

**Vestavia Hills
City Council Agenda
January 8, 2018
5:30 PM**

1. Call to Order
2. Roll Call
3. Invocation – James L. (Butch) Williams, Vestavia Hills United Methodist Church, Pastor of Care & Support Ministries
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. Proclamation – Human Trafficking Awareness Month – January 2018
7. City Manager’s Report
8. Councilors’ Reports
9. Financial Reports – Melvin Turner, III – Finance Director
10. Approval of Minutes – December 11, 2017 (Regular Meeting), December 18, 2017 (Work Session), and December 18, 2017 (Regular Meeting)

Old Business

11. Resolution Number 5011 – Annexation – 90 Day – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
12. Ordinance Number 2737 – Annexation – Overnight – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
13. Resolution Number 5012 – Annexation – 90 Day – 1722 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
14. Ordinance Number 2738 – Annexation – Overnight – 1722 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
15. Resolution Number 5013 – Annexation – 90 Day – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
16. Ordinance Number 2739 – Annexation – Overnight – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
17. 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*)
18. 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*)

19. 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*)
20. 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*)
21. 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*)

New Business

New Business (Unanimous Consent Requested)

First Reading (No Action Taken At This Meeting)

22. Citizen Comments
23. Motion For Adjournment

WHEREAS, human trafficking is a very real problem facing the world today and can take many forms including debt bondage, forced marriage, slavery and commercial sexual exploitation; and

WHEREAS, every case goes against the core principles of individual freedom and civil rights that our state and nation stand for; and

WHEREAS, the City of Vestavia Hills is committed to ensuring that our community remains on the front lines in combating this deplorable crime; and

WHEREAS, due to its secretive and illegal nature, it is difficult to accurately quantify the extent of human trafficking. The U.S. Department of State estimates that 600,000 to 800,000 people are trafficked across international borders each year; and

WHEREAS, most victims of human trafficking are women or children who have been marginalized and isolated from society, and the difficulty in grasping the full scope of this problem can be further compounded because people often turn a blind eye to it; and

WHEREAS, the first step in eliminating human trafficking is to educate others. We must work together as a community to ensure that our residents are aware of this problem and how to spot it, and we must ensure so that human traffickers are punished and victims are protected and assisted.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim January 2018 as

HUMAN TRAFFICKING AWARENESS MONTH

and encourage all residents to join us in raising the visibility of this crime, become more informed about this pressing issue, and work to combat its injustice.

IN WITNESS WHEREOF, I
have hereunto set my
hand and caused the Seal
of the City of Vestavia
Hills to be affixed this
the 11th day of January,
2018.

Ashley C. Curry
Mayor

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

DECEMBER 11, 2017

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM. Mayor Curry called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor*
George Pierce, Councilor
**arrived at 6:02*

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Jason Hardin, Asst. Police Chief
Captain Brian Gilham, Vestavia Hills Police Dept.
Melvin Turner, Finance Director
George Sawaya, Asst. Treasurer
Marvin Green, Fire Chief
Brian Davis, Public Services Director
Christopher Brady, City Engineer
Cinnamon McCulley, Communications Specialist

Captain Brian Gilham, Vestavia Hills Police Department, provided the invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mr. Pierce announced that Gary Jordan was present representing the Vestavia Hills Chamber of Commerce.
- Mr. Pierce encouraged everyone to shop Vestavia Hills during the holiday season.
- Councilor Paul Head joined the meeting in progress.
- The Mayor announced an upcoming vacancy on the Vestavia Hills Library Board. He stated applications have been received from: Larry Cochran, Thomas W. Parchman, III,

- April Marie Jackson MacLennan and Samuel L. Vogt. He stated that interviews will be held December 14, 2017, and an appointment will be announced on December 18, 2017.
- Mr. Head announced an upcoming vacancy on the Vestavia Hills Parks and Recreation Board. He stated that the Council has received applications for this appointment from: Samuel L. Vogt, Joe Patrick, Brian Templeton, David L. Halpern, Brian Cooper, Mitch Bevill, Brian Cespedes and Efrain Horta. Interviews will be held December 14, 2017, and an appointment will be announced on December 18, 2017.

PROCLAMATION

The Mayor presented a Proclamation designating December 11, 2017, as “Arbor Day.” Mr. Downes read the Proclamation.

CITY MANAGER’S REPORT

- Mr. Downes stated that the annual strategic planning work session will be held on January 18 and 19, 2018 in the Executive Conference Room. The primary topics include the public presentation of the Community Spaces consultant report and, the public presentation of the Citizens Survey, all of which will be utilized by the Council for strategic planning. A draft agenda will be sent before the meeting. This is a public meeting.

COUNCILOR REPORTS

- Mrs. Cook announced that tomorrow is the date for the special Senate election. She encouraged everyone to vote.
- Mrs. Cook stated that the Board of Education will hold a meeting tomorrow beginning at 4:30 PM and that the five finalists for the Superintendent position will be revealed by the consultant. She stated that the school restructuring plan will be discussed along with an expected vote on a 9th grade campus as suggested by the Superintendent.
- Mrs. Cook stated that the Council should have received invitations to the Pizitz Holiday Breakfast, Friday, at 7 AM. She stated this is a good occasion to meet the teachers and thank them for their service.
- Mr. Pierce stated tomorrow is the luncheon meeting of the Chamber, with the Birmingham Boys Choir providing entertainment.
- The Mayor stated that the Christmas Parade in Liberty Park was held recently and was a very good event.

FINANCIAL REPORTS

Mr. Turner presented the financial reports for month ending October 2017 which was the first month of the 2018 fiscal year. He read and explained the balances.

Mrs. Cook explained the “dashboard” that is provided by the City Manager tracking financial information and stated how well the City is faring going into the new fiscal year.

Mr. Downes explained the dashboard features.

Mr. Pierce asked about business licenses.

Mr. Turner explained that the renewals do not begin until January 2018.

APPROVAL OF MINUTES

The minutes of the November 20, 2017 (Work Session) and November 27, 2017 (Regular Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of the November 20, 2017 (Work Session) and approve them as presented was by Mrs. Cook and second by Mr. Pierce. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

MOTION Motion to dispense with the reading of the minutes of the November 27, 2017 (Regular Meeting), and approve them as presented was by Mr. Weaver and second by Mrs. Cook. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5004

Resolution Number 5004 – A Resolution Approving An Alcohol License For David, LLC D/B/A Green Valley Shell; Nagib Faisal Saleh, Executive (*public hearing*)

MOTION Motion to approve Resolution Number 5004 was made by Mr. Pierce and second was by Mr. Head.

Nagib Faisal Saleh was present in regard to this request. He stated that his request is for the sale of beer and wine at the Green Valley Shell. At the last meeting of this Council, Mr. Saleh stated he felt sick and sent someone to the meeting who didn’t know how to answer the Council’s questions. He explained the circumstances about an old violation on his record that occurred in the 90s, where his establishment sold some beer to a woman who was underage.

Mr. Pierce asked about the business's process of training to ensure that this does not happen again.

Mr. Saleh stated that he does train his employees through the ABC training, along with in-house training to ensure that the employees are checking identification.

Mrs. Cook asked Mr. Saleh to explain his policy regarding requesting identification.

Mr. Saleh explained.

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

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

RESOLUTION NUMBER 5005

Resolution Number 5005 – A Resolution Approving An Alcohol License For LTF Club Operations Company, Inc., D/B/A Life Time Fitness; Steve P. Kerzman, James N. Spolar And Erik A. Lindseth, Executives (*public hearing*)

MOTION Motion to approve Resolution Number 5005 was made by Mrs. Cook and second was by Mr. Pierce.

Douglas Pickett explained this request is to sell beer and table wine in three areas of the facility: tennis area, bistro and the café.

Mr. Pierce asked about training of employees to ensure no underage sales.

Mr. Pickett explained.

Mr. Pierce asked about consumption of alcohol and physical exercise which makes the alcohol have a faster effect.

Mr. Pickett stated they will not sell alcohol to anyone and then allow them to work out in the facility.

Mr. Weaver asked if there has ever been a problem with people drinking and then working out.

Mr. Pickett stated that it is not a problem as far as he knows.

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

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 5006

Resolution Number 5006 – A Resolution Approving An Alcohol License For Arzoo, Inc., D/B/A Rocky Ridge Chevron; Shabnam Humirani, Executives (*public hearing*)

MOTION Motion to approve Resolution Number 5006 was made by Mrs. Cook and second was by Mr. Weaver.

Sonia Charania was present in regard to this request. She explained that the facility is under new ownership and the request is for the beer and wine license to be transferred to the new owner. She stated that they also have a store in Hoover.

Mr. Pierce asked about training of employees.

Ms. Charania explained that they train employees through the ABC Enforcement training and that they ask for identification regardless of how young or old the customer looks. The sales transaction software asks the clerk to enter DOB information and scans the license when items are purchased.

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

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 5010

Resolution Number 5010 – A Resolution Authorizing The City Manager To Make Application Through The FY 2018 Transportation Alternatives Program For Construction Of A “Community Spaces” Pedestrian Route To Connect Wald Park And City Hall

MOTION Motion to approve Resolution Number 5010 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Downes explained that this is a request to submit an application for an ALDOT Transportation Alternatives Grant to construct a path/sidewalk connection between the City

Hall and Wald Park. This Resolution is required prior to presentation of the application. If approved, the City's portion would be approximately \$62,000.

Discussion ensued as to the design costs, construction, etc.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

The Mayor opened the floor for a motion for unanimous consent of immediate consideration and action on Resolution Number 5009.

MOTION Motion for unanimous consent for immediate consideration and action on Resolution Number 5009 was by Mr. Pierce and second was by Mrs. Cook. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 5009

Resolution Number 5009 – A Resolution Amending Resolution Number 4962 Authorizing The City Manager To Allocate Additional Funding For Project Closure Related To Morgan Drive Emergency Infrastructure Repair Due To Unanticipated Project Expenses Above The Original Estimate (*public hearing*)

MOTION Motion to approve Resolution Number 5009 was made by Mr. Weaver and second was by Mr. Pierce.

Mr. Downes explained that the City experienced a large storm sewer pipe failure along Morgan Drive, due to a series of unusually heavy rain events. An emergency was declared by the City Council to repair the pipe failure and, over the course of the repair, some additional costs have been assessed in order to complete the project due to utility conflicts and necessary repair of water lines and landscaping disturbed by the contractors installing the new pipe.

Christopher Brady, City Engineer, explained the detail of the additional expenses which were unanticipated when the repair costs were first estimated. These included securing some high-voltage electrical lines, which required required contracting help from Alabama Power, and repairing landscaping and waterlines that were disturbed during the installation of the new pipe.

Discussion ensued regarding the information presented. Mr. Brady explained the details of the estimate.

Mrs. Cook asked the City Attorney to explain the city's responsibility to pay for the repair of landscaping and waterlines damaged as a result of City actions.

Mr. Boone stated that he recommends that the Council approve this additional expenditure because the repairs were in the City right-of-way and the City has a responsibility to leave the property in the same condition or better than it was before the City initiated the repair of the storm sewer pipe.

Mr. Pierce asked about some leaking waterlines.

Mr. Brady explained that they have identified all the problems and now just need this additional funding in order to complete all repairs.

Mrs. Cook stated that this is a public pipe that is being replaced and that the pipe is not located on private property.

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

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

Motion carried.

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

The Mayor stated that the following resolutions and/or ordinances will be presented at a public hearing at the Council's next regular meeting on December 18, 2017, at 6:00 PM.

- 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 Breightner, Walter Schoel Consulting, Representing (*public hearing*)
- Resolution Number 5008 – A Resolution Declaring A Weed And Other Vegetation Nuisance Pursuant To Ordinance Number 2567 On The Property Located At 3405 Sheffield Drive And Directing The City Manager To Abate Said Nuisance (*public hearing*)
- Ordinance Number 2736 – Rezoning – 4521 Pine Tree Drive; 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*)

CITIZEN COMMENTS

None.

At 6:44 PM, Mr. Weaver made a motion to adjourn. The meeting adjourned at 6:45 PM.

Ashley Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

WORK SESSION

DECEMBER 18, 2017

The City Council of Vestavia Hills met in a regular work session on this date at 5:00 PM following posting/publication as required by Alabama law. The Mayor called the meeting to order and the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul J. Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Brian Davis, Public Services Director
Marvin Green, Fire Chief
Dan Rary, Police Chief
Taneisha Tucker, Library Director
Cinnamon McCulley, Communications Specialist

The Mayor called the work session to order and turned the floor over to Tommy McCain and Bo Kirkpatrick, representing the Vestavia Lake Association.

Mr. McCain explained the request and provided background and information that the association feel is important for the Council to consider in the request.

Mr. Boone asked questions regarding the efforts of the Vestavia Country Club to dredge the lake to correct for their construction sedimentation. He stated that the Association is requesting \$158,500 from the City to remove remaining siltation that they feel has accumulated through the years due to commercial development. Mr. Boone asked about specific commercial development that has occurred and asked the Association to demonstrate what siltation occurred during what timeframes.

Discussion ensued as to why the Association didn't take measures through the years to address the siltation concerns or address the depositing of silt during these construction projects.

Mr. Boone gave the background of the development of the lake and subdivision and stated that the covenants clearly require the Association to maintain the lake and the dam. He stated the Planning and Zoning Commission minutes show the developer maintained to the City, during the subdivision approval process, that the lake and dam would be maintained by the Association. He explained the meaning of a general public purpose.

Mr. Downes asked whether the Association, in addition to asking for financial assistance this one time, had intentions of asking for future help in maintaining the lake and dam.

