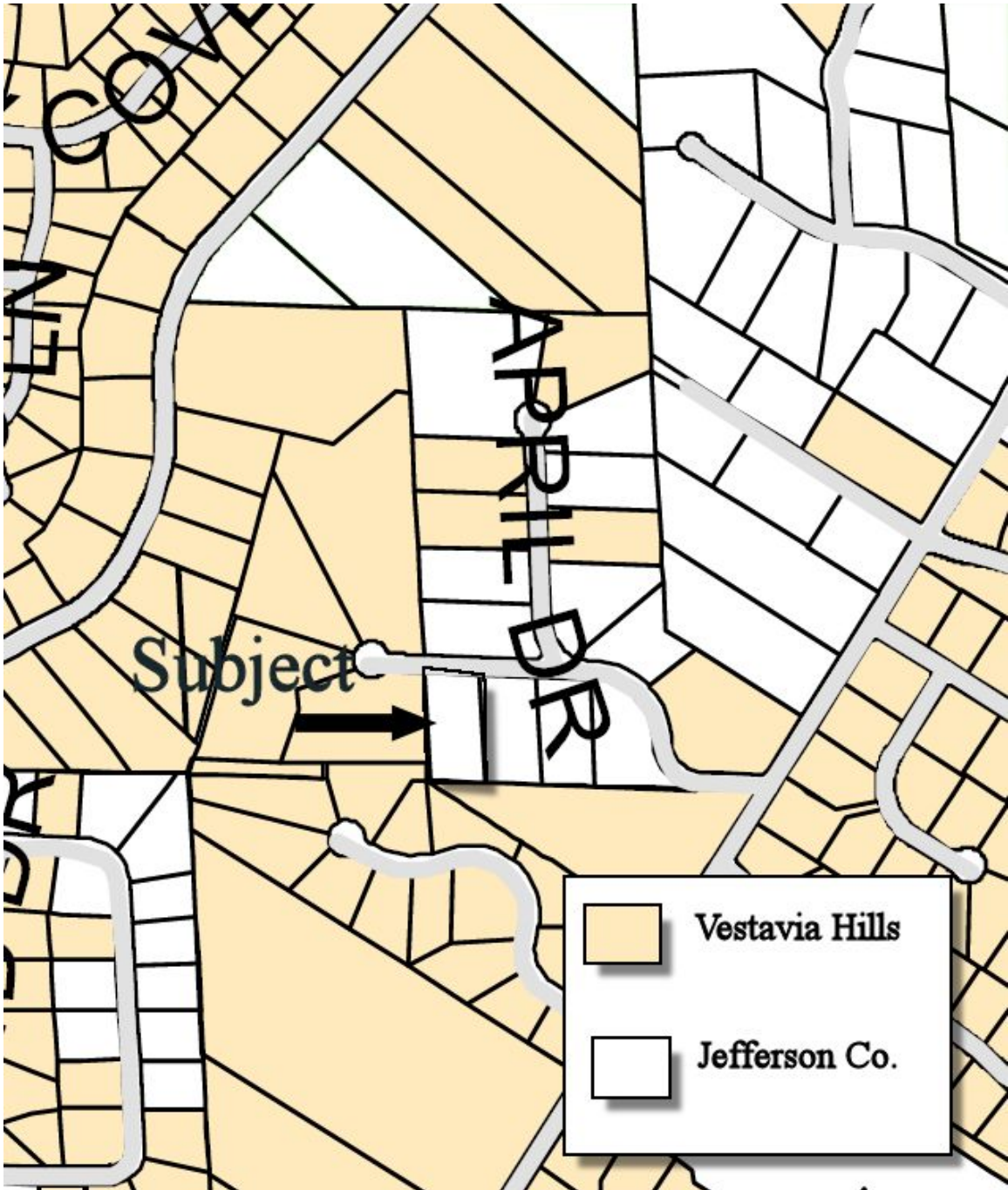
Rebecca Leavings
City Clerk

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 # 2739 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 8th day of January, 2018, 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 _____, 2018.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 5014

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

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated August 3, 2017, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 8th day of January, 2018; and

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

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

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

1. That the said Petition shall be published one (1) time in *The Birmingham News*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 10th day of January, 2018.

2. That on the 23rd day of April, 2018, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5014 by the City Council of the City of Vestavia Hills, Alabama, and as

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

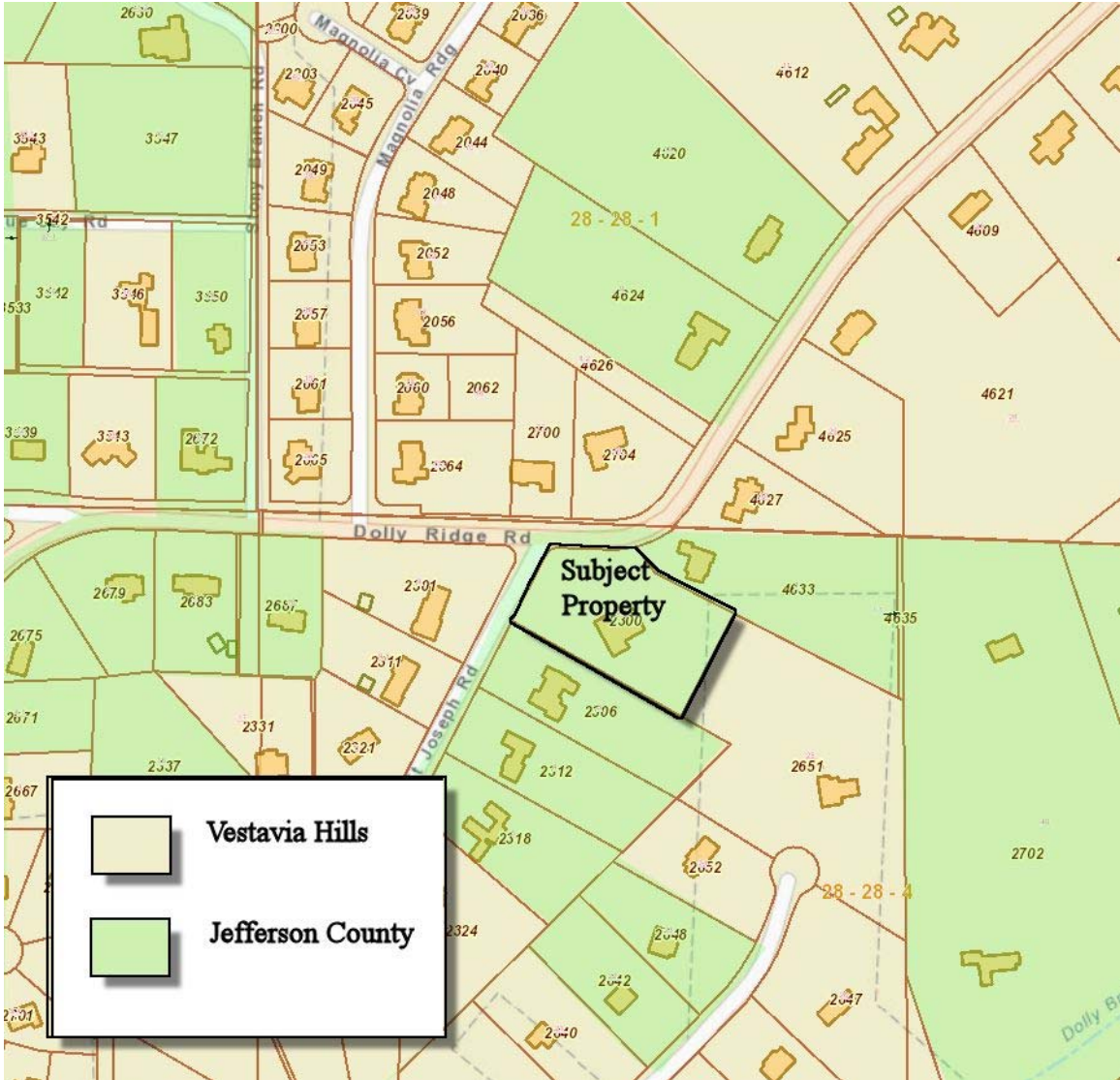
2300 St. Joseph Road
Lot 24-A, Resurvey of Lots 24 & 26, Amendment to St. Joseph's Retreat
Linda Craft, Owner(s)

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk





**2300 St. Joseph Road
Linda Craft**

Annexation Committee Petition Review

Property: 2300 St Joseph Road

Owners: Linda Craft

Date: 10-12-18

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 Road is maintained by Jefferson County per APRN Road agreement

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 794,100. 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 6 Number in city 3

7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.

Agreed to by petitioner: Yes No Comment _____

Property: 2300 St Joseph Rd

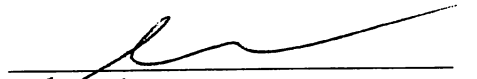
8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

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

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

11. Information on children: Number in family 0; Plan to enroll in VH schools Yes _____ No _____ Comments: _____

Other Comments: _____


George Pierce
Chairman
10-18-17

CITY OF VESTAVIA HILLS
Department Review of Proposed Annexation
(To be completed by Official City Reviewers)

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: 2300 St Joseph Road

Engineering; Public Services Date: 9/21 Initials: CB

2300 St. Joseph Road -- no concerns noted; St. Joseph Road is in good to fair condition and is already on the City's maintenance schedule; Dolly Ridge Road is on proposed Jefferson County Through-Road agreement for County maintenance.

Police Department: Date: 9/21/17 Initials: aw

Comments: N/A

Fire Department: Date: 9/25/17 Initials: SV

Comments: N/A

Board of Education: Date: _____ Initials: _____

Comments: _____

Rebecca, I don't see this affecting the growth projections for the school system, it falls within our projected numbers. Let me know if you require anything else for this.

Thank you,
Steve

PARCEL #: 28 00 28 4 001 002.001
OWNER: CRAFT LINDA F
ADDRESS: 78504 US HIGHWAY 278 BLOUNTSVILLE AL 35031
LOCATION: 2300 ST JOSEPH RD AL 35243

[111-A0] Baths: 4.5 H/C Sqft: 4,813
 18-012.0 Bed Rooms: 3 Land Sch: A414
 Land: 256,000 Imp: 538,100 Total: 794,100
 Acres: 0.000 Sales Info: 12/01/2000
\$280,000

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

Tax Year : 2017

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT		VALUE	
PROPERTY CLASS:	3 OVER 65 CODE:	LAND VALUE 10%	\$255,960
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>	
		BLDG 001 111	\$538,100
CLASS USE:		TOTAL MARKET VALUE [APPR. VALUE: \$794,100]:	\$794,060
FOREST ACRES: 0	TAX SALE:	Assesment Override:	
PREV YEAR VALUE:	\$794,100.00 BOE VALUE: 0	MARKET VALUE:	
		CU VALUE:	
		PENALTY:	
		ASSESSED VALUE:	

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$79,420	\$516.23	\$4,000	\$26.00	\$490.23
COUNTY	3	2	\$79,420	\$1,072.17	\$2,000	\$27.00	\$1,045.17
SCHOOL	3	2	\$79,420	\$651.24	\$0	\$0.00	\$651.24
DIST SCHOOL	3	2	\$79,420	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$79,420	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$79,420	\$405.04	\$0	\$0.00	\$405.04
SPC SCHOOL2	3	2	\$79,420	\$1,334.26	\$0	\$0.00	\$1,334.26

TOTAL FEE & INTEREST: (Detail) \$5.00

ASSD. VALUE: \$79,420.00

\$3,978.94

GRAND TOTAL: \$3,930.94

Payoff Quote

DEEDS

PAYMENT INFO

INSTRUMENT NUMBER	DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
200618-25083	11/17/2006		2017		\$0.00
200014-9556	12/20/2000	11/28/2016	2016	-	\$3,930.94
		11/6/2015	2015	-	\$3,930.94
		11/26/2014	2014	-	\$3,879.84
		11/15/2013	2013	-	\$3,879.84
		12/10/2012	2012	CRAFT LINDA F	\$3,879.84
		20111118	2011	***	\$3,930.45

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE

CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Aug 3, 2017

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.

