

**Vestavia Hills
City Council Agenda
February 12, 2018
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Ron Higeey, Senior Pastor at Birmingham International Church and Assistant Chaplain for the City of Vestavia Hills
4. Pledge Of Allegiance
5. Announcements and Guest Recognition
6. City Manager’s Report
7. Councilors’ Reports
8. Financial Reports – George Sawaya, Asst. Finance Director
9. Approval of Minutes – January 18 & 19, 2018 (Work Session) and January 22, 2018 (Regular Meeting)

Old Business

10. Ordinance Number 2741 – Rezoning – 2301 Old Columbiana Road, Lot 2 Polhemus Addition to Vestavia Hills; Rezone From Vestavia Hills Inst (Institutional) To Vestavia Hills B-2 (Business District); Russell Polhemus, LLC., Owner(s) (*public hearing*)
11. Ordinance Number 2742 – Rezoning – 3122, 3128, 3134, and 3136 Sunview Drive; Rezone From Vestavia Hills Inst (Institutional District), Vestavia Hills B-2 (Business District), And Vestavia Hills A (Agricultural District) To Vestavia Hills B-1.2 (Neighborhood Mixed Use District); Thomas Holdings, Owner(s) (*public hearing*)
This request was withdrawn by the applicant on 2/07/2018

New Business

12. Resolution Number 5024 – A Resolution Opposing Proposed House Bill 110 And Proposed Senate Bill 130 Of The 2018 Regular Session Of The Alabama Legislature And Requesting That The Local Legislative Delegation Vigorously Oppose Said Bills

New Business (Unanimous Consent Requested)

13. Resolution Number 5025 - A Resolution authorizing the City Manager to purchase and equip a Police Department Vehicle (*public hearing*)

First Reading (No Action Taken At This Meeting)

14. Resolution Number 5020 - A Resolution Amending Resolution Numbers 3192, 3337 And 3469 Authorizing The City Manager To Offer Continuing Health Insurance Benefits To Employees Electing To Retire (*public hearing*)
15. Ordinance 2743 – Annexation – 90 Day Final – 3533 Squire Lane, Jason and Kathleen Lawrence, Owner(s) (*public hearing*)
16. Ordinance 2744 – Rezoning – 3533 Squire Lane; Rezone From Jefferson County E-2 To Vestavia Hills R-1; Compatible Zoning For Annexation; Jason And Kathleen Lawrence, Owner(s) (*public hearing*)
17. Resolution Number 5021 - A Resolution Approving An Application To Incorporate A Capital Improvement Cooperative District Of The City Of Birmingham, Alabama, Jefferson County, Alabama, And The City Of Vestavia Hills, Alabama, And Authorizing Such Incorporation (*public hearing*)
18. Resolution Number 5022 - A Resolution Approving A Funding Agreement For The Benefit Of The Liberty Park Area Public Road Cooperative District And Related Transactions (*public hearing*)
19. Citizen Comments
20. Executive Session
21. Motion For Adjournment

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

WORK SESSION

JANUARY 18 AND 19, 2018

The City Council of Vestavia Hills met in a special work session on these two dates at 8:00 AM, following posting/publication as required by Alabama law. The Mayor called the meeting to order:

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
Wendy Dickerson, Deputy City Clerk
Melvin Turner, Finance Director
Brian Davis, Public Services Director
Marvin Green, Fire Chief
Dan Rary, Police Chief
Taneisha Tucker, Library Director
Keith Blanton, Building Services Director
Darrin Estes, Director of Information Technologies
Cinnamon McCulley, Communications Specialist
Jason Hardin, Police Captain
Terry Ray, Deputy Fire Chief
George Sawaya, Deputy Finance Director
Christopher Brady, City Engineer
Lori Beth Kearley, Senior Civil Engineer
Daniel Tackett, Deputy Director

The Mayor called the work session to order and turned the floor over to Jeff Downes.

Mr. Downes reviewed the agenda and provided an evaluation of the 2017 Plan. He stated that the posted agenda would have to be shifted due to extenuating circumstances of weather. The presentation of the Citizen Survey results will now be held via telephone

conference. The future of Liberty Park will be discussed at 10 AM and the Community Spaces Plan presentation will be at 1 PM.

Mr. Downes introduced Jason Morado, ETC, for the presentation of the Citizen Survey results.

Jason Morado, senior project manager with ETC, stated that the City received a good number of responses that represented all areas of the City. He explained the results of the survey and answered questions from the Mayor and Council. The survey results included citizen priorities and a comparison of survey results to previous years.

Mr. Downes discussed the future of Liberty Park. He detailed several items of interest for Liberty Park including:

- Recreation opportunities
- Fire Service considerations
- Project areas
- Road expansion
- Public-Private Cooperative District with the following entity involvement:
 - City of Vestavia Hills
 - City of Birmingham
 - Jefferson County
 - Liberty Park Joint Venture
 - Urban Center Association

Mr. Dan Pile, YMCA, presented the a recreation opportunity proposal for Liberty Park. He proposed building a Liberty Park YMCA, which would be a joint effort between the City and YMCA.

Chief Green presented the Council with statistics highlighting the increased call volume over the past year. He stated that the Fire Department is in need of an EMS transport in Liberty Park. He stated that Rescue 34 saw a 15% increase in call volume in the past year and that the several times all 3 transport units were in service at the same time and an additional unit needed. A transport unit added to Liberty Park is needed to ensure the health, safety and welfare of the Vestavia Hills citizens in Liberty Park, particularly with the growth that is projected.

Mr. Downes introduced Chris Williams, Rice Advisory.

Mr. Williams presented the Council reviewed capital funding options and answered questions.

Mr. Downes introduced Ken Upchurch, TCU Management, the program managers hired to create the Community Spaces Plan.

The following presented the plan and answered questions:

- Ken Upchurch, Principal
- Andy Bernard, Program Manager
- Kevin Overton, Program Manager

Mr. Downes introduced Cinnamon McCulley, who presented the draft City Communication Plan.

Mrs. McCulley gave an overview of the communication plan and the strategies for the following types of communication:

- Internal
- External
- Technology
- Emergency

Mr. Downes discussed Patchwork Farms and gave an overview of the conveyance of the Association and the Architectural Review Committee.

The meeting adjourned at 3:40 PM on January 18, 2018.

On January 19, 2018, the Mayor called the work session to order and turned the floor over to Jeff Downes.

Mr. Downes introduced Christopher Brady and Lori Beth Kearley for a presentation regarding City infrastructure and traffic concerns.

Mr. Brady and Mrs. Kearley discussed the following issues:

- Storm water regulation
- Storm water infrastructure needs
- Paving needs
- Sidewalks and trails
 - Sidewalk Master Plan
 - SHAC Grant
- East Street
 - New Traffic Study Status
 - Sidewalk Discussion
- Crosshaven widening and sidewalks
- Wellington Park intersection – traffic safety
- White Oak/Pump House Road intersection traffic study
- Sicard Hollow/Pump House Road intersection study

Mr. Downes introduced Dr. Charles Mason, Vestavia Hills Interim Superintendent of Schools.

Dr. Mason provided a funding status report and discussed the need for future capital funding for a new high school. He stated the Board of Education would like to work with the Council in developing future long-term capital plans and ways to fund those plans.

Mr. Downes presented the following items to the Council:

- Retiree health coverage
- B-1.2 zoning
- Vestavia Hills Sports Hall of Fame

Mr. Downes described several possible capital funding alternatives.

Mr. Downes, the Mayor and the Council discussed the alternatives and the priorities.

The meeting adjourned at 2:15 PM on January 19, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Wendy Dickerson
Deputy City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JANUARY 22, 2018

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
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

Donald Harwell, Citizen of Vestavia Hills, Member of Vestavia Hills United Methodist Church, and the Vestavia Hills Representative on the Birmingham-Jefferson County Transit Authority Board, provided the invocation followed by the Pledge of Allegiance.

ANNOUNCEMENTS, GUEST RECOGNITION

- Mrs. Cook welcomed Emory and Henry, visiting Boy Scouts from Troop 4.
- Mr. Pierce stated that the Chamber of Commerce meeting which was delayed from last week due to severe weather conditions was rescheduled for tomorrow at Vestavia Country Club beginning at 11:30 AM.
- Mr. Pierce recognized Taylor Burton who was present representing the Chamber Board.
- Mayor Curry gave an update on a coalition of sister city Mayors working toward the combatting of opioid addictions and creating more awareness in the areas affected. He stated that they have scheduled the first meeting at the Vestavia Hills United Methodist Church on March 13, 2018. This meeting will host speakers informed on issue and would

also include a breakfast. He indicated that the age bracket most affected ranges from 30 to 45 years of age, so this affects more than just younger individuals. Following that, other activities will be hosted in the area cities and announced as they are determined.

PROCLAMATION – ARBOR WEEK

The Mayor presented a proclamation designating February 18-24, 2018 as “Arbor Week.” Mr. Downes read the Proclamation and the Mayor presented it to Clif Kew, Bryan Holt, Brian Davis and David Philpot of Keep Vestavia Hills Beautiful.

The Mayor gave a brief background of Keep Vestavia Hills Beautiful, including their mission and activities within the City. He stated their goal is to recertify the City as a “Tree City.”

CITY MANAGER’S REPORT

- Mr. Downes reminded the Council that the City can do many things to facilitate businesses within the City, but cannot do everything. He stated that recently there was a group of merchants in Cahaba Heights that decided to do some special events to enhance sales so last November they did just that and that they were present tonight to report the results of these events.
 - Katherine McRee, owner of the Lili Pad in Cahaba Heights, reported that, last November, several of the area merchants did limited advertising, but were able to stage very successful open houses and special events. She stated the city manager reported sales increased in Cahaba Heights by approximately 8%, which was very encouraging. She stated their merchant’s group has already begun spring event planning and they are very excited about helping the community and growing revenue at the same tie.
 - Mrs. Cook stated she attended the “Deck the Heights” event and that it was a wonderful community event that was fun for families.

COUNCILOR REPORTS

- Mrs. Cook stated that tomorrow she will be in Montgomery for the League of Municipalities Legislative Day. She stated she will attend some seminars and meet with the area legislators.
- Mrs. Cook announced she attended the Board of Education meeting last week, where the Board narrowed their superintendent search to two individuals: Todd Freeman of Sylacauga and Patrick Martin of Gardendale. She believes both are excellent candidates.
- Mrs. Cook stated that, next week, the Board of Education will have a series of focus group meetings, beginning next week, and the Mayor, Mrs. Cook and Mr. Pierce have been invited to participate.
- Mr. Weaver stated a couple of items are moving forward from the Planning and Zoning Commission and will be presented at the next meeting.

APPROVAL OF MINUTES

The minutes of the January 8, 2018 (Regular Meeting) were presented for approval.

MOTION Motion to dispense with the reading of the minutes of the January 8, 2018 (Regular Meeting) and approve them as presented was by Mr. Weaver 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.

OLD BUSINESS

NEW BUSINESS

NEW BUSINESS (REQUESTING UNANIMOUS CONSENT)

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 February 12, 2018, at 6:00 PM.

- Ordinance Number 2741 – Rezoning – 2301 Old Columbiana Road, Lot 2 Polhemus Addition to Vestavia Hills; Rezone From Vestavia Hills Inst (Institutional) To Vestavia Hills B-2 (Business District); Russell Polhemus, LLC., Owner(s) (*public hearing*)
- Ordinance Number 2742 – Rezoning – 3122, 3128, 3134, and 3136 Sunview Drive; Rezone From Vestavia Hills Inst (Institutional District), Vestavia Hills B-2 (Business District), And Vestavia Hills A (Agricultural District) To Vestavia Hills B-1.2 (Neighborhood Mixed Use District); Thomas Holdings, Owner(s) (*public hearing*)

CITIZEN COMMENTS

Donald Harwell stated that the BJCTA has moved into the new facility with a nice new boardroom. He stated they did not have a January meeting but will be meeting soon. The new facility is located at 1801 Morris Avenue.

At 6:20 PM, Mr. Weaver made a motion to adjourn. The meeting adjourned at 6:21 PM.

Ashley Curry

Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2741

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 INST TO VESTAVIA HILLS B-2 WITH THE CONDITIONAL USE FOR RECREATIONAL, FITNESS AND REHABILITATION AND RELATED ACTIVITIES

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 Inst (institutional district) to Vestavia Hills B-2 (business district) with restrictions:

2301 Old Columbiana Road
Lot 2, Polhemus Addition to Vestavia Hills
Russell Polhemus, LLC, Owner(s)

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

1. A site inspection of all drainage retention/detention areas shall be approved by the City Engineer;
2. Private restrictive covenants shall be filed in the Jefferson County Office of the Judge of Probate and a recorded copy attached to this Ordinance Number 2741 for the following enumerated uses that shall be prohibited: hotels, animal shelter/kennel/clinic, private club, daycare center, place of assembly, hospital, nursing home, public utility facility, school (public), automotive repair (major & minor), automotive sales, bank of financial services, car wash, convenience store, funeral home, garden center/nursery, gas station, hardware store, home improvement center, laundromat, laundry & dry cleaning establishments (retail and industrial), liquor lounge, maintenance service, produce market, restaurant (fast food, full service, and/or any establishment with a commercial kitchen and/or hood), retail (general, enclosed & unenclosed), retail (neighborhood), services (neighborhood), service station, veterinary hospital, storage (including mini-

warehouses), telecommunications facilities, and warehousing (wholesale & distribution).

APPROVED and ADOPTED this the 12th day of February, 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 # 2741 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 12th day of February, 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

2301 Old Columbiana Road



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

Date: DECEMBER 14, 2017

- **CASE: P-1217-58**
- **REQUESTED ACTION:** Rezoning From Vestavia Hills Inst-1 to Vestavia Hills B-2
The Purpose Of A Sports Medicine & Fitness Institute
- **ADDRESS/LOCATION:** 2301 Old Columbiana Rd.
- **APPLICANT/OWNER:** Russell W. Polhemus
- **REPRESENTING AGENT:**
- **GENERAL DISCUSSION:** Property consists only of Sports Medicine & Fitness Institute. Property is being sold and the proposed rezoning will bring property into current compliance with zoning regulations since the new owners are moving from non-profit to for-profit status. The only changes planned by the purchaser are the improvement of drainage and improved property maintenance. The applicants have also included a list of permitted B-2 uses that they have agreed to have stricken.
- **VESTAVIA HILLS COMPREHENSIVE PLAN:** The request is consistent with the Comprehensive Plan for Neighborhood (recreational areas).
- **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 conditioned on uses presented.
 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. Wolfe made a motion to recommend rezoning approval 2301 Old Columbiana Rd. from Vestavia Hills Inst-1 to Vestavia Hills B-2 The Purpose Of A Sports Medicine & Fitness Institute based on the plans presented with the following conditions:

- A. Property owner to enter into a maintenance consent agreement with the City Engineering Department;
- B. Facility shall not have a full service kitchen;
- C. The following uses will not be permitted: Hotels, Animal Shelter, Private Club, Day Care Center, Hospital, Nursing Home, Public Utility Facility, Automotive Repair (Major & Minor), Automotive Sales, Bank of Financial Services, Car Wash, Convenience Store, Funeral Home, Garden Center/Nursery, Gas Station, Hardware Store, Home Improvement Center, Laundromat, Laundry & Dry Cleaning (Retail), Laundry (Industrial), Liquor Lounge, Maintenance Service, Produce Market, Restaurant (Fast Food), Retail (General, Enclosed & Unenclosed), Service Station, Veterinary Hospital, Storage (Mini-Warehouse), Telecommunications Facilities, and Warehousing (Wholesale & Distribution).