Mr. McCain stated the Association hopes this will be the beginning of a continued partnership with the City for maintenance of the lake and dam.

Mr. Pierce asked about the amount of the Association dues and how those funds have been spent over the years. Mr. McCain stated the revenues have been depleted by normal year-to-year maintenance, not corrective actions.

There being no further business, Mrs. Cook made the motion to adjourn. The meeting adjourned at 5:56 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

DECEMBER 18, 2017

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM. Mayor Curry called the meeting to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

Mayor Ashley C. Curry
Rusty Weaver, Mayor Pro-Tem
Kimberly Cook, Councilor
Paul Head, Councilor
George Pierce, Councilor

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Jason Hardin, Asst. Police Chief
Melvin Turner, Finance Director
George Sawaya, Asst. Treasurer
Marvin Green, Fire Chief
Brian Davis, Public Services Director
Christopher Brady, City Engineer
Cinnamon McCulley, Communications Specialist

David Harwell, provided the invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mr. Pierce reminded everyone there are only six shopping days before Christmas and reminded everyone to shop Vestavia Hills.

CITY MANAGER'S REPORT

- Mr. Downes invited Brian Davis to provide an update on a new parks and recreation development.
 - Mr. Davis stated that the City had a ribbon-cutting for a new bike trail in McCallum Park, which measures almost a mile. He presented pictures of groups

walking the trail. He indicated there are still expansion areas in the park and that the builder also installed a few jumps on the trail. Mayor Curry pointed out that these trails are utilized by the Vestavia Hills High School Mountain Bike Team.

COUNCILOR REPORTS

- Mrs. Cook stated that the AirBnb committee met with city staff last Wednesday to discuss City policies regarding AirBnBs operating within the City. She stated that she anticipates that the committee will present a report to the Council in January.
- Mrs. Cook stated that the Board of Education met last Wednesday and that the superintendent search consultant presented four candidates, which the Board will interview in January. She indicated the finalists and their qualifications are listed on the Board website. The Board also approved the superintendent's recommendation to restructure the schools to include a ninth grade campus at Pizitz.
- Mr. Pierce stated he will be attending the Chamber Board meeting next Thursday morning, beginning at 7:30 AM. All Councilors are invited to attend.
- Mr. Weaver stated that the Planning and Zoning Commission met on Thursday to consider a number of items, primarily map approvals. One item was a request off of Old Columbiana Road which drew a lot of discussion originally but this new plan should proceed to Council soon.
- Mr. Head stated the program manager for Community Spaces Plan has been working to give a presentation on January 18, 2018. He indicated that he is excited to finally get to see this presentation.
- Mayor Curry is continuing to look at a program to help fight the opioid addiction situation in our City.
- Mayor Curry stated he has recently attended some meetings to get information about what bills might come before the state legislature this year, issues that might impact City revenue.

APPROVAL OF MINUTES

None.

OLD BUSINESS

RESOLUTION NUMBER 5007

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 Breightner, Walter Schoel Consulting, Representing (*public hearing*)

MOTION Motion to approve Resolution Number 5007 was made by Mr. Weaver and second was by Mr. Pierce.

Mr. Downes explained that this Resolution vacates an ingress/egress easement that was recorded into one of the first plats of this property and was later erased with prior plats but was never really vacated by action of the Council. This request officially vacates that old easement. Engineering has no problem with the request.

Joey Breightner, Schoel Consulting, was present in regard to this request.

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

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

ORDINANCE NUMBER 2736

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*)

MOTION Motion to approve Ordinance Number 2736 was made by Mr. Weaver and second was by Mrs. Cook.

Mr. Downes explained that this request is for an office zoning in the Blue Lake area. The Planning and Zoning Commission unanimously recommended approval. A rendering of the proposed building was shown.

Mr. Weaver stated that this area is in transition to office uses throughout the subdivision.

Mr. Downes stated that there is also an infrastructure plan in the area and this re-zoning is consistent with the plan.

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

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

NEW BUSINESS

RESOLUTION NUMBER 5015

Resolution Number 5015 – A Resolution Authorizing A Conditional Permissive Use Of A Portion Of The Public Right-Of-Way Of Beaumont Drive

MOTION Motion to approve Resolution Number 5015 was made by Mr. Weaver and second was by Mr. Pierce.

Mr. Weaver explained that this Resolution gives the property owner the ability to build a stone façade over a rock outcropping located out in the City right-of-way. This document does stipulate that, should the City ever have a need to utilize that right-of-way, the façade would be removed by the property owner at his sole expense.

There being no one to address the Council, the Mayor closed the public hearing and called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 5017

Resolution Number 5017 – A Resolution Appointing A Member To The Vestavia Hills Library Board

The Mayor passed the gavel to Mayor Pro-Tem Weaver.

MOTION Motion to approve Resolution Number 5017 was made by Mrs. Cook and second was by Mr. Head

Mayor Curry stated that he and Council interviewed the candidates for the Library and that after careful consideration and discussion, he recommended the appointment of Mr. Larry Cochran.

MOTION Motion to amend Resolution Number 5017 to include the name of Larry Cochran as the Library Appointment was made by Mayor Curry and second was by Mrs. Cook. Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mayor Curry – yes
Mr. Weaver – yes	Motion carried.

There being no one to address the Council, the Mayor Pro-Tem called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mayor Curry – yes
Mr. Weaver – yes	Motion carried.

Mr. Weaver gave the gavel back to the Mayor.

RESOLUTION NUMBER 5018

Resolution Number 5018 – A Resolution Appointing A Member To The Vestavia Hills Parks And Recreation Board

MOTION Motion to approve Resolution Number 5018 was made by Mr. Pierce and second was by Mr. Weaver.

Mr. Head stated that he, the Mayor and Council interviewed the applicants and after careful consideration and discussion, he nominates Mitch Bevill for the appointment.

MOTION Motion to amend Resolution Number 5018 to insert the name of Mitch Bevill was made by Mr. Head and second was by Mrs. Cook. Roll call vote as follows:
Mrs. Cook – yes Mr. Head – yes
Mr. Pierce – yes Mr. Weaver – yes
Mayor Curry – yes Motion carried.

Mrs. Cook stated that the Council had some very diverse and qualified candidates for both Boards and that the Council appreciates the time and willingness to serve of all who applied. She stated one of the things the Council discussed during the interview work session is how to better utilize the talents and abilities of applicants to bring more diversity of knowledge and experience to the Park Board. She recommended the Council consider expanding the Parks and Recreation Board to seven members.

There being no one to address the Council, the Mayor called for the question.
Mrs. Cook – yes Mr. Head – yes
Mr. Pierce – yes Mr. Weaver – yes
Mayor Curry – yes Motion carried.

RESOLUTION NUMBER 5019

Resolution Number 5019 – A Resolution Reappointing Members To The Vestavia Hills Design Review Board

The Mayor described the makeup of the Design Review Board as established by the enabling ordinance. Both of these members are long-time members and one currently serves as Chairman of the Board. The Mayor stated that he recommends reappointing Mae Coshatt and Robert Thompson to the Design Review Board.

MOTION Motion to approve Resolution Number 5019 was made by Mr. Weaver and second was by Mr. Head.

Mr. Pierce stated these individuals have done outstanding jobs but, in the future, maybe the City should reach out and advertise these openings to provide an opportunity for others to serve on this Board. Mrs. Cook concurred.

There being no one to address the Council, the Mayor called for the question.

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

NEW BUSINESS (REQUESTING UNANIMOUS CONSENT)

The Mayor opened the floor for a motion for unanimous consent of immediate consideration and action on Resolution Number 5016.

MOTION Motion of unanimous consent for immediate consideration and action on Resolution Number 5016 was by Mrs. Cook and second was by Mr. Weaver.
Roll call vote as follows:

Mrs. Cook – yes	Mr. Head – yes
Mr. Pierce – yes	Mr. Weaver – yes
Mayor Curry – yes	Motion carried.

RESOLUTION NUMBER 5016

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)

MOTION Motion to approve Resolution Number 5016 was made by Mr. Pierce and second was by Mr. Weaver

Mr. Downes explained that this request has been discussed several times during recent and past work sessions of the City Council. The City Council held a work session immediately prior to this meeting for approximately one hour. Representatives of Vestavia Lake Homeowners Association met with the City Council, City Manager, City Attorney and City Engineer, the request by Vestavia Lake Homeowners Association was discussed in great detail. No decision was made nor was any action taken. This request has been brought forward by the Vestavia Lake Homeowners Association for assistance in removing siltation from Vestavia Lake. He stated the Council would have to deem this a general public purpose to appropriate \$158,500 to remove siltation. Prior to this meeting, the Council has received information from the Association and from City staff for their consideration. Representatives from VLHA are present to explain this request.

Tommy McCain, 700 Vestavia Lake Drive, stated he is speaking on behalf of many of his neighbors, who are also present. He stated that the lake was built on private property and is maintained by private residents. However, the owners now maintain that, over time, the lake has served as a de facto stormwater retention pond for some 341+/- acres located upstream. The lake slows water velocity, collects debris and trash, preventing trash and sediment from washing

downstream and filters silt. Depth measurements show that the lake has lost 3' to 5' in depth because of the silt collection over the years. He stated that this request is a one-time request for removal of silt, while C.S Beatty is on-site with equipment to remove silt on behalf of the Vestavia Country Club, which had recently contaminated the lake during construction. He stated this request would be to remove an unnatural island from the lake which has formed over decades of siltation from development located upstream permitted by the City. He indicated that this is beyond the financial resources the Association has to address these issues. He indicated he is aware that the City Manager has recently asked the Council to consider funding for certain public/private stormwater issues throughout the City and the Association wants this request to be considered as the same type of partnership.

Mr. Boone gave his legal opinion of the request and detailed the background of the development of Vestavia Lake. Mr. Boone stated that the City was incorporated in November, 1950 and was located on top of Shades Mountain. He detailed the elevation of areas within the City which runs from 1100' above sea level down to 500'. The lake was built by placing a dam into a natural blue-line stream which runs from Trousdale Street southward ultimately into Little Shades Creek. This is a rock bed stream easily seen from various roadways. In 1954, Robert Strozier owned part of the property where Vestavia Lake is located along with other properties around this area. Adjacent properties were owned by the Comer family. In or around 1954, Mr. Strozier built an earthen dam to create an artificial lake which later became known as Vestavia Lake. The source of water was a blue-line stream which ran from the top of Shades Mountain and drained downhill through this rock bed. In March, 1954, Mr. Strozier came to get approval of Vestavia Lake subdivision and the minutes of that meeting stated that the ownership of the lake would be incorporated for future maintenance of Vestavia Lake to be provided solely by the owners surrounding the lake. The map was approved April, 1954 by the Vestavia Hills Planning and Zoning Commission. Mr. Strozier and Mr. Comer drew the map with easements showing that the natural perennial streams were drainage easements that drained to the lake along with four additional drainage easements to accommodate the houses to be constructed by them. A copy of the subdivision map was shown to the audience by video feed. Mr. Boone continued that in December 1954, Mr. Strozier filed for the incorporation of homeowners to maintain the lake and that the landowners would be the shareholders. Lots 5-18 were subjected to protective covenants that were filed for record in the Office of the Judge of Probate of Jefferson County, Alabama, that said the same conditions. The developers drew the easements, constructed the lots and the lake and incorporated for the purpose of the maintenance of the lake. The articles were changed in 2011 to change the name of the Association. Vestavia Country Club is located in unincorporated Jefferson County and over the past year, the Country Club has renovated their golf course. During that time, there were several severe rain episodes and the City was approached on numerous occasions by the Association for the City to address the siltation problem from the Country Club but with nothing specific. On December 11, 2017, the City Manager finally received a request for funding \$158,500 to be used to remove sediment from the lake. The request pointed out that representatives of the Association have discussed this matter since 1996, but no request has ever been formally presented to the City Council. He stated that the Council is the only body that can consider such a request. The owners allege that the Lake is a "defacto" retention pond for the City. He stated that he and the City Clerk have attempted to draft a Resolution to accurately reflect the request whereby C.S. Beatty will remove siltation from the lake on behalf of the Vestavia Country Club. The request by the

Vestavia Lake Homeowners Association for the City to provide \$158,500 in order to remove the remaining siltation. This is a private lake and is owned by private property owners. He stated that the basis for the request is that the City has allowed surrounding commercial construction and didn't prevent those developers from depositing siltation into the lake and that the development has increase velocity into the lake.

Mr. Boone stated that his legal opinion consists of two parts. What can municipalities do in regards to spending public funds on private property? The Constitution of Alabama provides that a City may not lend its credit, or grant public money or thing of value in aid of, or to any individual, association or corporation. The Supreme Court has upheld this in several cases and decided that the City can spend funds only for public purposes. What is a public purpose? The Supreme Court has said that the test is whether the expenditure represents a direct significant benefit for the public as distinguished from a benefit for only a few individuals. He stated he does not believe this request presented tonight by the Association represents a public purpose.