Linda F. Craft
(205)-960-9664
rl2300@bellsouth.net

EXHIBIT "A"

LOT: Lot 24A Res

BLOCK: _____

SURVEY: Res Lots 24 - 26 Amendment to St Joseph
Retreat

RECORDED IN MAP BOOK 196, PAGE 33 IN THE

PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: JC E-1

COMPATIBLE CITY ZONING: VH E-2

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

Linda F. Craft Lot 24A Block _____ Survey Res 24+26 Amend St Joseph

Lot _____ Block _____ Survey _____

Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Linda F. Craft 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.

Linda F. Craft
Signature of Certifier

Subscribed and sworn before me this the 3rd day of August, 2017.

[Signature]
Notary Public

My commission expires: 7/15/2019

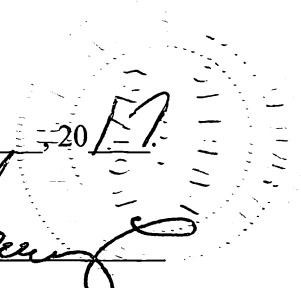


EXHIBIT "B"

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): Linda F. Craft
Address: 2300 St. Joseph Rd
City: Vestavia, 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 2740

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

WHEREAS, a certain petition signed by Linda Craft dated August 3, 2017, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

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

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

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

2300 St. Joseph Road
Lot 24-A, Resurvey of Lots 24 & 26, Amendment to St. Joseph's Retreat
Linda Craft

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

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

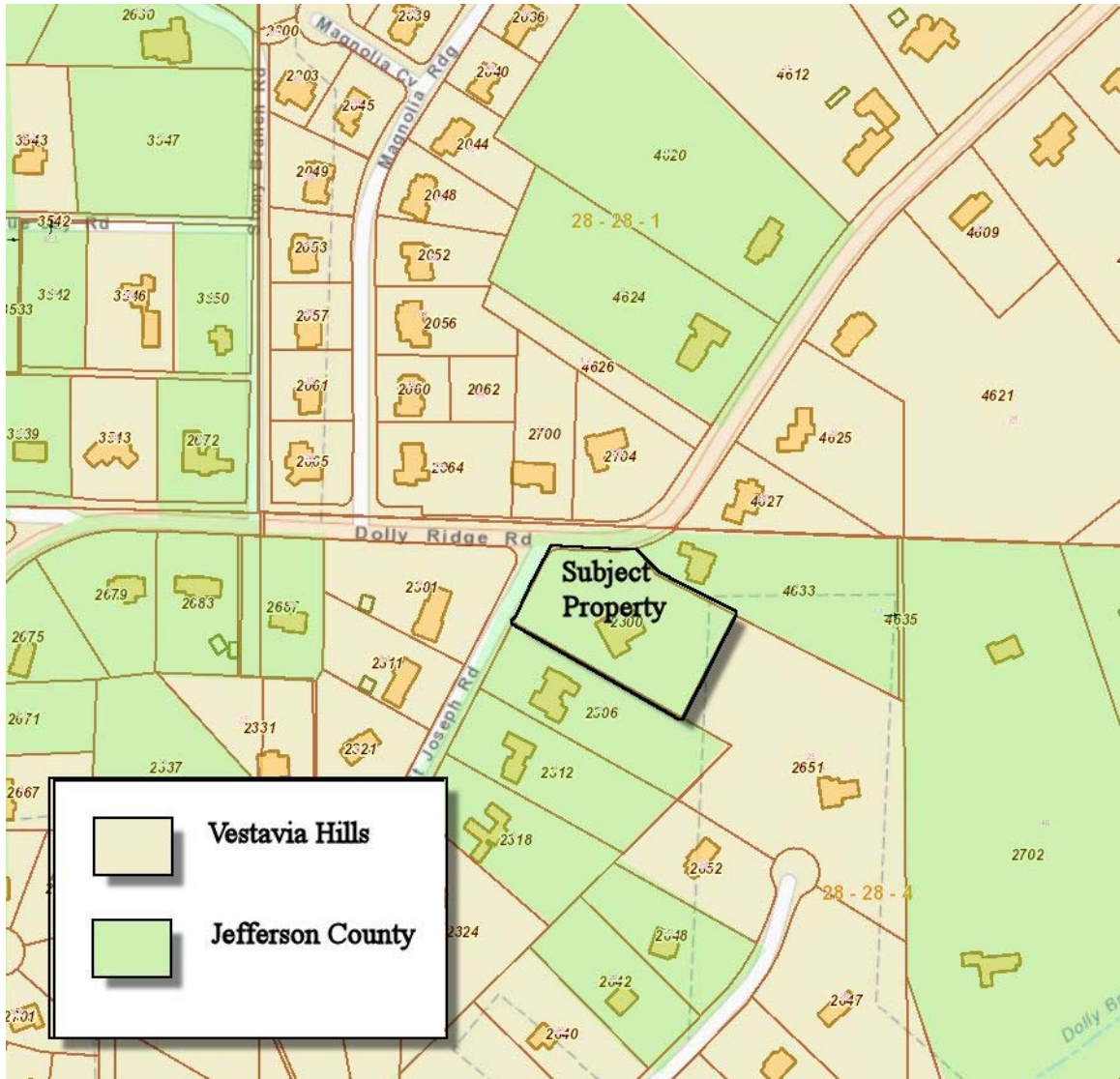
Rebecca Leavings
City Clerk

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 # 2740 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 8th day of January, 2018, 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 _____, 2018.

Rebecca Leavings
City Clerk



ORDINANCE NUMBER 2735

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 VESTAVIA HILLS R-3 TO VESTAVIA HILLS B-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 Vestavia Hills R-2 (medium density residential district) to Vestavia Hills B-2 (business district):

812 Chestnut Street
Lots 6 & 7, Block 14, South Birmingham Heights
Sloss HTP, Inc., Owner(s)

BE IT FURTHER ORDAINED that said rezoning be conditioned upon the following conditions:

1. Right-of-way (portion of alley) situated between Todd Mall and subject property to be vacated;
2. Approval for site plan presented;
3. Applicants to use tools to encourage traffic to direct toward Canyon Road;
4. Final improvements shall be subject to engineering review; and
5. Zoning will not be effective until all conditions are met and a final resurvey is recorded following approval by the planning and Zoning Commission replacing the former right-of-way (portion of alley) with a utility easement.

APPROVED and ADOPTED this the 8th day of January, 2018.

Ashley C. Curry
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 # 2735 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 8th day of January, 2018 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 _____, 2018.

Rebecca Leavings
City Clerk



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

Date: SEPTEMBER 14, 2017

- **CASE: P-0917-43**
- **REQUESTED ACTION:** Rezoning From Vestavia Hills R-3 to Vestavia Hills B-2 For Office Parking
- **ADDRESS/LOCATION:** 812 Chestnut St.
- **APPLICANT/OWNER:** Sloss HTP, Inc
- **REPRESENTING AGENT:** Goodwin, Mills, & Cawood
- **GENERAL DISCUSSION:** Applicant is seeking rezoning to build a parking lot to service Todd Mall. Lot would have 69 spaces. The request is part of an overall facelift. There is an alley separating the lot from Todd Mall. Applicants are currently in the process of getting alley vacated. Site plan is attached and appears to meet all the requirements of B-2 zoning.
- **VESTAVIA COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for Village Center.
- **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: Rezoning contingent on vacation of ROW
 2. **City Engineer Review:** No problems noted.
 3. **City Fire Marshal Review:** No problems notes.
 4. **Building Safety Review:** I have reviewed the application and I have no issues with this request.

MOTION Mr. House made a motion to recommend rezoning approval 812 Chestnut St. from Vestavia Hills R-3 to Vestavia Hills B-2 with the following conditions:

- A. Right-Of-Way between Todd Mall and subject property to be vacated;
- B. Approval only for site plan presented;
- C. Applicants to use tools to encourage traffic to Canyon Rd.;
- D. Final improvements subject to engineering review.

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

Mr. Goodwin– yes

Mr. Wolfe – yes

Mr. House – yes

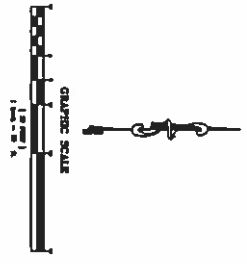
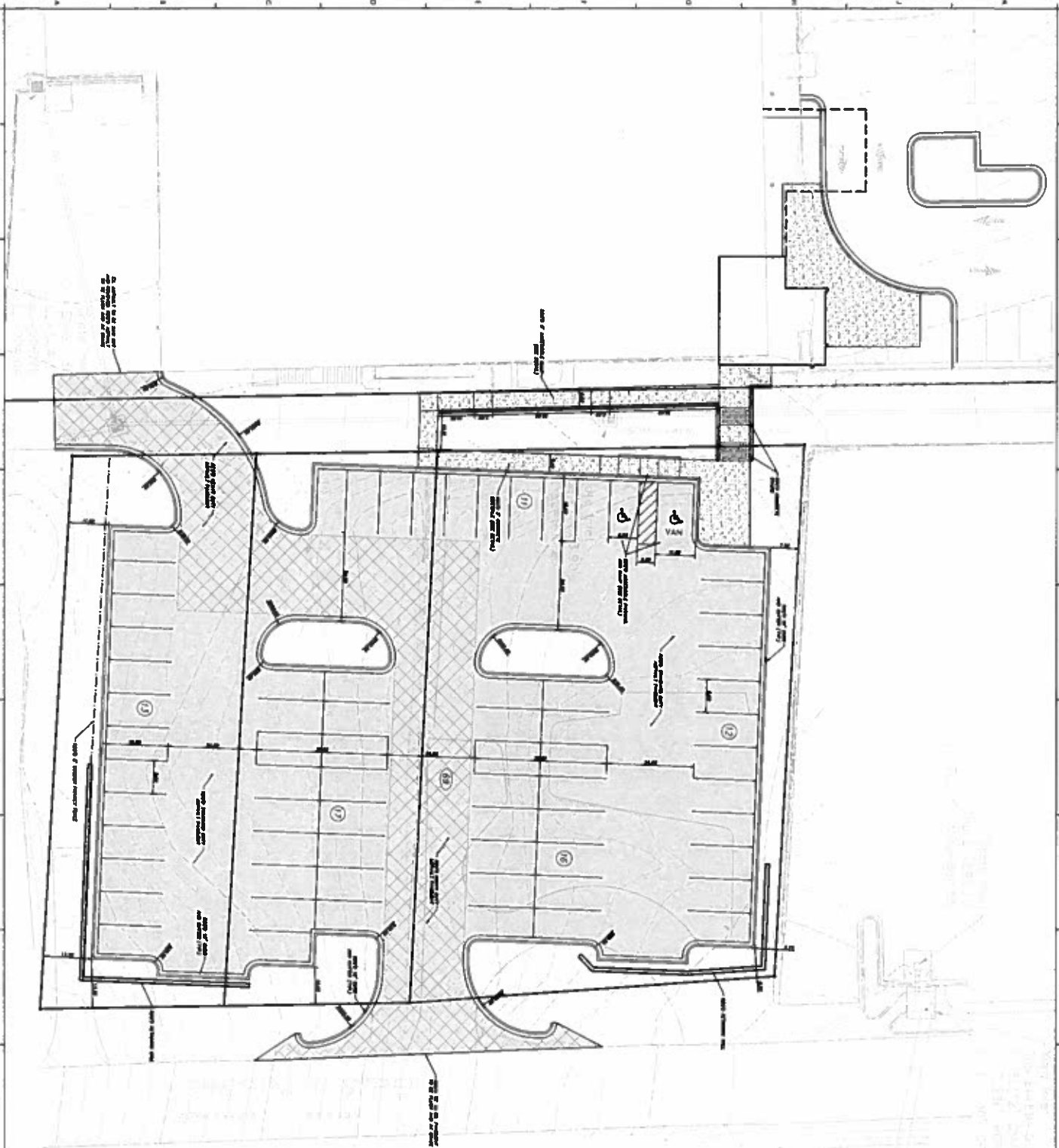
Mr. Larson – yes