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

Mr. Weaver – yes
Mr. Wolfe – yes
Mr. Gilchrist – yes
Mrs. Cobb – yes
Motion carried

Mr. Burrell – yes
Mr. Goodwin – yes
Mr. House – yes
Mr. Larson – yes

CITY OF VESTAVIA HILLS

APPLICATION

PLANNING AND ZONING COMMISSION

I. INSTRUCTIONS AND INFORMATION:

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

II. APPLICANT INFORMATION: (owner of property)

NAME: Russell W. Polhemus LLC

ADDRESS: 2301 Old Columbiana Road Vestavia Hills, AL 35216

MAILING ADDRESS (if different from above) _____

PHONE NUMBER: Home 404-971-4507 Office _____

NAME OF REPRESENTING ATTORNEY OR OTHER AGENT: Richard Pennino

1756 Mountain Woods Cr Vestavia Hills, AL 35216

III. ACTION REQUESTED

Request that the above described property be zoned/rezoned

From: Institutional

To: B2 with restrictions (Zoning only changes if property is sold)

For the intended purpose of: Recreational, Fitness and Rehabilitation and related activities

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

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

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

2301 Old Columbiana Road, Vestavia Hills, Al 35216

Lot 2 Polhemus Addition to Vestavia Hills PB 223 Page 52

Property size: _____ feet X _____ feet. Acres: 2.61

V. INFORMATION ATTACHED:

Attached Checklist complete with all required information.

Application fees submitted.

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

Russell W. Polhemus
Owner Signature/Date 11/9/17

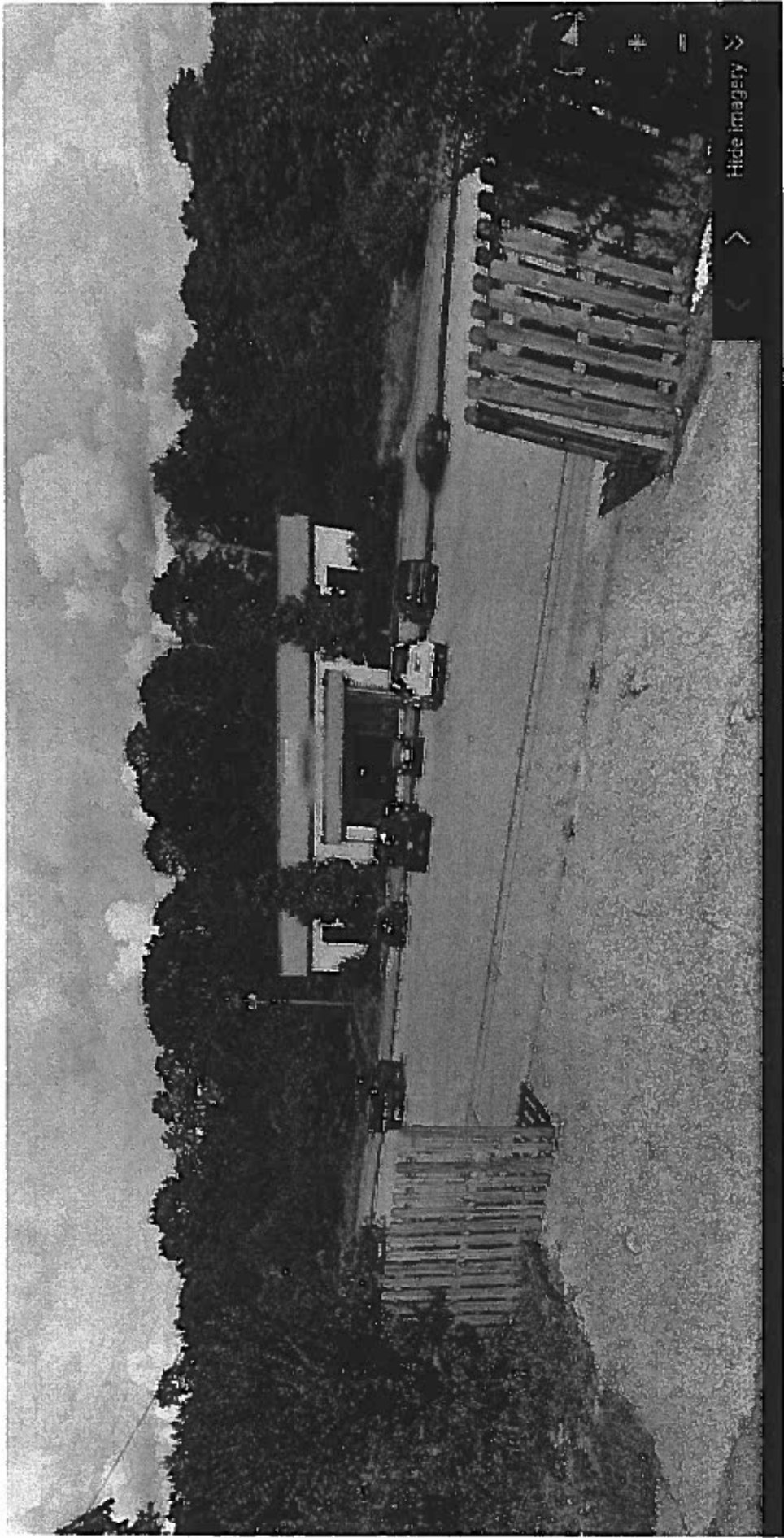
Richard J. [Signature] 11/9/2017
Representing Agent (if any)/date

Given under my hand and seal
this 9 day of November, 2017.

Michael White Arledge
Notary Public

My commission expires 10
day of April, 2018.





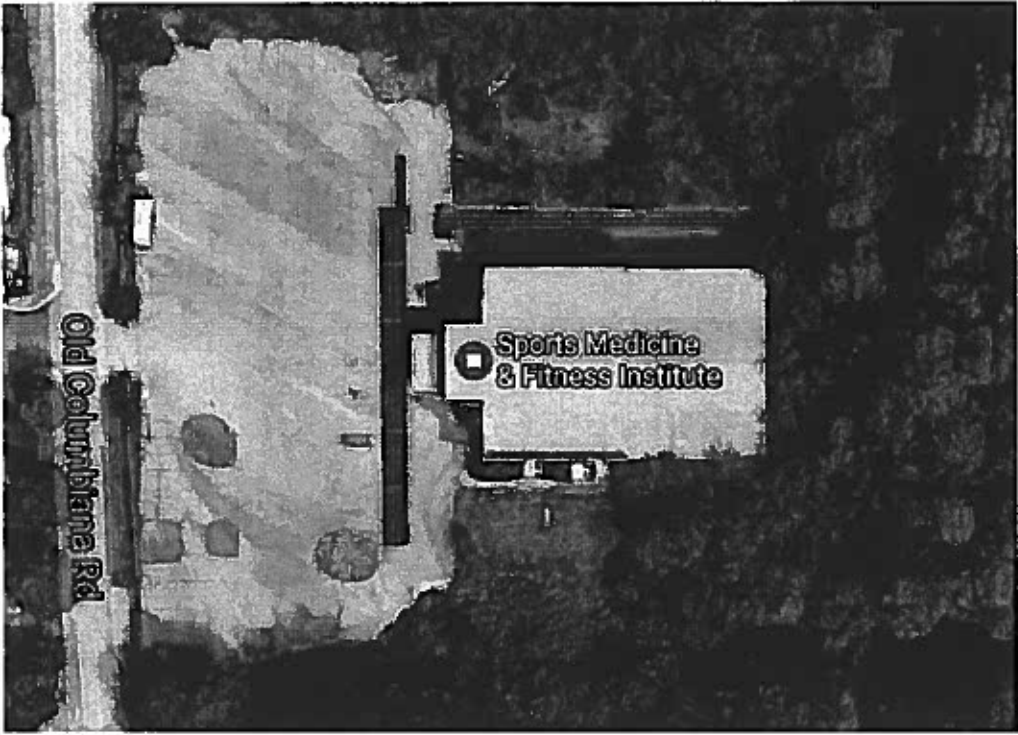
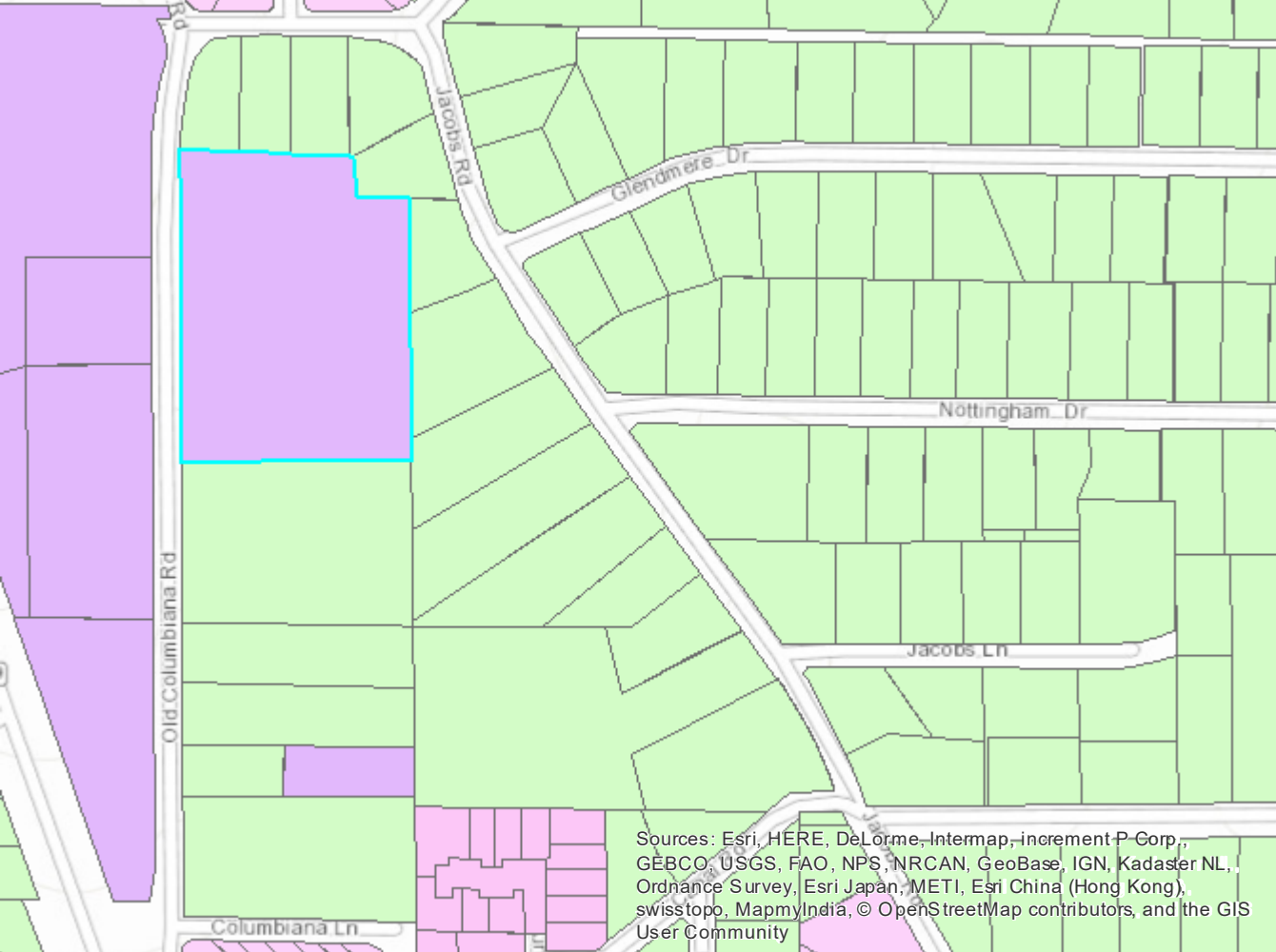


Table 6 Use Regulations for Non-Residential Districts								
USES / DISTRICTS:	A	B-1	B-1.2	B-2	B-3	O-1	O-2	INST
AGRICULTURAL								
Farm, Raising of Crops only	Y							
Farm, Raising of Livestock	L							
Farm Support Business	SE				C			
Forestry	Y							
Stable	Y							
RESIDENTIAL								
Assisted Living Facility			C					Y
Independent Living Facility			Y					
Multi-family dwelling			Y					
Townhouse			Y					
LODGING								
Bed and Breakfast, §7.4	C							
Hotel X				Y	Y			
Motel					Y			
INSTITUTIONAL								
Animal Shelter, §7.6 X	Y			C	C			C
Private Club X		Y	Y	Y	Y	Y	Y	Y
Day Care Center, §7.7 X		L	L	Y	Y	C	C	C
Hospital X					C		C	Y
Nursing Home Y					C			Y
Place of Assembly	C	L	L	Y	Y	L	Y	Y
Public Facility ✓	L	L	L	Y	Y	L	Y	Y
Public Utility Facility ✓	SE	SE	SE	SE	SE	SE	SE	SE
School, Commercial	C	L	L	Y	Y	L	Y	Y
School, Not-for-Profit	C	L	L	Y	Y	L	Y	Y
School, Public	C	L	L	Y	Y	L	Y	Y
BUSINESS								
Automotive Repair Service, Major X				C	C			
Automotive Repair Service, Minor X				Y	Y			
Automotive Sales ✓				C	C			
Bank or Financial Service X		L	L	Y	Y	Y	Y	
Broadcast Studio				Y	Y	Y	Y	
Business or Professional Office		L	L	Y	Y	Y	Y	
Business Support Service		L	L	Y	Y	Y	Y	
Car Wash, Freestanding (non-accessory) X				C	C			
Convenience Store X		Y	Y	Y	Y			
Entertainment, Indoor				Y	Y			
Entertainment, Outdoor				C	C			
Funeral Home ✓				C	Y			
Garden Center/ Nursery X		L	L	Y	Y			