Mr. Boone stated that the second part is that a city is not obligated to drain private property and when the Planning and Zoning Commission approved this subdivision in 1954, it didn't accept any responsibility for maintenance of Vestavia Lake or any other private property. In order for private property to be dedicated to the public, there must be an offer of dedication and an overt acceptance by the Council. Municipalities are not liable for drainage of surface water. He spoke to the issue of responsibility to allow others to develop commercial property. He stated there is case after case that the rules and regulations of construction are for the benefit of the general public and no guarantee that all building will be done in compliance with city regulations. In 2007, the City of Birmingham in a case entitled *Gilchrist vs. Brown* in which an upper property owner wanted to develop a property and the lower property owner was worried about runoff. The City of Birmingham obtained plans for development from a certified engineer, who represented the upper property owner, and the City approved the plans for construction, runoff, etc. The project was built and the lower property flooded. The lower property owner sued the City of Birmingham and the engineer because the engineer approved the plans, etc. The jury awarded monetary damages to the property owner. Upon appeal the Supreme Court of Alabama reversed with respect to the engineer that approved the plan for construction citing engineer immunity. Also, the judgement against the City was reversed on the grounds that the lower property owner showed no negligence from the City. He stated that, in summary, this is not a public purpose and the city has no liability for the maintenance of Vestavia Lake. The City has had subdivision regulation since 1954, and when this was built, it wasn't the city that prepared the maps and determined where the drainage would flow. The City didn't build these homes or lake or dam.

Discussion ensued among the Council. The Mayor asked if the City does maintenance whether the City is taking on this responsibility in perpetuity. Mr. Boone stated that if the City has no obligation but voluntarily performs the maintenance anyway, then the City is responsible from then forward.

Mrs. Cook stated that, in reading the information and history of Vestavia Lake, that, in 20 years, the Association has approached the City for assistance as many as six times. She

stated that she thinks it is appropriate that the Council finally give an answer. She has studied this very closely and indicated that there are three factors that affect her decision. First, Vestavia Lake is a privately owned lake and is used exclusively by the property owners. There is no public access to the lake. Second, there are private covenants on the land that require the owners to maintain the lake. The developer promised that the homeowners would maintain the lake when it was constructed and approved. Third, she stated that she does not agree that this is a de facto stormwater retention facility for the City and indicated that the City has never, previously, accepted responsibility for maintenance of the lake. The important part is to determine whether or not there is a public purpose. She stated she doesn't believe there is sufficient public interest and she doesn't believe the City should undertake this maintenance which could put the City at risk in perpetuity.

Mr. Weaver stated he understands that the timing of the request with respect to the fact that there is equipment on site, which would save costs. He stated he would not support work on the lake, especially sediment removal, which increases the workload on the dam, which is also in need of repair. He stated he also does not believe this serves a public purpose and that the dam needs to be addressed.

Mr. Pierce concurred with Mr. Boone and his fellow Councilors. He stated he has empathy for the residents who live around the lake, but knows that it is a private lake. One of the suggestions, through the years, to address flooding was to create other lakes in the area to control flooding; Vestavia Lake was never a part of that overall plan. He stated that maintaining the lake is the responsibility of the homeowners and that the accumulation of sediment and neglect of the dam has happened over a long period of time.

The Mayor opened the floor for a public hearing.

Bo Kirkpatrick, Vestavia Lake Drive, stated he respects everyone's opinion and asked if they could remove this request until a later date. He asked for a copy of the written opinion from the City Attorney. He stated that this is an opportunity to save about \$50,000, while the equipment is already mobilized.

The Mayor stated that the Council placed this on the agenda because of the request from the residents to get a resolution to the request. He stated he believes this particular request needs to be resolved and postponing it would only kick the can down the road.

Discussion ensued as to the Council's opinion of a public use and Mr. Kirkpatrick asked to have time to review the opinion of the City Attorney.

Mr. Weaver stated that this Resolution is confined to the funds as requested and, if there is a postponement, these numbers would no longer apply. He stated that he is inclined to just put it to bed.

Mr. Kirkpatrick clarified that the Resolution does not establish whether or not maintenance of the lake and dam constitutes a public use.

Mr. Pierce stated this is a request for funding.

David Harwell, Catala Road, asked if there is a determination of a public purpose for this lake whether it would the lake would be opened to the public for use. He stated if the City spends public funds to maintain the lake then there would need to be public access points so that everyone can use the lake.

Donald Harwell, 1357 Willoughby Road, asked what would change between tonight and a week or month or year from now.

The Mayor stated that there is equipment mobilized there now which constitutes a savings if the City adopts this Resolution.

There being no one to address the Council, the Mayor closed the public hearing and called for the question. The vote for approval of Resolution 5016 was, as follows:

Mrs. Cook – no	Mr. Head – no
Mr. Pierce – no	Mr. Weaver – no
Mayor Curry – no	Motion failed.

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

The Mayor stated that the following resolutions and/or ordinances will be presented at a public hearing at the Council's next regular meeting on January 8, 2018, at 6:00 PM.

- Resolution Number 5011 – Annexation – 90 Day – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
- Ordinance Number 2737 – Annexation – Overnight – 2672 Dolly Ridge Road; Binita And Niraj “Neil” Parekh, Owners (*public hearing*)
- Resolution Number 5012 – Annexation – 90 Day – 1772 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
- Ordinance Number 2738 – Annexation – Overnight – 1772 Vestaview Lane; Shades Mountain Baptist Church (*public hearing*)
- Resolution Number 5013 – Annexation – 90 Day – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
- Ordinance Number 2739 – Annexation – Overnight – 3640 Altadena Drive; Lot 1, Altadena Acres; Georgia and Kevin Holdefer, Owners (*public hearing*)
- 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*)
- 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*)

- 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*)
- 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*)
- 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*)

CITIZEN COMMENTS

None.

At 7:18 PM, Mr. Weaver made a motion to adjourn. The meeting adjourned at 7:19 PM.

Ashley Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

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, 2017; 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:

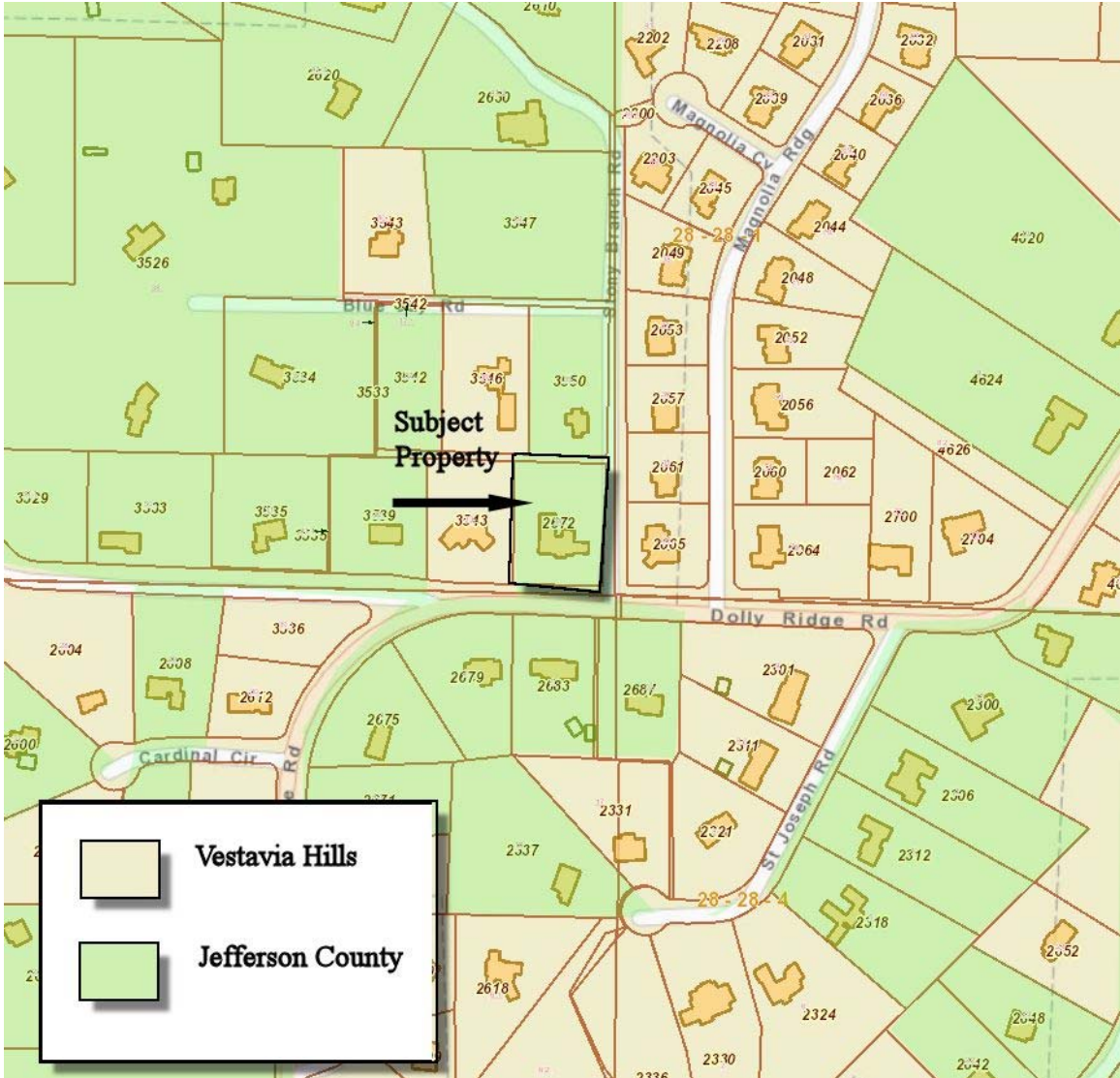
Commence at the SE corner of the SE ¼ of the NW ¼ of Section 28, Township 18 South of the Huntsville Base Line, Range 2 West of the Huntsville Meridian; proceed North along the East line of said 1/4-1/4 Section (being the center line of Stony Branch Road) for a distance of 266.64 feet; turn an angle 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		VALUE	
PROPERTY CLASS:	3	OVER 65 CODE:	LAND VALUE 10%
EXEMPT CODE:	2-2	DISABILITY CODE:	LAND VALUE 20%
MUN CODE:	01 COUNTY	HS YEAR:	0
SCHOOL DIST:		EXM OVERRIDE AMT:	\$0.00
OVR ASD VALUE:	\$0.00	TOTAL MILLAGE:	50.1
CLASS USE:			
FOREST ACRES:	0	TAX SALE:	
PREV YEAR VALUE:	\$429,100.00	BOE VALUE:	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

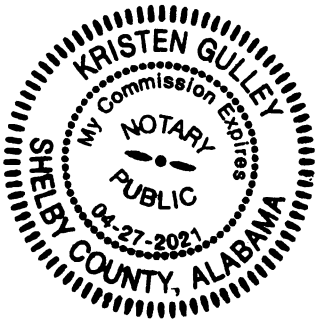


EXHIBIT "B"

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)

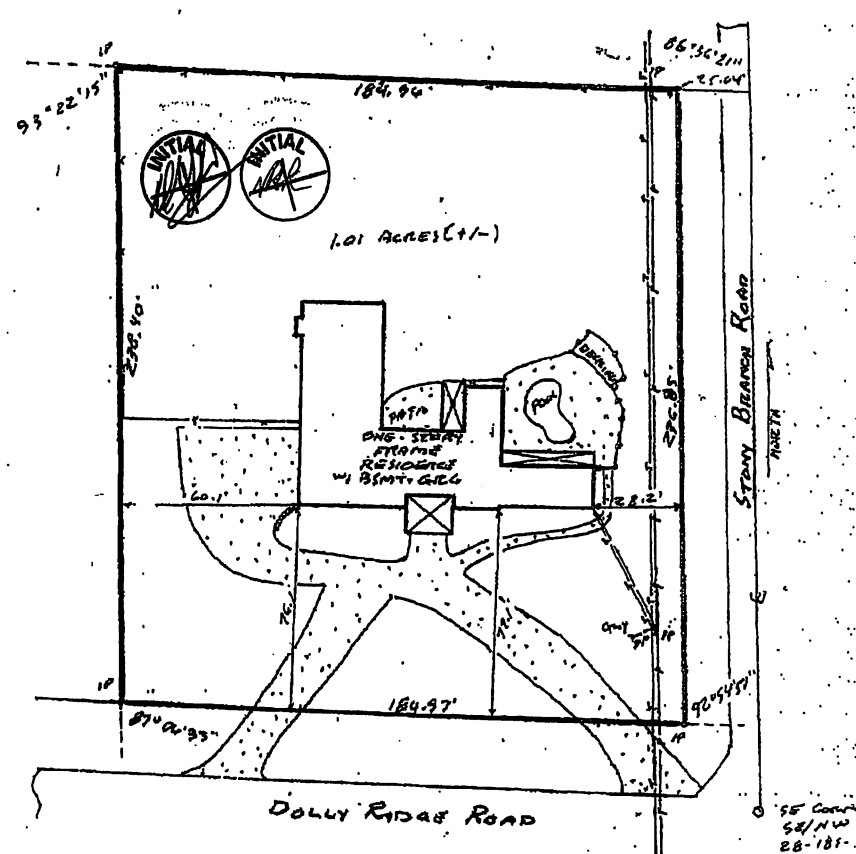
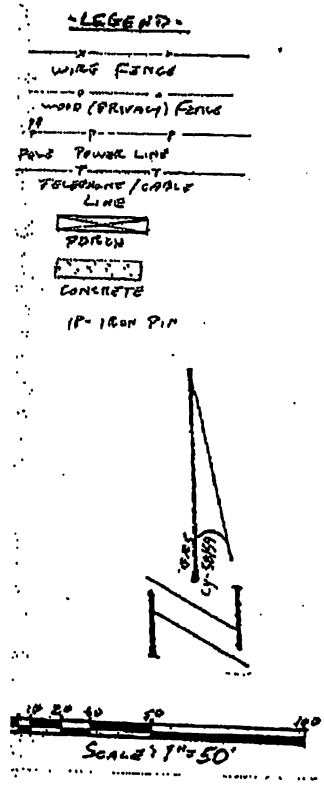
Name(s) of Homeowner(s): NIRAS & Binita Parekh
Address: 2672 Dollyridge Road
City: Vestavia Hills State: AL Zip: _____