Motion carried

Mr. Burrell – yes

Mr. Brooks – yes

Mrs. Cobb – yes



07/20/2017
 2701 1st Avenue S
 Birmingham, AL 35223
 T 205.878.4442
 ARCHITECTURE.COM

SITE LAYOUT PLAN

VESTAVIA VILLAGE
 VESTAVIA HILLS, ALABAMA

ISSUE DATE

C1.1

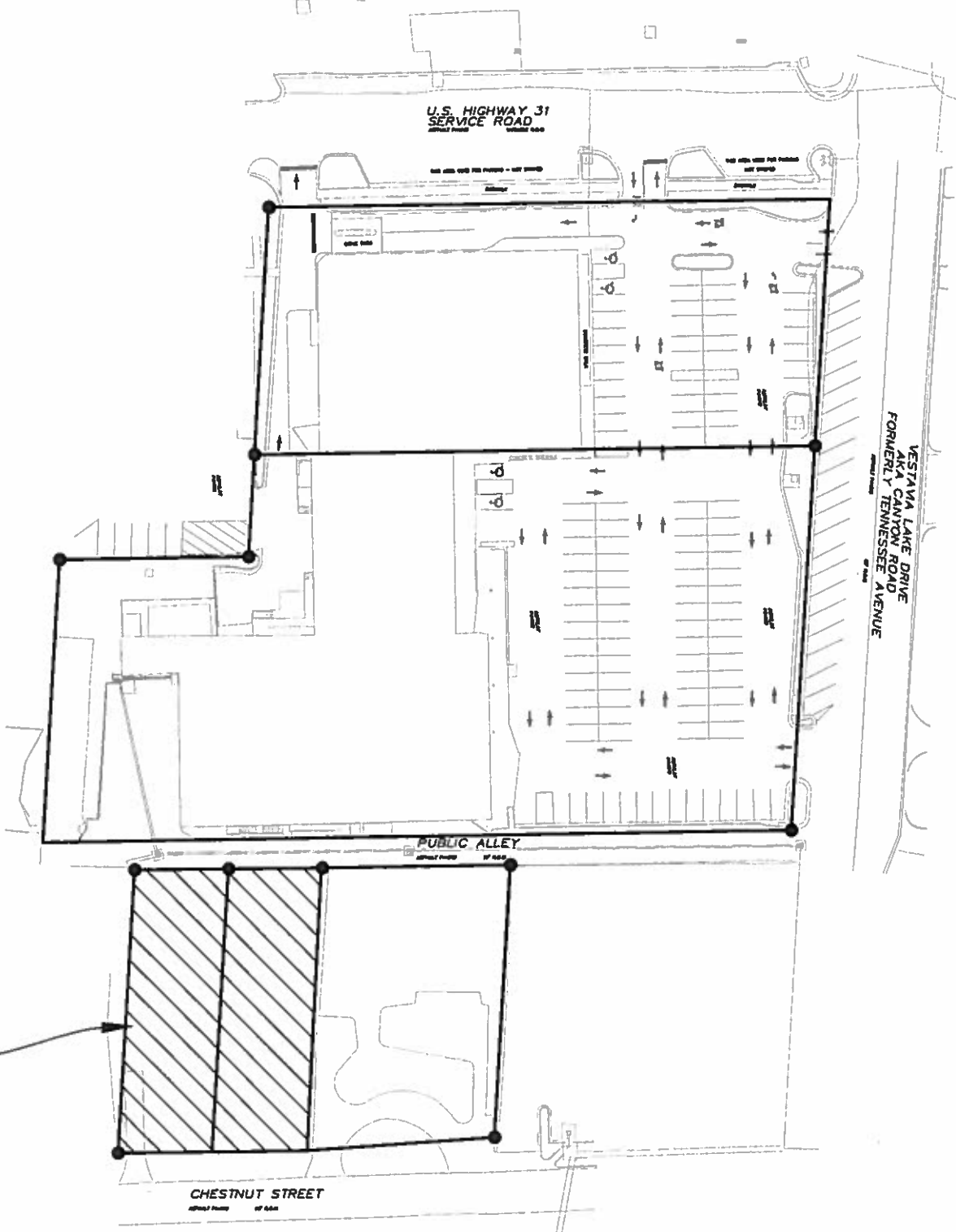
GMC Project # CBHM170052

ISSUE DATE	ISSUED BY	CHECKED BY

2701 1st Avenue S
 Birmingham, AL 35223
 T 205.878.4442
 ARCHITECTURE.COM



LOT TO BE RE-ZONED
 812 CHESTNUT STREET,
 VESTAVIA HILLS, ALABAMA



VESTAVIA VILLAGE
 VESTAVIA HILLS, ALABAMA

LOT RE-ZONING EXHIBIT

C0.1

LOT EXHIBIT

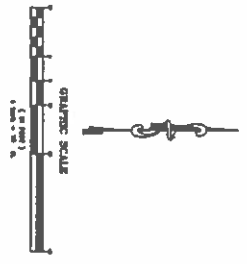
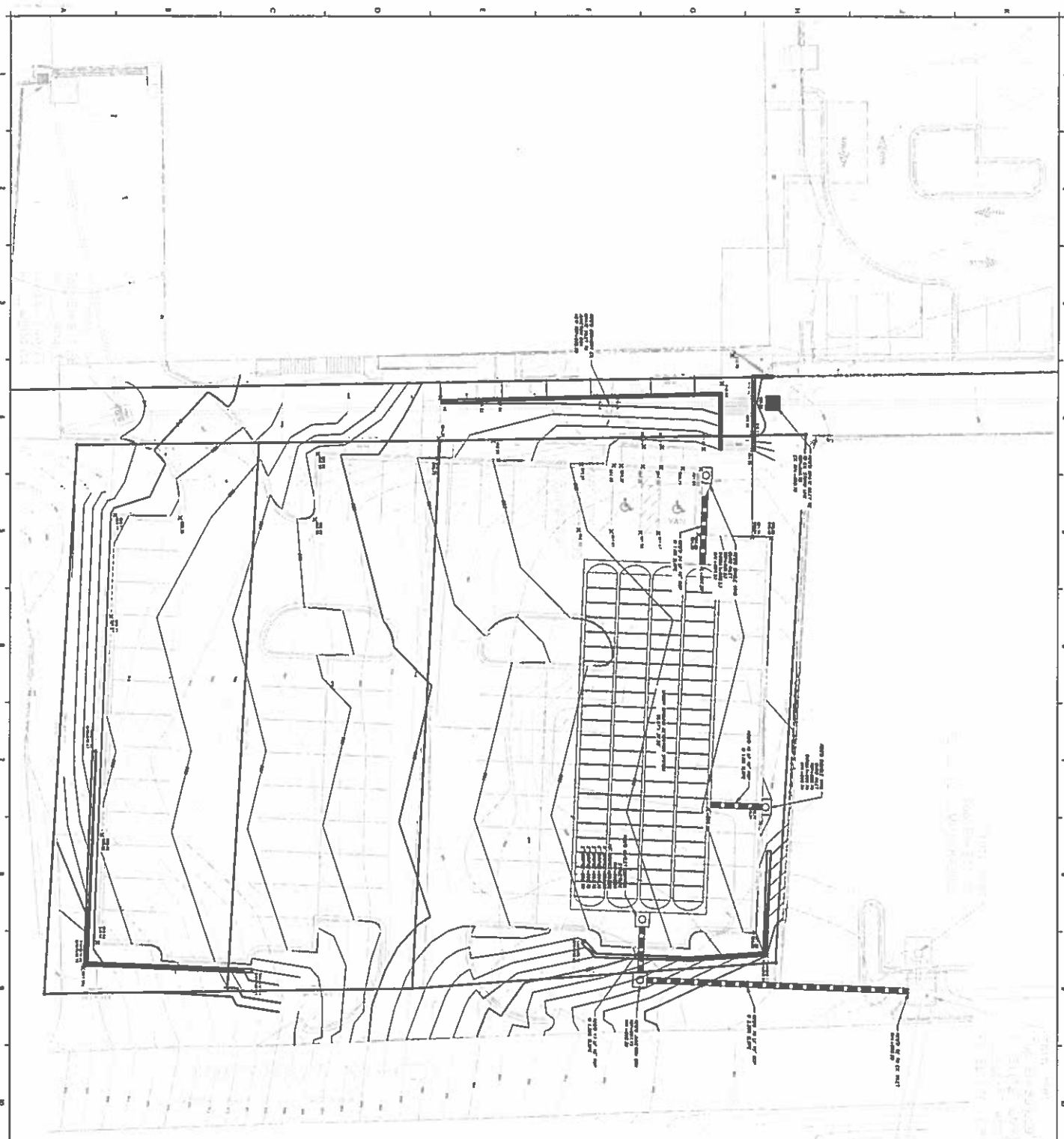
GMC # CBHM170052

DATE: 08.09.2017

DRAWN BY:

2701 1st Avenue S
 Birmingham, AL 35233
 T 205.879.4462
 GMCNETWORK.COM





- Legend**
- X 2x30 Proposed Steel Drainage
 - 40- Finished Drive Center Line
 - 2- Catcher (1st 17' shown)
 - ▽ Slope along Drive (1:125)
 - ▽ Slope along Catch Basin (1:125)
 - (with 'D') Proposed 18" (18") Dia. Storm Sewer
 - (with 'S') Storm Sewer (18" or 24")