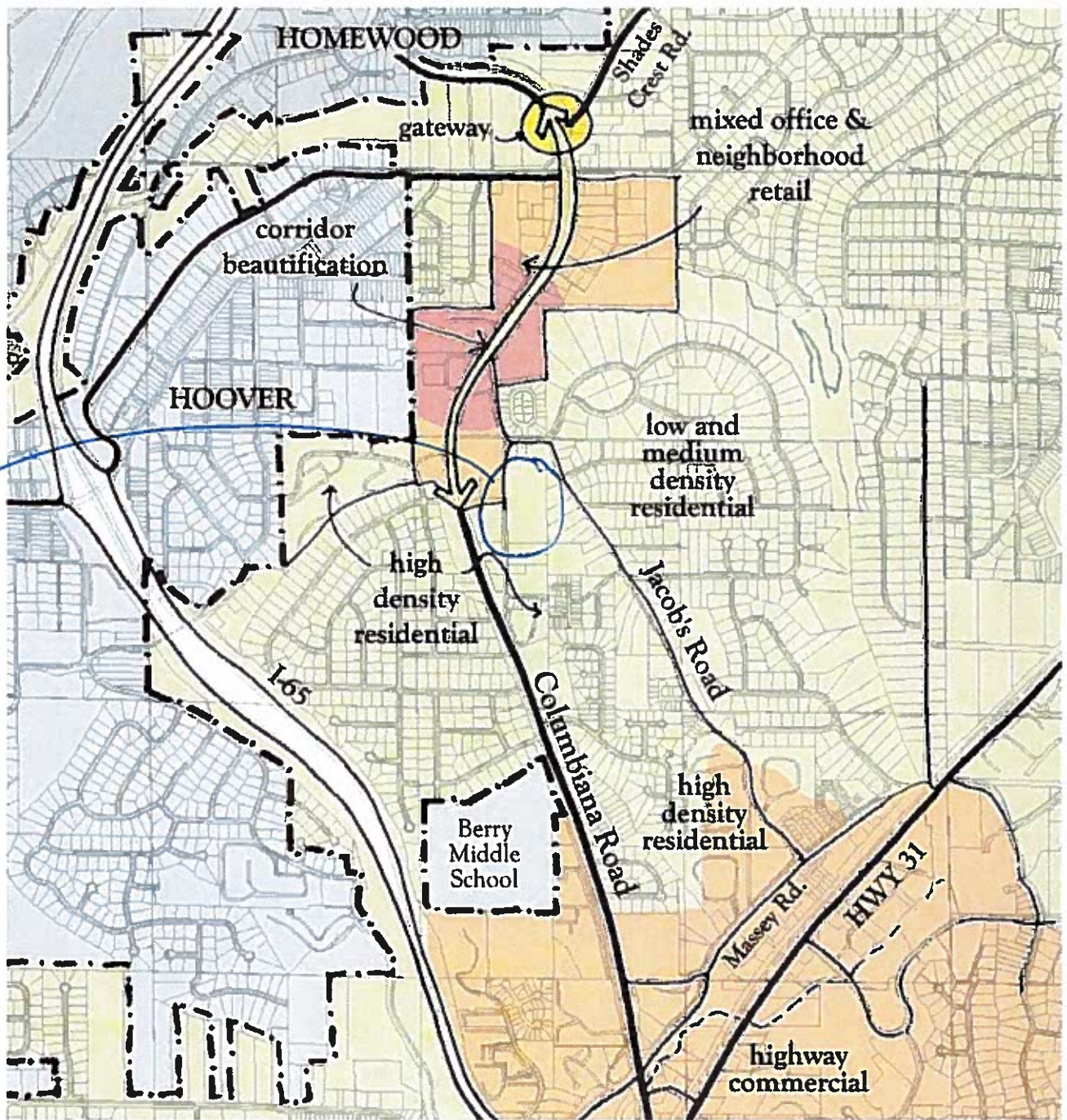
Y – The use is permitted by right.
 L – Permitted to limits set by district regulations
 SE – Special Exception Use, requires approval by BZA (see §12.3). May also be subject to district limitations.
 C – Conditional Use, requires approval by the Council (see §13.3). May also be subject to district limitations.
 A use not listed may be requested for approval as a Conditional Use per §13.3.
 A use followed by a numeric cross-reference is subject to Use-Specific Regulations in Article 7.
 A blank cell indicates that the use is not permitted.

Table 6 Use Regulations for Non-Residential Districts									
USES / DISTRICTS:		A	B-1	B-1.2	B-2	B-3	O-1	O-2	INST
Gas Station, §7.2	X			C	Y	Y			
Hardware Store	X		L	L	Y	Y			
Home Improvement Center	X				Y	Y			
Kennel, §7.6		Y				C			
Laundromat	X			Y	Y	Y			
Laundry and Dry Cleaning, Retail	X		Y	Y	Y	Y	Y	Y	
Laundry, Industrial	X				C	C			
Liquor Lounge	X		C	C	C	C			
Maintenance Service	X				C	C			
Medical Clinic				L	Y	Y	Y	Y	Y
Medical Support Service				L	Y	Y	Y	Y	Y
Personal Service			L	L	Y	Y			
Produce Market	X	Y	Y	Y	Y	Y			
Restaurant, Fast Food	X		L	L	Y	Y			
Restaurant, Standard			L	L	Y	Y			
Retail, General, Enclosed	X				Y	Y			
Retail, General, Unenclosed	X				C	Y			
Retail, Neighborhood			L	L	L	L			
Services, Neighborhood			L	L	L	L			
Service Station, §7.2	X			C	Y	Y			
Studio, Artist			Y	Y	Y	Y			
Veterinary Hospital, §7.6	X				C	C			
OTHER									
Airport						C			
Cemetery		C							C
Construction Service						C			
Country Club		C							
Heliport						C		C	C
Landfill						C			
Manufacturing, Light						C			
Mixed Use, General				L					
Mixed Use, Live-Work				L					
Parks, Gardens, Playgrounds		Y	Y	Y	Y	Y			Y
Recreation, Indoor					Y	Y			
Recreation, Outdoor					C	C			Y
Rehabilitation Facility						C			Y
Research Laboratory						C		C	
Salvage Yard						C		C	
Storage, Mini-warehouse, §7.5	X				C	C			
Storage, Outdoor						C			
Telecommunications Facilities, §7.9	X	C	C	C	C	C	C	C	C
Warehousing, Wholesale, Distribution	X				C	C			

Y – The use is permitted by right.
L – Permitted to limits set by district regulations
SE – Special Exception Use, requires approval by BZA (see §12.3). May also be subject to district limitations.
C – Conditional Use, requires approval by the Council (see §13.3). May also be subject to district limitations.
A use not listed may be requested for approval as a Conditional Use per §13.3.
A use followed by a numeric cross-reference is subject to Use-Specific Regulations in Article 7.
A blank cell indicates that the use is not permitted.



Sources: Esri, HERE, DeLorme, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), swisstopo, MapmyIndia, © OpenStreetMap contributors, and the GIS User Community



Subject Parcel

Figure 20: Columbiana Road
Land Use Analysis

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

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



ORDINANCE NUMBER 2742

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 INST, B-2, AND A TO VESTAVIA HILLS B-1.2 FOR OFFICE AND COMMERCIAL DEVELOPMENT

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 Inst (institutional district), Vestavia Hills B-2 (business district), Vestavia Hills A (agricultural district) to Vestavia Hills B-1.2 (neighborhood mixed use district):

3122, 3128, 3134, and 3136 Sunview Drive
Thomas Holdings, Owner(s)

Being more particularly described as follows:

Parcel #1

A parcel of land situated in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 18 South, Range 2 West, Jefferson County being more particularly described as follows:

Commencing at a found capped iron stamped EDG 804LS marking the Southeast corner of Lot 13, Block 2 Glass's Second Addition to New Merkle as recorded in Map Book 28, Page 51 in the Office of the Judge of Probate of Jefferson County, Alabama said point also lying on the Northerly right of way of Sunview Drive (right of way varies); thence run North 59 degrees 21 minutes 51 seconds West along said Northerly right of way and along the South lot lines and the extension thereof of Lots 13, 12, and 11 said Block 2 Glass's Second Addition to New Merkle for a distance of 189.04 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS; thence run North 63 degrees 41 minutes 47 seconds West along said Northerly right of way for a distance of 84.87 feet to a found PK nail and the POINT OF BEGINNING of the Parcel herein described; thence run North 49 degrees 17 minutes 22 seconds West along said Northerly right of way for a distance of 29.25 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS lying on a curve turning to the right, with a radius of 331.15 feet, with a delta angle of 08 degrees 33 minutes 56 seconds, with a chord bearing of North

37 degrees 16 minutes 00 seconds West, and with a chord length of 49.46 feet; thence run along the arc of said curve and along said Northerly right of way for a distance of 49.51 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS; thence run North 32 degrees 59 minutes 02 seconds West along said Northerly right of way for a distance of 71.55 feet to a found capped iron stamped EDG 804LS; thence leaving said Northerly right of way run North 41 degrees 48 minutes 11 seconds East for a distance of 4.49 feet to a found capped iron stamped EDG 804LS; thence run North 20 degrees 07 minutes 49 seconds East for a distance of 31.99 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS; thence run North 47 degrees 54 minutes 46 seconds East for a distance of 32.36 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS; thence run South 89 degrees 36 minutes 14 seconds East for a distance of 92.84 feet to a found capped iron stamped EDG 804LS; thence run South 01 degrees 08 minutes 01 seconds East for a distance of 45.56 feet to a found capped iron stamped EDG 804LS; thence run North 63 degrees 35 minutes 07 seconds West for a distance of 49.78 feet to a found 5/8 inch rebar; thence run South 01 degrees 29 minutes 30 seconds East for a distance of 149.54 feet to the POINT OF BEGINNING. Said parcel contains 11,322 square feet or 0.26 acres more or less.

Parcel #2

A parcel of land situated in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 18 South, Range 2 West, Jefferson County being more particularly described as follows:

Commencing at a found capped iron stamped EDG 804LS marking the Southeast corner of Lot 13, Block 2 Glass's Second Addition to New Merkle as recorded in Map Book 28, page 51 in the Office of the Judge of Probate of Jefferson County, Alabama said point also lying on the Northerly right of way of Sunview Drive (right of way varies); thence run North 59 degrees 21 minutes 51 seconds West along said Northerly right of way and along the South lot lines and the extension thereof of Lots 13, 12, and 11 said Block 2 Glass's Second Addition to New Merkle for a distance of 189.04 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS and the POINT OF BEGINNING of the parcel herein described; thence run North 63 degrees 41 minutes 47 seconds West along said Northerly right of way for a distance of 84.87 feet to a found PK nail; thence leaving said Northerly right of way run North 01 degrees 29 minutes 30 seconds West for a distance of 149.54 feet to a found 5/8 inch rebar; thence run South 63 degrees 35 minutes 07 seconds East for a distance of 49.78 feet to a found capped iron stamped EDG 804LS; thence run South 63 degrees 43 minutes 01 seconds East for a distance of 35.22 feet to a found capped iron stamped EDG 804LS; thence run South 01 degrees 27 minutes 45 seconds East for

a distance of 149.40 feet to the POINT OF BEGINNING. Said parcel contains 11,227 square feet or 0.26 acres more or less.

Parcel #3

A portion of vacated 20th Avenue situated in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 18 South, Range 2 West, Jefferson County being more particularly described as follows:

Commencing at a found capped iron stamped EDG 804LS marking the Southeast corner of Lot 13, Block 2 Glass's Second Addition to New Merkle as recorded in Map Book 28, Page 51 in the Office of the Judge of Probate of Jefferson County, Alabama said point also lying on the Northerly right of way of Sunview Drive (right of way varies); thence run North 59 degrees 21 minutes 51 seconds West along said Northerly right of way and along the South lot lines of Lots 13, 12, and 11 said Block 2 Glass's Second Addition to New Merkle for a distance of 165.58 feet to a found capped iron stamped EDG 804LS marking the Southwest corner of said Lot 11 said point also lying on the Easterly vacated right of way of 20th Avenue and the POINT OF BEGINNING of the parcel herein described; thence run North 59 degrees 21 minutes 36 seconds West along said Northerly right of way for a distance of 23.46 feet to a set 5/8 inch capped rebar stamped GSA CA-560LS lying on the Westerly vacated right of way of 20th Avenue; thence leaving said Northerly right of way run North 01 degrees 27 minutes 45 seconds West said vacated right of way for a distance of 149.40 feet to a found capped iron stamped EDG 804LS; thence leaving said vacated right of way run North 86 degrees 10 minutes 14 seconds East for a distance of 22.48 feet to a found capped iron stamped EDG 804LS lying on the Easterly vacated right of way of 20th Avenue; thence run South 00 degrees 33 minutes 06 seconds East along said vacated right of way and along West lot line of Lots 10 and 11 said Block 2 Glass's Addition to New Merkle for a distance of 162.82 feet to the POINT OF BEGINNING. Said parcel contains 3,318 square feet or 0.08 acres more or less.

Parcel #4

A parcel of land situated in the Southwest one-quarter of the Southeast one-quarter of Section 15, Township 18 South, Range 2 West, Jefferson County being more particularly described as follows:

Beginning at a found capped iron stamped EDG 804LS marking the Southeast corner of Lot 13, Block 2 Glass's Second Addition to New Merkle as recorded in Map Book 28, Page 51 in the Office of the Judge of Probate of Jefferson County, Alabama said point also lying on the Northerly right of way of Sunview Drive (right of way varies); thence run North 59 degrees 21 minutes 51 seconds West along said Block 2 Glass's Second

Addition to New Merkle for a distance of 165.58 feet to a found capped iron stamped EDG 804LS marking the Southwest corner of said Lot 11 said point also lying on the Easterly vacated right of way of 20th Avenue; thence leaving said Northerly right of way run North 00 degrees 33 minutes 06 seconds West along said vacated right of way and along the West lot line of said Lot 11 for a distance of 116.79 feet to a set 5/8 inch capped rebar stamped GSA CA-50LS marking the Northwest corner of said Lot 11; thence leaving said vacated right of way run North 87 degrees 01 minutes 11 seconds East along the North lot line of said Lots 11, 12, and 13 for a distance of 132.41 feet to a found capped iron stamped EDG 804LS marking the Northeast corner of said Lot 13; thence run South 03 degrees 07 minutes 31 seconds East along the East lot line of said Lot 13 for a distance of 208.36 feet to the POINT OF BEGINNING. Said parcel contains 22,066 square feet, or 0.51 acres more or less.

BE IT FURTHER ORDAINED that said rezoning shall be conditioned upon completion of the restriction that it is to be built by the plans submitted and attached to this Ordinance as Exhibit A.