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



STATE OF ALABAMA:
~~DEKALB~~ 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 772-5
 19800 Zanzibar Lane, Vance, Alabama 35490
 Mailing Address P. O. Box 608
 Bessemer, Alabama 35021
 (205) 960-2252



This survey prepared for Clearing/Loan 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:

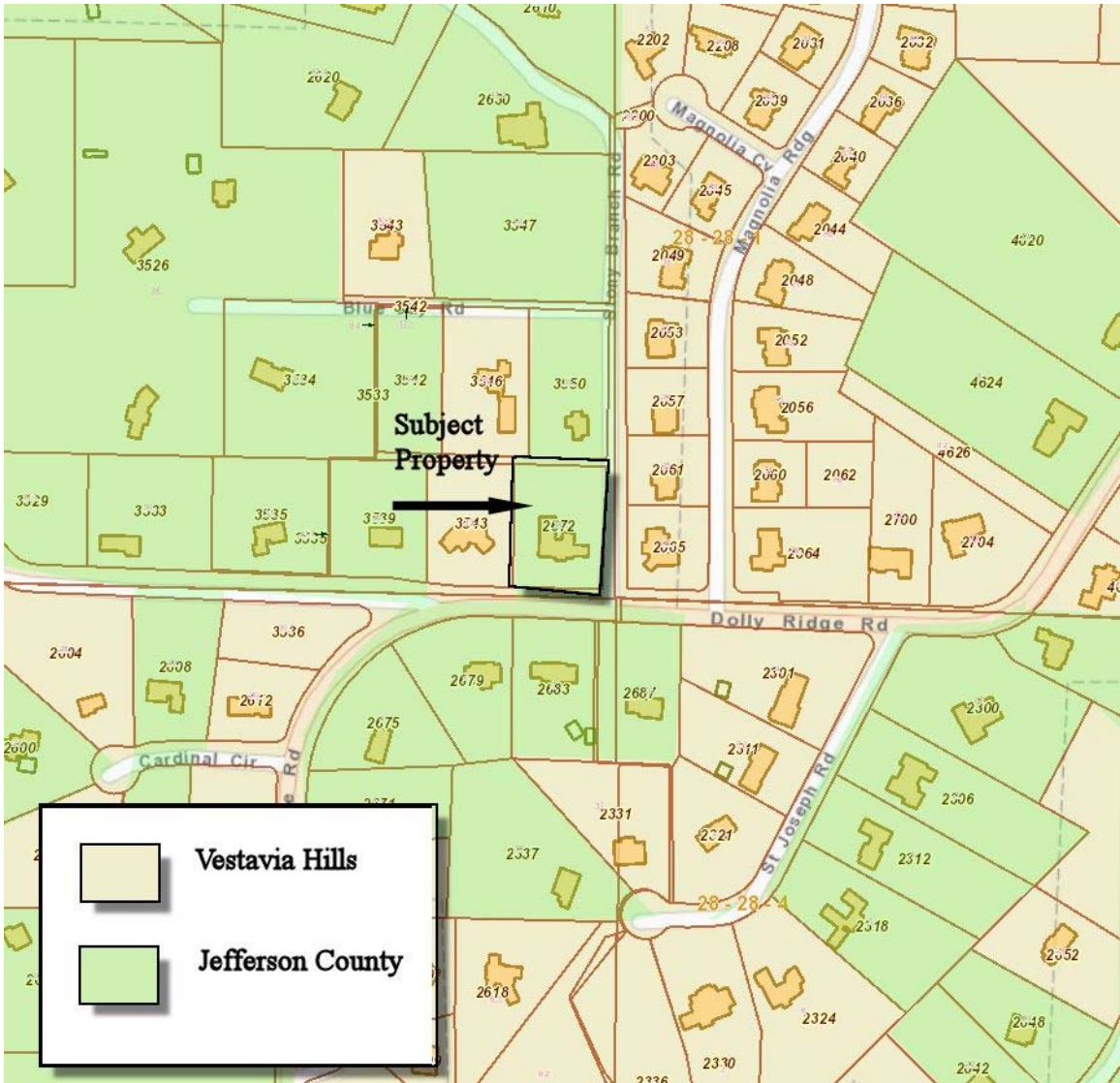
Rebecca Leavings
City Clerk

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:

1722 Vestaview Lane
Shades Mountain Baptist Church, Owner(s)

More particularly described as follows:

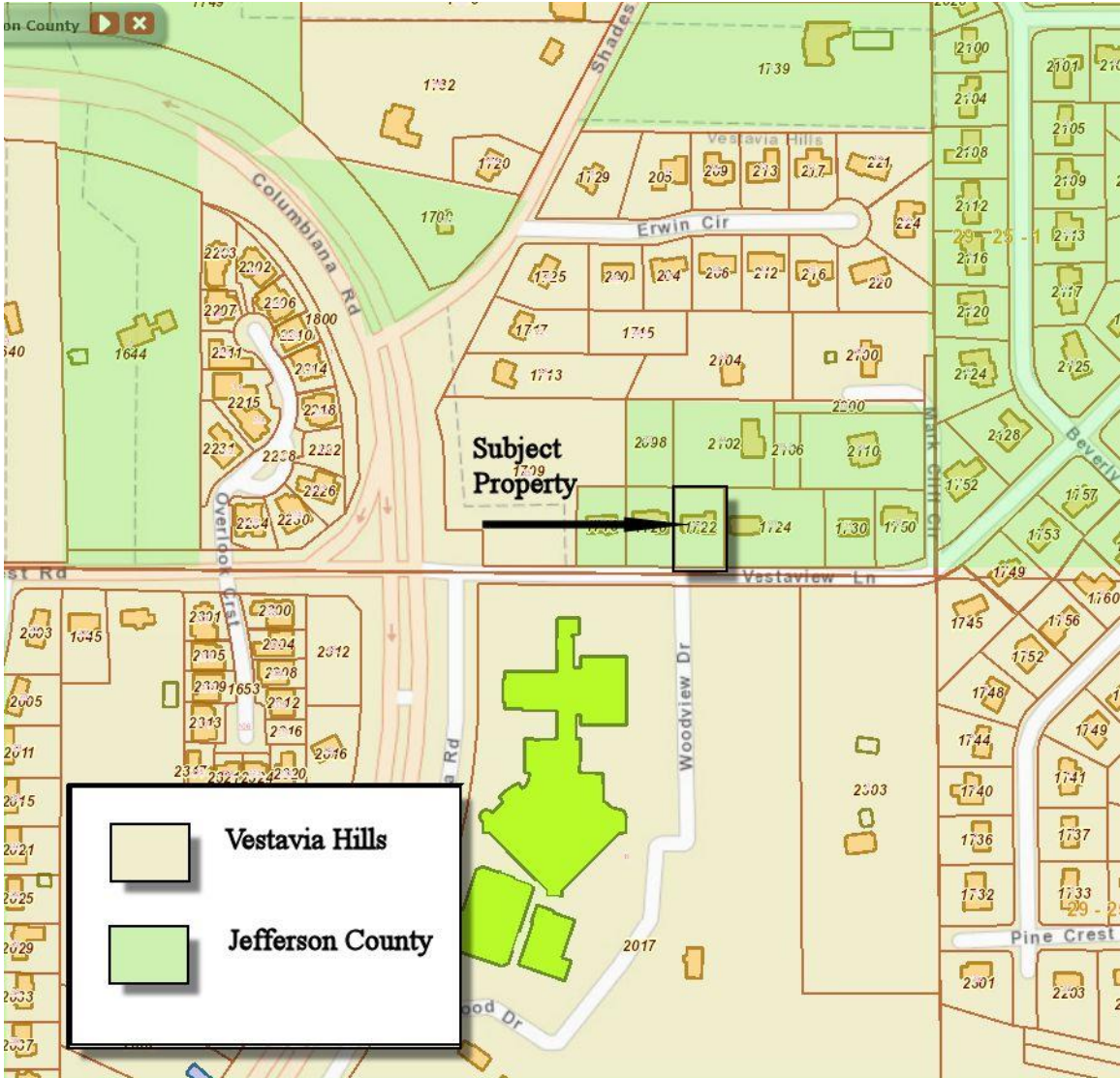
Part of the SE ¼ of the NW ¼ of Section 25, Township 18, Range 3 West, more particularly described as follows: Begin at the SE corner of the 1/4-1/4 section, thence West along the South line thereof a distance of 438.6 feet to a point of beginning of tract here described; said point being in the center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

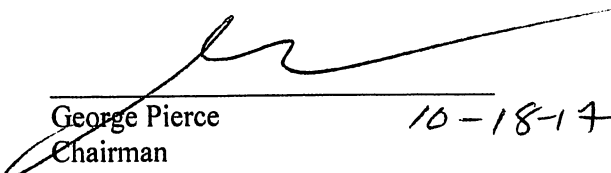
9. Property is free and clear of hazardous waste, debris and materials.
Yes No _____ Comment _____

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 [111-C0] Baths: 1.0 H/C Sqft: 1,598
OWNER: STEWART PAULA J B 18-020.0 Bed Rooms: 3 Land Sch: L1
ADDRESS: 430 PLANATION PL HELENA AL 35080 Land: 148,500 Imp: 83,300 Total: 231,800
LOCATION: 1722 VESTAVIEW LN VESTAVIA HILLS AL 35216 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	VALUE
PROPERTY CLASS: 2 OVER 65 CODE:	LAND VALUE 10% \$0
EXEMPT CODE: DISABILITY CODE:	LAND VALUE 20% \$148,530
MUN CODE: 01 COUNTY HS YEAR: 0	CURRENT USE VALUE [DEACTIVATED] \$0
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00	<u>CLASS 2</u>
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1	BLDG 001 111 \$83,300
	<u>CLASS 3</u>
CLASS USE: FOREST ACRES: 0 TAX SALE:	TOTAL MARKET VALUE [APPR. VALUE: \$231,800]: \$231,830
PREV YEAR VALUE: \$227,900.00 BOE VALUE: 0	Assesment Override:
	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	DATE	PAYMENT INFO		PAID BY	AMOUNT
		PAY DATE	TAX YEAR		
2017055198	3/31/2017		2017		\$0.00
201416-11666	8/25/2014	10/25/2016	2016	ROBERT LOGAN	\$2,283.56
200409-2784	06/30/2004	10/30/2015	2015	ROBERT LOGAN KATHLEEN I HAMM	\$2,236.46
9808-4036	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 Lovinggood 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

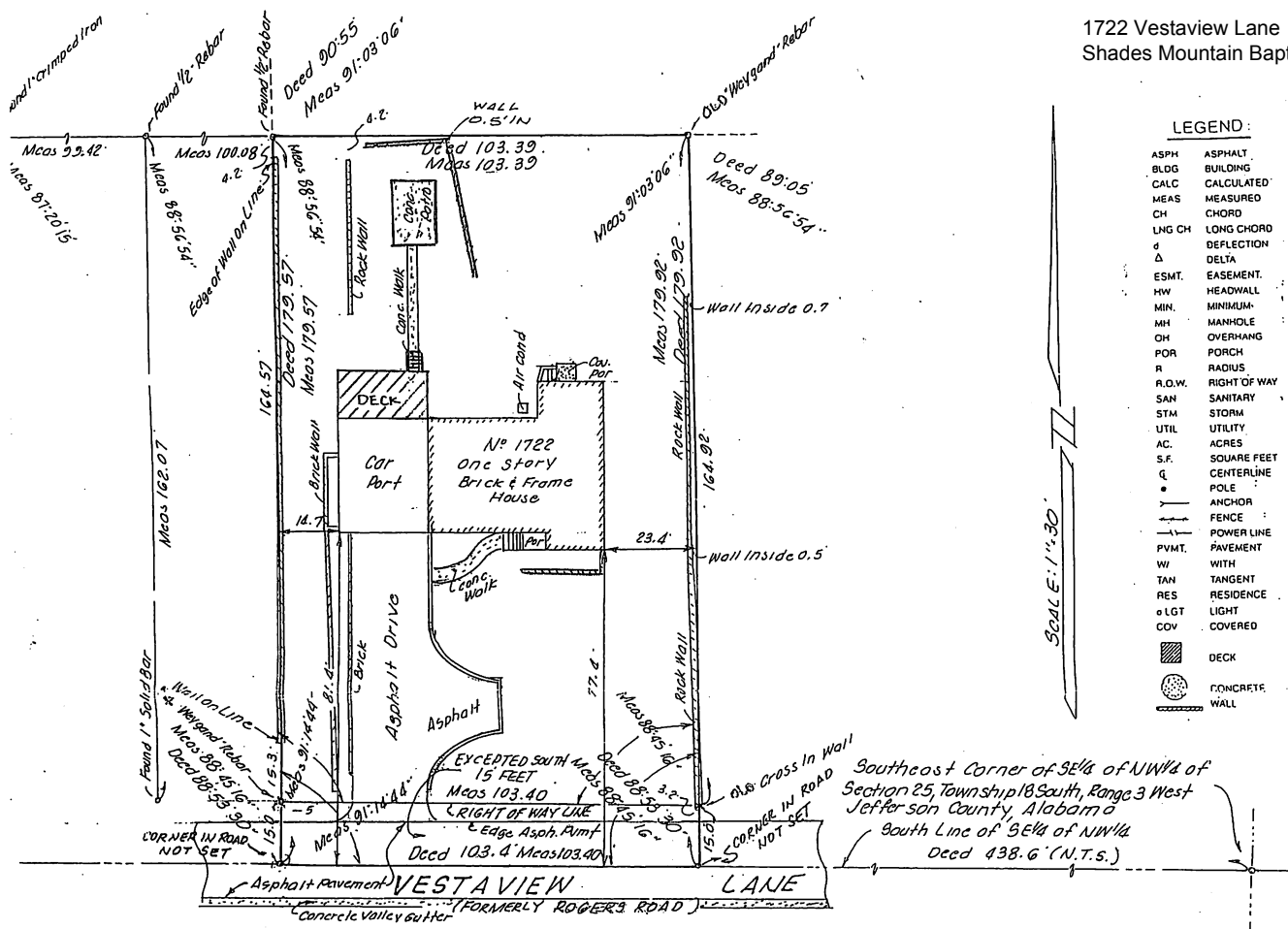
City: Vestavia Hills State: AL Zip: 35216

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": _____

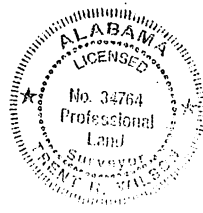


LEGEND:

- ASPH ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- CH CHORD
- LONG CH LONG CHORD
- δ 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
- CL CENTERLINE
- POLE
- FENCE
- POWER LINE
- PVMT. PAVEMENT
- WI WITH
- TAN TANGENT
- RES RESIDENCE
- o LGT LIGHT
- COV COVERED
- DECK DECK
- CONCRETE WALL 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.)



"Closing Survey"

State of Alabama
Jefferson County)

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:

1722 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:

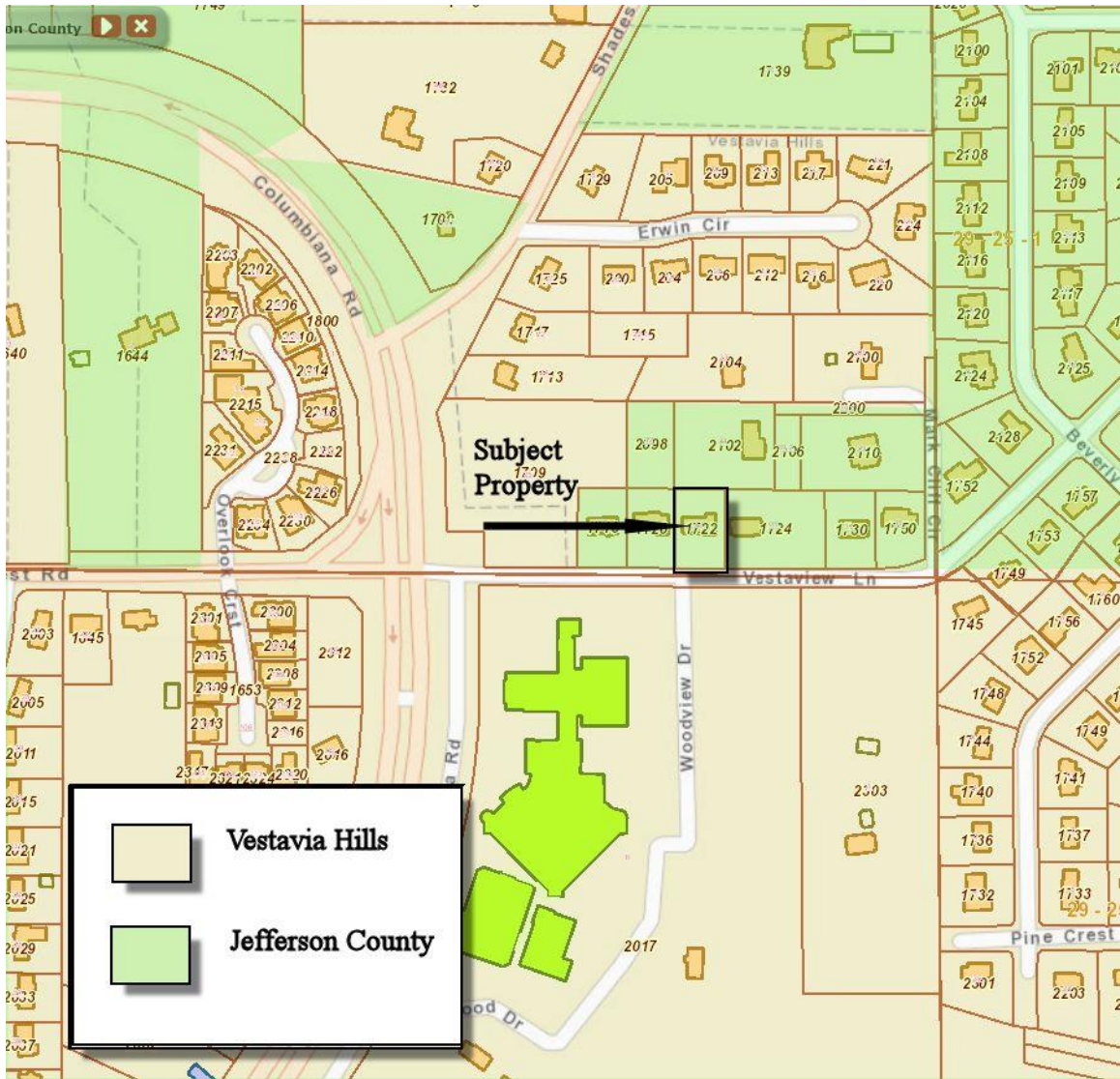
Rebecca Leavings
City Clerk

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

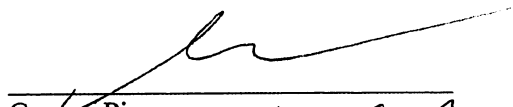
8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

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
CLASS USE:			
FOREST ACRES:	0	TAX SALE:	
PREV YEAR VALUE:	\$297,500.00	BOE VALUE:	0
			TOTAL MARKET VALUE [APPR. VALUE: \$312,200]: \$312,190
			Assesment Override:
			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 Alan
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

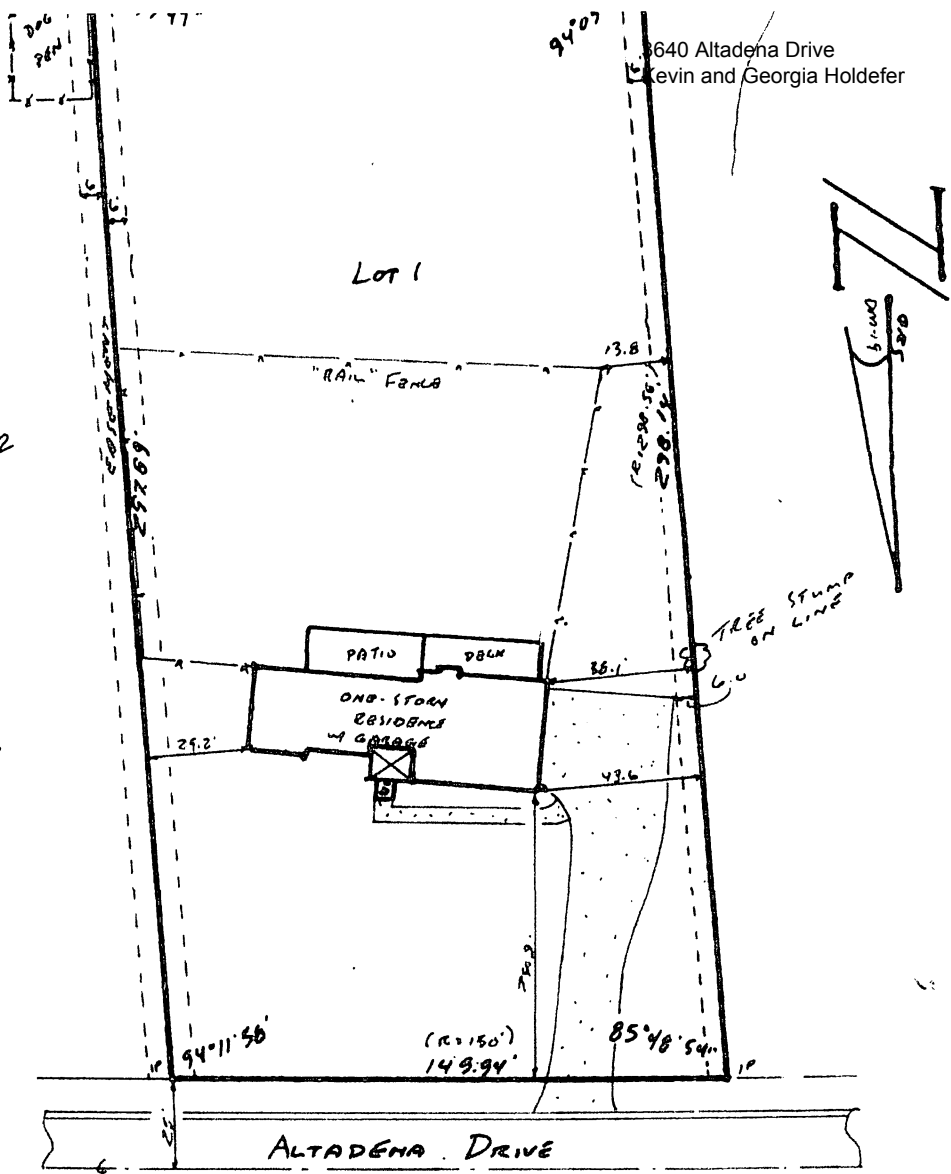
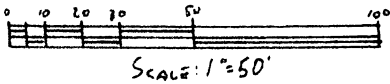
Information on Children:

**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:

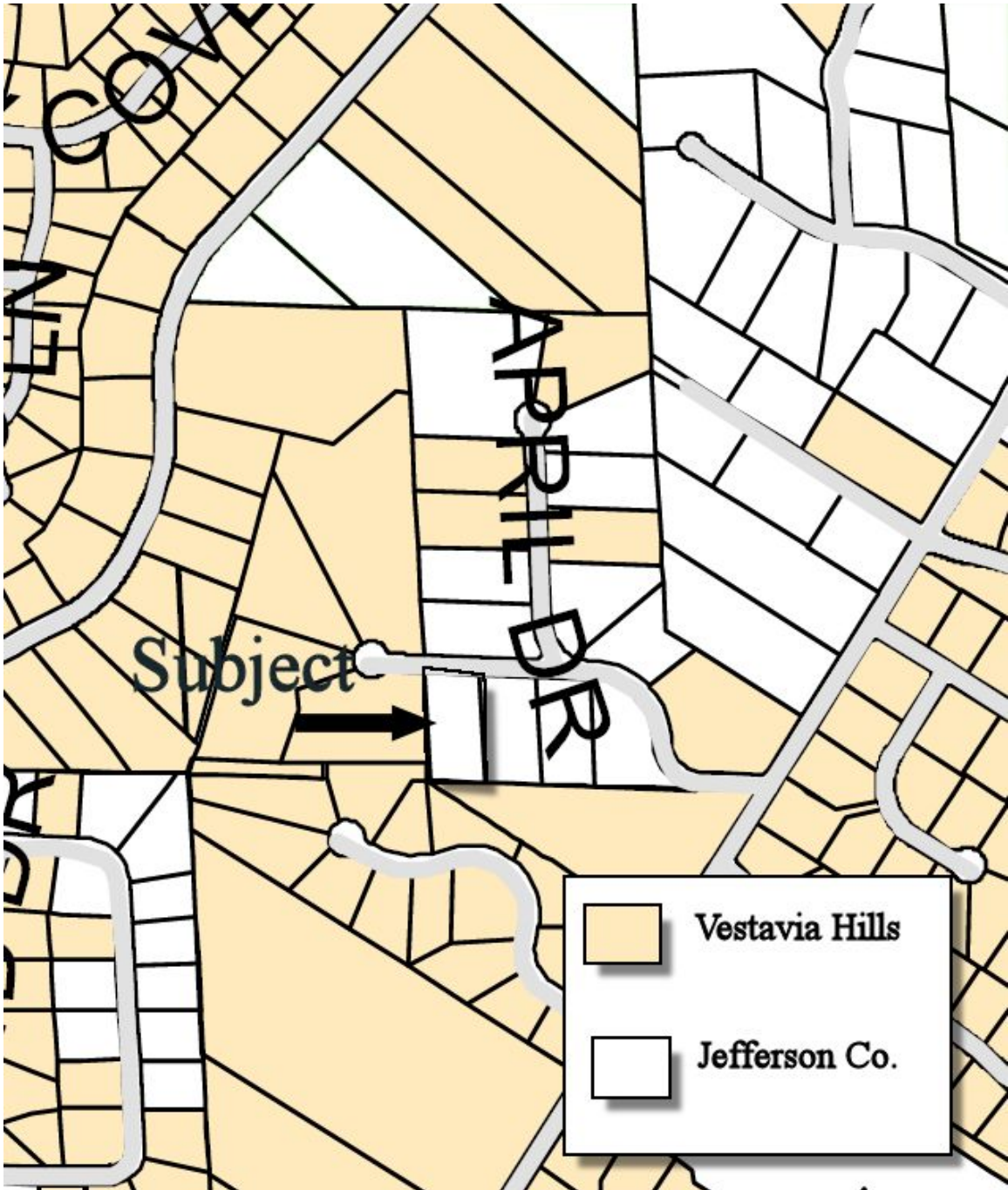
Rebecca Leavings
City Clerk

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:

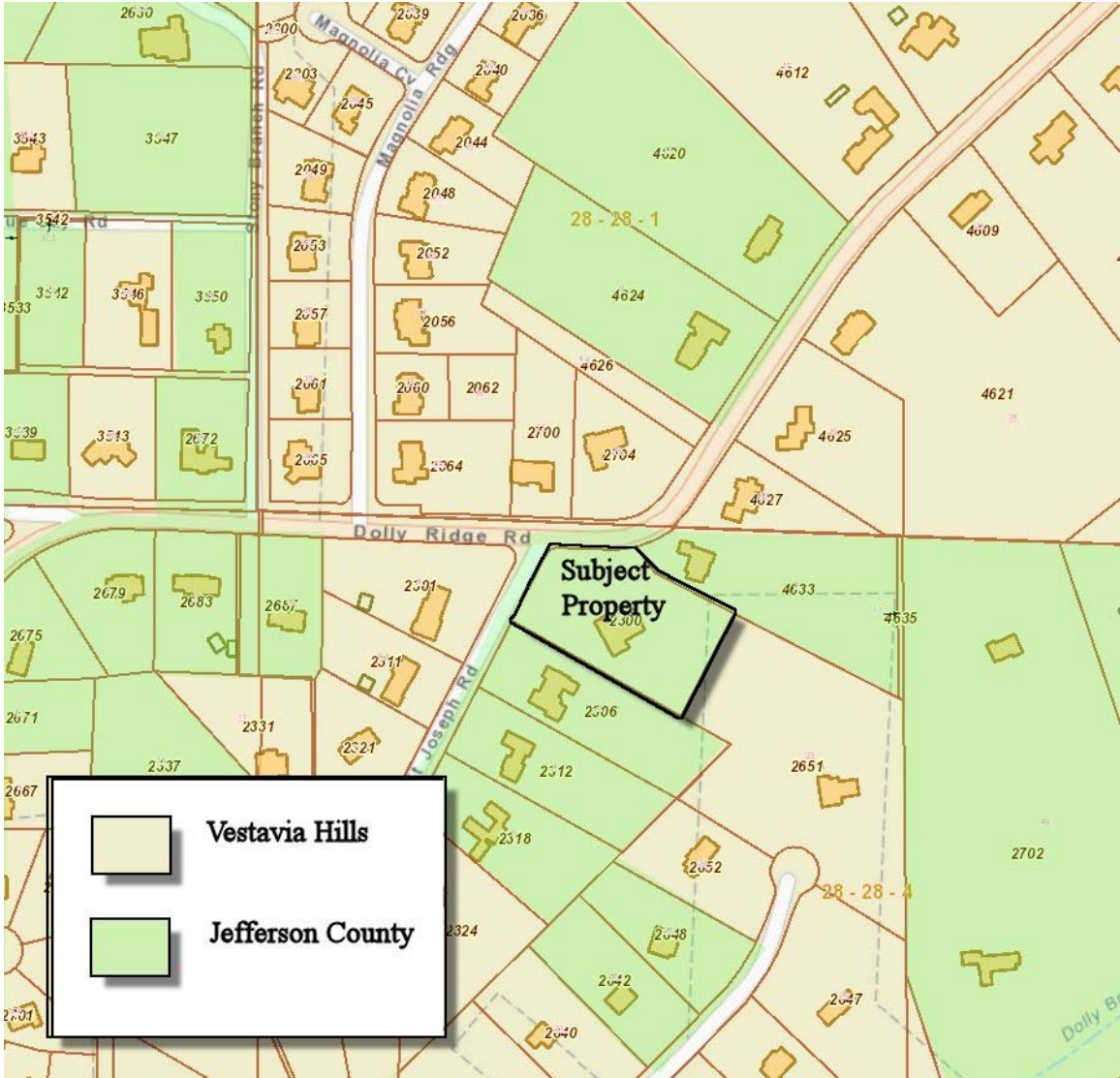
2300 St. Joseph Road
Lot 24-A, Resurvey of Lots 24 & 26, Amendment to St. Joseph's Retreat
Linda Craft, Owner(s)

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

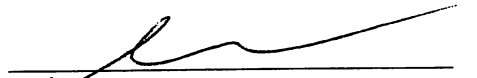
8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ _____ will be paid to offset costs associated with the annexation.
Yes _____ No _____ Comment _____

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: 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 #: 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

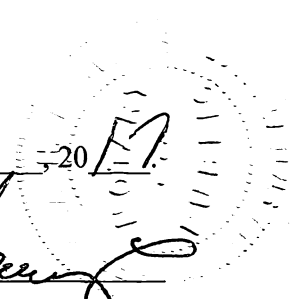


EXHIBIT "B"

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

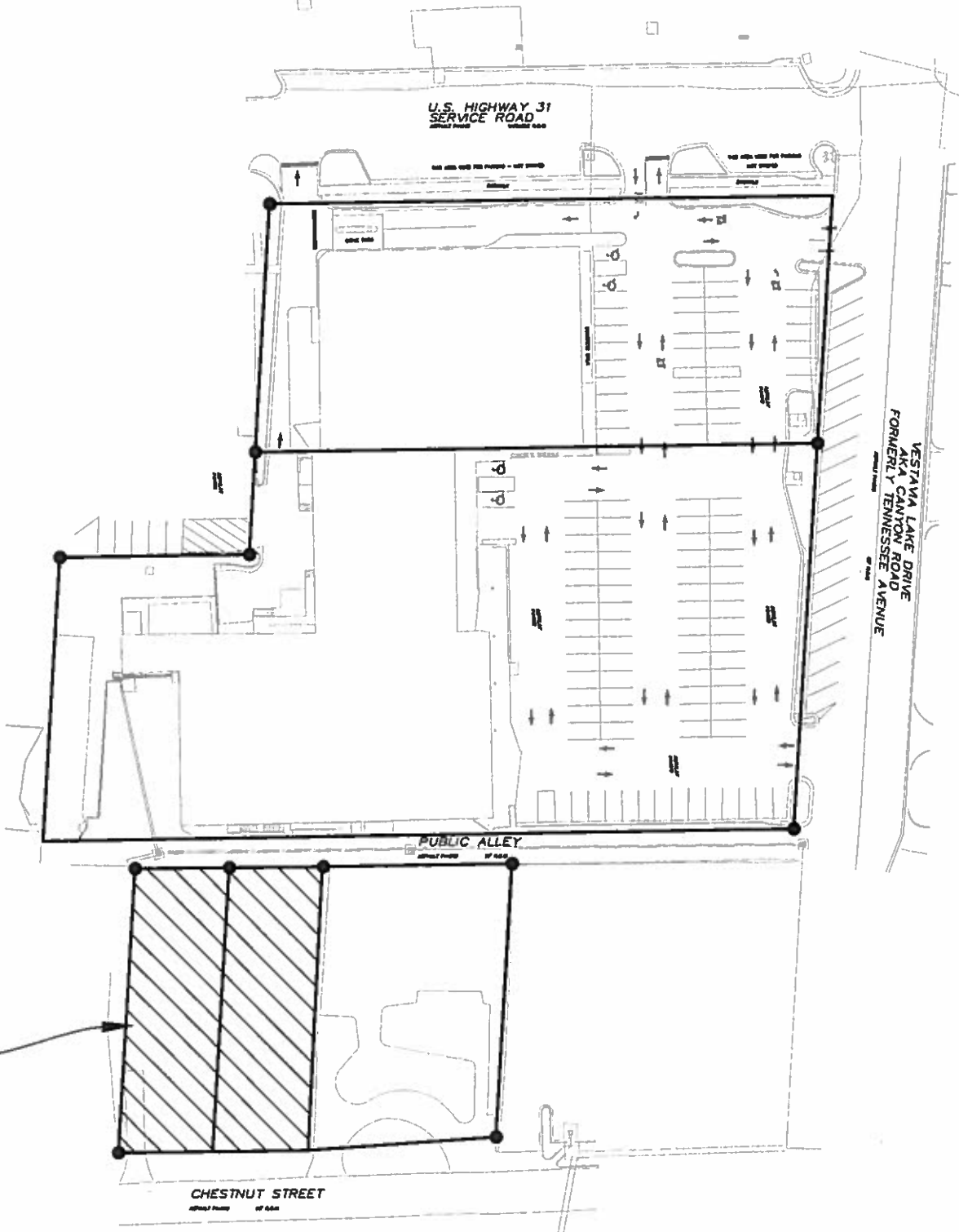
Motion carried

Mr. Burrell – yes

Mr. Brooks – yes

Mrs. Cobb – yes

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



VESTAVIA VILLAGE
 VESTAVIA HILLS, ALABAMA

LOT RE-ZONING EXHIBIT

C0.1

LOT EXHIBIT

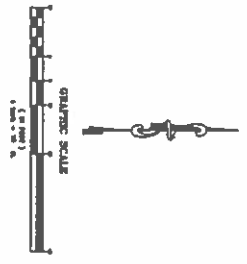
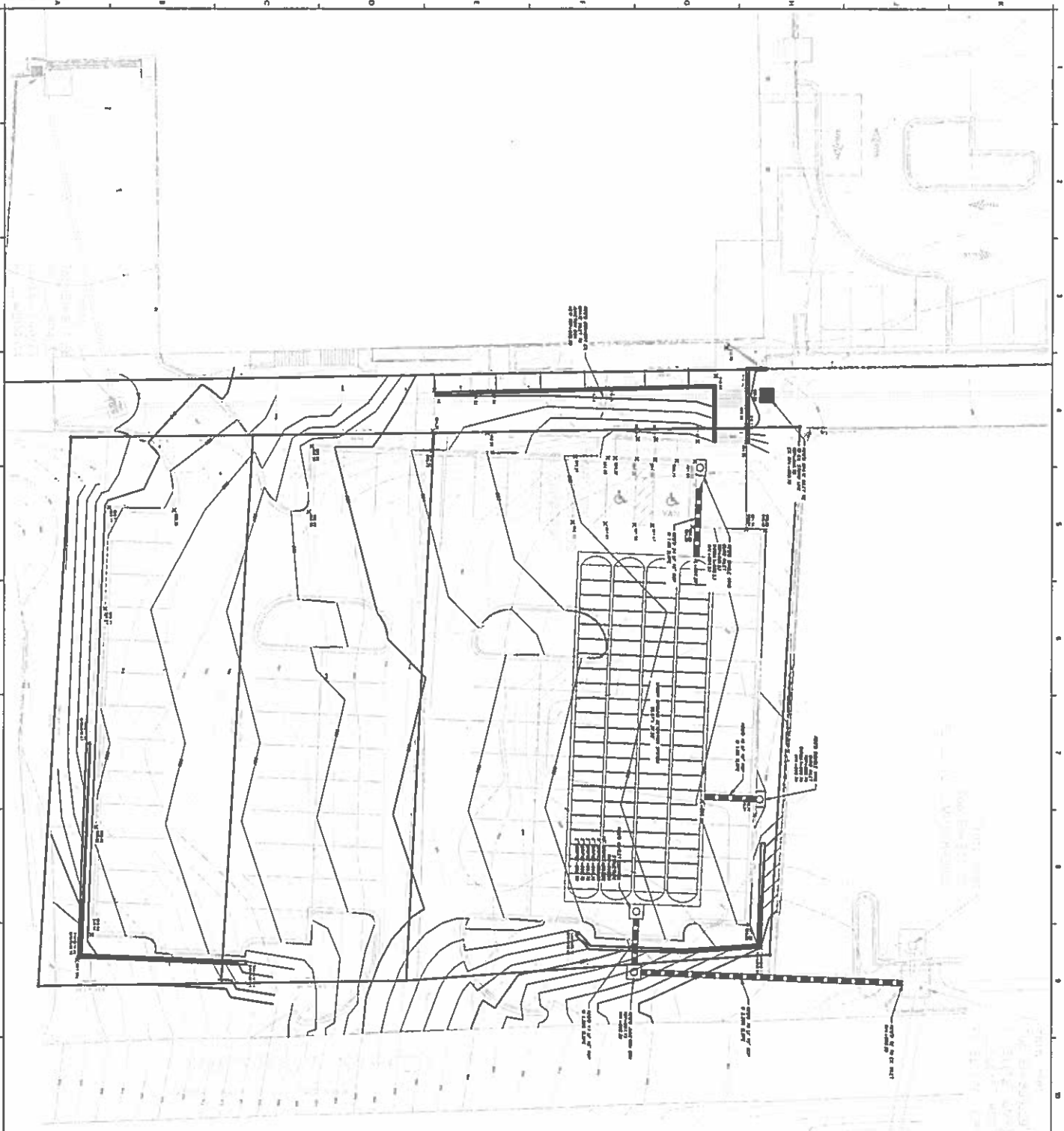
GMC # CBHM170052

DATE: 08.09.2017

DRAWN BY:

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

GMC



- Legend**
- X 2.5% Proposed Street Drainage
 - 4.0' Finished Drive Catcher Low
 - 2.1' Catcher Low (7' Slope)
 - ▽ Slope along Drive Drain (7.5%)
 - ▽ Slope along Catch Basin (7.5%)
 - (with 'D') Drive Drain (7.5%)
 - (with 'S') Storm Sewer (7.5%)
 - (with 'S') Storm Sewer (7.5%)

SITE GRADING AND DRAINAGE PLAN

VESTAVIA VILLAGE
VESTAVIA HILLS ALABAMA

GMC Project # CBHM70052

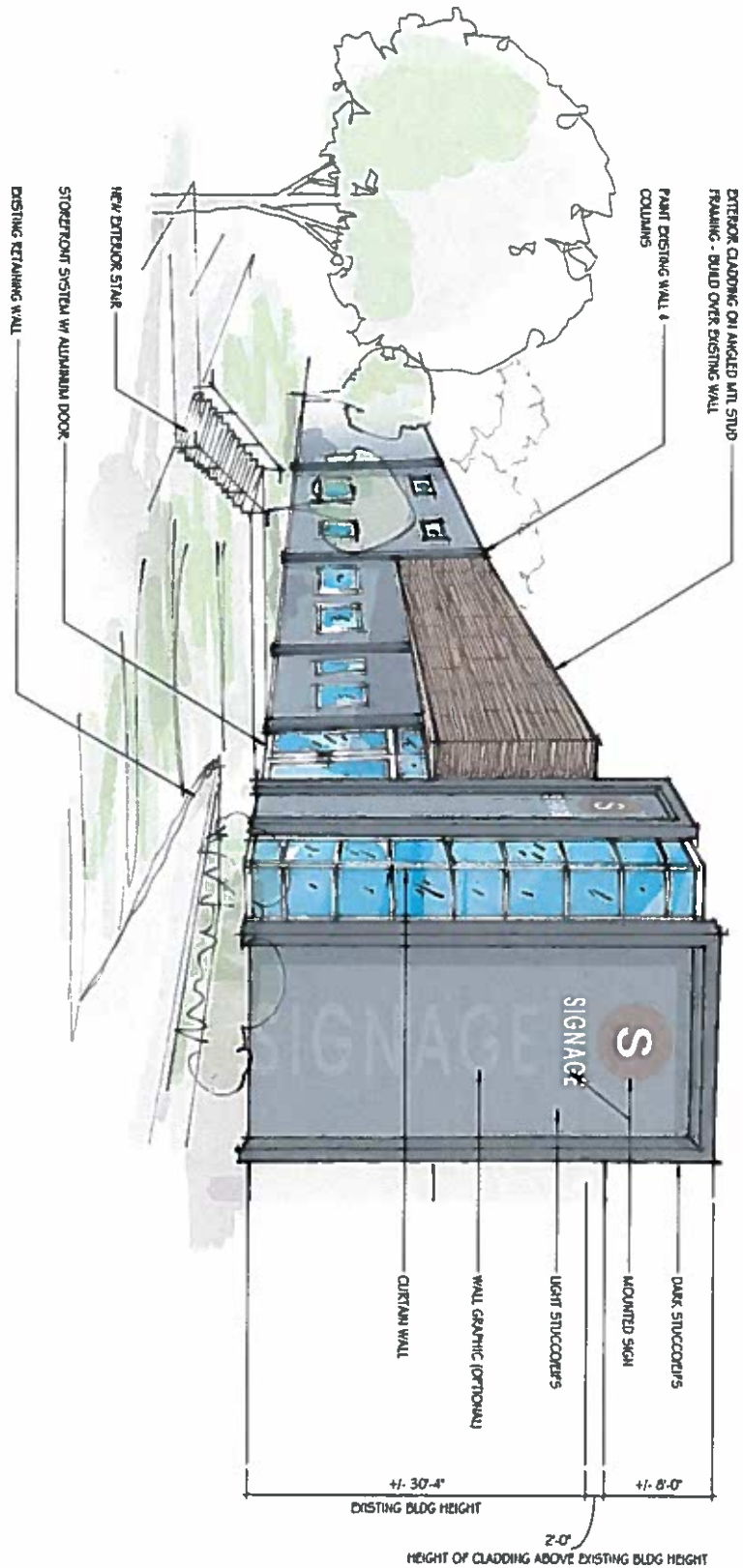
ISSUE DATE

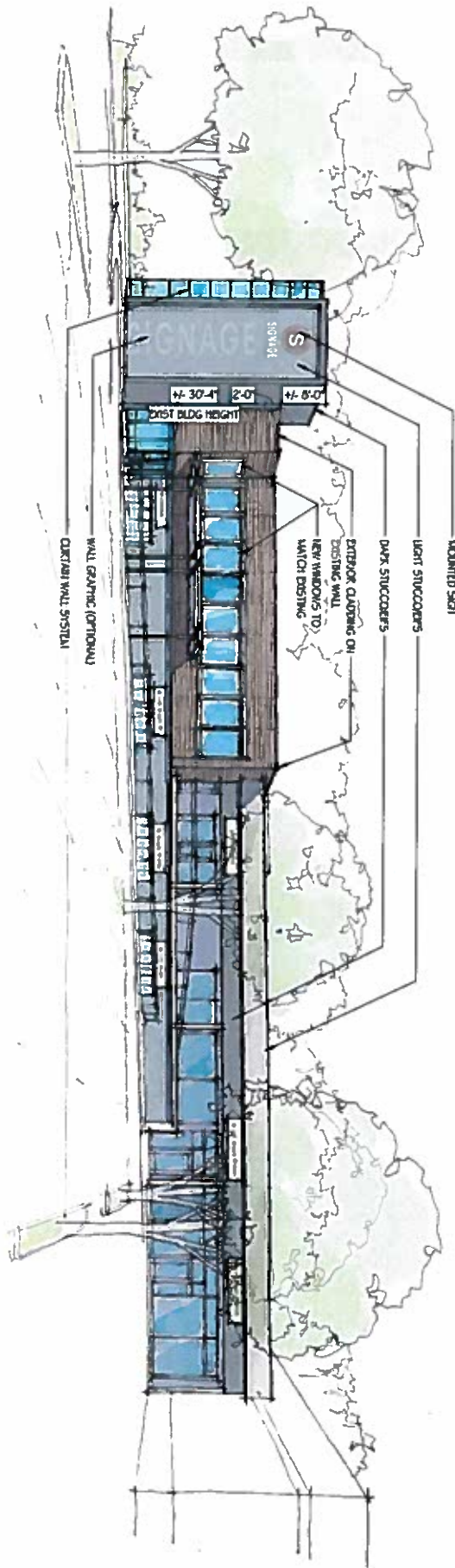
NO.	DESCRIPTION	DATE

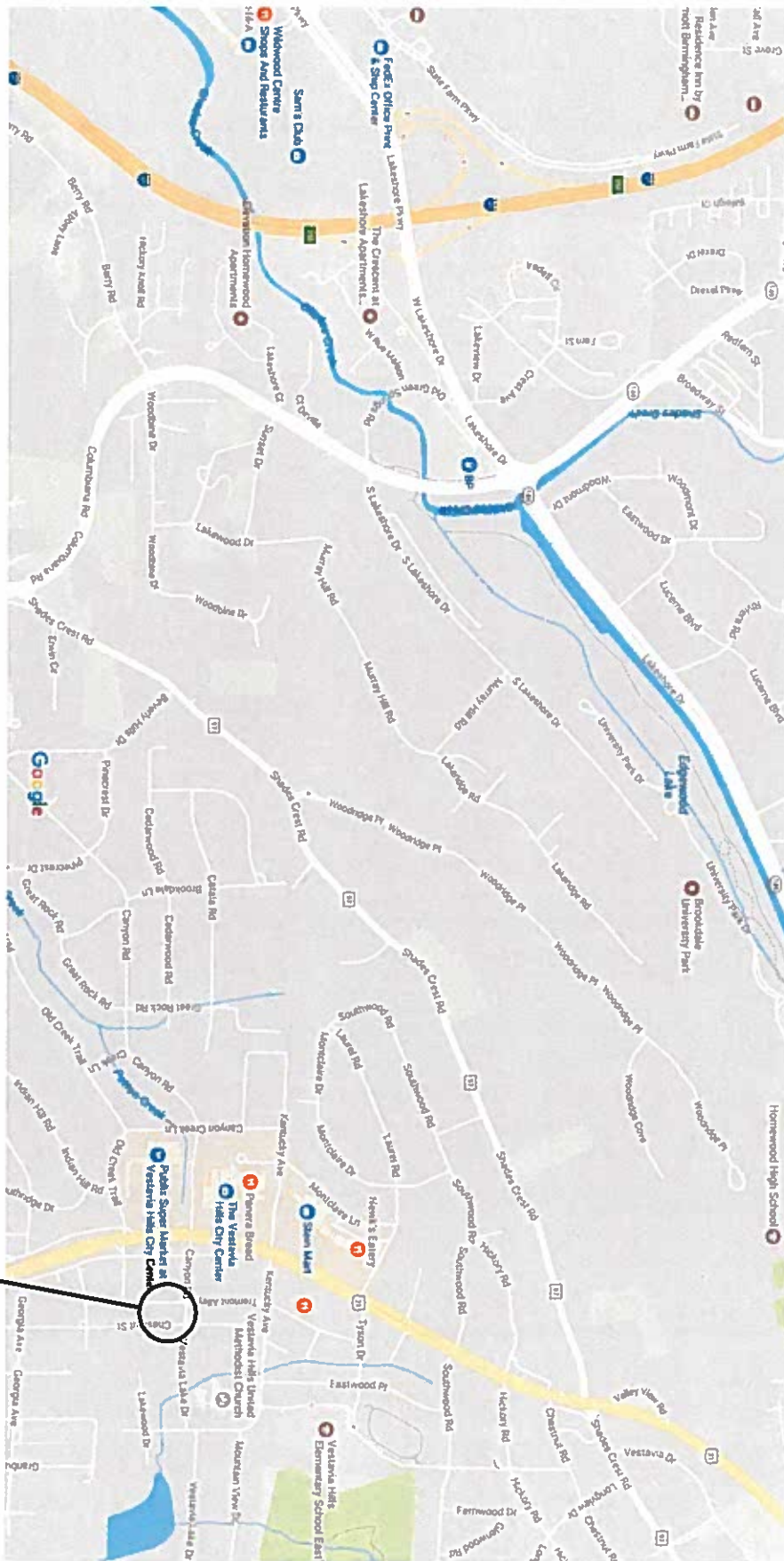
2701 1st Avenue S
Birmingham, AL 35223
T 205.678.6462
www.gmcworld.com



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

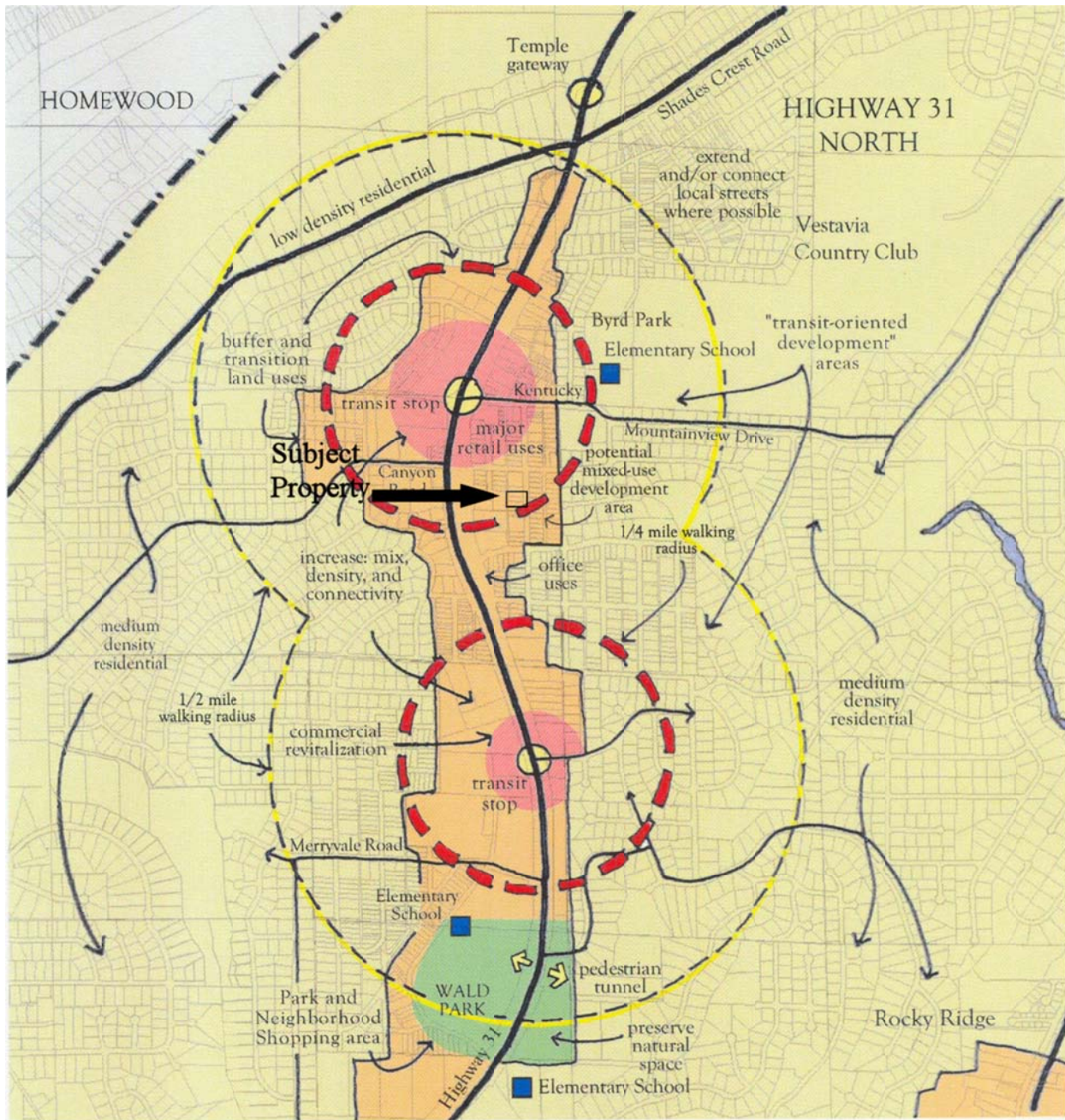
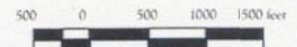