SITE GRADING AND DRAINAGE PLAN

VESTAVIA VILLAGE
VESTAVIA HILLS ALABAMA

GMC Project # CBHM70052

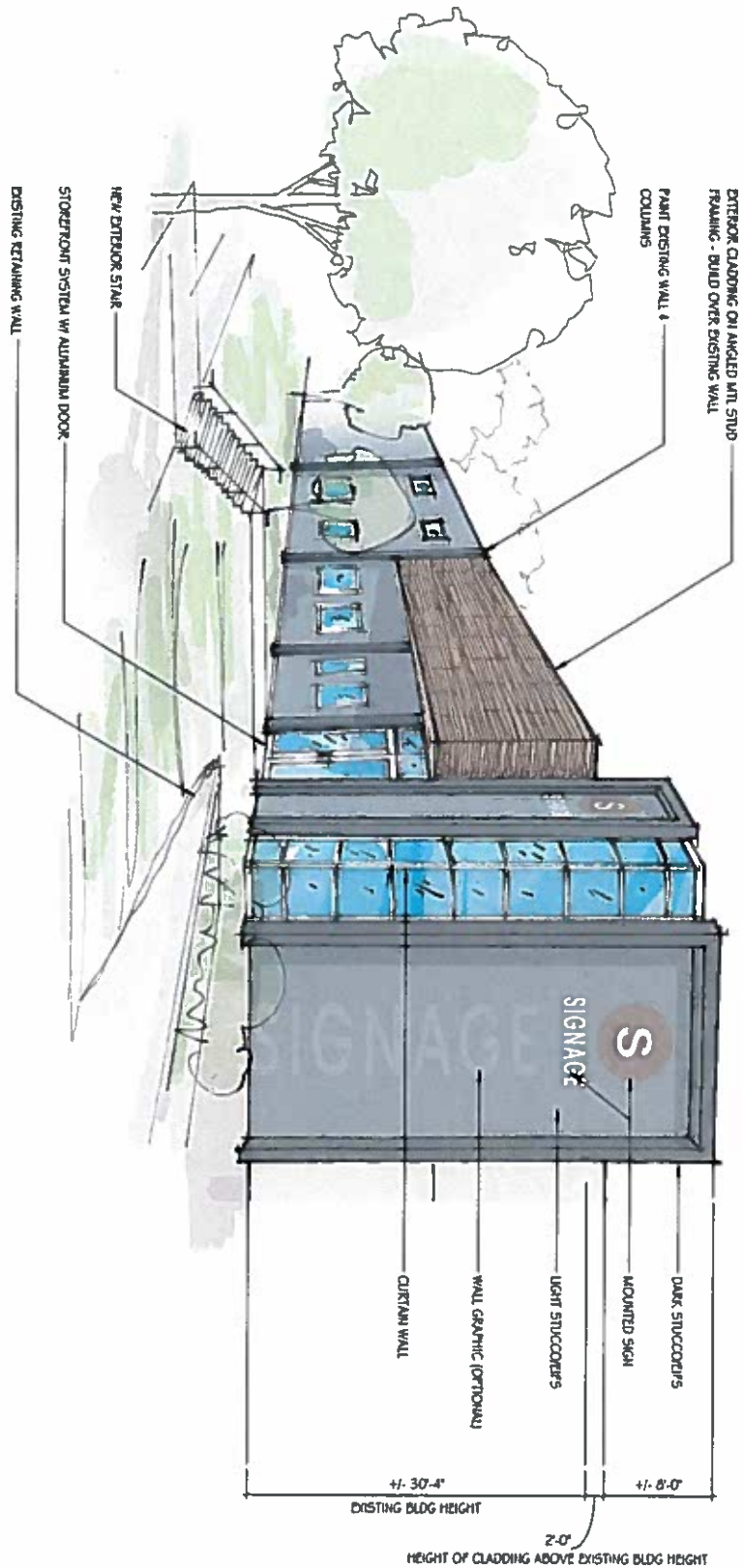
ISSUE DATE

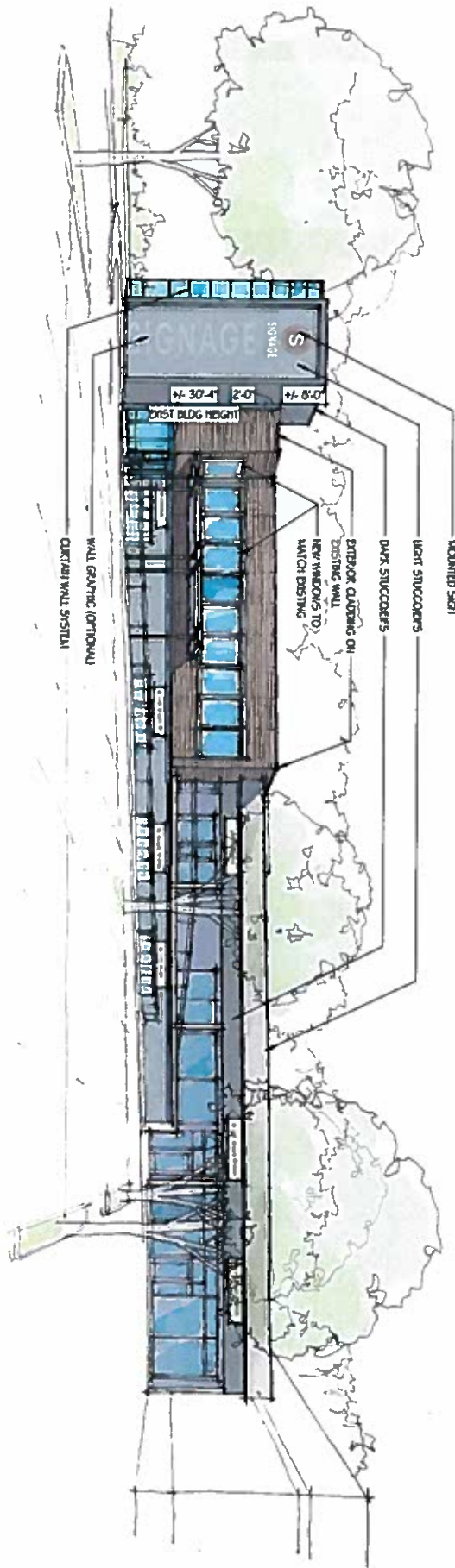
NO.	DESCRIPTION	DATE

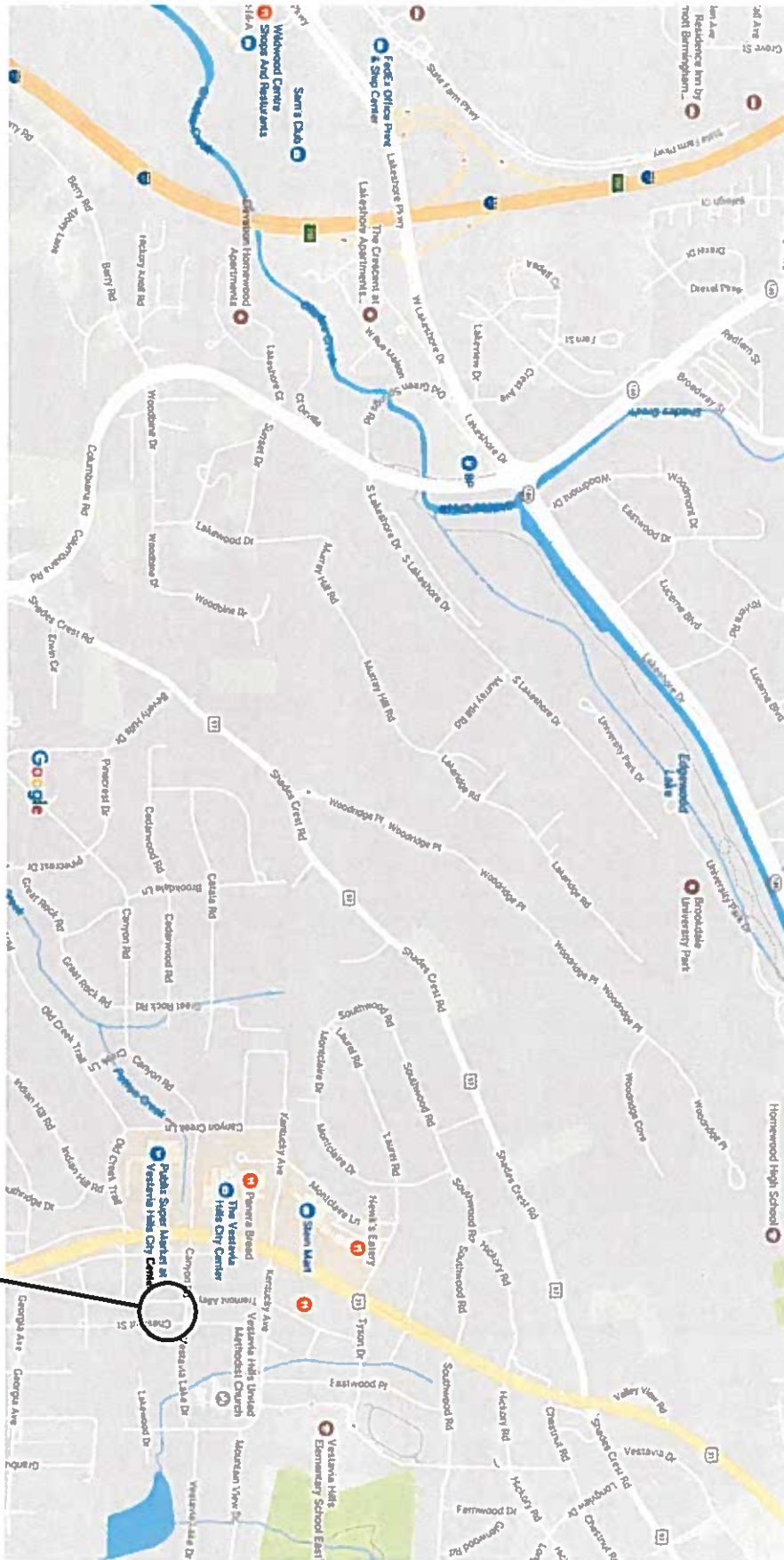
2701 1st Avenue S
Birmingham, AL 35223
T 205.678.6462
www.gmcworld.com



C2.0







VICINITY MAP

PROJECT LOCATION

VESTAVIA VILLAGE
VESTAVIA HILLS, ALABAMA

C0.2

LOT RE-ZONING
GMC# CBHM170052
DATE: 08.09.2017
DRAWN BY:

2701 1st Avenue S
Birmingham, AL 35233
T 205.878.4462
GMCNETWORK.COM



VICINITY MAP

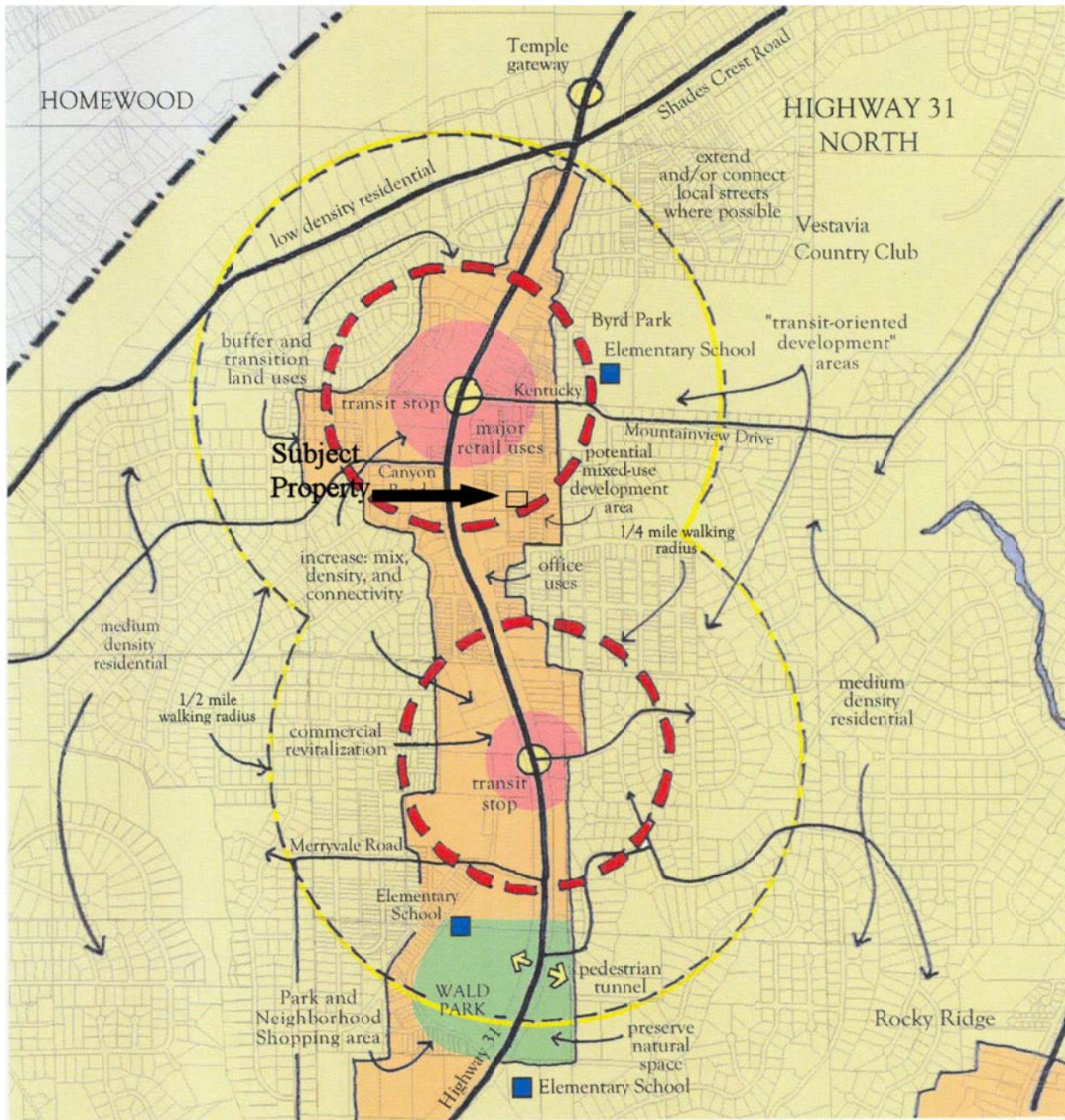
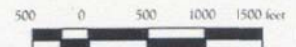
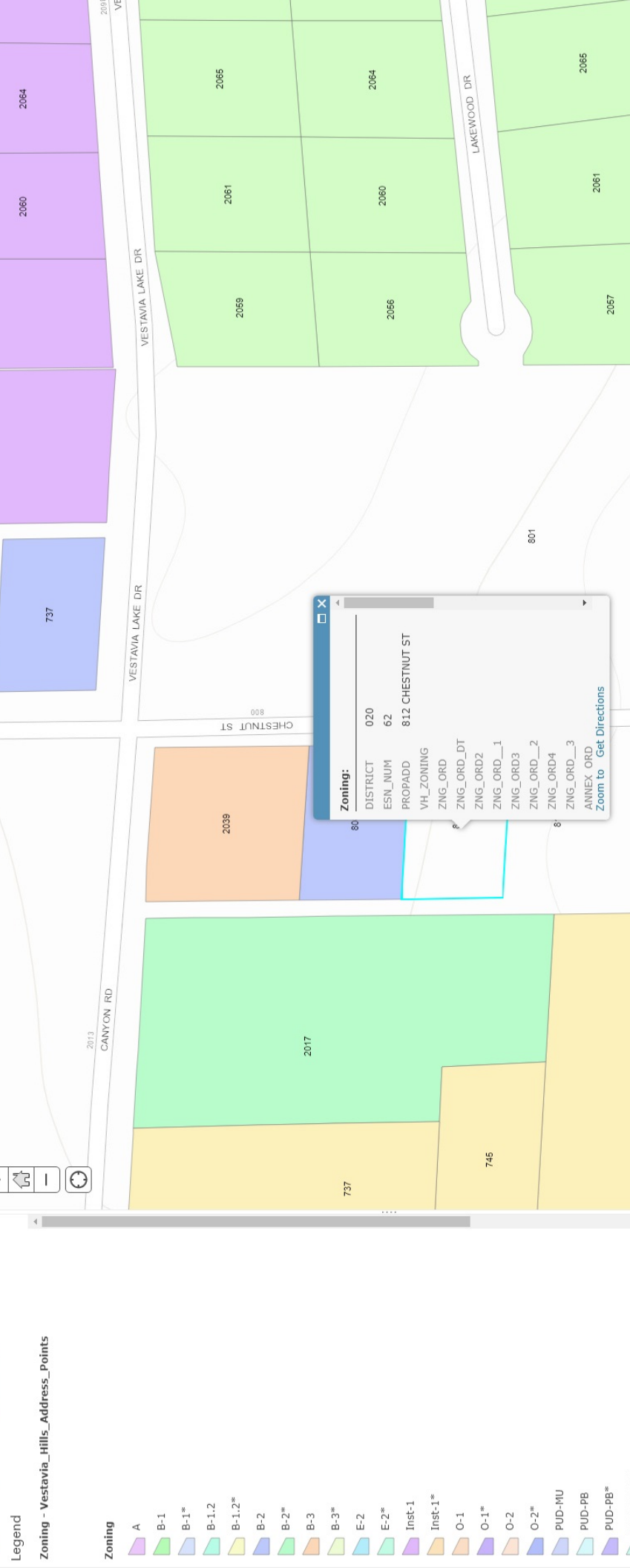


Figure 17: Highway 31 North
Land Use Analysis

- Neighborhood - primarily low / medium density singlefamily residential areas with higher densities near village centers(s). Other uses may include schools, places of worship, recreational areas, and open space.
- Village Center - mixed use centers with highest densities in core areas. Mix of uses should include retail and service businesses, professional offices, high density residential areas, institutions, recreation areas, and public spaces.
- Commercial Core - primarily high density, retail and service business areas with professional offices and multi-family residences on upper floors or on periphery. Other uses may include institutions and public space.
- Gateways and Nodes - Gateways are entryways into the community or village enhanced with consistent signage, landscaping, and other elements. Nodes are sites, such as transit stops, where public spaces, signage, and other public design elements should be considered.

- Professional Offices - primarily professional office uses. Density should vary according to surroundings. Other uses may include retail and services (supporting offices and employees), places of worship, public spaces, and open space.
- Recreation and Open Space - public and private recreation facilities and preserved natural spaces. Recreation facilities may be active, passive or combined. Open spaces are areas preserved in a natural state and may include passive recreational uses.
- Trailheads - Trailheads are public sites along a trail, where bike racks, seating, parking, and public amenities are provided for trail users.
- Schools - School facilities administered by the Vestavia Hills School System.





RESOLUTION NUMBER 5002

**A RESOLUTION APPROVING AND ASSENTING
TO A DECLARATION OF VACATION**

WITNESSETH THESE RECITALS

WHEREAS, a Declaration signed by the owners of all the lands abutting the following described portions of public rights-of-way situated in the City of Vestavia Hills, Jefferson County, Alabama, vacating said portions of public rights-of-way, has been duly presented to the City Council of the City of Vestavia Hills, Alabama, for assent and approval of said governing body; and

WHEREAS, a copy of said Declaration with map attached is marked as “Exhibit A”, attached hereto and incorporated into this Resolution by reference as though set out fully herein; and

WHEREAS, the above-referenced portions of public rights-of-way is commonly referred to as “portions of public rights-of-way (alley)” and is more particularly described as follows:

A portion of an Alley located in part of the South Birmingham Heights Map (MB 7, Page 41) recorded in the Probate Office of Jefferson County, Alabama) Section 30, Township 18 South, Range 2 West and being more particularly described as follows:

BEGIN at the Northeast Corner of Lot 30 Block 14 of said South Birmingham Heights Map, Thence S 87 degrees 10’ 33” E 15.75’; Thence S 00 degrees 55’ 53” E 399.92’; Thence N 85 degrees 04’ 13” W 15.11’; Thence N 01 degrees 01’ 50” W 399.41’ to the point of beginning. Parcel contains 0.14 AC (6142 S.F.) more or less.

WHEREAS, it appears to the City Council of the City of Vestavia Hills, Alabama, that said vacated portions of rights-of-way shall still allow convenient and reasonable means of access as well as sewer access to all utilities running through the tract of land or eventually located in said tract of land; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the vacation of the hereinabove described portions of public rights-of-way is assented to and approved and the same is hereby vacated pursuant to the provision of Section 23-4-20 of the Code of Alabama, 1975.

RESOLVED, DONE AND ORDERED, on this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

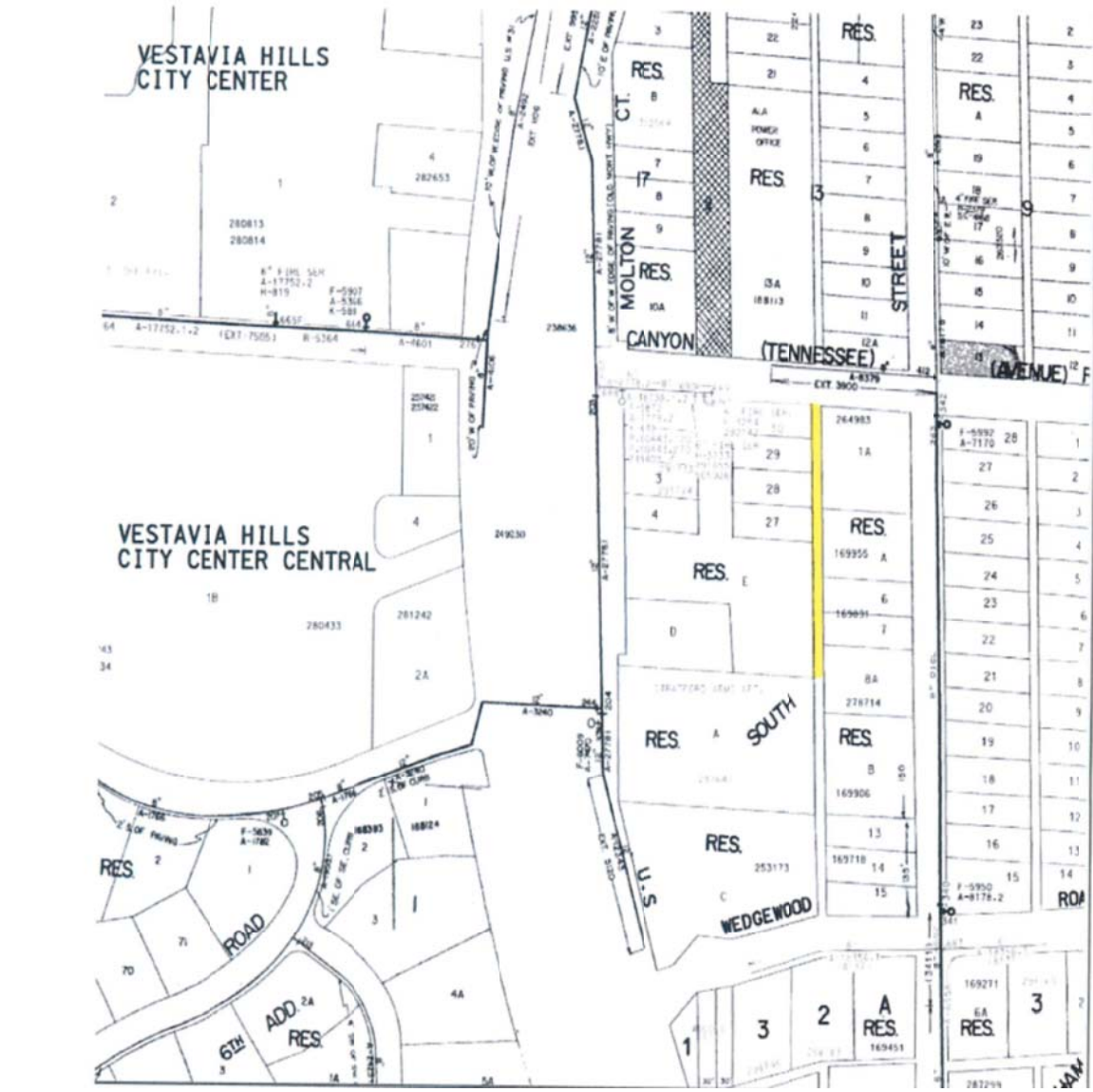
CERTIFICATION

I, the undersigned qualified Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true copy of a Resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 8th day of January, 2018, and that such Resolution is of record in the Minute Book of the City at page _____ thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the _____ day of _____, 2018.