APPROVED and ADOPTED this the 12th day of February, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

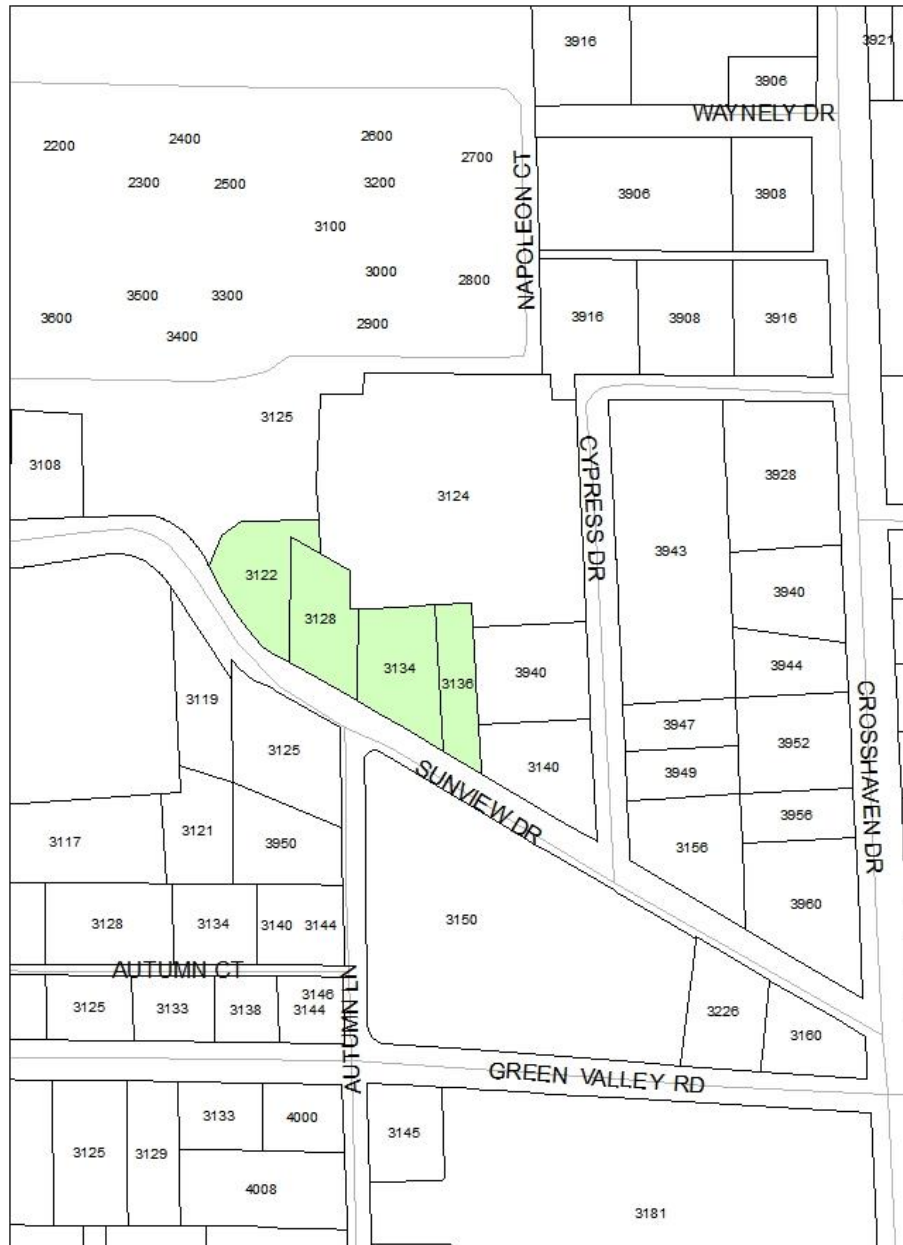
CERTIFICATION:

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 # 2742 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 12th day of February, 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

3122, 3128, 3134, and 3136 Sunview Drive

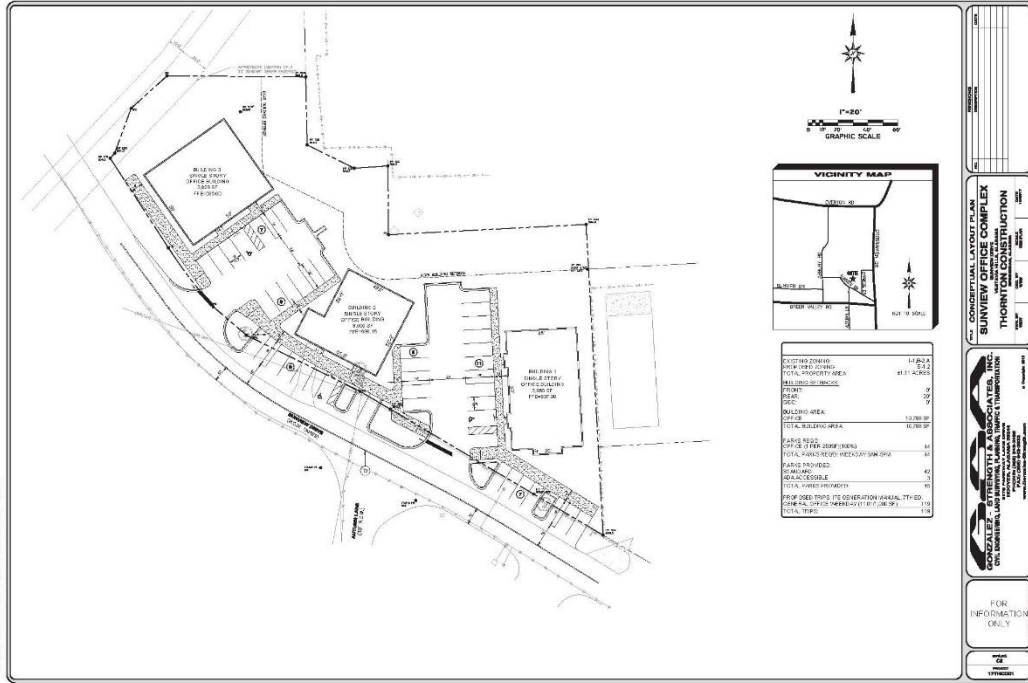


Subject Property

City of Vestavia Hills
Department of GIS
January 10, 2018



Exhibit A Page 1

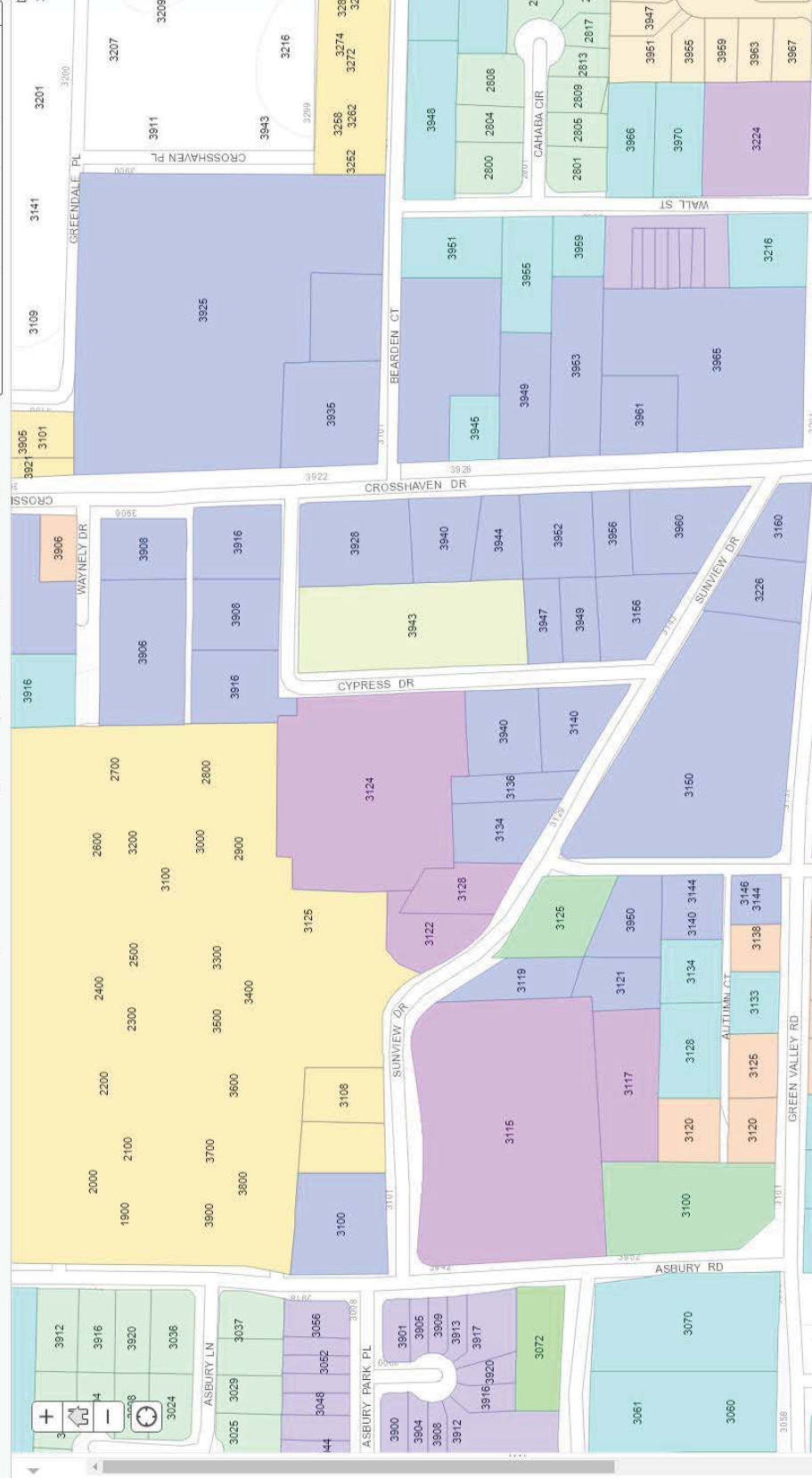


BARRETT
ARCHITECTURE
STUDIO

About Content Legend
Zoning - Vestavia_Hills_Address_Points

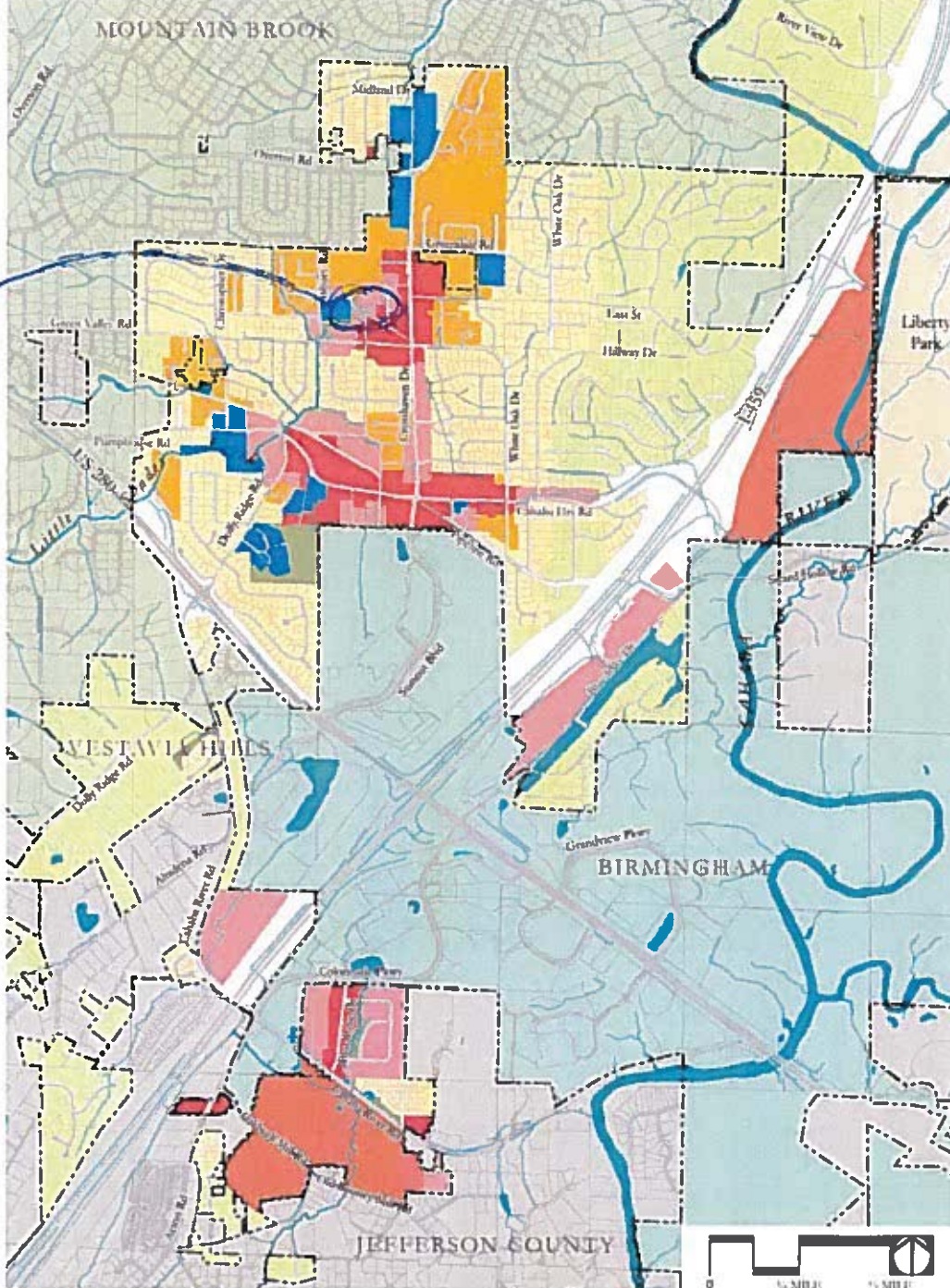
Zoning

- A
- B-1
- B-1*
- B-1.2
- B-1.2*
- B-2
- B-2*
- B-3
- B-3*
- E-2
- E-2*
- Inst-1
- Inst-1*
- O-1
- O-1*
- O-2
- O-2*
- PUD-MU
- PUD-PB
- PUD-PB*
- pin-pr-01



Future Land Use

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



Subject Parcel

Figure 4: Future Land Use Map

RESOLUTION NO. 5024

A RESOLUTION OPPOSING PROPOSED HOUSE BILL 110 AND PROPOSED SENATE BILL 130 OF THE 2018 REGULAR SESSION OF THE ALABAMA LEGISLATURE AND REQUESTING THAT THE LOCAL LEGISLATIVE DELEGATION VIGOROUSLY OPPOSE SAID BILLS

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, A MUNICIPAL CORPORATION, AS FOLLOWS:

WHEREAS, in recent years, the steady increase of online sales has had an adverse impact on local brick and mortar businesses located within the City of Vestavia Hills; and

WHEREAS, any decrease in sales and use tax collections make it more difficult for the City to provide basic services such as police and fire protection, road resurfacing, solid waste collection and disposal, educational funding and other essential services; and

WHEREAS, in 2015, the State passed the Simplified Sellers Use Tax (SSUT) to allow sellers to voluntarily pay tax on sales that would otherwise be outside the City's taxing authority under current law; and

WHEREAS, the Alabama Legislature now has under consideration two bills, HB110 and SB130, which would expand the availability of SSUT to businesses that currently owe local sales and use tax.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama that the City Council and Mayor of the City of Vestavia Hills opposes HB110 and SB130 unless the bills provide for:

- An increased tax rate for municipalities;
- Third party vendors using a host platform in the SSUT program must collect & remit sales taxes;
- Any consumer sales transactions that involve the local affiliate must collect & remit sales tax rates to the local jurisdiction.

BE IT FURTHER RESOLVED by the City Council of the City of Vestavia Hills, Alabama that the City Council and Mayor of the City of Vestavia Hills, Alabama, that they respectfully request their local delegation to the Alabama House and the Alabama Senate to vigorously oppose these bills unless the three items listed are included.