Figure 17: Highway 31 North
Land Use Analysis

- Neighborhood - primarily low / medium density singlefamily residential areas with higher densities near village centers. 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

**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;

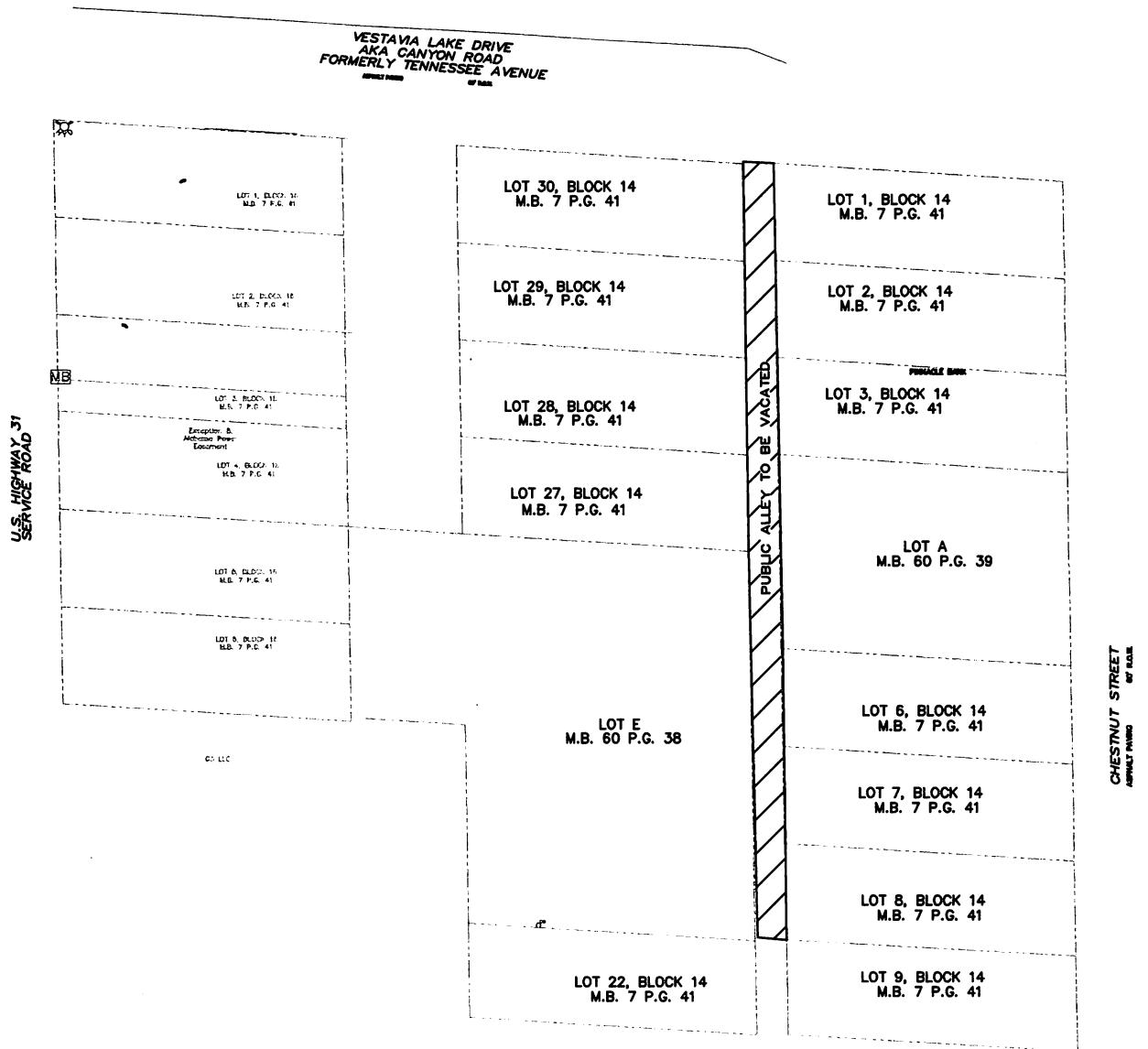
Thence leaving West line of said Lot 8, N $85^{\circ} 04' 13''$ W a distance of 15.11 feet to the Southeast Corner of Lot E of Plat - "A Resurvey of Lots 5, 6, 7, & 8 Block 18 and Lots 23, 24, 25, & 26, Block 14 South Birmingham Heights (Map Book 60 Page 38, recorded in the Probate Office of Jefferson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



GRAPHIC SCALE



(IN FEET)
1 inch = 60 ft.

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

DRAWING "A"

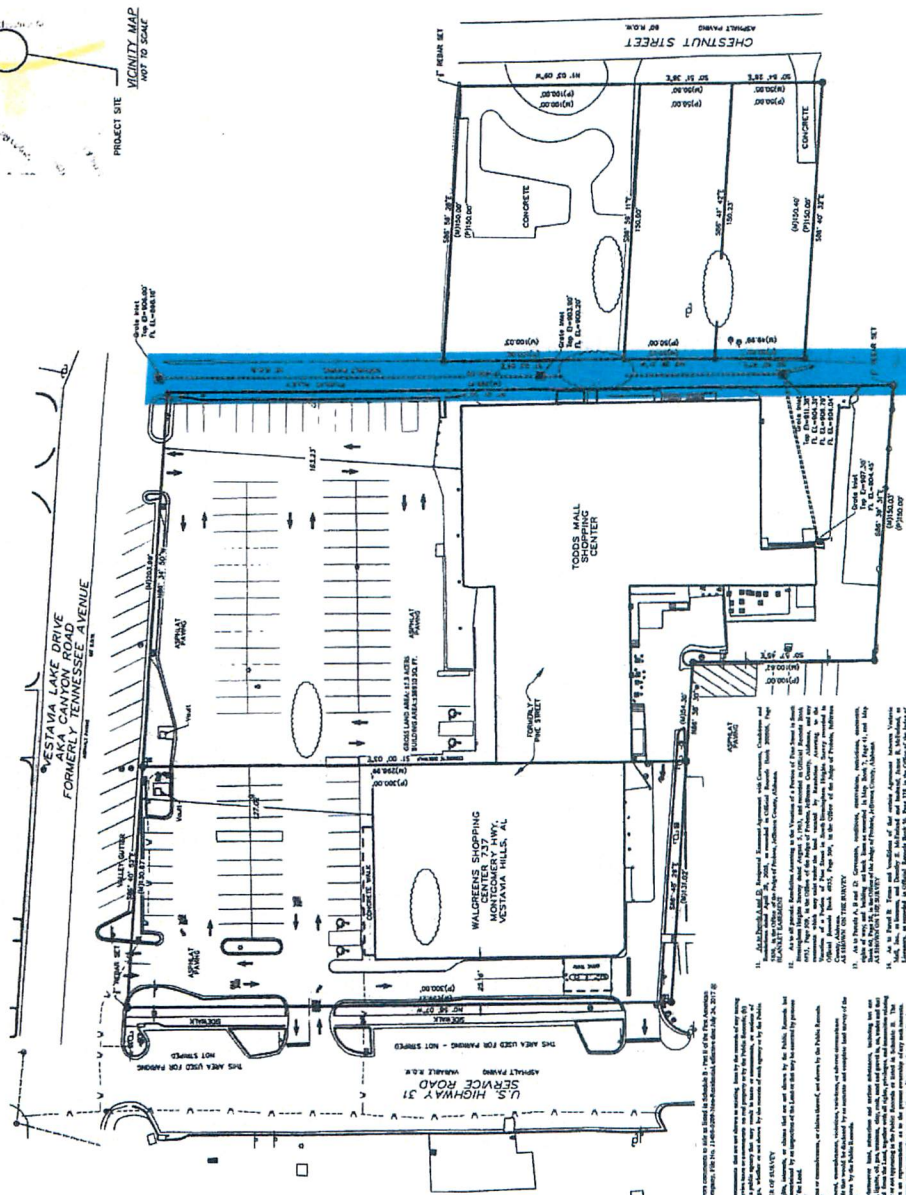
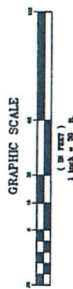
GOODWYN MILLS | CAWOOD

Table with columns: Issue Date, Drawn By, Checked By, Title, Scale, Date

VESTAVIA VILLAGE ALTA



ALTA/NSPS LAND TITLE SURVEY



ALTA/NSPS Land Title Survey

1. ALL RIGHTS RESERVED... 2. THIS SURVEY IS THE PROPERTY OF... 3. THE SURVEYOR'S LIABILITY IS LIMITED TO THE ACTS OF SURVEYING...

PROPERTY DESCRIPTION
1. All rights reserved... 2. This survey is the property of... 3. The surveyor's liability is limited to the acts of surveying...

- 1. All rights reserved... 2. This survey is the property of... 3. The surveyor's liability is limited to the acts of surveying...

LEGEND
UTILITY: POWER POLE, IRRIGATION VALVE, LIGHT POLE, WATER METER, CLEAN OUT, GAS REGULATOR, GAS REGULATOR, POWER METER, POWER BOX
LANDMARKS: PROPERTY CORNER FOUND, 1/2" CAPTED REBAR SET, CONTROL POINT, BOLLARD, MISCELLANEOUS, AIR CONDITIONING UNIT, MANHOLE, RAIL FIGHT OF WAY, NOTES, LACERTILES, ROUGHNESS LINE, CHAINLINK FENCE, CONCRETE POWER, STAKE LINE, WHITE LINE, UNDERGROUND POWER



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.

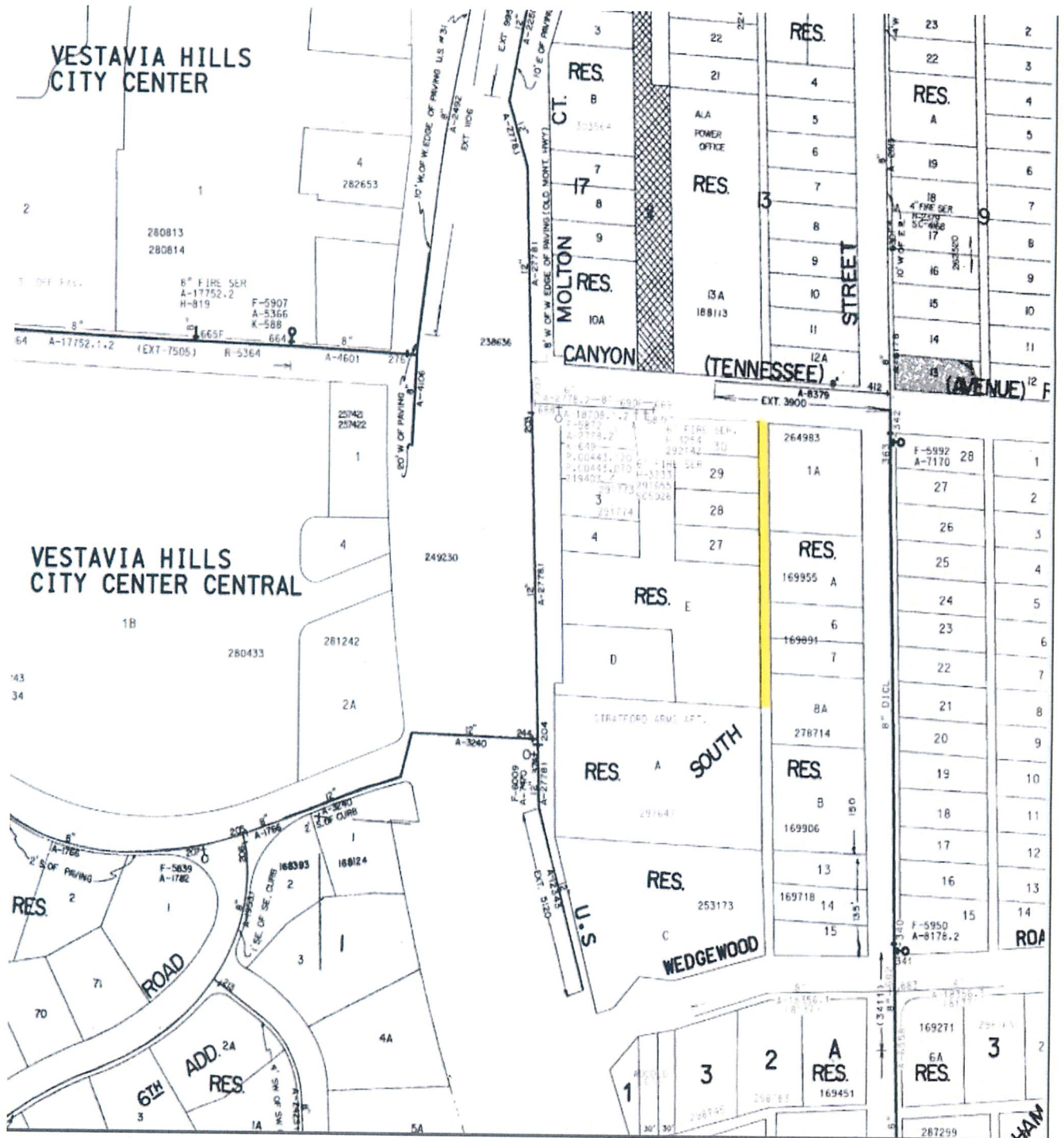
Very truly yours,

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