Rebecca Leavings
City Clerk

“Exhibit A”



**STATE OF ALABAMA
JEFFERSON COUNTY**

DECLARATION OF VACATION

We, the undersigned, constituting all of the owners of all property abutting a public alley _____ as same appears on the ~~Plat of~~ Survey of South Birmingham Heights _____ which Plat is recorded in ~~Plat-Book~~ Map Book 7 _____, at Page 41 _____, in the Probate Office of Jefferson County, Alabama, do hereby declare that each of said Plats embraced within the boundaries of said public alley _____ as the same appears of record on the Plat to be vacated, and said public alley _____ is hereby declared vacated. The undersigned do hereby respectfully represent and warrant as follows:

1. This Declaration of Vacation of this public alley _____ is prepared, executed, delivered and recorded to and in accordance with the provisions of Section 23-4-20 and Section 35-2-54, Code of Alabama, 1975.

2. It is in the best public interest that this public alley _____ be closed and vacated.

3. Such vacation will not deprive other property owners of a convenient and reasonable means of ingress and egress to their property.

4. This public alley _____ is situated in the City of Vestavia Hills, Jefferson County, Alabama, _____ and _____ appears ~~at~~ between Chestnut Street and Montgomery Hwy and South of Vestavia Lake Drive _____

_____. A copy of the map reflecting the location of this public alley _____ is attached hereto and incorporated into this Declaration of Vacation as a part hereof.

5. The street address and legal descriptions of all property abutting this public alley _____ and the names and addresses of the owner of said abutting properties are as follows:

A. Street Address: 2017 Canyon Road, Vestavia, AL 35213

Legal Description: Lots 27, 28, 29, 30 Block 14 or MB 7, Pg. 41 and Lot E of MB 60, Pg. 38.

Owners' Name(s): Sloss HTP Inc.

B. Street Address: 2039 Canyon Road, Vestavia, AL 35216

Legal Description: Lots 1-3 of Block 14 MB 7, Pg. 41

Owners' Name(s): Pinnacle Bank

C. Street Address: 808 Chestnut St., Vestavia, AL 35216

Legal Description: Lot A MB 60, Pg. 39

Owners' Name(s): Sloss HTP Inc.

D. Street Address: 812 Chestnut St., Vestavia, AL 35216

Legal Description: Lots 6 and 7 Block 14 MB 7, Pg. 41

Owners' Name(s): Sloss HTP Inc.

E. Street Address: 814 Chestnut St., Vestavia, AL 35216

Legal Description: Lots 8 and 9 Block 14 MB 7, Pg. 41

Owners' Name(s): Maddox, Paul and Amy

F. Street Address: _____


Legal Description: _____


Owners' Name(s): _____

6. All of the undersigned do hereby declare this public alley to be vacated and respectfully request the assent of the City Council of the City of Vestavia Hills, Alabama, to said vacation of this public alley and its approval of the same.

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on this the _____ day of _____, 20_____.

SIGNATURES OF ABUTTING PROPERTY OWNERS:

(notary on following pages)
Gloss HT?, Inc., By Gloss Real Estate Company, Inc., its Agent
by:  its Executive Vice PRESIDENT
JACK PETERSON

 814 CHESTNUT ST
by Maddox

STATE OF ALABAMA

GENERAL ACKNOWLEDGMENT

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Jack Peterson and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 2nd day of November, 2017.

Luann Furrie Bowser
Notary Public
LUANN FURRIE BOWSER
Notary Public, Alabama State At Large
My Commission Expires
August 04, 2020

STATE OF ALABAMA

GENERAL ACKNOWLEDGMENT

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Paul Maddox and Amy Maddox, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 6th day of November, 2017.

Lauren Elise Faulkner
Notary Public

LAUREN ELISE FAULKNER
Notary Public, Alabama State At Large
My Commission Expires July 27, 2021

6. All of the undersigned do hereby declare _____ to be vacated and respectfully request the assent of the City Council of the City of Vestavia Hills, Alabama, to said vacation of _____ and its approval of the same.

IN WITNESS THEREOF, the undersigned have hereunto set our hands and seals on this the _____ day of _____, 20_____.

SIGNATURES OF ABUTTING PROPERTY OWNERS:

(notary on following pages)

Robert B Nolen, President, Pinnacle Bank

STATE OF ALABAMA

GENERAL ACKNOWLEDGMENT

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Robert B. Nolen, Jr. and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 6th day of November, 2017.

Michelle L. Chambers

Notary Public

MCE: 11/27/17



STATE OF ALABAMA

GENERAL ACKNOWLEDGMENT

JEFFERSON COUNTY

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that _____ and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

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

Notary Public

Vestavia Village -Public Alley Description

An Alley being part of the South Birmingham Heights Map, (Map Book 7 Page 41, recorded in the Probate Office of Jefferson County, Alabama) Section 30 Township 18 South, Range 2 West and being more being more particularly described as follows:

BEGIN at the Northeast Corner of Lot 30 Block 14 of said South Birmingham Heights Map,

Thence S $87^{\circ} 10' 33''$ E a distance of 15.75 feet to a point, point being the Northwest Corner of Lot 1 Block 14 of said South Birmingham Heights Map;

Thence along the East Line of herein described and the West Line of Lots 1, 2 and 3 of Block 14 of said South Birmingham Heights Map, S $01^{\circ} 05' 20''$ E a distance of 149.63 feet to the Southwest Corner of Lot 3 Block 14 of said South Birmingham Heights Map;

Thence along the West Line of Lot A of Plat - "A Resurvey of Lots 4 & 5, Block 14 South Birmingham Heights" (Map Book 60 Page 39, recorded in the Probate Office of Jefferson County, Alabama), S $01^{\circ} 03' 04''$ E a distance of 100.03 feet to the Northwest Corner of Lot 6, Block 14 of said South Birmingham Heights Map;

Thence along the West Line of Lot 6, Block 14 of said South Birmingham Map, S $00^{\circ} 39' 31''$ E a distance of 50.02 feet to Northwest Corner of Lot 7, Block 14 of said South Birmingham Heights Map;

Thence along the West Line of Lot 7, Block 14 of said South Birmingham Heights Map; S $00^{\circ} 42' 47''$ E a distance of 49.99 feet to the Northwest Corner of Lot 8, Block 14 of said South Birmingham Heights Map;

Thence along the West Line of Lot 8, Block 14 of said South Birmingham Heights Map; S $00^{\circ} 42' 47''$ E a distance of 50.26 feet to the Southwest Corner of Lot 8, Block 14 of said South Birmingham Heights Map;

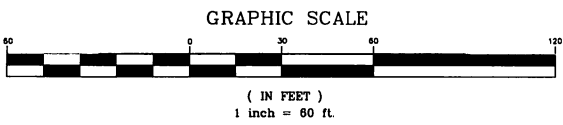
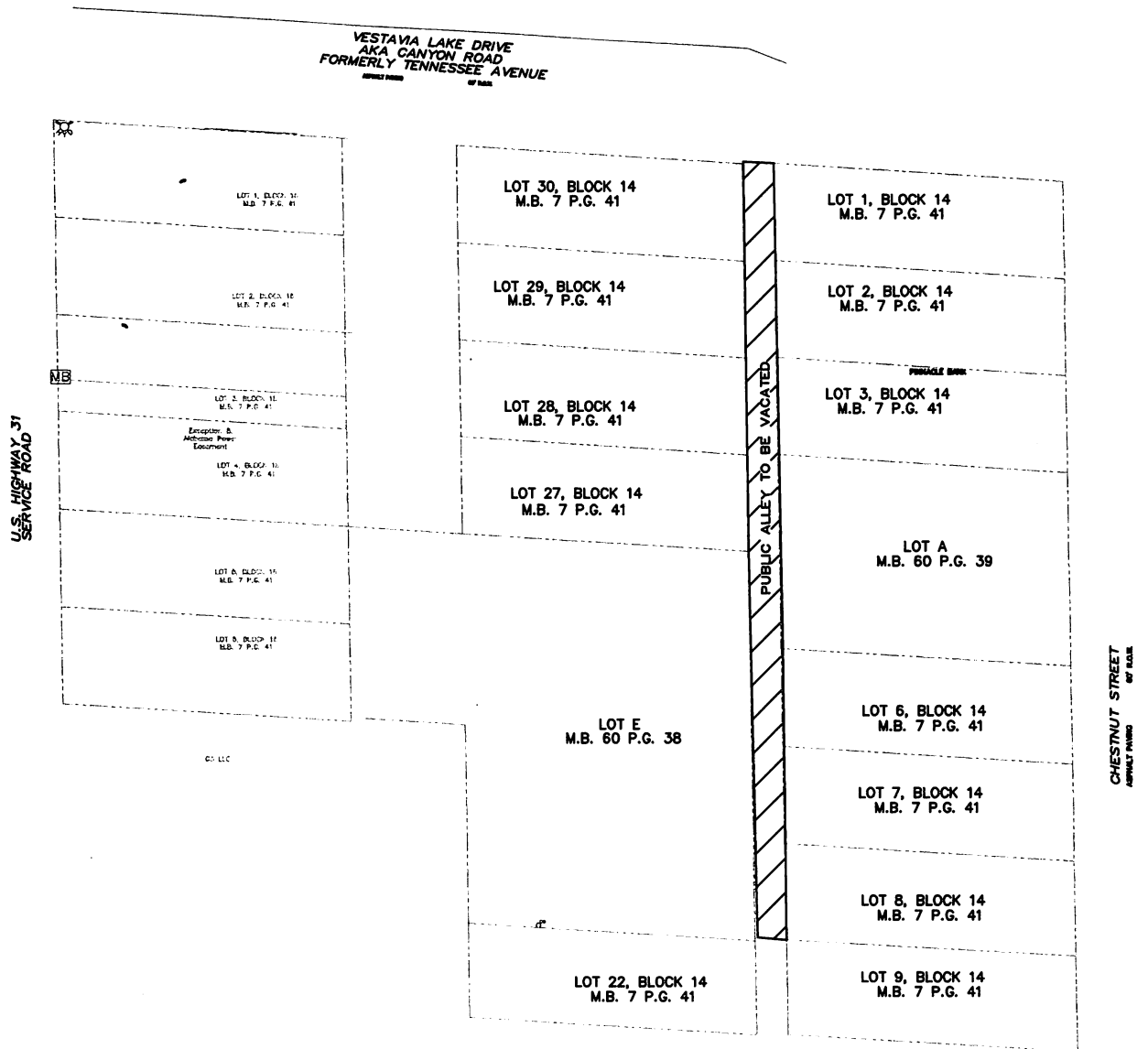
Thence leaving West line of said Lot 8, N $85^{\circ} 04' 13''$ W a distance of 15.11 feet to the Southeast Corner of Lot E of Plat - "A Resurvey of Lots 5, 6, 7, & 8 Block 18 and Lots 23, 24, 25, & 26, Block 14 South Birmingham Heights (Map Book 60 Page 38, recorded in the Probate Office of Jefferson County, Alabama);

Thence along the East Line of Said Lot E N $01^{\circ} 18' 05''$ W a distance of 198.84 feet to the Southeast Corner of Lot 27, Block 14 of said South Birmingham Heights Map;

Thence along the East Line of Lots 27, 28, 29 & 30 Block 14 of said South Birmingham Heights Map ; N $00^{\circ} 45' 43''$ W a distance of 200.58 feet to the POB of herein described Alley.