APPROVED and ADOPTED this 12th day of February, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5025

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE
AND EQUIPMENT A VEHICLE FOR THE VESTAVIA HILLS POLICE
DEPARTMENT**

WHEREAS, a Vestavia Hills Police vehicle was damaged beyond use during the apprehension of a suspect believed to have committed several violent felonies; and

WHEREAS, the Police Chief has indicated that the loss of this vehicle has diminished the department's fleet to the point a vehicle is needed immediately; and

WHEREAS, the City Manager has recommended a supplemental appropriation to allow the purchase of a police vehicle at a cost not to exceed \$40,000 (including equipment); and

WHEREAS, the Mayor and Council feel it is in the best public interest to replace said vehicle as recommended.

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

1. The City Manager is hereby authorized to purchase and equip a vehicle for the Vestavia Hills Police Department at a cost not to exceed \$40,000; and
2. Said purchase shall be expensed from the City's General Fund; and
3. This Resolution Number 5025 shall be effective immediately upon adoption and approval.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5020

A RESOLUTION AMENDING RESOLUTION NUMBERS 3192, 3337 AND 3469 AUTHORIZING THE CITY MANAGER TO OFFER CONTINUING HEALTH INSURANCE BENEFITS TO EMPLOYEES ELECTING TO RETIRE.

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

THAT, the City Manager is authorized to offer to eligible City employees continuing health insurance benefits until they reach age 65 under the following terms, if the eligible employee elects to retire.

1. **ELIGIBILITY**. All currently active City employees (including the Library and Parks and Recreation Department) who meet the service retirement requirements of the Employees Retirement Systems of Alabama, who are age 55 years of age, or older, and who have 25 or more years of service, or who have at least 10 years of service and have reached the age of 60 or older are eligible, provided that such employee gives 30 days written notice of their election to retire prior to their effective date of retirement.
2. **INSURANCE COVERAGE**. The eligible employees electing to retire must be currently enrolled in the City's health plan.

The retiring employee's coverage will continue as if the retiree were an active employee until that retiree reaches age 65 or becomes eligible for Medicare benefits, whichever comes first. The coverage that will be provided by the City to the eligible retiree pursuant to this Resolution is that same coverage which is otherwise available to other active employees of the City. It is agreed and understood that the eligible employee electing to retire will not be treated differently than any other active employee and will

receive the insurance benefits as any other active employee of the City, subject to the maximum premium cost provided in paragraph 3 below.

3. **PREMIUM COST.** Pursuant to this Resolution the City will pay a health insurance benefit beginning at a minimum benefit of at least \$240.00, or an amount equal to the calculation of 2.5% times the number of years of service with the City of Vestavia Hills, whichever is greater. The maximum benefit shall not exceed 87.5% at a maximum of \$1,000.00 for those retiring eligible employees who are presently enrolled under the City's health insurance plan for single or family coverage and those individuals who previously retired under this plan.
4. **RETIREMENT PLAN.** The eligible employees electing to retire pursuant to this Resolution must be at the time of retirement, qualified and eligible to retire under The Employee's Retirement System of Alabama Service Retirement Plan and must be currently enrolled in The Employee's Retirement System of Alabama at the time of notice of such election as required by this Resolution. The City makes no representation as to the eligibility of any employee as relates to service retirement benefits from the Retirement Plan. However, it is a specific condition that the employee electing to retire pursuant to this Resolution must be eligible to service retire pursuant to the laws of the State of Alabama and in particular with the terms and conditions of The Employee's Retirement System of Alabama.
5. **EFFECTIVE DATE:** This resolution shall become effective the 1st day of April, 2018.

APPROVED and ADOPTED this the 26th day of February, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2743

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

WHEREAS, on the 13th day of November, 2017, a petition was presented to the City Council of the City of Vestavia Hills, Alabama, proposing the annexation of certain property to the City of Vestavia Hills, Alabama, under the provisions of Act 32 of the Special Session on the Alabama Legislature of 1964; and

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

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

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

3533 Squire Lane
Jason and Kathleen Lawrence, Owner(s)

Being more particularly described as follows:

Part of the SE ¼ of the NW ¼ of Section 23, Township 18 South, Range 2 West, more particularly described as follows:

Commence at the southwest corner of the SE ¼ of the NW ¼ of Section 28, Township 18 South, Range 2 West, Jefferson County, Alabama thence east along the south line of said ¼ - ¼ section a distance of 244.49 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.

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

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

ADOPTING and APPROVED this the 26th day of February, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

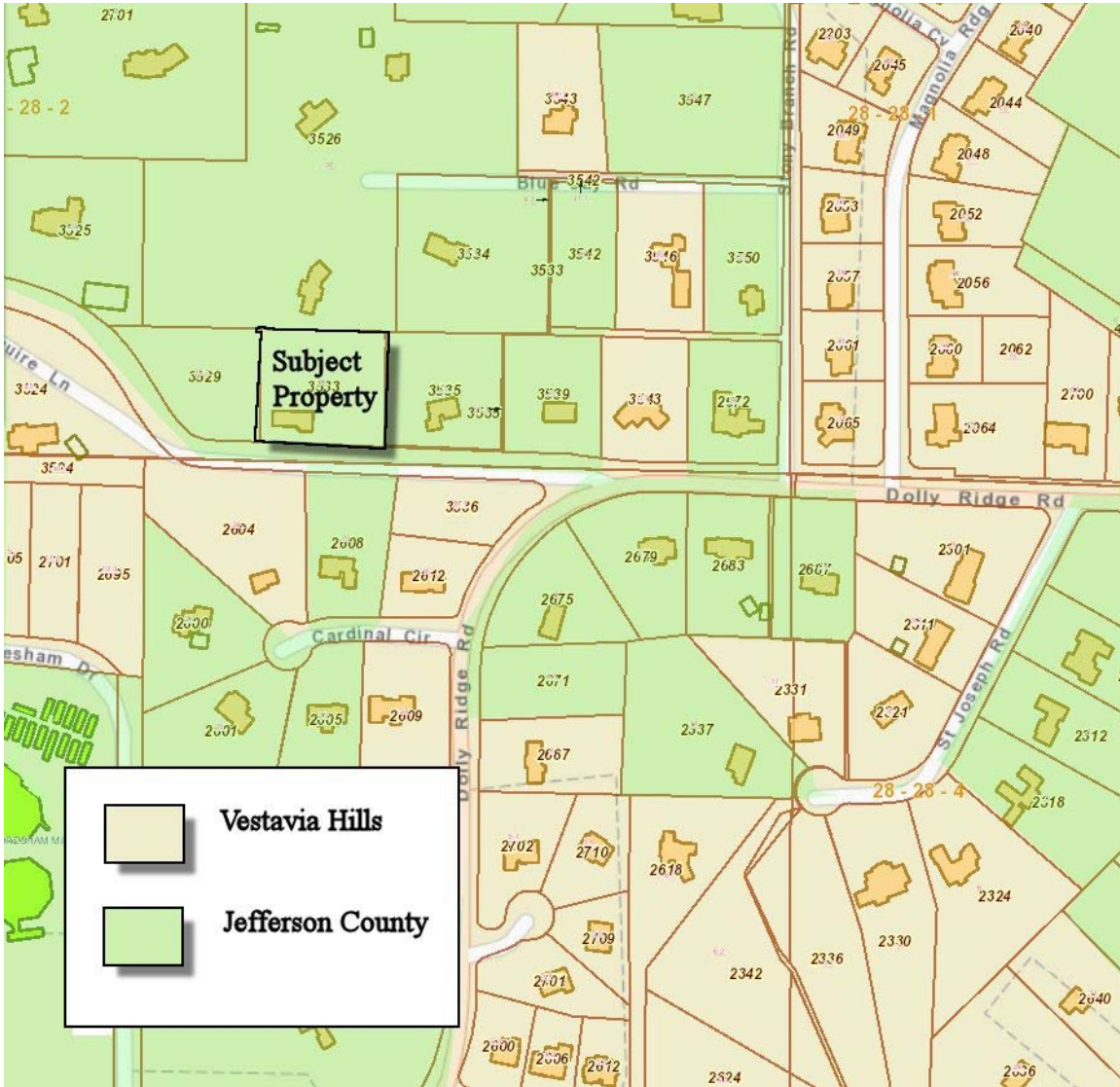
Rebecca Leavings
City Clerk

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 # 2743 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 26th day of February, 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





3533 Squire Lane
Jason and Kathleen Lawrence

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: 3533 Squire Lane

Engineering; Public Services

Date: 9/21 Initials: CB

3533 Squire Lane -- no significant concerns noted; asphalt is in poor to fair condition; there are no roadside gutter or drainage structures; the roadway is still majority unincorporated Jefferson County so anticipate it will remain on County's maintenance schedule.

Police Department:

Date: 09-25-17 Initials: JW

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 2 001 030.000
OWNER: SMITH THOMAS O IV & MARGARET B
ADDRESS: 3533 SQUIRE LANE VESTAVIA AL 35243
LOCATION: 3533 SQUIRE LN BHAM AL 35243

[111-C+] Baths: 3.0 H/C Sqft: 2,464
 18-012.0 Bed Rooms: 4 Land Sch: A114
 Land: 143,500 Imp: 190,400 Total: 333,900
 Acres: 0.000 Sales Info: 11/21/2013 \$10

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

Tax Year : 2017

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

SUMMARY

ASSESSMENT

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

VALUE

LAND VALUE 10% \$0
 LAND VALUE 20% \$143,520
 CURRENT USE VALUE [DEACTIVATED] \$0
CLASS 2
 POOL VINYL 60 29VP60 \$5,600
 BLDG 001 111 \$184,800

CLASS USE:

FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$333,900.00 BOE VALUE: 0

CLASS 3

TOTAL MARKET VALUE [APPR. VALUE: \$333,900]: \$333,920
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	2	1	\$66,780	\$434.07	\$0	\$434.07
COUNTY	2	1	\$66,780	\$901.53	\$0	\$901.53
SCHOOL	2	1	\$66,780	\$547.60	\$0	\$547.60
DIST SCHOOL	2	1	\$66,780	\$0.00	\$0	\$0.00
CITY	2	1	\$66,780	\$0.00	\$0	\$0.00
FOREST	2	1	\$0	\$0.00	\$0	\$0.00
SPC SCHOOL1	2	1	\$66,780	\$340.58	\$0	\$340.58
SPC SCHOOL2	2	1	\$66,780	\$1,121.90	\$0	\$1,121.90

ASSD. VALUE: \$66,780.00

\$3,345.68

GRAND TOTAL: \$3,345.68

Payoff Quote

DEEDS

INSTRUMENT NUMBER

[2017072178](#)
[201320-12986](#)
[2390-1](#)

PAYMENT INFO

DATE	PAY DATE	TAX YEAR	PAID BY	AMOUNT
7/14/2017		2017		\$0.00
11/21/2013	1/5/2017	2016	-	\$3,345.68
07/21/1983	12/21/2015	2015		\$3,345.68
	1/6/2015	2014	T. O. SMITH PHONE SOS-SG?-SGOI	\$3,324.61
	1/3/2014	2013	T. O. SMITH	\$3,324.61
	12/28/2012	2012	SMITH T O	\$1,606.81

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: July 17, 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.

Please mail any bills related to annexation
to Jason + Kathleen Lawrence
8401-B Vestavia Villa Court
Vestavia Hills, AL 35226
Kathleen-205-515-9779

Firedues: \$2335.92
@ \$399.32 per year

EXHIBIT "A"

LOT: N/A

BLOCK: N/A

SURVEY: N/A

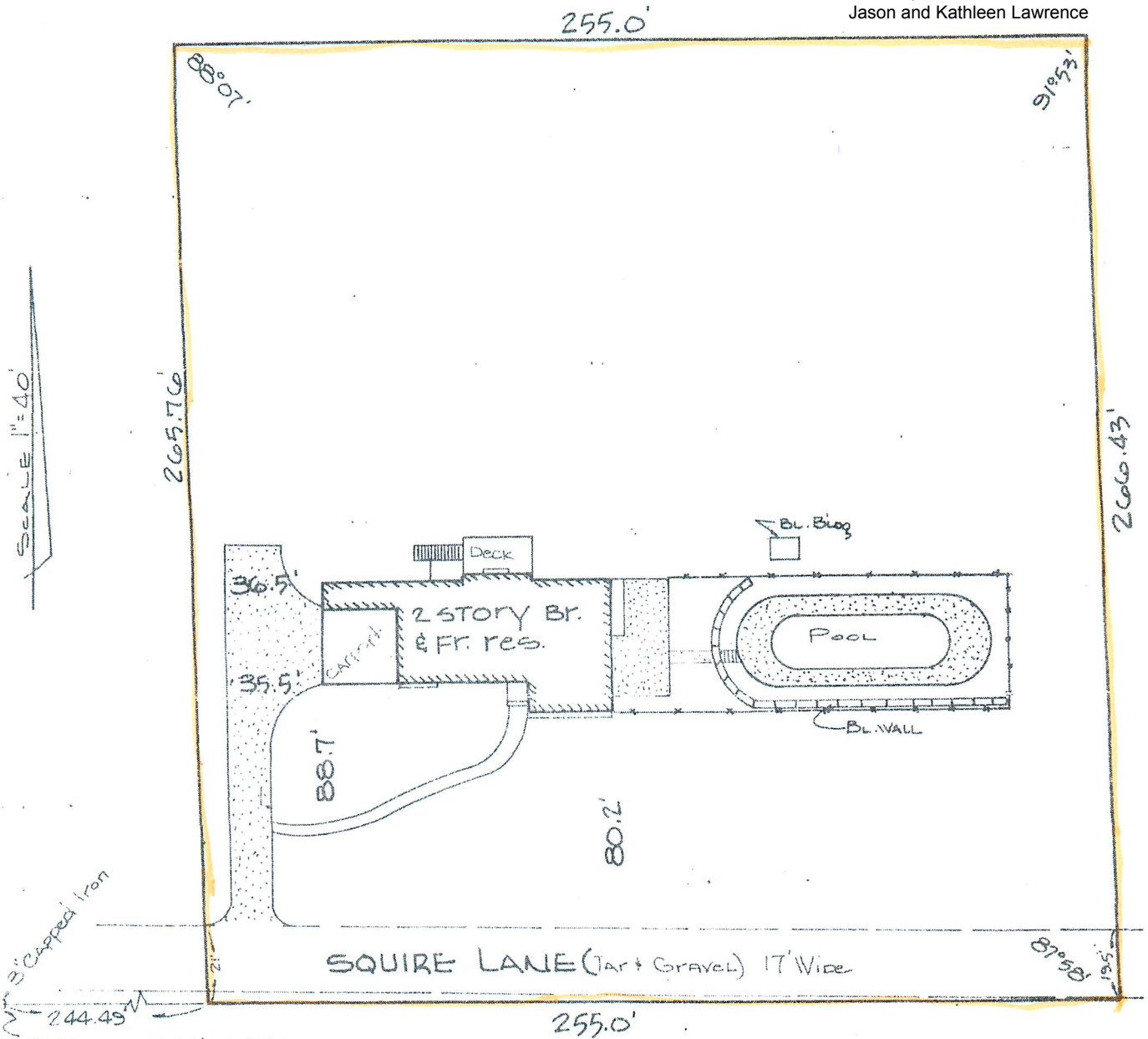
RECORDED IN MAP BOOK N/A, PAGE N/A IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING E1 estate

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

Part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 28, Township 18 South, Range 2 West, more particularly described as follows: Commence at the southwest corner of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of section 28, Township 18 South, Range 2 West, Jefferson county, Alabama thence east along the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 244.49 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.



Scale 1" = 40'
244.45'
SW Cor. of SE 1/4 - NW 1/4
Sec. 28 - T. 18 - S. ; R. 2 W

3533 Squire Lane

STATE OF ALABAMA
JEFFERSON COUNTY)

I, Lawrence D. Weygand, Engineer-Land Surveyor, certify that I have surveyed the land shown above; that there are no right-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 the 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 land except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and found that this property is not located in a special flood hazard area; that improvements are located as shown above and that the correct description is as follows:

Part of the SE 1/4 of the NW 1/4 of Section 28, Township 18 South, Range 2 West, more particularly described as follows: (Commence) at the southwest corner of the SE 1/4 of NW 1/4 of Section 28, Township 18 South, Range 2 West, Jefferson County, Alabama; thence along the south line of said 1/4-section a distance of 244.45 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.

According to my survey of July 8, 1983

Lawrence D. Weygand
Lawrence D. Weygand-Reg./P.E. & L.S.#10373
PII: 939-0900

Order No: 44089 Fore. Smith

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>[Signature]</u>	Lot	Block	Survey	_____
<u>Kathleen Lawrence</u>	Lot	Block	Survey	_____
_____	Lot	Block	Survey	_____

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

STATE OF ALABAMA

Jefferson COUNTY

Kathleen Lawrence 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]
Signature of Certifier

Subscribed and sworn before me this the 17 day of July, 2017.

[Signature]
Notary Public

My commission expires: 9-29-20

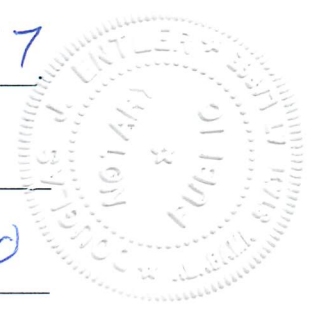


EXHIBIT "B"

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): Jason & Kathleen Lawrence
Address: 3533 Squire Lane
City: Vestavia State: AL Zip: 35243

Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
1.	Lindley Lawrence	16	11	X	
2.	Chappell Lawrence	14	9	X	
3.	Laura Kate Lawrence	12	7	X	
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": Currently enrolled - they have attended VHS from preschool

Greg Morton Appraisals, LLC
P.O. Box 694
Helena, AL 35080
2052299274

July 10, 2017

TRUSTMARK NATIONAL BANK
201 COUNTRY PLACE PKWY
PEARL, MS
39208

Property - 3533 SQUIRE LN
VESTAVIA, AL 35243
Borrower - JASON LAWERENCE
File No. - G6247717
Case No. -

Dear :

In accordance with your request, I have prepared an appraisal of the real property located at 3533 SQUIRE LN, VESTAVIA, AL.

The purpose of the appraisal is to provide an opinion of the market value of the property described in the body of this report.

Enclosed, please find the report which describes certain data gathered during our investigation of the property. The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in this report.

An inspection of the property and a study of pertinent factors, including valuation trends and an analysis of neighborhood data, led the appraiser to the conclusion that the market value, as of 07/07/2017 is :

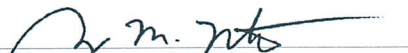
\$375,000

The opinion of value expressed in this report is contingent upon the Limiting Conditions attached to this report.

It has been a pleasure to assist you. If I may be of further service to you in the future, please let me know.

Respectfully submitted,

Greg Morton Appraisals, LLC



Gregory M. Morton
AL Certification #R00723

ORDINANCE NUMBER 2744

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 JEFFERSON COUNTY E-2 TO VESTAVIA HILLS R-1

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

3533 Squire Lane
Jason and Kathleen Lawrence, Owner(s)

Being more particularly described as follows:

Part of the SE ¼ of the NW ¼ of Section 23, Township 18 South, Range 2 West, more particularly described as follows:
Commence at the southwest corner of the SE ¼ of the NW ¼ of Section 28, Township 18 South, Range 2 West, Jefferson County, Alabama thence east along the south line of said ¼ - ¼ section a distance of 244.49 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.

APPROVED and ADOPTED this the 26th day of February, 2018.

Ashley C. Curry
Mayor

ATTESTED BY:

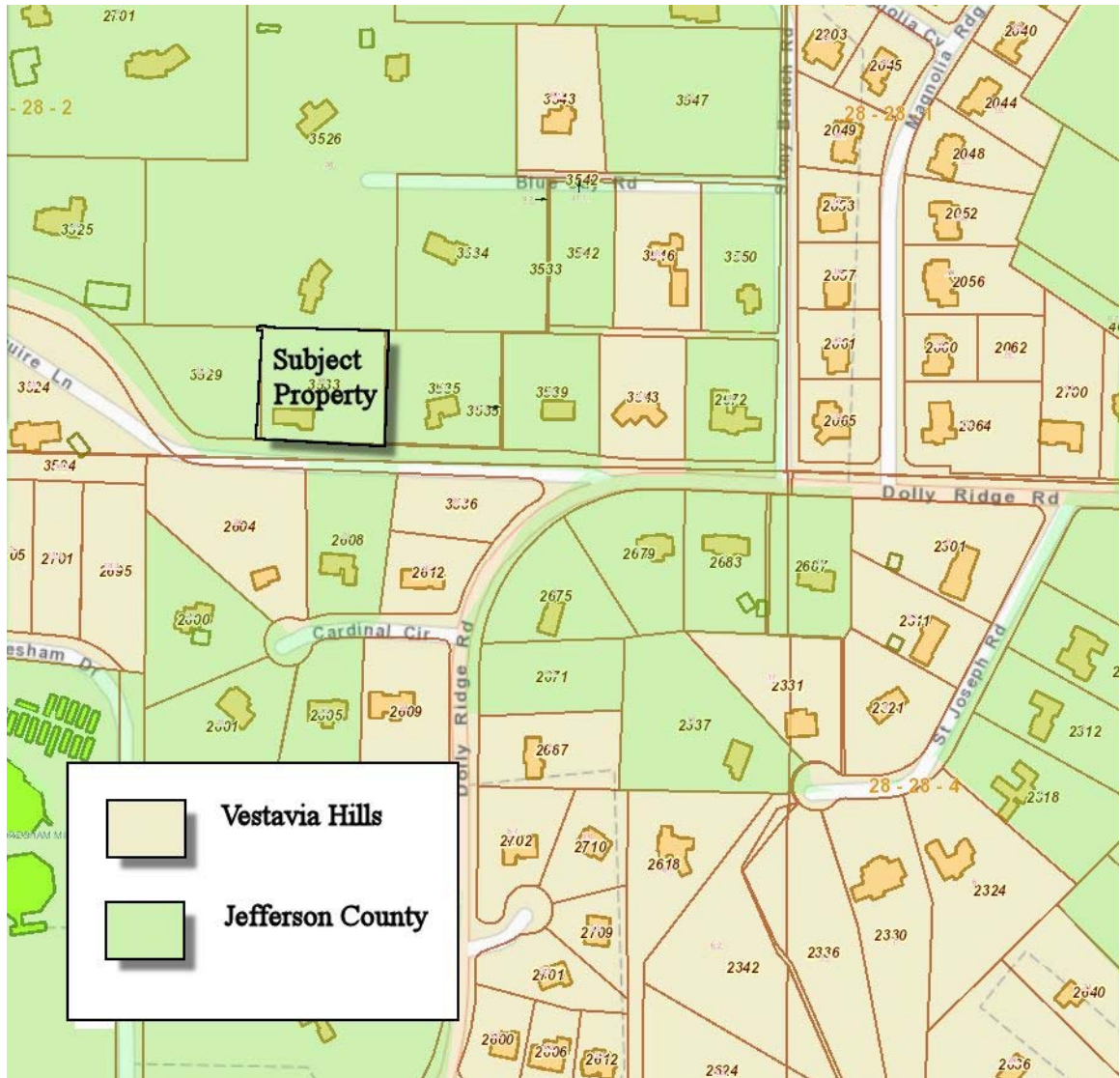
Rebecca Leavings
City Clerk

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 # 2744 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 26th day of February, 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: JANUARY 11, 2018

- **CASE: P-0118-01**
- **REQUESTED ACTION:** Rezoning from Jefferson County Jefferson County E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 3533 Squire Ln.
- **APPLICANT/OWNER:** Jason & Kathleen Lawrence
- **GENERAL DISCUSSION:** Property was annexed overnight by City Council on 11/13/17 with the passage of Ordinance 2731. Applicant is requesting the compatible rezoning as part of the annexation process.
- **STAFF REVIEW AND RECOMMENDATION:**

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

City Planner Recommendation: No recommendation

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

MOTION Mrs. Cobb made a motion to recommend rezoning approval for 3533 Squire Ln. from Jefferson County E-2 to Vestavia Hills R-1. Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Goodwin – yes
Mr. Brooks – yes
Mr. House – yes
Mr. Larson – yes

Mrs. Barnes – yes
Mr. Weaver – yes
Mrs. Cobb – yes
Motion carried

255.0'

88°07'

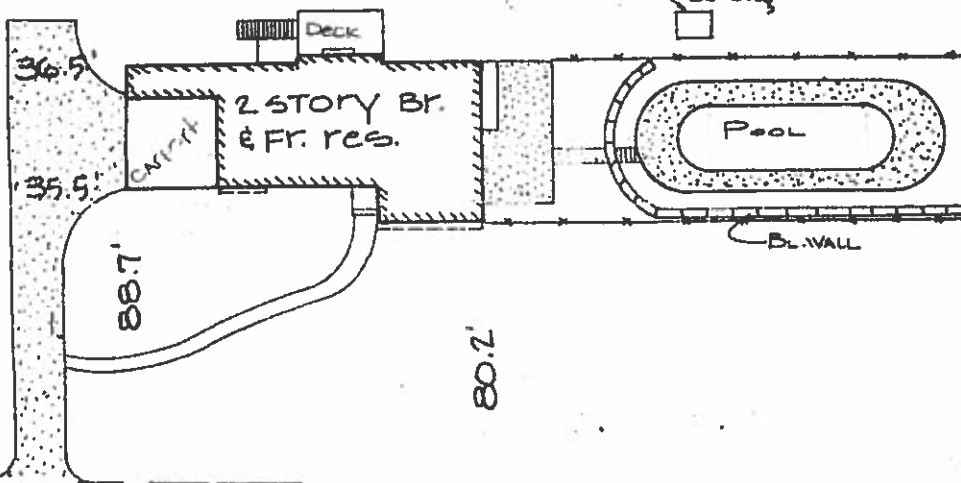
91°53'

SCALE 1"=40'

265.76'

266.43'

3" Capped Iron
244.45'



SQUIRE LANE (Tart Gravel) 17' Wide

255.0'

87°58'

SW Cor. of SE 1/4 - NW 1/4
Sec. 28 - T. 18 - S. ; R. 2 W

3533 Squire Lane

STATE OF ALABAMA
JEFFERSON COUNTY

I, Laurence D. Weyland, Registered Land Surveyor, certify that I have surveyed the land shown above; that there are no right-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 the 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 land except as shown; that I have consulted the Federal Insurance Administration Flood Hazard Boundary Map and found that this property is not located in a special flood hazard area; that improvements are located as shown above and that the correct description is as follows:

Part of the SE 1/4 of the NW 1/4 of Section 28, Township 18 South, Range 2 West, more particularly described as follows: Commence at the southwest corner of the SE 1/4 of NW 1/4 of Section 28, Township 18 South, Range 2 West, Jefferson County, Alabama; thence east along the south line of said 1/4 section a distance of 244.49 feet to the point of beginning; thence continue east along said south line a distance of 255 feet; thence at an angle to the left of 92°02' a distance of 266.43 feet; thence at an angle to the left of 88°07' a distance of 255 feet; thence at an angle to the left of 91°53' a distance of 265.76 feet to the point of beginning.

According to my survey of July 8, 1983

Order No: 44089 Pure, Smith

Laurence D. Weyland
Laurence D. Weyland-Reg./P.E. & L.S. #1037
PH: 939-0900

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA**

**Authorization
of
The Liberty Park Area Public Road Cooperative District**

The City Council of the City of Vestavia Hills, Alabama met in regular public session at City Hall in the City of Vestavia Hills, Alabama, at 6:00 p.m. on the ____ day of _____, 2018.

The meeting was called to order by the Mayor, and the roll was called with the following results:

Present: Ashley C. Curry, Mayor
Kimberly Cook
Paul J. Head
George Pierce
Rusty Weaver

Absent: None

* * *

The Mayor stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

Thereupon, the following resolution was introduced in writing by the Mayor, and considered by the City Council:

RESOLUTION NO. 5021

A RESOLUTION APPROVING AN APPLICATION TO INCORPORATE A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT OF THE CITY OF BIRMINGHAM, ALABAMA, JEFFERSON COUNTY, ALABAMA, AND THE CITY OF VESTAVIA HILLS, ALABAMA, AND AUTHORIZING SUCH INCORPORATION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, as follows:

Section 1. That the City Council, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of the City of Vestavia Hills pursuant to Chapter 99B of Title 11 of the Code of Alabama 1975 (the "Enabling Law"), that such application was signed by not less than three natural persons, and that each of said persons is over the age of 21 years and is a duly qualified elector of Jefferson County, Alabama:

**APPLICATION FOR AUTHORITY TO FORM
A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT**

TO THE GOVERNING BODIES OF THE CITY OF BIRMINGHAM, ALABAMA, JEFFERSON COUNTY, ALABAMA AND THE CITY OF VESTAVIA HILLS, ALABAMA:

We, the undersigned natural persons, each of whom is over the age of 21 years and is a duly qualified elector of Jefferson County, Alabama, do hereby make application in writing seeking permission to incorporate a capital improvement cooperative district (the "District") under the provisions of Chapter 99B of Title 11 of the Code of Alabama 1975 and file this Application:

1. The District proposes to acquire, construct and install capital improvements including roads, streets, public ways, sidewalks, lighting, landscaping for public roads, and related infrastructure improvements (the "Project").

2. The area in which the District proposes to acquire the Project is set forth on Appendix I attached hereto, all of which area is within Jefferson County, Alabama and portions of which area are within the corporate limits of the City of Birmingham, Alabama and the City of Vestavia Hills, Alabama.

3. The proposed members of the District are the City of Birmingham, Alabama and Jefferson County, Alabama and the City of Vestavia Hills, Alabama.