Described parcel contains 0.15 AC (6458 S.F.) more or less.

MAP OF ALLEY ROW TO BE VACATED



Goodwyn Mills Cawood

November 2, 2017

CITY OF VESTAVIA HILLS
DEPARTMENT OF PUBLIC SERVICES
OFFICE OF CITY ENGINEER
INTER-DEPARTMENT MEMO

December 13, 2017

To: Rebecca Leavings, City Clerk

CC: Brian Davis, Director of Public Services

From: Christopher Brady, City Engineer

RE: vacation of alley, 2017 Canyon Road, Todd Mall

I have reviewed the requested vacation of this alley. Alabama Power currently has utility poles and lines within this alley. I hereby provide favorable recommendation for approval contingent on final platting documenting an easement for these utilities.

Please let me know if questions,

Sincerely,
-Christopher





2 Industrial Park Drive
Pelham, Alabama 35124

November 7, 2017

Rebecca Leavings
City Clerk for City of Vestavia Hills, Alabama
1032 Montgomery Hwy
Vestavia Hills, Alabama 35216

RE: Proposed vacation of Vestavia Medical Village Alley

Dear Ms Leavings:

Alabama Power Company ("APCo") has no objection to the proposed vacation of the alley identified in a letter dated October 4, 2017 from Goodwyn Mills Cawood. APCo does not consent, however, to the vacation of any of its statutorily protected easement rights within the area at issue. It is my understanding, however, that there is no intent or need to vacate any such property right of APCo. If that is not correct, please let me know at your earliest convenience. To the extent that it is helpful, the total right of way for APCo is 30 feet total, 15 feet on both sides of center line, plus anchors, for any existing overhead lines, and 10 feet total, 5 feet on both sides of center line, for any existing underground facilities that may be in place within this easement area.

Should the need arise for the company to modify existing or extend additional facilities, APCo will acquire the necessary rights of way from the owner of record date.

I trust this letter is sufficient for your needs but if not, please call me at (205) 226-1754

Sincerely,

A handwritten signature in black ink, appearing to read "Dean Fritz", written over a horizontal line.

Dean Fritz
Corporate Real Estate
Alabama Power Company



AT&T - Alabama
3196 Highway 280
Room 102N
Birmingham, AL 35243

October 17, 2017

J. Coleman Williams, PE
Civil Department Manager
Goodwyn Mills Cawood
2701 1st Avenue South
Suite 100
Birmingham, AL 35233

Dear Sir:

You may present this letter to interested parties as evidence that AT&T owns and maintains existing facilities within the recorded right of way shown as a public alley that is proposed to be vacated on the ALTA/NSPS Land Title Survey.

The referenced parcel is situated in the NW ¼ of Section 30, Township 18 South, Range 2 West, located in the City of Vestavia Hills, Alabama. AT & T has no objection to the vacation of said right-of-way provided it is not required by the City to remove or relocate existing facilities and that the vacated right of way can be replaced with an easement.

Should you have questions or need additional information, please feel free to contact Liz Smith, at (205) 970-5468; or email ls5947@att.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeffery R. Wilson".

Jeffery R. Wilson
Area Manager - OSP - Planning & Eng. Design
AT&T - Alabama

JEFFERSON COUNTY COMMISSION



JAMES A. "JIMMIE" STEPHENS - PRESIDENT
GEORGE F. BOWMAN
SANDRA LITTLE BROWN
DAVID CARRINGTON
T. JOE KNIGHT

November 1, 2017

TONY PETELOS

CHIEF EXECUTIVE OFFICER

DAVID DENARD
Director of Environmental Services Department
SUITE A300
716 Richard Arrington, Jr. Blvd. N.
Birmingham, Alabama 35203
Telephone (205) 325-5496
FAX (205) 325-5981

Mr. Cole Williams
Goodwyn, Mills & Cawood
2701 1st Avenue South
Birmingham, Alabama 35233

RE: Requested vacation of an existing public alley right of way (South Birmingham Heights – Map Book 7, Page 41) in the city of Vestavia Hills (NW¼ of section 30-18-2W)

Dear Mr. Williams:

This responds to your letter dated October 4, 2017 to Jim Henderson in the County's Roads and Transportation Department Right of Way Division regarding the vacation of an existing public alley right of way referenced above (said public alley right of way highlighted in blue on enclosed drawing "A"). It should be noted that prior to 1998, the City of Vestavia Hills owned, maintained and operated the sanitary sewer collection system within their municipal limits resulting in the County Environmental Services Department receiving limited records of these sanitary sewers at the time they were acquired by the County. It appears, to the best of our knowledge, that no County maintained sanitary sewers exist within said public alley right of way. Based on the aforementioned, we have no objection to the vacation of said public alley right of way insofar as sanitary sewers are concerned. This letter should not be construed that the County warrants the accuracy of information provided to us by others.

Sincerely,

David Denard
Director of Environmental Services Department

DD/WMA/sh

cc: Denise Shelton, Chief Land Acquisition Agent, Roads & Transportation Department
Emily Kemp, Chief Civil Engineer, Environmental Services Department

Enclosure

GOODWYN MILLS | CAWOOD

2701 1st Ave South, Suite 100 | Birmingham, AL 35213
Tel 205.878.4422 | GCMC.NETWORK.COM

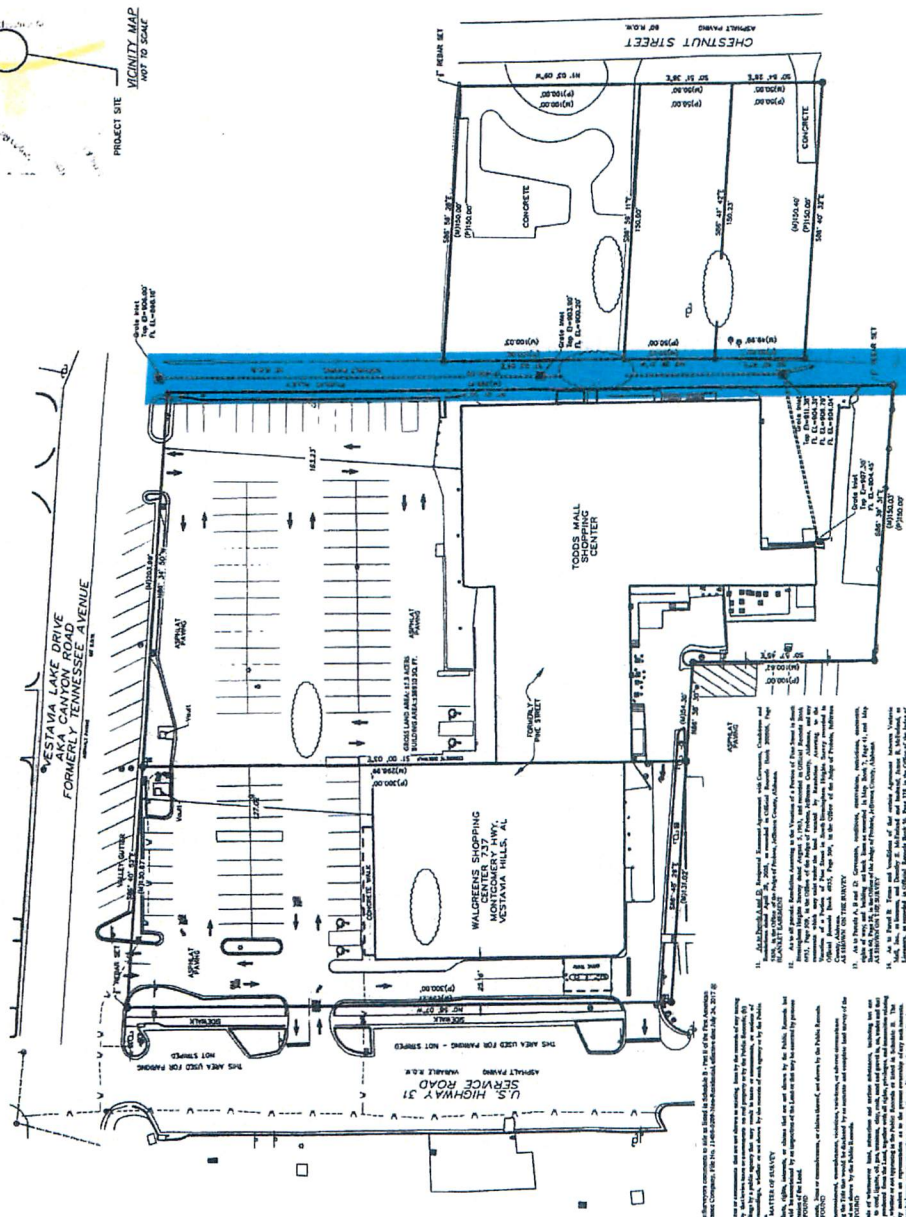
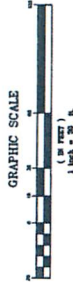
Issue Date	08/27/20
Drawn By	MTB
Checked By	JRW

VESTAVIA VILLAGE ALTA

ALTA/NSPS
LAND TITLE SURVEY



CBHMT0052



ALTA/NSPS Land Title Survey

1. ALL RIGHTS RESERVED. THIS SURVEY IS THE PROPERTY OF THE SURVEYOR AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE SURVEYOR.

2. THIS SURVEY IS BASED ON THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, ALABAMA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, MISSISSIPPI, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, LOUISIANA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, MISSOURI, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, ILLINOIS, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, INDIANA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, OHIO, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, PENNSYLVANIA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, MARYLAND, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, DELAWARE, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, VIRGINIA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, NORTH CAROLINA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, SOUTH CAROLINA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, GEORGIA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, FLORIDA, AND THE RECORDS OF THE PUBLIC BUREAU OF RECORDS AND MAPS, ALABAMA.

PROPERTY DESCRIPTION

1. All rights reserved. This survey is the property of the surveyor and is not to be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the written permission of the surveyor.

2. This survey is based on the records of the public bureau of records and maps, Alabama, and the records of the public bureau of records and maps, Mississippi, and the records of the public bureau of records and maps, Louisiana, and the records of the public bureau of records and maps, Missouri, and the records of the public bureau of records and maps, Illinois, and the records of the public bureau of records and maps, Indiana, and the records of the public bureau of records and maps, Ohio, and the records of the public bureau of records and maps, Pennsylvania, and the records of the public bureau of records and maps, Maryland, and the records of the public bureau of records and maps, Delaware, and the records of the public bureau of records and maps, Virginia, and the records of the public bureau of records and maps, North Carolina, and the records of the public bureau of records and maps, South Carolina, and the records of the public bureau of records and maps, Georgia, and the records of the public bureau of records and maps, Florida, and the records of the public bureau of records and maps, Alabama.