4. The District shall be governed by a board of directors which shall be comprised of three (3) persons.

The number of directors which the governing body of each authorizing subdivision shall be entitled to elect are as follows:

<u>Authorizing Subdivision</u>	<u>Number of Directors</u>
City of Birmingham, Alabama	1
Jefferson County, Alabama	1
City of Vestavia Hills, Alabama	1

5. The proposed location of the principal office of the District shall be at City Hall, Vestavia Hills, Alabama.

6. Each of the applicants is a duly qualified elector of Jefferson County, Alabama.

7. Upon dissolution of the District as permitted in the Enabling Law, title to all property (real, personal and mixed) of the District shall pass to and be vested in the City of Birmingham, Alabama, Jefferson County, Alabama and the City of Vestavia Hills, Alabama, as provided in Section 11-99B-15 of the Code of Alabama 1975.

8. The undersigned hereby requests that each of the governing bodies of the City of Birmingham, Alabama, Jefferson County, Alabama and the City of Vestavia Hills, Alabama adopt a resolution declaring that it is wise, expedient, and necessary that the proposed District be formed and authorizing the undersigned to proceed to form the proposed District by the filing for record of a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the Code of Alabama 1975.

9. A copy of the proposed form of certificate of incorporation for such District is attached hereto as Appendix II and made a part hereof.

WITNESS OUR SIGNATURES this _____ day of _____, 2018.

Name:

Name:

Name:

Appendix I

Project Area

Appendix II

Form of Certificate of Incorporation

**CERTIFICATE OF INCORPORATION
OF
THE LIBERTY PARK AREA PUBLIC ROAD COOPERATIVE DISTRICT**

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, in order to form a public corporation as a cooperative district under and pursuant to the provisions of Chapter 99B of Title 11 of the Code of Alabama 1975 (hereinafter called the "Enabling Law"), do hereby make, sign, execute, acknowledge and file this certificate of incorporation:

ARTICLE ONE

The names of the persons forming this public corporation, together with the residence of each of such persons, are:

<u>Name</u>	<u>Residence</u>
_____	_____
_____	_____
_____	_____

Each of the foregoing named persons is over the age of 21 years and is a duly qualified elector of Jefferson County, Alabama.

ARTICLE TWO

The period for the duration of the district shall be perpetual, subject to the provisions of the Enabling Law.

ARTICLE THREE

The authorizing subdivisions are the City of Birmingham, Alabama, Jefferson County, Alabama and the City of Vestavia Hills, Alabama.

On the ____ day of _____, 2018, the governing body of Jefferson County, Alabama adopted a resolution approving and authorizing the incorporation of the district in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit A and made a part hereof.

On the 26th day of February, 2018, the governing body of the City of Vestavia Hills, Alabama adopted a resolution approving and authorizing the incorporation of the district in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit B and made a part hereof.

On the ____ day of _____, 2018, the governing body of the City of Birmingham, Alabama adopted a resolution approving and authorizing the incorporation of the district in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit C and made a part hereof.

ARTICLE FOUR

The name of the district shall be “The Liberty Park Area Public Road Cooperative District” (hereinafter called the "District").

Attached hereto as Exhibit D and made a part hereof is a certificate by the Secretary of State of the State of Alabama stating that the name proposed for the District is not identical to that of any other corporation organized under the laws of the State of Alabama or so nearly similar thereto as to lead to confusion and uncertainty.

The location of the principal office of the District (and its post office address) shall be City Hall, Vestavia Hills, Alabama.

ARTICLE FIVE

1. The District proposes to acquire, construct and install capital improvements including roads, streets, public ways, sidewalks, lighting, landscaping for public roads, and related infrastructure improvements (the "Project").

2. The area in which the District proposes to acquire the Project is set forth on Exhibit E attached hereto, all of which area is within Jefferson County, Alabama and portions of which area are within the corporate limits of the City of Birmingham, Alabama and the City of Vestavia Hills, Alabama.

ARTICLE SIX

The District shall be governed by a board of directors which shall be comprised of three (3) persons.

The number of directors which the governing body of each authorizing subdivision shall be entitled to elect are as follows:

<u>Authorizing Subdivision</u>	<u>Number of Directors</u>
City of Birmingham, Alabama	1
Jefferson County, Alabama	1
City of Vestavia Hills, Alabama	1

ARTICLE SEVEN

The proposed name of the District is "The Liberty Park Area Public Road Cooperative District".

ARTICLE EIGHT

Upon dissolution of the District as permitted in the Enabling Law, title to all property (real, personal and mixed) of the District shall pass to and be vested in the City of Birmingham, Alabama, Jefferson County, Alabama and the City of Vestavia Hills, Alabama, as provided in Section 11-99B-15 of the Code of Alabama 1975.

ARTICLE NINE

The application filed with the governing body of each of the authorizing subdivisions in accordance with 11-99B-3 of the Code of Alabama 1975 was identical to the copy thereof attached to this certificate of incorporation as Exhibit F.

ARTICLE TEN

The District shall have all powers conferred on corporations of like nature by the Enabling Law, and any amendment thereof heretofore or hereafter made, and all other powers conferred upon corporations generally by the laws of Alabama not in conflict with the Enabling Law, as heretofore or hereafter amended.

ARTICLE ELEVEN

The District shall be a non-profit corporation and no part of the net earnings thereof shall inure to the benefit of any private person or entity of any nature whatsoever.

IN WITNESS WHEREOF, the undersigned incorporators have signed this certificate of incorporation on this _____ day of _____, 2018.

/s/ _____
Name:

/s/ _____
Name:

/s/ _____
Name:

STATE OF ALABAMA

JEFFERSON COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of incorporation, he executed the same voluntarily.

Given under my hand and official seal, this _____ day of _____, 2018.

Notary Public

NOTARIAL SEAL

My commission expires: _____

STATE OF ALABAMA

JEFFERSON COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of incorporation, he executed the same voluntarily.

Given under my hand and official seal, this _____ day of _____, 2018.

Notary Public

NOTARIAL SEAL

My commission expires: _____

STATE OF ALABAMA

JEFFERSON COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of incorporation, she executed the same voluntarily.

Given under my hand and official seal, this _____ day of _____, 2018.

Notary Public

NOTARIAL SEAL

My commission expires: _____

Exhibit A

ARTICLE THREE

Authorizing Resolution of Jefferson County, Alabama

Exhibit B

ARTICLE THREE

Authorizing Resolution of the City of Vestavia Hills, Alabama

Exhibit C

ARTICLE THREE

Authorizing Resolution of the City of Birmingham, Alabama

Exhibit D

ARTICLE FOUR

Certificate of Secretary of State of State of Alabama

Exhibit E

ARTICLE FIVE

Project Area

Exhibit F

ARTICLE NINE

Application

Section 2. That the City Council has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that it is wise, expedient, and necessary that the district be formed.

Section 3. That the City Council does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4. That the City Council does hereby grant permission to incorporate the district and does hereby authorize the persons making such application to proceed to form such district pursuant to the Enabling Law.

Section 5. That the City Council does hereby elect and appoint the following named persons as directors of The Liberty Park Area Public Road Cooperative District for the term of office ending on the date set opposite the name thereof or on such date as the respective successor thereof is elected and qualified:

Name

Date of End of Term

Fourth anniversary of the date of filing for record the certificate of incorporation for the cooperative district

Duly passed and adopted this _____ day of _____, 2018.

Mayor of the City of Vestavia Hills, Alabama

SEAL

Attest: _____
City Clerk

CERTIFICATE AS TO PUBLICATION

I, the undersigned City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing resolution was published by me by publication in *The Birmingham News*, a newspaper published in Jefferson County, Alabama, and of general circulation in the City of Vestavia Hills, Alabama, in the issue thereof published on _____, 2018.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City of Vestavia Hills, Alabama.

City Clerk

SEAL

It was moved by Councilmember _____ that all rules and regulations which, unless suspended, would prevent the immediate consideration and adoption of said resolution be suspended, and that unanimous consent to the immediate consideration of said resolution be given. The motion was seconded by Councilmember _____ and was unanimously carried, those voting aye being:

Ayes: Ashley C. Curry, Mayor
Kimberly Cook
Paul J. Head
George Pierce
Rusty Weaver

Nays: None

The Mayor declared the motion carried.

After said resolution had been discussed and considered in full by the Council, it was moved by Councilmember _____ that said resolution be now placed upon its final passage and adopted. The motion was seconded by Councilmember _____. The question being put as to the adoption of said motion and the final passage and adoption of said resolution, the roll was called with the following results:

Ayes: Ashley C. Curry, Mayor
Kimberly Cook
Paul J. Head
George Pierce
Rusty Weaver

Nays: None

The Mayor thereupon declared said motion carried and the resolution passed and adopted as introduced and read.

* * *

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Approval of Minutes:

Each of the undersigned does hereby approve, and waive notice of, the date, time, place and purpose of the meeting of the City Council of Vestavia Hills recorded in the above and foregoing minutes thereof and does hereby approve the form and content of the above and foregoing minutes and resolution therein.

Mayor

Member of Council

Member of Council

Member of Council

Member of Council

S E A L

Attest: _____
City Clerk

STATE OF ALABAMA

JEFFERSON COUNTY

CERTIFICATE OF CITY CLERK

I, the undersigned, do hereby certify that (1) I am the duly elected, qualified and acting Clerk of the City of Vestavia Hills, Alabama (the "Municipality"); (2) as Clerk of the Municipality I have access to all original records of the Municipality and I am duly authorized to make certified copies of its records on its behalf; (3) the above and foregoing pages constitute a complete, verbatim and compared copy of excerpts from the minutes of a regular meeting of the City Council of the Municipality duly held on the _____, 2018, the original of which is on file and of record in the minute book of the City Council in my custody; (4) the resolution set forth in such excerpts is a complete, verbatim and compared copy of such resolution as introduced and adopted by the City Council on such date; (5) said resolution is in full force and effect and has not been repealed, amended or changed.

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

Clerk of the City of Vestavia Hills, Alabama

SEAL

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING OF
THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA**

**Approval of Funding Agreement
for
The Liberty Park Area Public Road Cooperative District**

The City Council of the City of Vestavia Hills, Alabama met in regular public session at City Hall in the City of Vestavia Hills, Alabama, at 6:00 p.m. on _____, 2018.

The meeting was called to order by the Mayor, and the roll was called with the following results:

Present: Ashley C. Curry, Mayor
Kimberly Cook
Paul J. Head
George Pierce
Rusty Weaver

Absent: None

* * *

The Mayor stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

Thereupon, the following resolution was introduced in writing by the Mayor, and considered by the City Council:

RESOLUTION NO. 5022

A RESOLUTION APPROVING A FUNDING AGREEMENT FOR THE BENEFIT OF THE LIBERTY PARK AREA PUBLIC ROAD COOPERATIVE DISTRICT AND RELATED TRANSACTIONS

BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF VESTAVIA HILLS, ALABAMA, (the “City”) as follows:

Section 1. Representations and Definitions of Capitalized Terms.

The City has heretofore, upon evidence duly presented to and considered by it, found and determined, and does hereby find, determine and declare that:

(a) Pursuant to Chapter 99B of Title 11 of the Code of Alabama 1975 (the “Enabling Law”), the City, the City of Birmingham, Alabama, and Jefferson County, Alabama, have authorized the incorporation of The Liberty Park Area Public Road Cooperative District (the “District”), and the certificate of incorporation of the District is recorded as instrument No. _____ in the Office of the Judge of Probate of Jefferson County, Alabama.

(b) (1) The District proposes to issue a revenue bond or note in a maximum principal amount of \$_____ (the “Bond”) for the purpose of financing a portion of the costs of the Project (as defined in the certificate of incorporation thereof).

(2) The Bond shall be a limited obligation of the District payable solely from fees levied by the District pursuant to Section 11-99B-11 of the Enabling Law for the use of the Project, payable pursuant to certain project user fee agreements by the District and certain users of the Project, and certain funding agreements delivered by the City, the City of Birmingham, Alabama and Jefferson County, Alabama, for the benefit of the District pursuant to Section 11-99B-12 of the Enabling Law.

(c) There has been prepared for and delivered to the City, and made available for public inspection, the following agreements, contracts, documents and instruments with respect to the foregoing transactions and the undertakings by the City in connection therewith (collectively, the “Financing Documents”):

(1) Financing Agreement, to be dated the date of delivery, by the District and _____ (the “Bondholder”) with respect to the Bond;

(2) Funding Agreement, to be dated the first day of the month of delivery, by the City and the District and the Bondholder with respect to the Bond, as attached hereto as Exhibit A.

(3) _____.

(d) The expenditure of public funds for the purposes specified in the Financing Documents will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity or entities.

(e) It is necessary, desirable, and in the best interests of the taxpayers and citizens of the City for the City to deliver and perform the agreements and undertakings of the City set forth in the Financing Documents to which the City is a party.

Section 2. Approval of Financing Documents.

(a) The City does hereby approve, adopt, authorize, direct, ratify and confirm the representations, warranties, agreements and covenants of the City set forth in, and the transactions to be undertaken by the City pursuant to, the Financing Documents.

(b) The Financing Documents are approved in substantially the form and of substantially the content as presented to and considered by the City Council, with such changes or additions thereto or deletions therefrom as the officer of the City executing those of the Financing Documents to which the City is a party signatory thereto (herein collectively the "City Documents") shall approve, which approval shall be conclusively evidenced by execution of the City Documents by such officer as hereinafter provided.

(c) The Financing Documents presented to, considered and adopted by the City Council shall be filed in the permanent records of the City.

Section 3. Authorizations.

(a) The Mayor of the City is hereby authorized and directed to execute, acknowledge and deliver, simultaneously with the delivery of the Bond, the City Documents (as defined in Section 2(b)) for and on behalf of and in the name of the City. The City Clerk of the City is hereby authorized and directed to attest the same.

(b) Execution and delivery of the City Documents as provided in Section 3(a) shall constitute approval of the final principal amounts, interest rates, sale prices, redemption prices and terms, and costs of issuance of the Bond.

(c) For purposes of the Financing Documents, the Mayor and City Administrator are each authorized and directed to act as an Authorized City Representative under and as defined therein.

(d) The officers of the City, or any one or more of them, are hereby authorized and directed to do and perform or cause to be done or performed in the name and on behalf of the City such other acts, and execute, deliver, file and record such other instruments, documents, certificates, notifications and related documents, all as shall be required by law or necessary or desirable to carry out the provisions and purposes of this Resolution and the Financing Documents.

(e) Any prior actions taken or agreements made or documents executed by any officers of the City in connection with the Financing Documents and the transactions therein authorized and approved are hereby ratified and confirmed.

Section 4. Reimbursement.

In the event it becomes necessary for the District or the City to expend any funds for the Project prior to the issuance of the Bond as a tax-exempt obligation therefor, as described above, the City hereby declares its official intent that (i) proceeds of such tax-exempt obligations be used to reimburse the District and the City, as the case may be, for capital expenditures made by the District or the City for the Project in amounts not exceeding the lesser of the amounts spent therefor which are eligible for reimbursement under Treas. Reg. 1.150-2 or the total cost of the Project, and (ii) any such reimbursement be made in accordance with Treas. Reg. 1.150-2.

Section 5. Approval of Validation.

(a) The City hereby approves and authorizes the validation of the legality of all the Financing Documents, and all proceedings had or taken in connection therewith, and the validity of the means of payment provided for any financings incurred by the District or the City in connection therewith, in the Circuit Court of Jefferson County, Alabama, in accordance with the applicable laws of the State of Alabama (including without limitation Article 17 of Chapter 6 of Title 6, and Article 7 of Chapter 81 of Title 11, of the Code of Alabama 1975).

(b) To enable the commencement of such validation proceedings, the City hereby approves the form and content of the Funding Agreement attached hereto as Exhibit A, which shall set forth the general obligation of the City to pay the principal of and interest on the Bond to finance the Project, upon final approval by the City of the principal amounts, terms to maturity, offering prices, net interest cost, redemption terms, and use of proceeds of such obligations, and the City hereby approves the filing of this Resolution and such Funding Agreement in such validation proceedings.

(c) The attorneys for the City, and Bond Counsel for the District and the City, are authorized to take such actions as shall be necessary to complete such validation proceedings.

Section 6. General.

(a) All ordinances, resolutions, orders, or parts thereof in conflict or inconsistent with any provision herein hereby are, to the extent of such conflict or inconsistency, repealed.

(b) This Resolution shall take effect immediately.

Exhibit A

FUNDING AGREEMENT

FUNDING AGREEMENT

Dated: Dated Date

among

CITY OF VESTAVIA HILLS, ALABAMA
City Hall
Vestavia Hills, Alabama

and

THE LIBERTY PARK AREA PUBLIC ROAD COOPERATIVE DISTRICT
City Hall
Vestavia Hills, Alabama

and

[BONDHOLDER]

Capital Improvement Revenue Bond
Series 201Y
of
The Liberty Park Area Public Road Cooperative District

This Funding Agreement was prepared by Heyward C. Hosch of Maynard, Cooper & Gale, P.C.

FUNDING AGREEMENT

_____, 201Y

This Funding Agreement is made on the above date for the purposes referenced herein by:

Bondholder: _____, a _____ and the successors and assigns thereof.

City: The City of Vestavia Hills, Alabama, an Alabama municipal corporation and the successors and assigns thereof.

District: The Liberty Park Area Public Road Cooperative District, an Alabama public corporation and the successors and assigns thereof.

Recitals

This Agreement is delivered by the City for the benefit of the District and the Bondholder pursuant to Section 11-99B-12(a)(1) of the Code of Alabama 1975 simultaneously with, and in consideration of, the acquisition by the Bondholder of the following revenue bond (the "Bond") issued by the District pursuant to that certain Financing Agreement of even date (the "Financing Agreement") by the District and the Bondholder to finance, in part, the "Project " referenced in the Financing Agreement:

\$ _____
(original principal amount)
Capital Improvement Revenue Bond
Series 201Y

This Agreement provides for the payment by the City to the Bondholder, for the account of the District, of an amount equal to the within-referenced City Percentage of the principal of and interest on the Bond when and as the same becomes due and payable.

Agreement

NOW, THEREFORE, for and in consideration of the premises, and the mutual covenants and agreements herein contained, the City, the District and the Bondholder hereby covenant, agree and bind themselves as follows:

ARTICLE 1

DEFINITIONS

SECTION 1.01 Incorporation of Definitions

Capitalized terms used herein without definition shall have the respective meanings assigned in the Recitals hereto or in the Financing Agreement.

SECTION 1.02 Definitions of Terms

Bond shall mean collectively (i) the Capital Improvement Revenue Bond, Series 201Y, issued by the District under the Financing Agreement and (ii) any bond or other obligation of the District at any time issued to refund the indebtedness of the District originally evidenced by the Capital Improvement Revenue Bond, Series 201Y.

City Percentage shall mean thirteen percent (13.00%).

Debt Service shall mean the principal of and interest on the Bond.

Financing Agreement shall mean the Financing Agreement dated the Dated Date by the District and the Bondholder as at any time amended, supplemented or restated.

Funding Agreement Fund shall mean the fund created under Section 4.02 hereof.

Maximum City Commitment shall mean Five Hundred Twenty-Five Thousand Dollars (\$525,000).

ARTICLE 2

DURATION OF AGREEMENT

The obligations of the City hereunder shall arise on the date of delivery of this Agreement and shall continue in effect until the amounts payable by the City under this Agreement are paid in full and no amount thereof is subject to disgorgement, recession, or repayment under any law or rule of law.

ARTICLE 3

REPRESENTATIONS AND WARRANTIES

SECTION 3.01 Representations and Warranties of the District.

The District makes the following representations and warranties:

(a) The District is duly incorporated under the provisions of Chapter 99B of Title 11 of the Code of Alabama 1975 and has corporate power and authority to enter into this Agreement. The District is not in default under any of the provisions contained in its certificate of incorporation, its by-laws or in the laws of the State of Alabama. By proper corporate action the District has duly authorized the execution, delivery and performance of this Agreement.

(b) Pursuant to the Financing Agreement, the District has issued and sold the Bond, which shall be due and payable as to principal and interest in the fiscal years and in the amounts all as set forth in Exhibit A hereto.

SECTION 3.02 Representations and Warranties of the City.

The City hereby represents and warrants as follows:

(a) The City has corporate power and authority to enter into this Agreement and to carry out its obligations hereunder and by proper corporate action the City has duly authorized the execution, delivery and performance of this Agreement.

(b) The issuance of the Bond and the application of the proceeds thereof for the purposes set forth in the Financing Agreement and in this Agreement will result in direct financial benefits to the City.

ARTICLE 4

PAYMENT OF PORTION OF BOND BY CITY

SECTION 4.01 Payments by the City.

(a) For the account of the District, the City hereby orders and directs the Finance Director of the City (and any successor to the duties and functions thereof) to pay to the Bondholder, in immediately available funds and solely from the Funding Agreement Fund, the City Percentage of the Debt Service, when and as such Debt Service becomes due and payable as set forth on Exhibit A hereto, provided the aggregate amount payable by the City hereunder shall not exceed the Maximum City Commitment.

(b) The City and the Bondholder agree:

(1) the obligations of and recourse against the City for payment of any amounts pursuant to this Agreement shall be limited to and shall not exceed the amounts determined from time to time as provided in Section 4.01(a);

(2) anything in this Agreement or in the Financing Agreement to the contrary notwithstanding, the City shall have no liability or obligation for the payment of any of the principal of or interest on the Bond upon acceleration thereof upon an event of default under the Financing Agreement, except as specifically undertaken by the City in respect thereof;

(3) all payments hereunder by the City shall be valid and effectual to satisfy and discharge the liability of the City to the extent of the amounts paid and the City shall not be responsible or liable for payment to the Bondholder with respect to such amounts so paid by the City.

SECTION 4.02 Funding Agreement Fund.

(a) There is hereby established a special fund designated the "Funding Agreement Fund" which shall be held by the Finance Director of the City and used solely for the payment of the obligations of the City under this Agreement.

(b) The City shall pay or cause to be paid, and the City hereby authorizes, orders and directs the Finance Director of the City to pay, into the Funding Agreement Fund from the taxes, revenues, or funds of the City amounts sufficient to provide for the due and punctual payment of the obligations of the City set forth under Section 4.01(a) of this Agreement.

SECTION 4.03 Nature of Obligations of the City.

The obligations of the City to make the payments required under Section 4.01(a) of this Agreement shall constitute a general obligation of the City for which the full faith, credit, and taxing power of the City are hereby irrevocably pledged and shall be absolute and unconditional under any and all circumstances and in no way conditioned or contingent upon any attempt to collect any of such amounts from the District or any other person or to realize upon any property subject to the Financing Agreement or upon any other direct or indirect security for the Bond or resort to any other remedies.

SECTION 4.04 Consent of City to Prepayment or Refunding of Bond.

The District shall obtain the prior written consent of the City, expressed by resolution of the governing body thereof, to the prepayment or refunding of the Bond from funds to be derived, in whole or in part, from the City.

ARTICLE 5

OBLIGATIONS OF THE DISTRICT AND THE BONDHOLDER

SECTION 5.01 Obligations of the District.

The District hereby agrees to comply with the provisions of the Financing Agreement with respect to the application and investment of the proceeds of the Bond.

SECTION 5.02 Obligations of the Bondholder.

The Bondholder hereby agrees to cause all amounts received from the City to be applied to the payment of the Bond as provided in the Financing Agreement.

SECTION 5.03 Remedies of the City.

The City hereby agrees that any failure of the District or the Bondholder to comply with the provisions of Section 5.01 and Section 5.02 of this Agreement shall not constitute an event of default hereunder and shall not relieve or discharge the City from any obligation hereunder. The City may, notwithstanding the foregoing, proceed to enforce the agreements of the District and the Bondholder set forth in Section 5.01 and Section 5.02 of this Agreement by suit in equity, action at law, or other appropriate proceedings.

ARTICLE 6

EVENTS OF DEFAULT AND REMEDIES

SECTION 6.01 General Remedies.

The City agrees that the Bondholder shall have and may exercise all rights and remedies in equity or at law for the enforcement of this Agreement, the collection of any amounts due under this Agreement, and the conservation and protection of the interests of the Bondholder under this Agreement, upon the occurrence of any of the following events whether such event occurs by voluntary or involuntary action by the City or by operation of law:

- (a) Default by the City in the payment of any amount due under Section 4.01(a) hereof; or
- (b) The commencement of proceedings by or against the City under any bankruptcy, reorganization, arrangement, insolvency, readjustment of debt, dissolution, or liquidation law now or hereafter in effect.

SECTION 6.02 Remedies Subject to Applicable Law.

All rights, remedies and powers provided by this Article may be exercised only to the extent the exercise thereof does not violate any applicable provision of law in the premises, and all the provisions of this Article are intended to be subject to all applicable mandatory provisions of law which may be controlling in the premises and to be limited to the extent necessary so that the same will not render this Agreement invalid or unenforceable.

ARTICLE 7

PROVISIONS OF GENERAL APPLICATION

The City, the District and the Bondholder agree:

- (a) **Governing Law:** This Agreement shall be governed by and construed in accordance with the laws of the State of Alabama without regard to principles of conflict of laws.
- (b) **Binding Effect:** This Agreement shall inure to the benefit and be binding upon the respective successors and assigns the City, the District, and the Bondholder.
- (c) **Counterparts:** This Agreement may be executed in several counterparts each of which shall constitute one and the same agreement.
- (d) **Amendment:** This Agreement may be amended only in writing duly authorized, executed and delivered by each party to this Agreement.
- (e) **Assignment:** This Agreement, and any interest herein or obligation hereunder, is not negotiable and may not be assigned or delegated by any party hereto without the prior written consent of the other parties to this Agreement.
- (f) **Enforceability:** If any provision herein shall be unenforceable, the parties hereto agree the remaining provisions hereof shall not be affected thereby and shall remain in full force and effect.
- (g) **Notices:** Any notice given hereunder by any party shall be delivered simultaneously to all parties hereto at the respective addresses thereof set forth on the cover page hereof.
- (h) **No Jury Trial:** Each party hereto hereby (1) waives, to the extent permitted by law, any right to trial by jury in any action or proceeding under, or related to, this Agreement and (2) agrees that no person has represented (by expression or implication) that a party hereto would not seek to enforce such waiver in the event of litigation.
- (i) **No Joint Venture:** Each party hereto agrees that (1) this Agreement shall not operate or be construed to create a joint venture or partnership among the parties hereto and (2) it shall be solely responsible for the administration of its respective agreements and relationships with the other parties hereto.
- (j) **No Other Beneficiaries:** Each party hereto agrees that the Agreement is solely for the benefit of the parties hereto and the successors and assigns thereof and no other person shall have any benefit, interest or rights under or by virtue of this Agreement.
- (k) **Final and Full Contract:** This Agreement shall constitute the final and full contractual agreement of the parties and shall supersede all prior or other agreements (written or oral) by the parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the District, the City and the Bondholder have each caused this Agreement to be executed in its name, under seal, and the same attested, all by officers thereof duly authorized thereunto, and have caused this Agreement to be dated the date and year first above written.

**THE LIBERTY PARK AREA PUBLIC ROAD
COOPERATIVE DISTRICT**

SEAL

By _____
Chairman

ATTEST:

Secretary

ATTEST:

CITY OF VESTAVIA HILLS, ALABAMA

By: _____
City Clerk

By: _____
Mayor

Registration Certificate

I hereby certify that the above and foregoing Funding Agreement and the obligations of the District thereunder have been duly registered by me as a claim against the City of Vestavia Hills, Alabama, in the State of Alabama, and the Funding Agreement Fund created therein.

Finance Director of the City of Vestavia Hills, Alabama

[BONDHOLDER]

SEAL

By _____

Its _____

ATTEST:

Its: _____

EXHIBIT A

Debt Service on Bond

Duly passed and adopted this _____ day of _____, 2018.

Mayor of the City of Vestavia Hills, Alabama

SEAL

Attest: _____
City Clerk

After said resolution had been discussed and considered in full by the Council, it was moved by Councilmember _____ that said resolution be now placed upon its final passage and adopted. The motion was seconded by Councilmember _____. The question being put as to the adoption of said motion and the final passage and adoption of said resolution, the roll was called with the following results:

Ayes: Ashley C. Curry, Mayor
Kimberly Cook
Paul J. Head
George Pierce
Rusty Weaver

Nays: None

The Mayor thereupon declared said motion carried and the resolution passed and adopted as introduced and read.

* * *

There being no further business to come before the meeting, it was moved and seconded that the meeting be adjourned. Motion carried.

Approval of Minutes and Waiver of Notice

Each of the undersigned does hereby approve, and waive notice of, the date, time, place and purposes of the meeting of the City Council of the City of Vestavia Hills, Alabama recorded in the above and foregoing minutes thereof and does hereby approve the form and content of the above and foregoing minutes and the resolution therein.

Mayor

Member of Council

Member of Council

Member of Council

Member of Council

SEAL

Attest: _____
City Clerk

STATE OF ALABAMA

JEFFERSON COUNTY

CERTIFICATE OF CITY CLERK

I, the undersigned, do hereby certify that (1) I am the duly elected, qualified and acting Clerk of the City of Vestavia Hills, Alabama (the "Municipality"); (2) as Clerk of the Municipality I have access to all original records of the Municipality and I am duly authorized to make certified copies of its records on its behalf; (3) the above and foregoing pages constitute a complete, verbatim and compared copy of excerpts from the minutes of a regular meeting of the City Council of the Municipality duly held on _____, 2018, the original of which is on file and of record in the minute book of the City Council in my custody; (4) the resolution set forth in such excerpts is a complete, verbatim and compared copy of such resolution as introduced and adopted by the City Council on such date; (5) said resolution is in full force and effect and has not been repealed, amended or changed.

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

Clerk of the City of Vestavia Hills, Alabama

SEAL