LEGEND	
⊕	POWER POLE
⊗	IRIGATION VALVE
⊙	LIGHT POLE
⊕	WATER METER
⊕	CLEAN OUT
⊕	GAS REGULATOR
⊕	POWER METER
⊕	POWER BOX
⊕	PROPERTY CORNER FOUND
⊕	1/2" CAPTED REBAR SET
⊕	GA & CL 0056
⊕	CONTROL POINT
⊕	BOUNDARY
⊕	AIR CONDITIONING UNIT
⊕	WALKWAY
⊕	RAIL FRONT OF WAY
⊕	NOTES
⊕	LAUNCHES
⊕	BOUNDARY LINE
⊕	CHANGING WIDTH
⊕	CONCRETE POWER
⊕	UNDERGROUND POWER

1. All rights reserved. This survey is the property of the surveyor and is not to be reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without the written permission of the surveyor.

2. This survey is based on the records of the public bureau of records and maps, Alabama, and the records of the public bureau of records and maps, Mississippi, and the records of the public bureau of records and maps, Louisiana, and the records of the public bureau of records and maps, Missouri, and the records of the public bureau of records and maps, Illinois, and the records of the public bureau of records and maps, Indiana, and the records of the public bureau of records and maps, Ohio, and the records of the public bureau of records and maps, Pennsylvania, and the records of the public bureau of records and maps, Maryland, and the records of the public bureau of records and maps, Delaware, and the records of the public bureau of records and maps, Virginia, and the records of the public bureau of records and maps, North Carolina, and the records of the public bureau of records and maps, South Carolina, and the records of the public bureau of records and maps, Georgia, and the records of the public bureau of records and maps, Florida, and the records of the public bureau of records and maps, Alabama.



October 10, 2017

#618

Goodwyn Mills & Cawood
Attn: Cole Williams
2701 1st Avenue, South
Suite 100
Birmingham, AL 35233

Dear Mr. Williams:

You may present this letter to interested parties as evidence that The Water Works Board of the City of Birmingham has no existing facilities within that portion of the alley way to be vacated south of Canyon Road, said alley way lying east of Lots 27-30 and Lot E; Block 14, situated in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 30, Township 18 South, Range 2W, in the City of Vestavia Hills, Alabama. Therefore, the Water Board has no objection to the vacation of said alley way.

Should you have questions or need additional information, please feel free to contact Ms. Antris Betts, Systems Development Aid II – System Development, at (205) 244-4262; or you may contact Ms. Betts via email at antris.betts@bwwb.org.

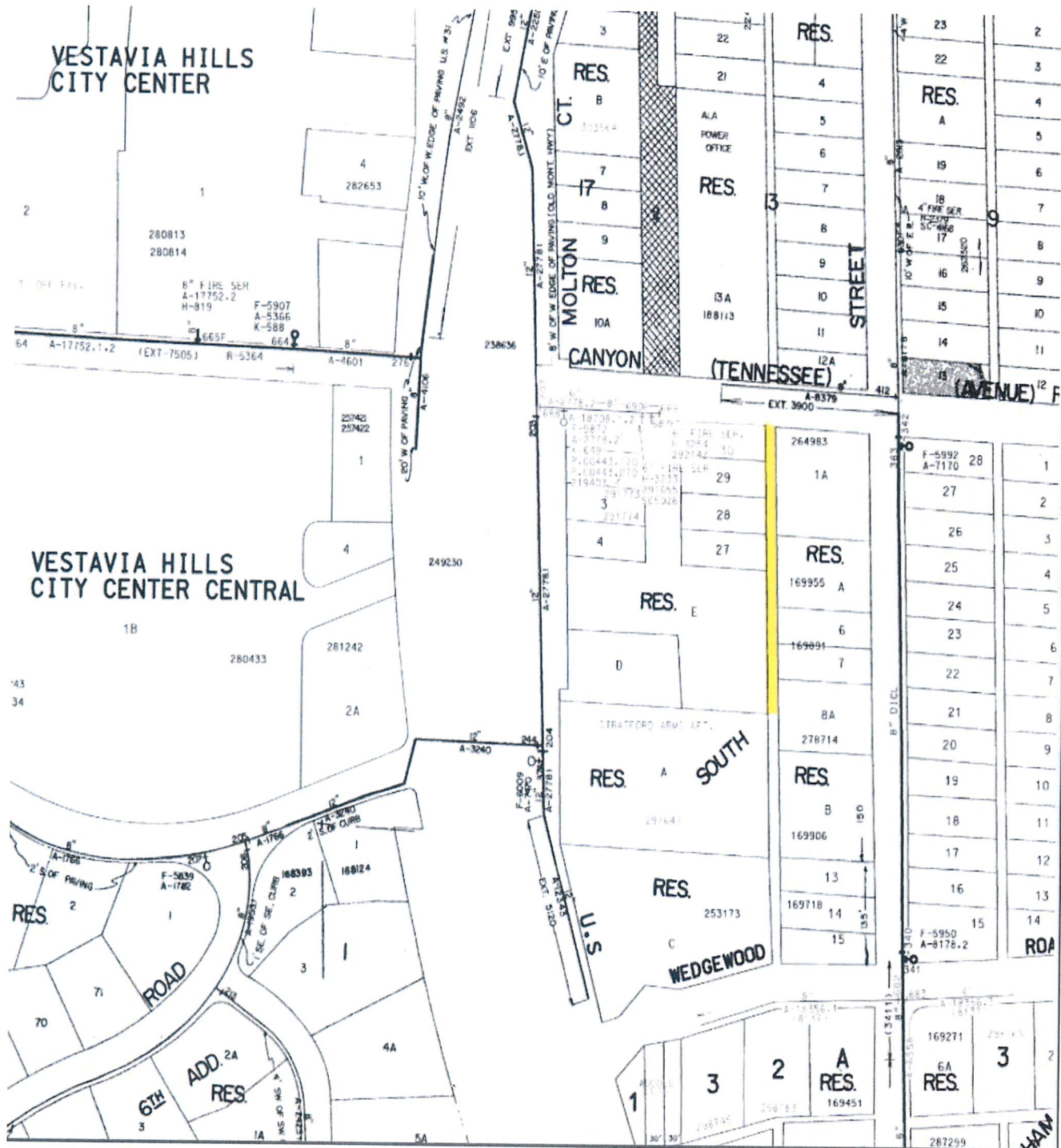
Very truly yours,

Stacy Johnson

Stacy Johnson
Assistant Manager - System Development

AB/sj

D.P. 451-1
SMH



I:\emp JA\2017\Water Avail Ltrs\Bett\No EXIS FACILITIES within Alley Way to be vacated south of Canyon Rd btw HWY 31 and Chestnut St Goodwyn Mills Cawood 451 1 10 10 17.doc



formerly The Laclede Group

Spire Inc.
2101 6th Ave North
Birmingham, AL 35203

October 30, 2017

Sloss HTP, Inc.
c/o Goodwyn Mills Caywood
2701 1st Avenue South
Birmingham, AL 35233

Re: Vestavia Medical Village Alley Vacation, Vestavia Hills, AL

Vacation: Vacate a public Alley that intersects with Canyon Road between the existing Todd Mall and the Pinnacle Bank.

Sloss HTP, Inc.,

In response to Mr. J. Coleman Williams' letter dated October 4, 2017 relative to the above referenced Vacation.

Please be advised that Spire Alabama Inc., has facilities within the area to be vacated. Spire Alabama Inc. is requesting that a utility easement be included in the Vacation Ordinance that will protect our existing facilities and will grant Spire Alabama Inc. the right to ingress and egress for the proper maintenance of these facilities.

Sincerely,

A handwritten signature in black ink that reads "Tod J. Fagan".

Tod J. Fagan
Manager, Right of Way
Spire Alabama Inc.

TJF:jw
cc: Mr. J. Coleman Williams



formerly The Laclede Group

Spire Inc.
2101 6th Ave North
Birmingham, AL 35203

October 30, 2017

Sloss HTP, Inc.
c/o Goodwyn Mills Caywood
2701 1st Avenue South
Birmingham, AL 35233

Re: Vestavia Medical Village Alley Vacation, Vestavia Hills, AL

Vacation: Vacate a public Alley that intersects with Canyon Road between the existing Todd Mall and the Pinnacle Bank.

Sloss HTP, Inc.,

In response to Mr. J. Coleman Williams' letter dated October 4, 2017 relative to the above referenced Vacation.

Please be advised that Spire Alabama Inc., has facilities within the area to be vacated. Spire Alabama Inc. is requesting that a utility easement be included in the Vacation Ordinance that will protect our existing facilities and will grant Spire Alabama Inc. the right to ingress and egress for the proper maintenance of these facilities.

Sincerely,

A handwritten signature in black ink that reads "Tod J. Fagan".

Tod J. Fagan
Manager, Right of Way
Spire Alabama Inc.

TJF:jw
cc: Mr. J. Coleman Williams

RESOLUTION NUMBER 5003

A RESOLUTION DETERMINING THE VALUE OF VACATED RIGHT-OF-WAY

WHEREAS, on the 8th of January, 2018, the City Council of the City of Vestavia Hills, Alabama, adopted and approved Resolution Number 5002, vacating a portion of rights-of-way pursuant to the provisions of Section 23-4-20 of the Code of Alabama, 1975; and

WHEREAS, Section 11-49-6, Code of Alabama, 1975 requires: *“as a condition of exercise of such power to vacate, the governing body may require abutting landowners who will directly benefit from such vacation to pay to such municipality a vacation of right-of-way fee equal to the fair market value of the land which will be added to the holdings of such abutting landowners”*; and

WHEREAS, Section 11-49-6, Code of Alabama, 1975 further requires that: *“In no event shall the said vacation of right-of-way fee exceed the assessed value per square foot of all subdivision lots or tracts abutting the right-of-way to be vacated applied to square foot area of real property to be added to the holdings of each abutting landowner paying such fee; provided, however, the determination of such a fee in a lesser amount by the governing body of the municipality shall be conclusive as to its amount”*; and

WHEREAS, the terms of this Resolution shall be based upon the following definitions:

- (1) the “fair market value” of the property is the value of the land as determined by the Jefferson County Board of Equalization; and
- (2) the “assessed value” of the property is determined by the classification of the property (i.e. “Class 1” residential, owner-occupied; “Class 2” residential, non-owner-occupied)

WHEREAS, an analysis of the Jefferson County Board of Equalization records detail abutting subdivision lots currently shown at *fair market value* of \$5.14 per square foot with a “Class 2”, non-owner occupied classification bringing the *assessed value* of the property to \$1.03 per square foot; and

WHEREAS, the applicant has requested and the City Council has approved the vacation of 6,458 square feet of right-of-way for a total amount due of \$6,651.74.

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

1. The Council has determined that the value of the property vacated in Resolution Number 4196 is calculated at an amount equivalent to \$6,651.74; and
2. Said value along with all cost of advertising pursuant to Alabama law shall be remitted to the City Clerk prior to filing said vacation in the Office of the Judge of Probate of Jefferson County; and
3. Said Resolution Number 5003 shall become effective immediately upon adoption and approval and posting/publishing as required by Alabama law.

ADOPTED and APPROVED this the 8th day of January, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk