

Join us! In an effort to enhance meetings during the COVID-19 shutdown, the City Council invites you to join and/or participate in a variety of ways: Via computer Zoom meetings (no app is necessary), telephone, email and/or text! See details on page 3.

**Vestavia Hills
City Council Agenda
February 8, 2021
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation – Steve Dedmon, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
 - a. Employee Recognitions – Mayor Ashley Curry
7. City Manager’s Report
8. Councilors’ Reports
9. Financial Reports – George Sawaya, Asst. Finance Director
10. Approval Of Minutes – January 25, 2021 (Work Session) and January 25, 2021 (Regular Meeting)

Old Business

11. Ordinance Number 2999 – An Ordinance Appropriating Funds To Match A Federal Assistance To Firefighters Grant For The Installation Of Motor Vehicle Exhaust Systems In The Fire Stations In Order To Reduce Carcinogen Exposure (*public hearing*)

New Business

12. Resolution Number 5299 – A Resolution Approving An Alcohol License For Taco Mama Vestavia LLC D/B/A Taco Mama For 020-Restaurant Retail Liquor At 700 Montgomery Highway Suite 194A; William Franklin Haver, Jr., Executive (*public hearing*)

New Business (Requesting Unanimous Consent)

First Reading (No Action To Be Taken At This Meeting)

13. Ordinance Number 2991 – Annexation – 90 Day Final – 2537 Tyler Road; Lot 3-A, McLemores Resurvey; Glenda Mortenson, Owner(s) (*public hearing*)
14. Ordinance Number 2992 – Annexation – Rezoning – 2537 Tyler Road; Lot 3-A, McLemores Resurvey, Rezone From Jefferson County R-1 To Vestavia Hills R-2; Compatible Zoning For Annexation; Glenda Mortenson, Owner(s) (*public hearing*)
15. Ordinance Number 2993 – Annexation – 90 Day Final – 2519 Dolly Ridge Road; Lot 1, Block 2, Dolly Ridge Estates, 2nd Add; Earl and Juanita Tew, Owner(s) (*public hearing*)
16. Ordinance Number 2994 – Annexation – Rezoning – 2519 Dolly Ridge Road; Lot 1, Block 2, Dolly Ridge Estates, 2nd Add; Rezone From Jefferson County E-2 To Vestavia Hills R-1; Compatible Zoning For Annexation; Earl and Juanita Tew, Owner(s) (*public hearing*)
17. Ordinance Number 2995 – Annexation – 90 Day Final – 3643 Altadena Drive; Lot 17, Altadena Acres; Marcum and Amanda Mitchell, Owner(s) (*public hearing*)
18. Ordinance Number 2996 – Rezoning – 3643 Altadena Drive; Lot 17, Altadena Acres; Rezone From Jefferson County E-1 To Vestavia Hills E-2; Compatible Zoning For Annexation; Marcum And Amanda Mitchell, Owner(s) (*public hearing*)
19. Ordinance Number 2997 – Rezoning – 2810 Five Oaks Lane; Rezone from Jefferson County E-2 to Vestavia Hills R-2 with conditions; Round Too Investments, Owner(s) (*public hearing*)
20. Ordinance Number 2998 – Annexation – 90 Day Final – 2810 Five Oaks Lane; Round Too Investments, Owner(s) (*public hearing*)
21. Citizens Comments
22. Adjournment

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

Due to the COVID-19 “Stay at Home” Order issued by Gov. Ivey, the City Council work sessions and meetings are available via video-conference and teleconference. If you chose not to attend in person, you may still participate. Following are instructions for three options to participate remotely.

COMPUTER PARTICIPATION (*view/participate in real time*)

To participate in by videoconference, click <https://us02web.zoom.us/j/4555343275>. When the Zoom.us window opens in your browser, click “Allow” so that the page may open to a waiting room. The host will open the meeting and bring all into the meeting room at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the “Raise Hand” feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council.

Using the icons on the Zoom screen, you can:

- Mute/unmute your microphone (far left)
- Turn on/off camera (“Start/Stop Video”)
- View Participants – opens a pop-out screen that includes the “Raise Hand” icon that you may use to raise a virtual hand
- Change your screen name displayed in the participant list and video window
- Toggle between “speaker” and “gallery” views – “Speaker view” shows the active speaker; “Gallery view” tiles all of the meeting participants

TELEPHONE PARTICIPATION (*view/participate in real time*)

To participate by telephone, dial 312.626.6799 and enter the meeting ID: 455 534 3275. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, press *6 on your phone keypad to unmute yourself. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

TEXT AND/OR EMAIL (*prior to the meeting or in real time*)

If you do not wish to join the meeting but would like to ask a question or make a statement regarding an item on the agenda, you may email the City Council directly at City.Council@vhal.org. You may also text your question/statement to City Council at 205.517.1370. Both of these options are available prior to and during each work session and meeting. Be sure to provide your name and address for the record and your comments will be recited to the City Council as the corresponding item is being addressed. Note: As a matter of record, your name and address are required. If identification is not provided, your comment/question will not be presented.

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

WORK SESSION

JANUARY 25, 2021

The City Council of Vestavia Hills met in special work session on this date at 5:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to Orders from the Alabama State Health Officer, requiring social distancing along with limits of attendees, this meeting was held with a portion of Staff and general public/audience members attending via Zoom.com following publication pursuant to Alabama law. The Mayor called the work session to order and the City Clerk called the roll with the following:

MEMBERS PRESENT:

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

OTHER OFFICIALS PRESENT:

Jeff Downes, City Manager
Patrick H. Boone, City Attorney
Rebecca Leavings, City Clerk
Dan Rary, Police Chief
Christopher Brady, City Engineer
Ryan Farrell, Asst. Fire Chief*
Marvin Green, Fire Chief

**via Zoom*

The Mayor called the work session to order. He indicated that the work session this evening is dedicated to the discussion of the future development of Liberty Park being addressed by a group of residents of Liberty Park who requested this work session.

LIBERTY PARK RESIDENTS

John Conlin, 4354 Kings Mountain Ridge, stated that a group of residents at Liberty previously sent the Council information detailing their concerns with Liberty Park's proposed Bray development but to also to request an update of the City's master plan. First of all, he stated, these residents feel this is a bad plan because it affects the City, the residents of Liberty Park and the infrastructure. Daniel Communities has the mentality of "if we build it, they will come" and that is not wanted in this area. He stated that throwing up a third apartment complex in the City

is not needed or wanted. He pointed out that Daniel built the other two large apartment buildings in our city. The boutique hotel looks good on paper, but the plan is unrealistic with no facts to back it up. Their request is for the Council to place a moratorium on development of any apartment building until such time as the City's master plan can be updated to address any issues with the development of apartments in the City with community input.

Mrs. Cook asked exactly what information the residents wanted this "master plan" to contain.

Mr. Conlin explained they would like an analysis as to how these developments would affect the school system, the local neighborhoods and the City as a whole. He stated that the City might even hold a vote of the people as to exactly which direction would they like the City to go, within several options given.

Mr. Pierce stated that they keep referring to Daniel Corporation. He stated that Drummond is the landowner who hired Daniel, and that Drummond will make the final decision.

Mr. Conlin stated that the Drummond Corporation gave up the final decision long ago. He stated that the final decision is with the City Council.

Mr. Pierce stated that the Drummond family has hired Daniel to represent them to pursue the development that Drummond has already approved. He stated if Grandview had not opened, chances are Patchwork would have never have developed as it did. Daniel came in after Grandview opened, purchased some of the city's property, and then developed it. It was a different scenario because in the Patchwork example, Daniel was the property owner, not just the property owner's representative.

Mr. Conlin pointed out that the City Council set parameters with the adoption of the Liberty Park PUD.

Mr. Pierce stated that a PUD might be a first outline, but that markets and times change.

Mr. Conlin stated that the original plan told residential property owners what was supposed to happen to the community, and it is residents' fear is that it is going in a totally different direction, and they want residents to have the opportunity to decide at the City level: is this the change we need as a City?

Mr. Pierce stated that the Council has not gotten the information together yet, and that is the reason the Council is having these meetings. There is still a good deal of information to gather.

Mr. Conlin stated they are not trying to imply that Daniel is trying to pull something over on the city or residents, but the problem is that Daniel's interest is not the same as the community's interest. He stated that is why these residents are requesting a moratorium on the decision, a pause to look it and let the community see if it is good or not.

Mr. Weaver asked whether residents are suggesting a moratorium on anything in the Bray or just the apartments?

Mr. Conlin stated the moratorium request applies just to the apartments. He stated that they cannot ask for anything that is given by right to the property owners. He asked for a moratorium on apartments not just for the Bray, but for the City as a whole.

The Mayor stated that Liberty Park master plans go back 16 years. He asked what plan is it to which they are referring.

Mrs. Cook asked for clarification about what Liberty Park plans exist.

Mr. Downes stated that there are many plans including the master plan, the PUD plans, and the annexation agreement.

The Mayor explained that he believes we have to look at current circumstances. At one time, this was supposed to be a regional mall, but that never transpired. So, we need to be careful that we don't tie the city or Liberty Park to a plan that is so far outdated.

Mr. Weaver reiterated that the Council has not gotten the information it has requested before the decision is considered. There is a focus group looking at this, and the questions are both what is the short-term impact and what are the financial needs of the school system. Those are questions that are being reviewed and worked on, and, over the next few weeks, some of this information should be provided by the school system. He stated the city needs a side-by-side comparison of what is entitled right now compared to what could happen with the proposed development.

Mr. Conlin stated that, once the horse gets out of the barn, it is extremely hard to get it back in, and that is why residents are coming forth in front of it to address this issue before it gets too far. He asked that the Council share this information as soon as it is received, so that everyone is in the know on this growing issue before it is too late.

Mr. Head asked about the types of information they want to be derived from the referenced study. He stated there are already studies of that type. He asked if residents are against the hotel because it comes with the apartments or are they against the hotel altogether.

Mr. Conlin stated he moved to Vestavia Hills because of the school system. He stated that he wanted to be close to the schools. He asked how does it change when you build an apartment building near a school? How does it affect the schools?

Mr. Head stated that they can build a lot more homes, yielding even more students, if developed totally as single family.

Discussion ensued.

Traci Dowdle, 4724 Jackson Loop, stated that this was being sold as a high-end apartment development, so she assumed this is not just an average apartment development, and that is the kind of information they would like to hear. She stated that she felt this has a lack of transparency and that she is excited to see that the Council is taking an active and comprehensive look at this along with gathering this information.

Mr. Head stated that he looks at the viability of building this out as it is. Their target market is not families with kids. There are kids coming to this system regardless of the development change, and the Council and school system have to figure out how to pay for them. If funding does not come from private development, some public funding has to be found.

Mrs. Cook stated that she has developed a list of information that they need to know and that she is not prepared to make any decisions until she sees the information and knows the information has been shared in a transparent way with the public. She stated that no decision will be made tonight. Everyone needs to have the information presented in logical manner so that the Council and school system can make a good, well informed decision.

Lisa Majerik, 722 Hamden Place Circle, stated that if Liberty Park does not get a change in the PUD, how are they going to develop it? When compared to what is there now, we do not know what they have coming, because the developer has not shown where and what they are going to build. She stated that, in their letter, they also addressed that the City's master plan is outdated and needs to also be updated to provide a suitable roadmap.

Mr. Downes stated that the City's master plan is a high-level plan that doesn't speak to specifics in the City development areas. So, this 2004 Comprehensive Master Plan is a general guide that assists in decision-making for the Council. More specific information is found in PUD documents.

Mr. Pierce stated that the PUD has grown through the years and now has a four-lane road, a new Publix, and a new gas station. In looking at current development trends, the schools are a concern. The Board will have to look into the future and see how to pay for these incoming students.

Mr. Conlin thanked the Council for this hearing and for the careful and deliberate way they are seeking information before making this decision.

At 5:53 PM, Mr. Pierce made a motion to adjourn. The meeting adjourned at 5:54 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CITY OF VESTAVIA HILLS

CITY COUNCIL

MINUTES

JANUARY 25, 2021

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. Due to the COVID-19 pandemic, in coordination with a Proclamation from Governor Ivey and pursuant to Orders from the Alabama State Health Officer, requiring social distancing along with limits of attendees, this meeting was held with a portion of Staff and general public/audience members attending via Zoom.com following publication pursuant to Alabama law. The Mayor called the meeting to order. 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
Dan Rary, Police Chief
Marvin Green, Fire Chief
Melvin Turner, Finance Director
George Sawaya, Asst. Finance Director
Christopher Brady, City Engineer
Cinnamon McCulley, Communications Specialist*
**present via Zoom or telephone*

David J. Harwell, member, Vestavia Hills United Methodist Church, led the invocation which was followed by the Pledge of Allegiance.

APPROVAL OF THE AGENDA

The Mayor opened the floor for a motion of approval of the agenda as presented.

MOTION Motion to approve the agenda as presented was by Mrs. Cook, seconded by Mr. Weaver. Roll call vote was, as follows:

Mrs. Cook – yes

Mr. Head – yes

Mr. Pierce – yes

Mr. Weaver – yes

Mayor Curry – yes

motion carried.

ANNOUNCEMENTS, CANDIDATES, GUEST RECOGNITION

- Mr. Pierce stated that the City was saddened to learn of the passing of Dr. Charles “Scotty” McCallum. He stated that, while he wasn’t part of the City Council under Dr. McCallum, Dr. McCallum was a mentor of his. He stated that the City lost a great hero, and his service this morning was a wonderful tribute to him.
- Mr. Pierce welcomed Karen Odle, President of the Vestavia Hills Chamber of Commerce, who was participating in the meeting via Zoom.
- Mayor Curry also acknowledged the recent passing of Bob Odle. He stated that Mr. Odle was Mrs. Karen Odle’s father-in-law. The Mayor stated that we must always remember the sacrifices of heroes like Mr. Odle. He mentioned Mr. Odle’s distinguished service during the Korean War, and that he was a recipient of the Distinguished Flying Cross, which is not an award that is commonly given.
- Mr. Weaver stated that Senator Waggoner spoke at their Civitan Club meeting a week ago Friday. He indicated that Senator Waggoner spoke about the procedural changes that will occur in the next legislative session with lots of rules of engagement to protect health. He encouraged anyone that wishes to attend the legislature this year to be sure to look up these rules and know what will be required to attend those sessions.

CITY MANAGER’S REPORT

- Mr. Downes stated that the city’s paving plan goal is to pave between 7 to 8 miles of streets per year. He stated that they are in the third year of the three-year plan. This phase of paving will focus on Comer Drive and other streets with the highest priority. He stated that this is just the first half of this year’s paving initiative. The Council will discuss goals for the next three-year plan at this year’s strategic planning session.

COUNCILOR REPORTS

- Mrs. Cook echoed Mr. Pierce’s sentiments of Dr. McCallum. She stated that, in many of the Council’s conversations, Dr. McCallum’s name arises as the one who began certain long-term projects, including the pedestrian bridge across Montgomery Highway. His legacy includes many accomplishments, and she encouraged all to read his obituary. She indicated that Dr. McCallum was a man who stands above so many men and will be well remembered as an inspiration and a model of public service to follow.
- Mrs. Cook attended the school board meeting heard a great presentation about the VHCS Freshman Academy. She stated that the facility was designed to alleviate the stress of overcrowded facilities, but the system has made it into an advantage.
- Mrs. Cook stated she asked what were vaccination plans for the teachers and found out that there are plans to vaccinate on-campus as soon as the vaccine is available to the contractor.

- Mrs. Cook stated that the Council discussed the Bray development in the prior work session, and she understands residents are concerned the decisions would be made too fast. She stated she has provided to stakeholders a list of information that will be required to make a fully informed decision. She stated she intends to take the time needed to gather this information from the school system and City staff before making any decisions.
- Mr. Pierce stated he attended the Chamber of Commerce retreat. He stated that they are resuming many of their celebration such as I Love America Day, Back to School, etc. He stated that many of the officers have agreed to serve a second term and hope for things to go back to normal.
- The Mayor reported that he is a member of the Jefferson County Mayor's Association which will be meeting here on Wednesday. He stated that topic will be human trafficking. He stated that they hope to have as many of the Jefferson County mayors as possible at this meeting so that all are aware of human trafficking and what can be done to prevent this. He stated he would like to make Jefferson County the first county in the US to train employees through this initiative and, hopefully, make a positive difference in such a tragic human story.
- Mr. Weaver stated that the Planning and Zoning Commission met on January 14, 2021, with the proposed development near Altadena which will be coming to Council soon.

APPROVAL OF MINUTES

The Mayor opened the floor for approval of the following minutes: January 11, 2021 (Regular Meeting).

MOTION Motion to approve the minutes of January 11, 2021 (Regular Meeting) was by Mr. Pierce and seconded by Mr. Weaver. Roll call vote as follows:

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

OLD BUSINESS

ORDINANCE NUMBER 2989

Ordinance Number 2989 – Rezoning – 3412 Ridgedale Drive; Lot 6, Rocky Ridge Estates; Request To Rezone From Vestavia Hills R-1 (Low Density Residential District) To Vestavia Hills R-9 (Planned Residential District) For The Construction Of Four Single-Family Homes; Scott Thomson, Owner; Jason Kessler, Representing (public hearing)

MOTION Motion to approve Ordinance Number 2989 was by Mr. Pierce, and seconded by Mrs. Cook.

Mr. Weaver stated that this was presented to Planning and Zoning on November 12, and was continued to December 10. After much discussion, the Commission voted to recommend the request. He stated there were numerous concerns expressed from neighbors concerning drainage and traffic. These lots are just under one-quarter acre, which complies with the City's master plan, and that they back up to commercial property.

Jason Kessler, Kadco Homes, explained the request which is to build four homes. He showed a slideshow presentation to explain the request in detail. He stated that his proposed development backs up to multiple commercial properties with larger residential lots on the other side. He explained that the residential home storm water would be captured and diverted into a 24" pipe, which is already located on the property, and the plan includes burying the pipe underground so it would be ample to handle the drainage that comes other properties. Mr. Kessler explained the traffic study on the property and showed the impact is expected to be minimal. He stated that, at the request of neighbors, he did sit on the property on two different days and performed his own data collection concerning the traffic. He reiterated that they can build two homes on the property by right, and he doesn't see a huge difference in two homes vs. four. The homes will range 2800 to 3200 square feet. He showed examples of homes they have built that would be similar to the ones proposed and that sidewalks will be installed in this proposed neighborhood going toward the commercial.

Mrs. Cook stated school board officials informed that these homes fall within the district's expected rate of growth for children and is acceptable.

Mr. Pierce stated that he was contacted by residents in the area. He stated that this is a nice old area with larger lots. He pointed out that the layout shows the homes facing toward the neighbor's side and asked if the proposed homes could be positioned differently.

Mr. Kessler stated this was the best layout for this size home with the backyard against the commercial and pulling the homes as far away from the other residential as possible. This layout allows for appropriate buffering that will be landscaped to provide privacy.

Mr. Pierce stated that there is an existing fence and asked what type of buffer.

Mr. Kessler stated they plan to plant trees such as arborvitae or cryptomeria. The garage will be side entered. He explained that the common area at the end will allow for garbage pick up at the end, and the road width will be 24' (standard road width).

Discussion ensued concerning fire hydrant locations, traffic and traffic speed through the area, stop signs which people fail to stop, etc.

Mr. Weaver stated that throughout both of the Commission meetings, comments from the public were taken along with numerous emails and phone calls. He asked Mr. Boone to explain the process of rezoning, and what the Council and Zoning Commission must consider when making zoning decisions.

Mr. Boone explained Alabama laws on rezoning of properties and the part that both the Commission and the City Council must evaluate in those deliberations. He stated that the Supreme Court of Alabama and courts of appeal have established the rules that the Council must use in deciding these cases: (1) the substantial relationship rule; and (2) the fairly debatable rule. He explained each rule in detail. He stated number one comes down to four things: (1) a property owner can use his property as he/she sees fit; (2) unless the City says the owner cannot; (3) if the Council denies the property owner's request for rezoning, the City has to show a substantial relationship to protect the health, safety and welfare of the community as to why the owner cannot; and, (4) if no substantial relationship is found, the City must approve the request. He stated that if you have satisfied that requirement, you need to address the fairly debatable rule. He stated that zoning is a legislative decision, and if the decision by the governing body is "fairly debatable" among reasonable men/women, courts will affirm the decision by the legislative body is correct.

Mrs. Cook stated that a resident asked her about the landscaping. She stated she has not seen what the landscaping will include.

Mr. Weaver stated that Mr. Kessler had suggested some evergreens, and he believes that will be done.

Mr. Kessler stated that they have not submitted a landscaping plan yet.

Mrs. Cook asked who would be responsible for the upkeep of common areas.

Mr. Kessler stated that would be the HOA's responsibility.

Mrs. Leavings explained that buffering isn't required between the development and neighboring properties, and for it to be required to Design Review Board the Council needed to add that stipulation to the ordinance. Mr. Kessler stated he has no problems getting a review from Design Review Board for the buffering.

Mr. Pierce asked about the road maintenance.

Mr. Kessler stated that it will be a public road, subject to the bonding of the City and, later, the City would assume maintenance after dedication.

Mrs. Cook asked about the widening of Ridgedale Drive.

Mr. Brady stated that their recommendation is a minimum of 20' width. Right now the street is only 18' wide and they'd recommend it to go to 20' in front of this development.

Mrs. Cook asked about the rest of the street.

Mr. Brady stated that the City would have to evaluate widening and the need for it at a later date.

The Mayor opened the floor for a public hearing.

Kelly Rainer, 3416 Ridgedale Drive, stated she expressed her concerns at the Commission meeting and she doesn't want four homes looking onto her property. She stated that her driveway will be facing this new street, and these homes will look directly at her with no distance between them. She indicated that does not feel natural. She said if this is approved, she asks that the buffer landscaping requirement be put in writing to protect her privacy.

Wade Parker, 3420 Ridgedale Drive, stated that there are eight lots on this road and all are large. He stated this an unusual find in this area. He stated that this request is talking about taking two of these large lots away and making four small ones. The former Wooten property, which is 2.6 acres, might also eventually be developed this the same way. He asked that their neighborhood be preserved.

There being no one else to further address the Council, the Mayor closed the public hearing.

The Mayor asked Mr. Boone for clarification of the substantial relationship in this matter.

Mrs. Cook stated that there are commercial establishments, including a self-storage building, which will be located in the back of these proposed homes. She stated that the proposed medium-density development is a reasonable transition from commercial to single-family, large-lot residential, and she judges this is a reasonable use of this property.

Mayor called for the question with the agreed upon stipulation that the Design Review Board review and approve the landscaping buffer. Roll call vote was as follows:

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

RESOLUTION NUMBER 5297

Resolution Number 5297 – A Resolution Authorizing The City Manager To Purchase A Police Vehicle To Replace A Police Vehicle Which Was Recently Totaled
(public hearing)

MOTION Motion to approve Resolution Number 5297 was by Mr. Weaver, and seconded by Mrs. Cook.

Mrs. Cook asked who approved the insurance settlement for this vehicle. Mr. Downes explained the settlement was negotiated through his office and by his approval.

Mr. Pierce pointed out that the City just purchased several new vehicles for the police department. Mr. Downes stated that this one replaces the totaled vehicle that was used for patrol.

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

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

NEW BUSINESS

RESOLUTION NUMBER 5295

Resolution Number 5299 – A Resolution Authorizing The City Manager To Execute And Deliver A Subrecipient Funding Agreement Between The Regional Planning Commission Of Greater Birmingham And The City Of Vestavia Hills For The Purchase Of A Senior Bus

MOTION Motion to approve Resolution Number 5299 was by Mrs. Cook, and seconded by Mr. Pierce.

Mr. Downes stated that the local match was approved in the FY21 capital budget and was anticipated as the City awaited the final award. This will be a good addition for the City.

There being no one else to further address the Council, the Mayor called for the question. Roll call vote was as follows:

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

NEW BUSINESS (UNANIMOUS CONSENT REQUESTED)

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

- Ordinance Number 2999 – An Ordinance Appropriating Funds To Match A Federal Assistance To Firefighters Grant For The Installation Of Motor Vehicle Exhaust Systems In The Fire Stations In Order To Reduce Carcinogen Exposure (*public hearing*)

CITIZEN COMMENTS

Mr. Boone stated that during the work session held just before the meeting, time ran out before he could make this one comment about a citizen suggestion that the council institute a moratorium on consideration of the zoning decision. He stated that a moratorium is a temporary suspension of doing something and he does not recommend establishing a moratorium. He

suggested that the Council simply take the time to learn all the facts and information that they need to act on the rezoning request, because there is no time limit for evaluation of a zoning request. The Council can take as long as needed, so there is really no need for a moratorium.

At 7:03 PM, Mrs. Cook made a motion to adjourn. The meeting adjourned at 7:04 PM.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

ORDINANCE NUMBER 2999

AN ORDINANCE APPROPRIATING FUNDS TO MATCH A FEDERAL ASSISTANCE TO FIREFIGHTERS GRANT FOR THE INSTALLATION OF MOTOR VEHICLE EXHAUST SYSTEMS IN THE FIRE STATIONS IN ORDER TO REDUCE CARCINOGEN EXPOSURE

WHEREAS, the City of Vestavia Hills, Alabama, has made great strides over the last three years to reduce firefighter exposure to carcinogens through implementing best practices for dealing with carcinogen latent turnout gear, improved gear storage, on scene decontamination, skin cancer prevention and PSA testing; and

WHEREAS, bay ventilation improvements to reduce diesel exhaust entering into the occupied areas of the stations have been done which has helped, but not eliminated the exhaust from said areas; and

WHEREAS, the Vestavia Hills Fire Department requested and received a Federal Assistance to Firefighters Grant through the Department of Homeland Security in the amount of \$189,800 for the purpose of purchase and install source capturing exhaust systems for all five fire stations; and

WHEREAS, this grant requires a local match of 10% or \$17,255; and

WHEREAS, the City Manager has recommended said appropriation in order to have all fire stations compliant with the NFPA 1500: Standard for Fire Department Occupational Safety, Health and Wellness Program; and

WHEREAS, the Mayor and the City Council feel it is in the best public interest to authorize the City Manager to take all actions necessary for the purchase and install of said exhaust systems.

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

1. The City Manager is authorized to take all actions necessary to appropriate a sum not to exceed \$17,255 for the purchase and install of the above described exhaust system; and
2. This funding shall be expensed to the City's Capital Funds account; and
3. This Ordinance Number shall become effective immediately upon posting and publishing pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 8th day of February, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



VESTAVIA HILLS FIRE DEPARTMENT

MEMORANDUM

TO: Jeff Downes

FROM: Marvin D. Green

DATE: January 19, 2021

RE: 2019 Assistance to Firefighter Grant

In October of 2019, we applied for a Federal Assistance to Firefighters Grant through the Department of Homeland Security in the amount of \$189,800. The purpose of the grant was to purchase and install source capturing exhaust systems for all five fire stations. This will allow us to remove all of the diesel exhaust emissions through the installation of a fully automatic sealed ventilation system connects directly to the apparatus exhaust and removes 100% of the emissions from the inside of the stations.

We have made great strides over the last three years to reduce our firefighter's exposure to carcinogens. We have implemented best practices for dealing with carcinogen latent turnout gear, improved gear storage, on scene decontamination, skin cancer prevention and PSA testing. We have made some bay ventilation improvements to reduce diesel exhaust entering the occupied areas of the stations but we have been unable to eliminate it entirely.

This equipment will place us in compliance with National Fire Protection Association (NFPA) and International Building Code recommendations.

[NFPA 1500: Standard for Fire Department Occupational Safety, Health, and Wellness Program](#), Chapter 9, specifies that fire departments contain all vehicle exhaust emissions to a level of no less than 100% effective capture. This recommendation also complies with NIOSH's requirement to reduce emissions to the lowest feasible level to limit impact on firefighters' health. The standard states that direct-capture systems are the most effective means to reduce the risk and aid in compliance with NFPA 1500.

The International Building Code recommends that departments invest in diesel exhaust source capture systems that connect directly to the motor vehicle exhaust system. The [IBC International Mechanical Code \(IMC\), 2015 edition, Section 502.14 states](#): "Areas in which stationary motor vehicles are operated shall be provided with a source capture system that connects directly to the

motor vehicle exhaust systems. Such systems shall be engineered by a registered design professional or shall be factory-built equipment designed and sized for the purpose.”

The award will fund the purchase and installation of state-of-the-art exhaust capture systems in each station that connects to every apparatus inside fire station. Not only will this grant reduce our carcinogen exposure, it will keep our stations, workout areas, and equipment cleaner and safer.

The total grant award is \$189,800. The match for the grant is 10% or \$17,255. We are requesting a budget appropriation for the grant match.

Award Letter

U.S. Department of Homeland Security
Washington, D.C. 20472

Donald Whitworth
VESTAVIA HILLS, CITY OF
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, AL 35216



EMW-2019-FG-09429

Dear Donald Whitworth,

Congratulations on behalf of the Department of Homeland Security. Your application submitted for the Fiscal Year (FY) 2019 Assistance to Firefighters Grant (AFG) Grant funding opportunity has been approved in the amount of \$172,545.45 in Federal funding. As a condition of this grant, you are required to contribute non-Federal funds equal to or greater than 10.0% of the Federal funds awarded, or \$17,254.55 for a total approved budget of \$189,800.00. Please see the FY 2019 AFG Notice of Funding Opportunity for information on how to meet this cost share requirement.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award through the FEMA Grants Outcomes (FEMA GO) system. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Summary Award Memo - included in this document
- Agreement Articles - included in this document
- Obligating Document - included in this document
- 2019 AFG Notice of Funding Opportunity (NOFO) - incorporated by reference

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

Sincerely,

A handwritten signature in black ink, appearing to read "C Logan".

Christopher Logan
Acting Assistant Administrator
Grant Programs Directorate

Summary Award Memo

Program: Fiscal Year 2019 Assistance to Firefighters Grant

Recipient: VESTAVIA HILLS, CITY OF

DUNS number: 086551827

Award number: EMW-2019-FG-09429

Summary description of award

The purpose of the Assistance to Firefighters Grant program is to protect the health and safety of the public and firefighting personnel against fire and fire-related hazards. After careful consideration, FEMA has determined that the recipient's project or projects submitted as part of the recipient's application and detailed in the project narrative as well as the request details section of the application - including budget information - was consistent with the Assistance to Firefighters Grant Program's purpose and was worthy of award.

Except as otherwise approved as noted in this award, the information you provided in your application for FY2019 Assistance to Firefighters Grants funding is incorporated into the terms and conditions of this award. This includes any documents submitted as part of the application.

Amount awarded

The amount of the award is detailed in the attached Obligating Document for Award.

The following are the budgeted estimates for object classes for this award (including Federal share plus your cost share, if applicable):

Object Class	Total
Personnel	\$0.00
Fringe benefits	\$0.00
Travel	\$0.00
Equipment	\$189,800.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Other	\$0.00
Indirect charges	\$0.00
Federal	\$172,545.45
Non-federal	\$17,254.55
Total	\$189,800.00
Program Income	\$0.00

Approved scope of work

After review of your application, FEMA has approved the below scope of work. Justifications are provided for any differences between the scope of work in the original application and the approved scope of work under this award. You must submit scope or budget revision requests for FEMA's prior approval, via an amendment request, as appropriate per 2 C.F.R. § 200.308 and the FY2019 AFG NOFO.

Approved request details:

Modify facilities

Source Capture Exhaust System(s)

DESCRIPTION

Complete Source Capture Exhaust System for 4 Diesel Apparatus.

QUANTITY	UNIT PRICE	TOTAL
4	\$12,000.00	\$48,000.00

BUDGET CLASS

Equipment

Source Capture Exhaust System(s)

DESCRIPTION

Complete Source Capture Exhaust System for 3 Diesel Apparatus.

QUANTITY	UNIT PRICE	TOTAL
3	\$12,600.00	\$37,800.00

BUDGET CLASS

Equipment

Source Capture Exhaust System(s)

DESCRIPTION

Complete Source Capture Exhaust System for 4 Diesel Apparatus.

QUANTITY	UNIT PRICE	TOTAL
4	\$12,000.00	\$48,000.00

BUDGET CLASS

Equipment

Source Capture Exhaust System(s)		
DESCRIPTION Complete Source Capture Exhaust System for 2 Diesel Apparatus		
QUANTITY	UNIT PRICE	TOTAL
2	\$14,000.00	\$28,000.00
BUDGET CLASS Equipment		

Source Capture Exhaust System(s)		
DESCRIPTION Complete Source Capture Exhaust System for 2 Diesel Apparatus.		
QUANTITY	UNIT PRICE	TOTAL
2	\$14,000.00	\$28,000.00
BUDGET CLASS Equipment		

Agreement Articles

Program: Fiscal Year 2019 Assistance to Firefighters Grant

Recipient: VESTAVIA HILLS, CITY OF

DUNS number: 086551827

Award number: EMW-2019-FG-09429

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Article 1 Assurances, Administrative Requirements, Cost Principles, Representations and Certifications

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances – Non-Construction Programs, or OMB Standard Form 424D Assurances – Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions. DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

Article 2 DHS Specific Acknowledgements and Assurances

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff. 1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS. 2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance. 3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports. 4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance. 5. Recipients of federal financial assistance from DHS must complete the DHS Civil Rights Evaluation Tool within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials to CivilRightsEvaluation@hq.dhs.gov. This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>. 6. The DHS Office for Civil Rights and Civil Liberties will consider, in its discretion, granting an extension if the recipient identifies steps and a timeline for completing the tool. Recipients should request extensions by emailing the request to CivilRightsEvaluation@hq.dhs.gov prior to expiration of the 30-day deadline.

Article 3	<p>Acknowledgement of Federal Funding from DHS</p> <p>Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.</p>
Article 4	<p>Activities Conducted Abroad</p> <p>Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.</p>
Article 5	<p>Age Discrimination Act of 1975</p> <p>Recipients must comply with the requirements of the Age Discrimination Act of 1975, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, § 6101 et seq.), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.</p>
Article 6	<p>Americans with Disabilities Act of 1990</p> <p>Recipients must comply with the requirements of Titles I, II, and III of the Americans with Disabilities Act, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. §§ 12101–12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.</p>
Article 7	<p>Best Practices for Collection and Use of Personally Identifiable Information (PII)</p> <p>Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.</p>
Article 8	<p>Civil Rights Act of 1964 – Title VI</p> <p>Recipients must comply with the requirements of Title VI of the Civil Rights Act of 1964 (codified as amended at 42 U.S.C. § 2000d et seq.), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.</p>

Article 9 Civil Rights Act of 1968

Recipients must comply with Title VIII of the Civil Rights Act of 1968, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. § 3601 et seq.), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units—i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)—be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

Article 10 Copyright

Recipients must affix the applicable copyright notices of 17 U.S.C. §§ 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

Article 11 Debarment and Suspension

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

Article 12 Drug-Free Workplace Regulations

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of Sec. 5152-5158 of the Drug-Free Workplace Act of 1988 (41 U.S.C. §§ 8101-8106).

Article 13 Duplication of Benefits

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

Article 14 Education Amendments of 1972 (Equal Opportunity in Education Act) – Title IX

Recipients must comply with the requirements of Title IX of the Education Amendments of 1972, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. § 1681 et seq.), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19.

Article 15 Energy Policy and Conservation Act

Recipients must comply with the requirements of the Energy Policy and Conservation Act, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. § 6201 et seq.), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

Article 16 False Claims Act and Program Fraud Civil Remedies

Recipients must comply with the requirements of the False Claims Act, 31 U.S.C. §§ 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. §§ 3801-3812, which details the administrative remedies for false claims and statements made.)

Article 17 Federal Debt Status

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

Article 18 Federal Leadership on Reducing Text Messaging while Driving

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

Article 19 Fly America Act of 1974

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. § 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the International Air Transportation Fair Competitive Practices Act of 1974, 49 U.S.C. § 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

Article 20 Hotel and Motel Fire Safety Act of 1990

In accordance with Section 6 of the Hotel and Motel Fire Safety Act of 1990, 15 U.S.C. § 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the Federal Fire Prevention and Control Act of 1974, (codified as amended at 15 U.S.C. § 2225.)

Article 21 Limited English Proficiency (Civil Rights Act of 1964, Title VI)

Recipients must comply with Title VI of the Civil Rights Act of 1964, (42 U.S.C. § 2000d et seq.) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

Article 22 Lobbying Prohibitions

Recipients must comply with 31 U.S.C. § 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

Article 23 National Environmental Policy Act

Recipients must comply with the requirements of the National Environmental Policy Act of 1969 (NEPA), Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. § 4321 et seq.) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which require recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

Article 24 Nondiscrimination in Matters Pertaining to Faith-Based Organizations

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

Article 25 Non-supplanting Requirement

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

Article 26 Notice of Funding Opportunity Requirements

All the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

Article 27 Patents and Intellectual Property Rights

Recipients are subject to the Bayh-Dole Act, 35 U.S.C. § 200 et seq, unless otherwise provided by law. Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. § 401.14.

Article 28 Procurement of Recovered Materials

States, political subdivisions of states, and their contractors must comply with Section 6002 of the Solid Waste Disposal Act, Pub. L. No. 89-272 (1965), (codified as amended by the Resource Conservation and Recovery Act, 42 U.S.C. § 6962.) The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

Article 29 Rehabilitation Act of 1973

Recipients must comply with the requirements of Section 504 of the Rehabilitation Act of 1973, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. § 794,) which provides that no otherwise qualified handicapped individuals in the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Article 30 Reporting of Matters Related to Recipient Integrity and Performance

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

Article 31 Reporting Subawards and Executive Compensation

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

Article 32 SAFECOM

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

Article 33	<p>Terrorist Financing</p> <p>Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.</p>
Article 34	<p>Trafficking Victims Protection Act of 2000 (TVPA)</p> <p>Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), codified as amended at 22 U.S.C. § 7104. The award term is located at 2 C.F.R. § 175.15, the full text of which is incorporated here by reference.</p>
Article 35	<p>Universal Identifier and System of Award Management (SAM)</p> <p>Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.</p>
Article 36	<p>USA Patriot Act of 2001</p> <p>Recipients must comply with requirements of Section 817 of the Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001 (USA PATRIOT Act), Pub. L. No. 107-56, which amends 18 U.S.C. §§ 175-175c.</p>
Article 37	<p>Use of DHS Seal, Logo and Flags</p> <p>Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.</p>
Article 38	<p>Whistleblower Protection Act</p> <p>Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C § 2409, 41 U.S.C. § 4712, and 10 U.S.C. § 2324, 41 U.S.C. §§ 4304 and 4310.</p>
Article 39	<p>Acceptance of Post Award Changes</p> <p>In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to ASK-GMD@dhs.gov if you have any questions.</p>

Article 40 Prior Approval for Modification of Approved Budget

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. § 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. § 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

Article 41 Disposition of Equipment Acquired Under the Federal Award

When original or replacement equipment acquired under this award by the recipient or its subrecipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. § 200.313.

Article 42 Environmental Planning and Historic Preservation

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all Federal, state, and local requirements. Acceptance of Federal funding requires recipient to comply with all Federal, state and local laws. Failure to obtain all appropriate federal, state and local environmental permits and clearances may jeopardize Federal funding. DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's Environmental and Historic Preservation (EHP) screening form and instructions go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds. If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

Article 43 EHP Compliance Review Required

Under the Modification to a Facility, Equipment, or a component in the Wellness and Fitness Activity, this award includes work, such as ground disturbance, that triggers an EHP compliance review. The recipient is prohibited from committing, obligating, expending, or drawing down FY19 Assistance to Firefighters Grant funds in support of the Modification to Facility, Equipment or a component in the Wellness and Fitness Activity that requires the EHP compliance review, with a limited exception for any approved costs associated with the preparation, conducting, and completion of required EHP reviews. See the FY19 Assistance to Firefighters Grant NOFO for further information on EHP requirements and other applicable program guidance, including FEMA Information Bulletin No. 404. The recipient is required to obtain the required DHS/FEMA EHP compliance approval for this project pursuant to the FY19 Assistance to Firefighters Grant NOFO prior to commencing work for this project. DHS/FEMA will notify you when the EHP compliance review is complete and work may begin. If the recipient requests a payment for one of the activities requiring EHP compliance review, FEMA may not make a payment for that work while the EHP compliance review is still pending. If FEMA discovers that work has been commenced under one of those activities prematurely, FEMA may disallow costs incurred prior to completion of the EHP compliance review and the receipt of DHS/FEMA approval to begin the work. Please contact your DHS/FEMA AFG Help Desk at 1-866-274-0960 or FireGrants@fema.dhs.gov to receive specific guidance regarding EHP compliance. If you have questions about this term and condition or believe it was placed in error, please contact the relevant Preparedness Officer.

Obligating document

1. Agreement No. EMW-2019-FG-09429	2. Amendment No. N/A	3. Recipient No. 636002218	4. Type of Action AWARD	5. Control No. WX02929N2020T		
6. Recipient Name and Address VESTAVIA HILLS, CITY OF 1032 MONTGOMERY HWY BIRMINGHAM, AL 35216		7. Issuing FEMA Office and Address Grant Programs Directorate 500 C Street, S.W. Washington DC, 20528-7000 1-866-927-5646		8. Payment Office and Address FEMA, Financial Services Branch 500 C Street, S.W., Room 723 Washington DC, 20742		
9. Name of Recipient Project Officer Donald Whitworth		9a. Phone No. 2052814379	10. Name of FEMA Project Coordinator Assistance to Firefighters Grant Program		10a. Phone No. 1-866-274-0960	
11. Effective Date of This Action 08/13/2020	12. Method of Payment OTHER - FEMA GO	13. Assistance Arrangement COST SHARING		14. Performance Period 08/20/2020 to 08/19/2021 Budget Period 08/20/2020 to 08/19/2021		
15. Description of Action a. (Indicate funding data for awards or financial changes)						
Program Name Abbreviation	Assistance Listings No.	Accounting Data(ACCS Code)	Prior Total Award	Amount Awarded This Action + or (-)	Current Total Award	Cumulative Non-Federal Commitment
AFG	97.044	2020-F9-GB01 - P431-xxxx-4101-D	\$0.00	\$172,545.45	\$172,545.45	\$17,254.55
Totals			\$0.00	\$172,545.45	\$172,545.45	\$17,254.55
b. To describe changes other than funding data or financial changes, attach schedule and check here: N/A						
16. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) This field is not applicable for digitally signed grant agreements						

17. RECIPIENT SIGNATORY OFFICIAL (Name and Title)	DATE
18. FEMA SIGNATORY OFFICIAL (Name and Title)	DATE
Christopher Logan, Acting Assistant Administrator Grant Programs Directorate	08/13/2020

RESOLUTION NUMBER 5299

**A RESOLUTION APPROVING ALCOHOL LICENSE
FOR TACO MAMA VESTAVIA LLC D/B/A TACO
MAMA; WILLIAM FRANKLIN HAVER, JR.,
EXECUTIVE**

WHEREAS, the City Council of the City of Vestavia Hills, Alabama, approves the alcohol license for Taco Mama Vestavia LLC, d/b/a Taco Mama, located at 700 Montgomery Hwy Suite 194A, Vestavia Hills, Alabama, for the on-premise sale of 020 - Restaurant Retail Liquor; William Franklin Haver, Jr., executives.

APPROVED and ADOPTED this the 8th day of February, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INTEROFFICE MEMORANDUM

DATE: February 1, 2021

TO: Dan Rary, Police Chief

FROM: Rebecca Leavings, City Clerk

RE: Alcohol License Request – 020 - Restaurant Retail Liquor

Please find attached information submitted by William Franklin Haver, Jr. who request an alcohol license to sell 020 - Restaurant Retail Liquor at the Taco Mama Vestavia LLC d/b/a Taco Mama, 700 Montgomery Hwy Suite 194A, Vestavia Hills, Alabama.

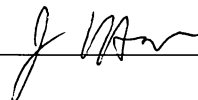
I am scheduling this case to be heard by the City Council on 8th day of February, 2021 at 6:00 PM (Monday). Please advise me of your recommendation for this license. If you have any questions, please contact me.

Reply

I have reviewed the available background information on the above referenced applicant and submit the following to the City Council:

svf	Application cleared by P.D. This indicates that there are NO convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests
	Needs further review. This indicates that the Police Chief has found records of some convictions of alcohol related arrests
	Does not recommend. This indicates that the Police Chief has found records of convictions for drug trafficking, convictions regarding arrest involving danger to children, weapon charges, violent felony crimes against persons, felony sexual offenses or habitual alcohol related arrests

Reviewed: _____





**STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
ALCOHOL LICENSE APPLICATION**



Confirmation Number: 20210122144225544

If applicant is leasing the property, is a copy of the lease agreement attached? **YES**
 Name of Property owner/lessor and phone number: **VESTAVIA MZL LLC 212-710-9330**
 What is lessors primary business? **REAL ESTATE**
 Is lessor involved in any way with the alcoholic beverage business? **NO**
 Is there any further interest, or connection with, the licensee's business by the lessor? **NO**

Does the premise have a fully equipped kitchen? **YES**
 Is the business used to habitually and principally provide food to the public? **YES**
 Does the establishment have restroom facilities? **YES**
 Is the premise equipped with services and facilities for on premises consumption of alcoholic beverages? **YES**

Will the business be operated primarily as a package store? **NO**
 Building Dimensions Square Footage: **2585** Display Square Footage:
 Building seating capacity: **75** Does Licensed premises include a patio area? **YES**
 License Structure: **SHOPPING CENTER** License covers: **OTHER**
 Number of licenses in the vicinity: **0** Nearest: **0**
 Nearest school: **0 miles** Nearest church: **0 miles** Nearest residence: **0 miles**
 Location is within: **CITY LIMITS** Police protection: **CITY**

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of any law violation(s)?

Name:	Violation & Date:	Arresting Agency:	Disposition:



STATE OF ALABAMA ALCOHOLIC BEVERAGE CONTROL BOARD ALCOHOL LICENSE APPLICATION



Confirmation Number: 20210122144225544

Initial each

Signature page

In reference to law violations, I attest to the truthfulness of the responses given within the application.

In reference to the Lease/property ownership, I attest to the truthfulness of the responses given within the application.

In reference to ACT No. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

In reference to Special Retail or Special Events retail license, I agree to comply with all applicable laws and regulations concerning this class of license, and to observe the special terms and conditions as indicated within the application.

In reference to the Club Application information, I attest to the truthfulness of the responses given within the application.

In reference to the transfer of license/location, I attest to the truthfulness of the information listed on the attached transfer agreement.

In accordance with Alabama Rules & Regulations 20-X-5-.01(4), any social security number disclosed under this regulation shall be used for the purpose of investigation or verification by the ABC Board and shall not be a matter of public record.

The undersigned agree, if a license is issued as herein applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the license premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him or her in connection with said licensed premises. The undersigned hereby understands that he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

I hereby swear and affirm that I have read the application and all statements therein and facts set forth are true and correct, and that the applicant is the only person interested in the business for which the license is required.

Applicant Name (print):

Signature of Applicant:

Notary Name (print):

Valencia Johnson

Notary Signature:

Valencia Johnson

Commission expires:

4/22/22

Application Taken:

App. Inv. Completed:

Forwarded to District Office:

Submitted to Local Government:

Received from Local Government:

Received in District Office:

Reviewed by Supervisor:

Forwarded to Central Office:

ORDINANCE NUMBER 2991

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

WHEREAS, on the 23rd day of November, 2020, 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:

2537 Tyler Road
Lot 3-A, McLemores Resurvey
Glenda Mortenson, Owner(s)

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

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

ADOPTING and APPROVED this the 22nd day of February, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

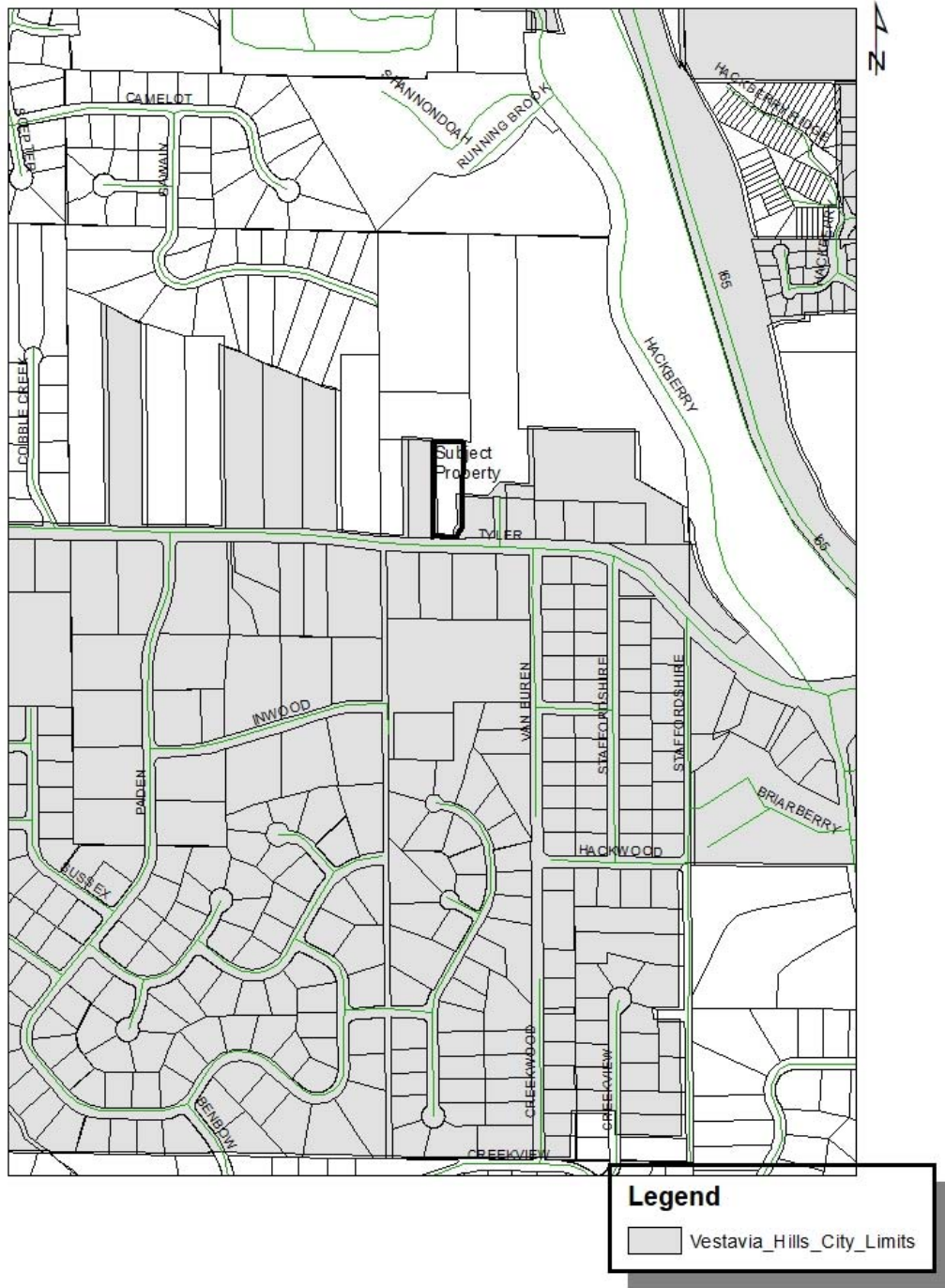
CERTIFICATION:

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 # 2991 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 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2537 Tyler Road



Annexation Committee Petition Review

Property: 2537 Tyler Road

Owners: Glenda Mortenson

Date: 10-19-2020

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

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

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

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

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$351,700. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 15 Number in city 11
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2537 Tyler Road

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

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

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

11. Information on children: Number in family ~~4~~ 0; Plan to enroll in VH schools Yes _____ No Comments: _____

Other Comments: _____



George Pierce
Chairman

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Ordinance No. 2991
2537 Tyler Road

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2537 Tyler Road	Property Address	
====>	\$ 351,700	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$35,170.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$722.74	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,011.14	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,733.88	Total County remits to City for split with BOE	CITY	
\$531.07	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$288.39	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$722.74	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,830.60	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$2,553.34	TOTAL ANNEXATION REVENUE BENEFIT		

Legend	
City Revenue	
BOE Revenue	

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: 2537 Tyler Road

Engineering; Public Services

Date: 9/25/2020 Initials: CB

Comments: _____

2537 Tyler Road -- no concerns noted; Tyler Road is a Jefferson County through-road and continues to be maintained by County.

Police Department:

Date: 09/22 Initials: JGG

Comments: _____

Fire Department:

Date: 9/21 Initials: RF

Comments: _____

Board of Education:

Date: 9/18/20 Initials: SB

Comments: _____

PARCEL #: 39 00 02 1 001 034.000
OWNER: MORTENSON DANIEL C & GLENDA W TRUSTEES
ADDRESS: 2537 TYLER RD VESTAVIA AL 35226-2828
LOCATION: 2537 TYLER RD BIRMINGHAM AL 35226

[111-B+] Baths: 3.5 H/C Sqft: 4,067
 18-056.0 Bed Rooms: 3 Land Sch: A115
 Land: 68,000 Imp: 283,700 Total: 351,700
 Acres: 0.000 Sales Info: 03/16/2012 \$10,000

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

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 OVER 65 CODE: X
 EXEMPT CODE: 3-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$351,700.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$68,000
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 BLDG 001 111 \$283,700

 TOTAL MARKET VALUE [APPR. VALUE: \$351,700]: \$351,700
 Assessment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$35,180	\$228.67	\$35,180	\$228.67	\$0.00
COUNTY	3	2	\$35,180	\$474.93	\$2,000	\$27.00	\$447.93
SCHOOL	3	2	\$35,180	\$288.48	\$0	\$0.00	\$288.48
DIST SCHOOL	3	2	\$35,180	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$35,180	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$35,180	\$179.42	\$0	\$0.00	\$179.42
SPC SCHOOL2	3	2	\$35,180	\$591.02	\$0	\$0.00	\$591.02
ASSD. VALUE: \$35,180.00				\$1,762.52		GRAND TOTAL: \$1,506.85	

[Payoff Quote](#)

DEEDS

INSTRUMENT NUMBER	DATE
201213-26054	3/16/2012
9605-5193	01/25/1996

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2020		\$0.00
12/30/2019	2019	GLENDA W MORTENSON DANIEL C MORTENSON	\$1,506.85
1/4/2019	2018	GLENDA W MORTENSON DANIEL C MORTENSON	\$1,582.71
1/8/2018	2017	MORTENSON DANIEL C & GLENDA W	\$1,582.71
1/4/2017	2016	-	\$1,594.92
12/23/2015	2015	MORTENSON	\$1,582.71
1/12/2015	2014	GLENDA MORTENSON	\$1,632.42
		GLENDA MORTENSON DANIEL	

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: Sept 16, 2020

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 _____ 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.

Glenda Montensa
(205) 913-4947
talk2Glen@aol.com

EXHIBIT "A"

LOT: Lot 3A

BLOCK: _____

SURVEY: McLemore's Resurvey

RECORDED IN MAP BOOK 139, PAGE 36 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: JCR-1

COMPATIBLE CITY ZONING: VNR-2

LEGAL DESCRIPTION (METES AND BOUNDS):

N/A

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

<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
<u>Glenda Mortenson</u>	Lot <u>3A</u> Block _____ Survey <u>McLemores Res</u>
<u>N/A</u>	Lot <u>3A</u> Block _____ Survey <u>McLemores Res</u>
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

Jefferson COUNTY

Glenda Mortenson 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.

Glenda Mortenson
Signature of Certifier

Subscribed and sworn before me this 16th day of Sept, 2020.

[Signature]
Notary Public

My commission expires: 7/05/2023

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): Glenda + Daniel Montensen
Address: 2537 Tyler Rd
City: Vestavia State: AL Zip: 35226

Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
1.					
2.					
3.	<u>n</u>				
4.	<u>/</u>				
5.	<u>A</u>				
6.					

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

ORDINANCE NUMBER 2992

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

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

2537 Tyler Road
Lot 3A, McLemores Resurvey
Glenda Mortenson, Owner(s)

APPROVED and ADOPTED this the 22nd day of February, 2021.

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 # 2992 is a true and correct copy of such 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2537 Tyler Road



Legend

■ Vestavia_Hills_City_Limits

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

Date: JANUARY 14, 2021

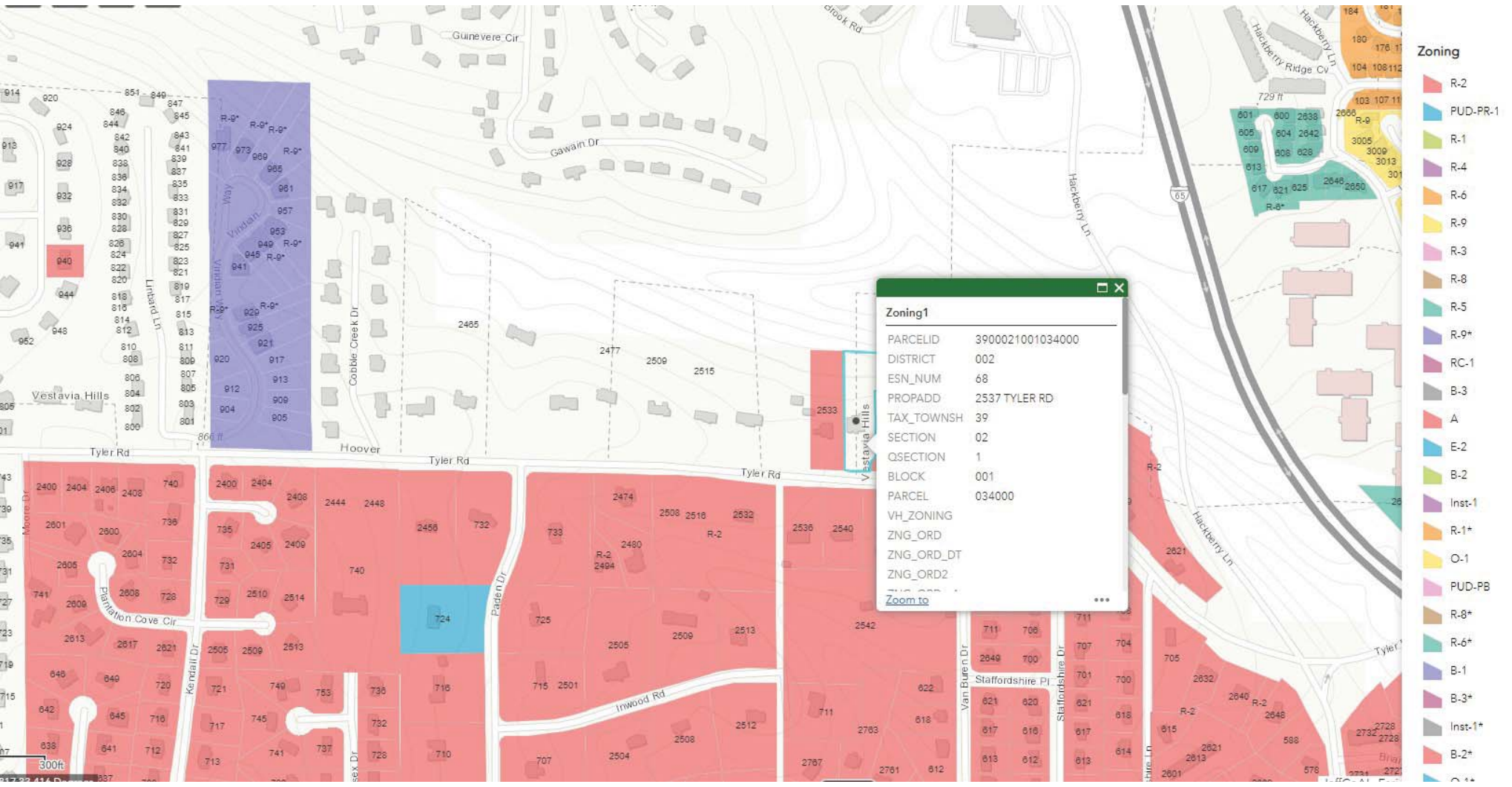
- **CASE: P-0121-02**
- **REQUESTED ACTION:** Rezoning JC R-1 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2537 Tyler Rd.
- **APPLICANT/OWNER:** Glenda Mortenson
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Tyler Rd. from JC R-1 to VH R-2. Property was annexed overnight by Ordinance 2980 on 11/23/20.
- **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 Mr. Weaver made a motion to recommend Rezoning from JC R-1 to Vestavia Hills R-2 for the property located at 2519 Dolly Ridge Rd. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes
Mr. Ferrell – yes
Ms. Vercher – yes
Mr. Larson – yes
Motion carried.

Mr. Romeo – yes
Mr. Honeycutt – yes
Mr. Weaver – yes
Mr. Barnes – yes



ORDINANCE NUMBER 2993

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

WHEREAS, on the 23rd day of November, 2020, 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:

2519 Dolly Ridge Road
Lot 1, Block 2, Dolly Ridge Estates, 2nd Add
Earl and Juanita Tew, Owner(s)

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

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

ADOPTING and APPROVED this the 22nd day of February, 2021.

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 # 2993 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 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2519 Dolly Ridge Road



Annexation Committee Petition Review

Property: 2519 Dolly Ridge Road

Owners: Earl and Juanita Tew

Date: 10/19/2020

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

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

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

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

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of 9259,000. Meets city criteria: Yes No
Comment: Low but not significant
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes n/a Number in city n/a (Long Road)
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2519 Dolly Ridge Road


8. A non-refundable administrative fee of \$100 has been paid to the city. Furthermore, voluntary contributions, including an application fee, of \$ 0 will be paid to offset costs associated with the annexation.
Yes No Comment _____

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

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

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

Other Comments: _____



George Pierce
Chairman

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit Ordinance No. 2993
2519 Dolly Ridge Road

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	2519 Dolly Ridge Road	Property Address	
====>	\$ 259,600	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$25,960.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$533.48	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$746.35	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$1,279.83	Total County remits to City for split with BOE	CITY	
\$392.00	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$212.87	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$533.48	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$1,351.22	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$1,884.70	TOTAL ANNEXATION REVENUE BENEFIT		

Legend	
City Revenue	
BOE Revenue	

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: 2519 Dolly Ridge Road

Engineering; Public Services

Date: 9/25/2020 Initials: CBandy

2519 Dolly Ridge Road -- no significant concerns noted; Dolly Ridge Road is a Jefferson County through-road and continues to be maintained by County; minor property maintenance concerns related to small hole in back yard near septic system, large trees down along steep slope in rear yard, and various debris (old fencing and other materials) near small storage shed.

Police Department:

Date: 09/22 Initials: JGG

Comments: _____

Fire Department:

Date: 9/21 Initials: JZF

Comments: _____

Board of Education:

Date: 9/18/20 Initials: SB

Comments: _____

PARCEL #: 28 00 32 4 005 003.000
OWNER: TEW L EARL & JUANITA SPIVEY
ADDRESS: 2519 DOLLY RIDGE RD VESTAVIA AL 35243-4612
LOCATION: 2519 DOLLY RIDGE RD BHAM AL 35243

2519 Dolly Ridge Road
[111-C0] Baths: **4.0** H/C Sqft: **2,548**
18-034.0 Bed Rooms: **4** Land Sch: **G1**
 Land: **100,100** Imp: **159,500** Total: **259,600**
 Acres: **0.000** Sales Info: **\$0**

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

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 3-3 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 0
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$250,600.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$100,100
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 BLDG 001 111 \$159,500

 TOTAL MARKET VALUE [APPR. VALUE: \$259,600]: \$259,600
 Assessment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$25,960	\$168.74	\$25,960	\$168.74	\$0.00
COUNTY	3	2	\$25,960	\$350.46	\$5,000	\$67.50	\$282.96
SCHOOL	3	2	\$25,960	\$212.87	\$5,000	\$41.00	\$171.87
DIST SCHOOL	3	2	\$25,960	\$0.00	\$5,000	\$0.00	\$0.00
CITY	3	2	\$25,960	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$25,960	\$132.40	\$5,000	\$25.50	\$106.90
SPC SCHOOL2	3	2	\$25,960	\$436.13	\$5,000	\$84.00	\$352.13
ASSD. VALUE: \$25,960.00			\$1,300.60		GRAND TOTAL: \$913.86		

[Payoff Quote](#)

DEEDS

INSTRUMENT NUMBER	DATE
775-851	12/03/1971

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2020		\$0.00
11/19/2019	2019	L EARL TEW OR JUANITA S TEW	\$874.62
1/2/2019	2018	L. EARL TEW	\$963.09
12/6/2017	2017	TEW EARL	\$917.34
1/4/2017	2016	-	\$831.89
12/11/2015	2015	-	\$836.89
12/30/2014	2014	L. EARL TEW OR JUANITA S. TEW	\$823.81
1/7/2014	2013	L. EARL TEW OR JUANITA S. TEW	\$1,014.81

STATE OF ALABAMA

Jefferson COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: _____

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.

Home Phone 205-637-7576
Cell Phone 205-492-8044

EXHIBIT "A"

LOT: 1

BLOCK: 2

SURVEY: Dolly Ridge Estates

RECORDED IN MAP BOOK 47, PAGE 66 IN THE
PROBATE OFFICE OF Jefferson COUNTY, ALABAMA.

COUNTY ZONING: _____

COMPATIBLE CITY ZONING: _____

LEGAL DESCRIPTION (METES AND BOUNDS):

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

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Leon Earl Jew Lot ___ Block ___ Survey ___
Juanita D. Jew Lot ___ Block ___ Survey ___
____ Lot ___ Block ___ Survey ___

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

STATE OF ALABAMA

Jefferson COUNTY

Leon Earl Jew 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.

Leon Earl Jew
Signature of Certifier

Subscribed and sworn before me this the 3rd day of August, 2020.

Patti Ammons
Notary Public

My commission expires: _____

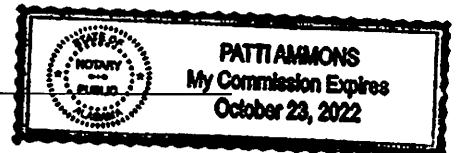


EXHIBIT "B"

VESTAVIA HILLS BOARD OF EDUCATION

**1204 Montgomery Highway
 Vestavia Hills AL 35216**

(To be completed by the City)

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

(To be completed by Homeowner)

Name(s) of Homeowner(s): L. Earl Tew & Juanita S. Tew
 Address: 2519 Dolly Ridge Road
 City: Vestavia State: Alabama Zip: 35243

Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
	(None)				
1.					
2.					
3.					
4.					
5.					
6.					

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

ORDINANCE NUMBER 2994

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

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

2519 Dolly Ridge Road
Lot 1, Blk 2, Dolly Ridge Estates, 2nd Add
Earl and Juanita Tew, Owner(s)

APPROVED and ADOPTED this the 22nd day of February, 2021.

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 # 2994 is a true and correct copy of such 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2519 Dolly Ridge Road



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

Date: JANUARY 14, 2021

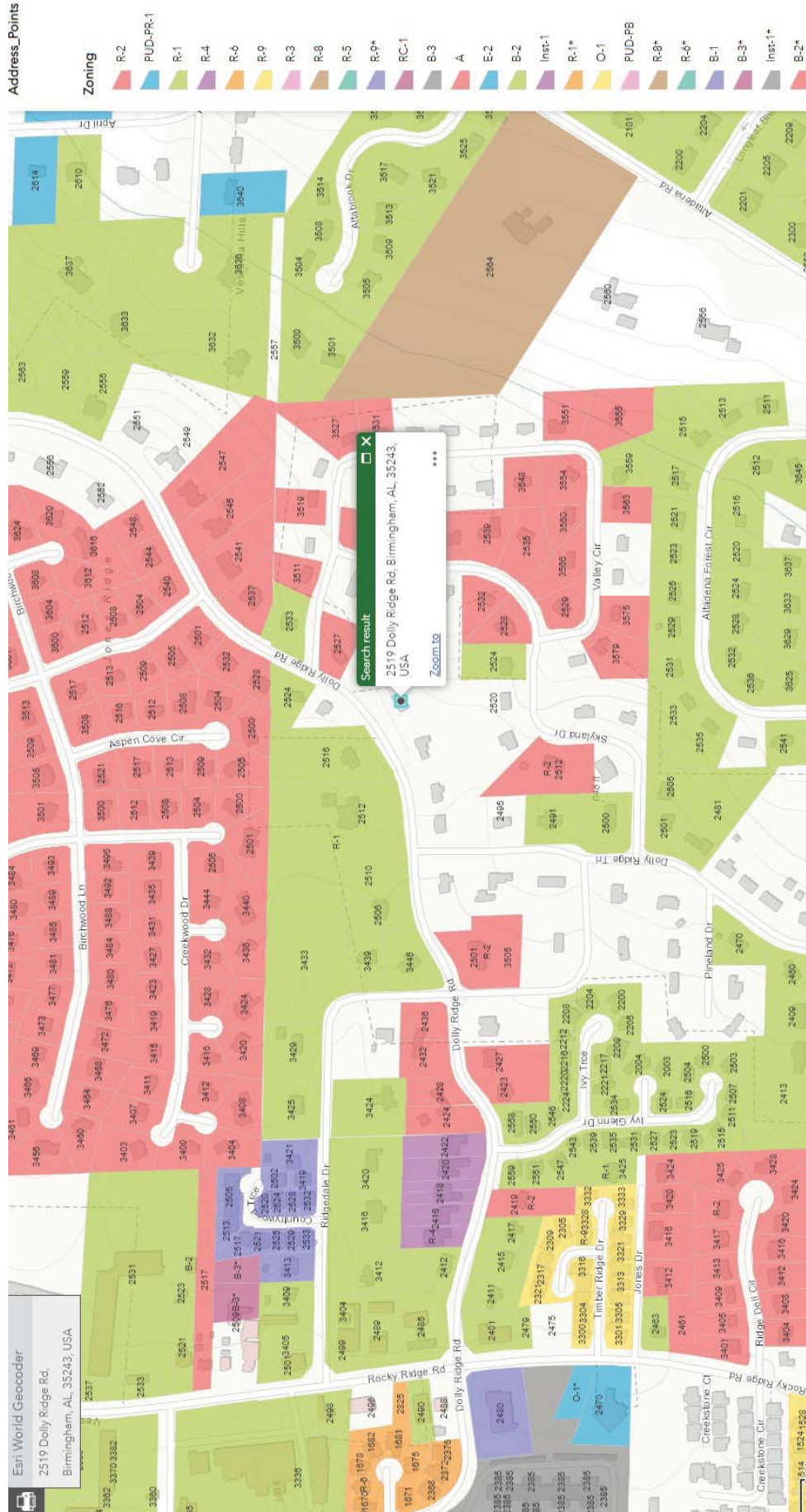
- **CASE: P-0121-01**
- **REQUESTED ACTION:** Rezoning JC E-2 to Vestavia Hills R-1
- **ADDRESS/LOCATION:** 2519 Dolly Ridge Rd.
- **APPLICANT/OWNER:** Earl & Juanita Tew
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Dolly Ridge Rd. from JC E-2 to VH R-1. Property was annexed overnight by Ordinance 2981 on 11/23/20.
- **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 Mr. Weaver made a motion to recommend Rezoning from JC E-2 to Vestavia Hills R-1 for the property located at 2519 Dolly Ridge Rd. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes
Mr. Ferrell – yes
Ms. Vercher – yes
Mr. Larson – yes
Motion carried.

Mr. Romeo – yes
Mr. Honeycutt – yes
Mr. Weaver – yes
Mr. Barnes – yes



ORDINANCE NUMBER 2995

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

WHEREAS, on the 23rd day of November, 2020, 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:

3643 Altadena Drive
Lot 17, Altadena Acres
Marcum and Amanda Mitchell, Owner(s)

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

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

ADOPTING and APPROVED this the 22nd day of February, 2021.

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 # 2995 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 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

3643 Altadena Drive



Legend

■ Vestavia_Hills_City_Limits

Annexation Committee Petition Review

Property: 3643 Altadena Drive

Owners: Marcum and Amanda Mitchell

Date: 10-19-2020

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

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

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

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

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$ 418,400. Meets city criteria: Yes No
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 20 Number in city 11
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 3643 Altadena Drive


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

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

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

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

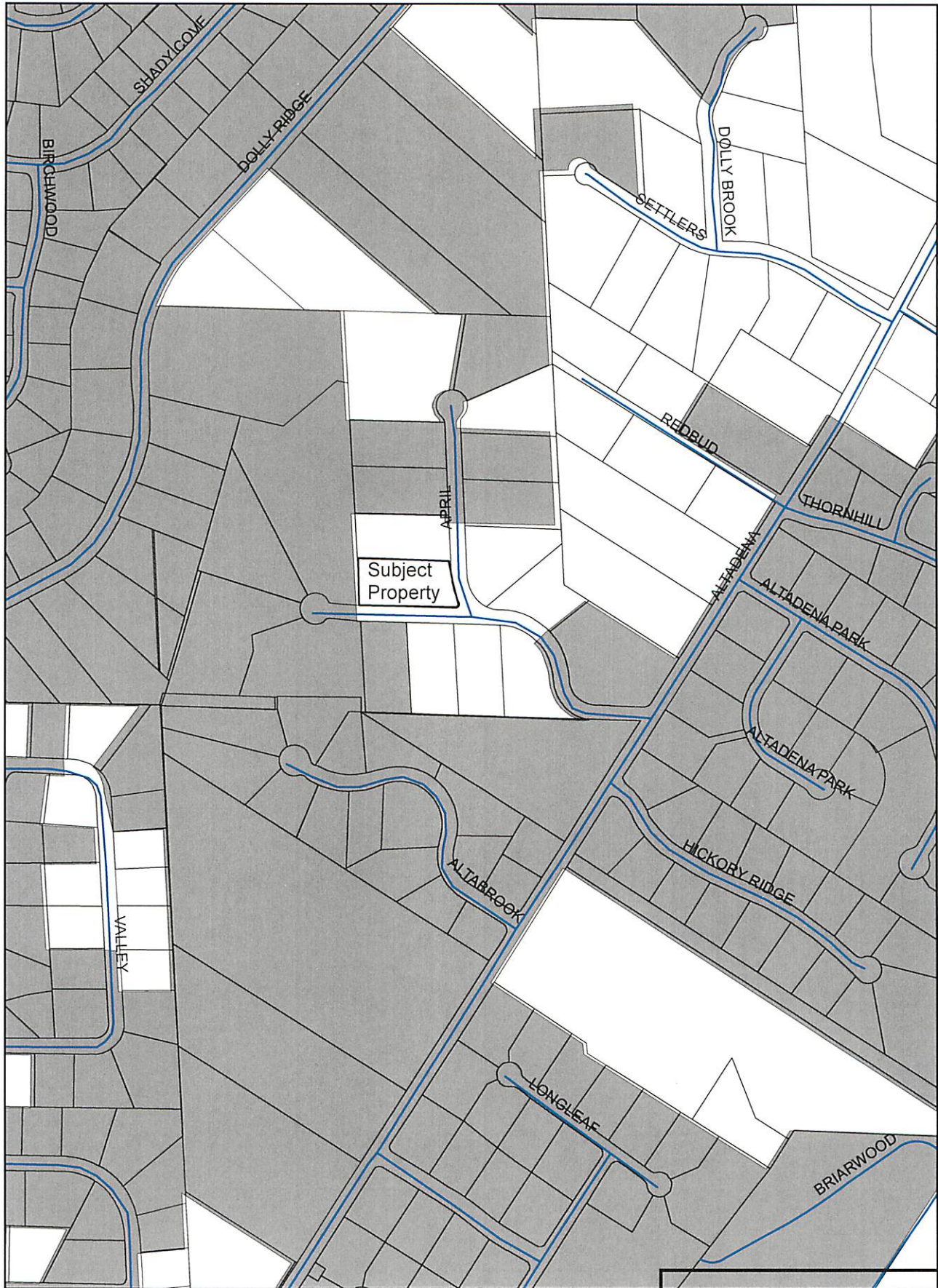
Other Comments: _____




George Pierce
Chairman

3643 Altadena Drive

Exhibit - Ordinance No. 2995
3643 Altadena Drive



Legend

-  Vestavia_Hills_City_Limits

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

Exhibit - Ordinance No. 2995
3643 Altadena Drive

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

		Citizen Access Portal Descriptor	Notes
====>	3643 Altadena Drive	Property Address	
====>	\$ 418,400	Appraised Value of Property	TOTAL MARKET VALUE
	10%	Assessment Homestead Rate	
	\$41,840.00	Assessed Value	ASSD. VALUE

AD VALOREM REVENUE

		Citizen Access Portal Descriptor	Notes
\$859.81	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
\$1,202.90	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
\$2,062.71	Total County remits to City for split with BOE	CITY	
\$631.78	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
\$343.09	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$859.81	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$2,177.77	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$3,037.58	TOTAL ANNEXATION REVENUE BENEFIT		

Legend
City Revenue
BOE Revenue

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: 3643 Altadena Drive

Engineering; Public Services

Date: 9/25/2020 Initials: CB

Comments:
3643 Altadena Drive -- no significant concerns noted; roadways and valley gutter in good condition; minor erosion issues along creek banks; some neighboring properties remain in County so roadway maintenance in this area will continued to be shared.

Police Department:

Date: 09/22 Initials: JGG

Comments: _____

Fire Department:

Date: 9/21 Initials: JB

Comments: _____

Board of Education:

Date: 9/18/20 Initials: SB

Comments: _____

PARCEL #: 28 00 33 2 001 012.000
OWNER: MITHCELL MARCUM & AMANDA W
ADDRESS: 3643 ALTADENA DR VESTAVIA AL 35243-2229
LOCATION: 3643 ALTADENA DR VESTAVIA HILLS AL 35243

[111-B0] Baths: 3.0 H/C Sqft: 2,676
 18-013.0 Bed Rooms: 4 Land Sch: A114
 Land: 171,200 Imp: 247,200 Total: 418,400
 Acres: 0.000 Sales Info: 03/18/2015 \$275,800

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

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 OVER 65 CODE:
 EXEMPT CODE: 2-2 DISABILITY CODE:
 MUN CODE: 02 COUNTY HS YEAR: 2016
 SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
 OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

 CLASS USE:
 FOREST ACRES: 0 TAX SALE:
 PREV YEAR VALUE: \$393,900.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$171,200
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
 BLDG 001 111 \$247,200

 TOTAL MARKET VALUE [APPR. VALUE: \$418,400]: \$418,400
 Assessment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	2	\$41,840	\$271.96	\$4,000	\$26.00	\$245.96
COUNTY	3	2	\$41,840	\$564.84	\$2,000	\$27.00	\$537.84
SCHOOL	3	2	\$41,840	\$343.09	\$0	\$0.00	\$343.09
DIST SCHOOL	3	2	\$41,840	\$0.00	\$0	\$0.00	\$0.00
CITY	3	2	\$41,840	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	2	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	2	\$41,840	\$213.38	\$0	\$0.00	\$213.38
SPC SCHOOL2	3	2	\$41,840	\$702.91	\$0	\$0.00	\$702.91
ASSD. VALUE: \$41,840.00							
				\$2,096.18	TOTAL FEE & INTEREST: (Detail) \$5.00		
							GRAND TOTAL: \$2,048.18

Payoff Quote

DEEDS

INSTRUMENT NUMBER	DATE
201561-11400	3/18/2015
201561 11400	3/18/2015
2870-979	02/27/1986

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2020		\$0.00
12/10/2019	2019	CORELOGIC	\$1,925.94
12/7/2018	2018	CORELOGIC INC	\$1,926.94
11/17/2017	2017	CORE LOGIC INC	\$1,902.89
11/21/2016	2016	CORELOGIC	\$1,825.74
12/1/2015	2015	CORELOGIC INC	\$1,825.74
12/19/2014	2014	-	\$1,699.49
12/17/2013	2013	-	\$1,699.49
12/4/2012	2012	EVINS JOHN C JR	\$1,797.68

July 20, 2020

Mitchell & Amanda Marcum
3643 Altadena Dr
Birmingham, AL 35243

City of Vestavia Hills
Office of the City Clerk
PO Box 660854
Vestavia Hills, AL 35266

To Whom It May Concern:

We are pleased to submit the enclosed petition for annexation to the City of Vestavia Hills, Alabama for the property located at 3643 Altadena Drive in the Altadena Acres subdivision. Thank you in advance for your consideration, and please reach out if you have any questions or concerns about our petition. We look forward to working with the City and hope to be proud members of the Vestavia Hills community when the process concludes.

Sincerely,



Mitchell Marcum



Amanda Marcum

STATE OF ALABAMA

JEFFERSON COUNTY

PETITION FOR ANNEXATION TO THE
CITY OF VESTAVIA HILLS, ALABAMA

Date of Petition: 07/20/20

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.

Mitchell Marcum
(601) 259-5787
mrmarcum12@gmail.com

EXHIBIT "A"

LOT: 17

BLOCK: _____

SURVEY: ALTADENA ACRES

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

COUNTY ZONING: JCE-1

COMPATIBLE CITY ZONING: VH E-2

LEGAL DESCRIPTION (METES AND BOUNDS):

LOT 17 ALTADENA ACRES 51/73

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

SIGNATURE(S)

DESCRIPTION OF PROPERTY

<u>Mitchell Marcum</u>	Lot <u>17</u> Block _____ Survey <u>ALTADENA ACRES</u>
<u>Amelia Chen</u>	Lot <u>17</u> Block _____ Survey <u>ALTADENA ACRES</u>
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

JEFFERSON COUNTY

MITCHELL MARCUM 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.

Mitchell Marcum
Signature of Certifier

Subscribed and sworn before me this the 20th day of July, 2020.

Patricia Pierce
Notary Public

My commission expires: 7/9/2022



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)

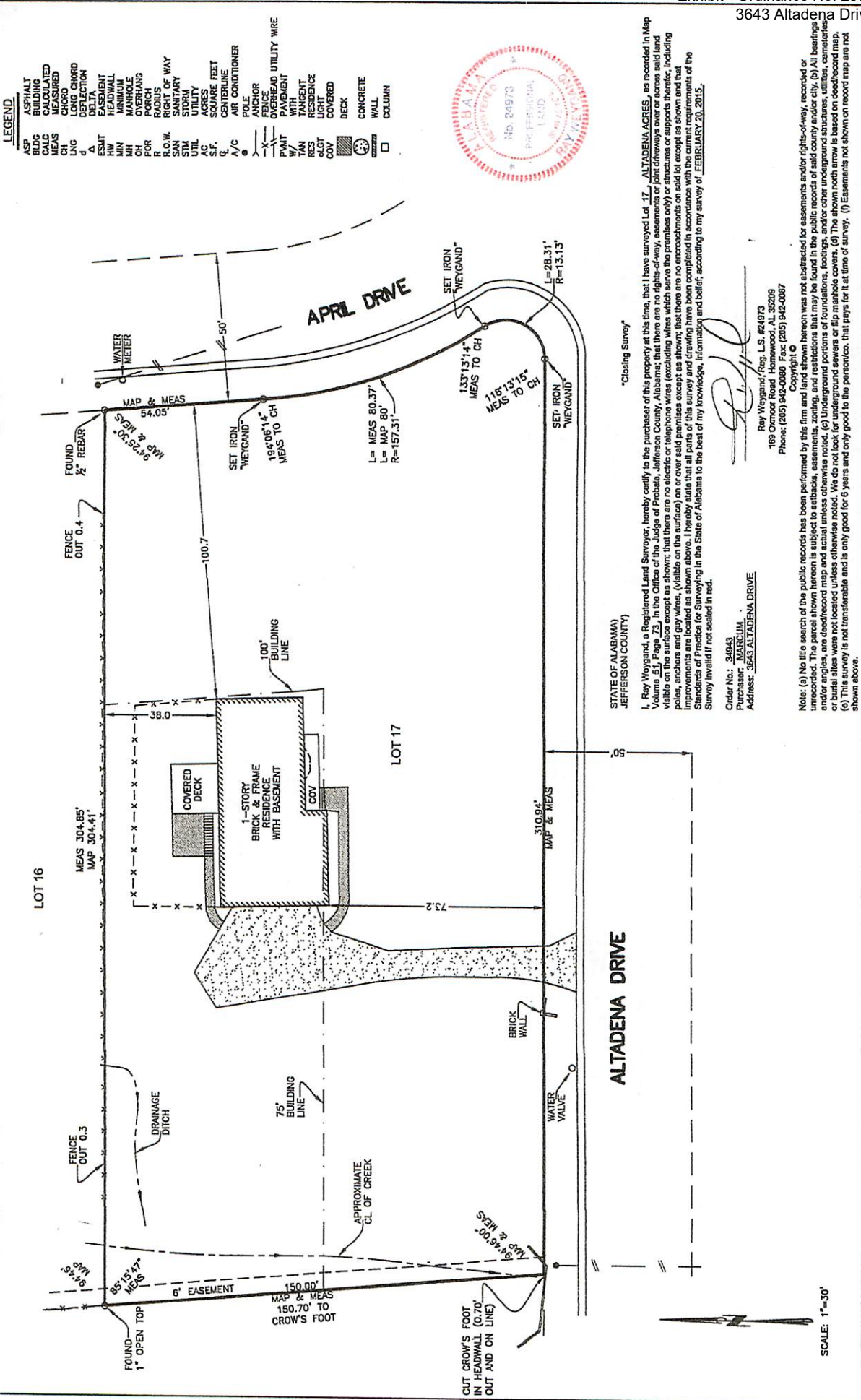
Name(s) of Homeowner(s): MITCHELL & AMANDA MARCUM
 Address: 3643 ALTADENA DR
 City: BIRMINGHAM State: AL Zip: 35243

Information on Children:

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

	Name(s)	Age	School Grade	Yes	No
1.	RYAN MARCUM	4	PRE-K	✓	
2.	HENRY MARCUM	3 mos.	—	✓	
3.					
4.					
5.					
6.					

Approximate date for enrolling students in Vestavia Hills City Schools if above response is "yes": AUGUST 2021



LEGEND

ASP	ASPHALT
BLOC	BUILDING BLOCK
CH	CHORD
CHORD	MEASURED
CHORD	MEAS
CHORD	LONG CHORD
CHORD	DEFLECTION
CHORD	EASEMENT
CHORD	HEADWALL
CHORD	MINIMUM
CHORD	MANHOLE
CHORD	PARALLEL
CHORD	RADIUS
CHORD	RIGHT OF WAY
CHORD	SANITARY
CHORD	UTILITY
CHORD	AC
CHORD	S.F.
CHORD	SQUARE FEET
CHORD	CENTERLINE
CHORD	A/C
CHORD	AIR CONDITIONER
CHORD	POLE
CHORD	ANCHOR
CHORD	OVERHEAD UTILITY WIRE
CHORD	PAVEMENT
CHORD	WITH
CHORD	TANGENT
CHORD	REFERENCE
CHORD	LIGHT
CHORD	COVERED
CHORD	DECK
CHORD	CONCRETE
CHORD	WALL
CHORD	COLUMN



"Closing Survey"

I, Ray Weygand, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 17, ALTADENA ACRES, as recorded in Map No. 51, Page 23, of the Office of the Clerk of Probate, Jefferson County, Alabama, that there are no rights or interests in the property shown on said map for projects or encroachments or other interests or claims on the surface except as shown; that there are no electric poles, anchors and guy wires, (visible on the surface) on or over said premises except as shown; that there are no encroachments on said lot except as shown and that improvements are located as shown above. I hereby state that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of FEBRUARY 20, 2015.

Ray Weygand, Reg. L.S. #41073
168 Cherokee Avenue, Birmingham, AL 35209
Phone: (205) 942-0080, Fax: (205) 942-0087
Copyright ©

Order No.: 34943
Purchaser: MARCIUM
Address: 3643 ALTADENA DRIVE

Note: (a) No title search of the public records has been performed by this firm and land shown hereon was not abstracted for easements and/or rights-of-way, recorded or unrecorded. The parcel shown hereon is subject to setbacks, easements, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are deed/record map and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, commodities or burial sites were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deed/record map. (e) This survey is not transferable and is only good for 6 years and only good to the person(s) that pays for it at time of survey. (f) Easements not shown on record map are not shown above.

STATE OF ALABAMA
JEFFERSON COUNTY



SCALE: 1"=30'

ORDINANCE NUMBER 2996

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

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

3643 Altadena Drive
Lot 17, Altadena Acres
Mitchell and Amanda Marcum, Owner(s)

APPROVED and ADOPTED this the 22nd day of February, 2021.

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 # 2996 is a true and correct copy of such 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

3643 Altadena Drive



Legend

- Vestavia_Hills_City_Limits

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

Date: JANUARY 14, 2021

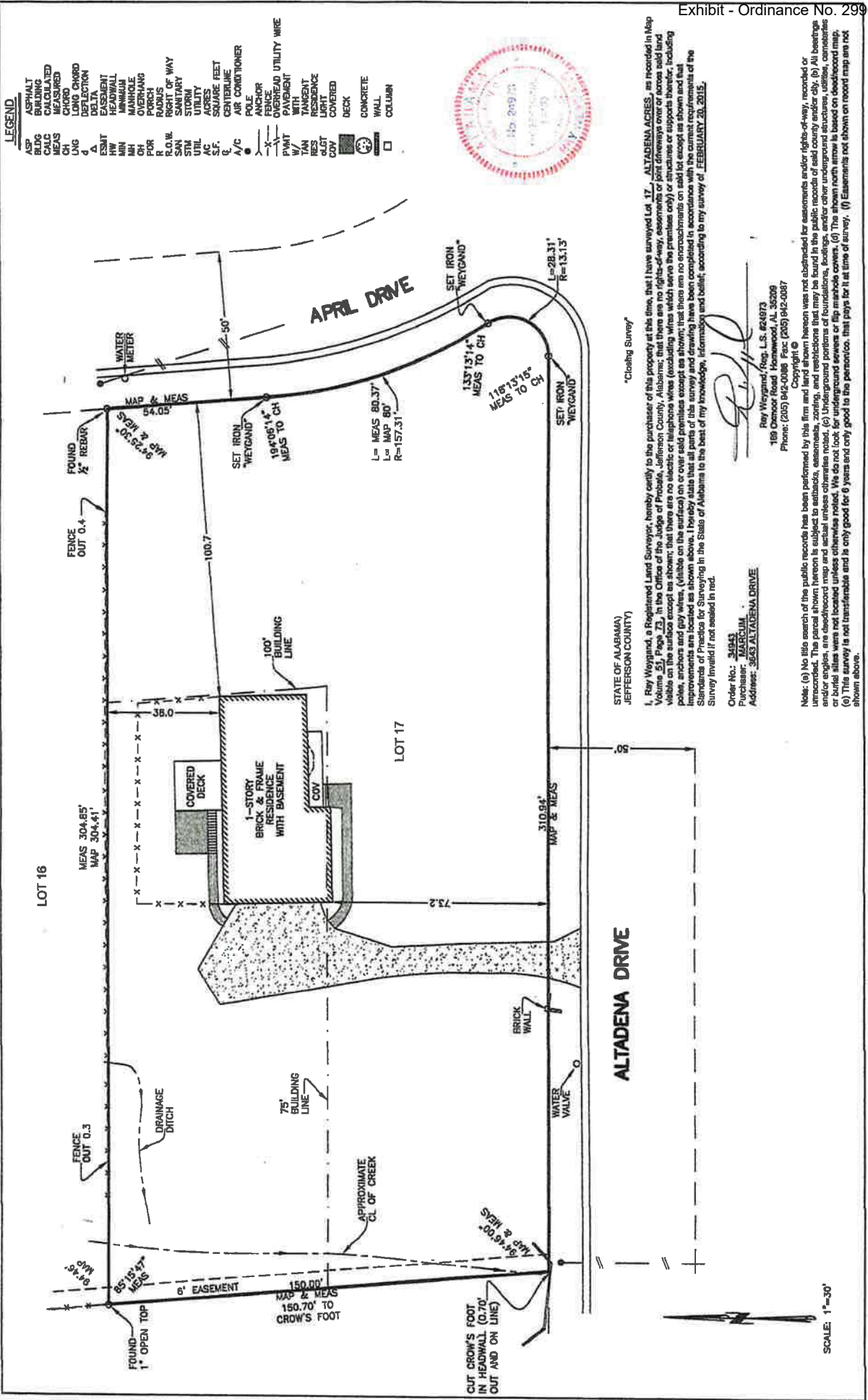
- **CASE: P-0121-04**
- **REQUESTED ACTION:** Rezoning JC E-1 to Vestavia Hills E-2
- **ADDRESS/LOCATION:** 3643 Altadena Dr.
- **APPLICANT/OWNER:** Mitchell & Amanda Marcum
- **GENERAL DISCUSSION:** This is a compatible rezoning of annexed property on Altadena Dr. from JC E-1 to VH E-2. Property was annexed overnight by Ordinance 2982 on 11/23/20.
- **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 Mr. Weaver made a motion to recommend Rezoning from JC E-1 to Vestavia Hills E-2 for the property located at 3643 Altadena Dr.. Second was by Mr. Romeo. Motion was carried on a roll call; vote as follows:

Mr. Maloof – yes	Mr. Romeo – yes
Mr. Ferrell – yes	Mr. Honeycutt – yes
Ms. Vercher – yes	Mr. Weaver – yes
Mr. Larson – yes	Mr. Barnes – yes

Motion carried.



LEGEND

- ASP ASPHALT
- BLDG BUILDING
- CALC CALCULATED
- MEAS MEASURED
- L&G LONG CHORD
- DEFLECTION DEFLECTION
- Δ DELTA
- ESMBT EMBANKMENT
- MANH MANHOLE
- OH OVERHANG
- PORCH PORCH
- R.O.W. RIGHT OF WAY
- SAN SANITARY
- STM STORM
- UTL UTILITY
- CURB CURB
- CL CENTERLINE
- A/C AIR CONDITIONER
- POLE POLE
- ANCHOR ANCHOR
- FENCE FENCE
- OVERHEAD UTILITY WIRE OVERHEAD UTILITY WIRE
- PAINT PAINT
- TANG TANGENT
- RES RESIDENCE
- LIGHT LIGHT
- COVERED COVERED
- DECK DECK
- CONCRETE CONCRETE
- WALL WALL
- COLUMN COLUMN

STATE OF ALABAMA
JEFFERSON COUNTY

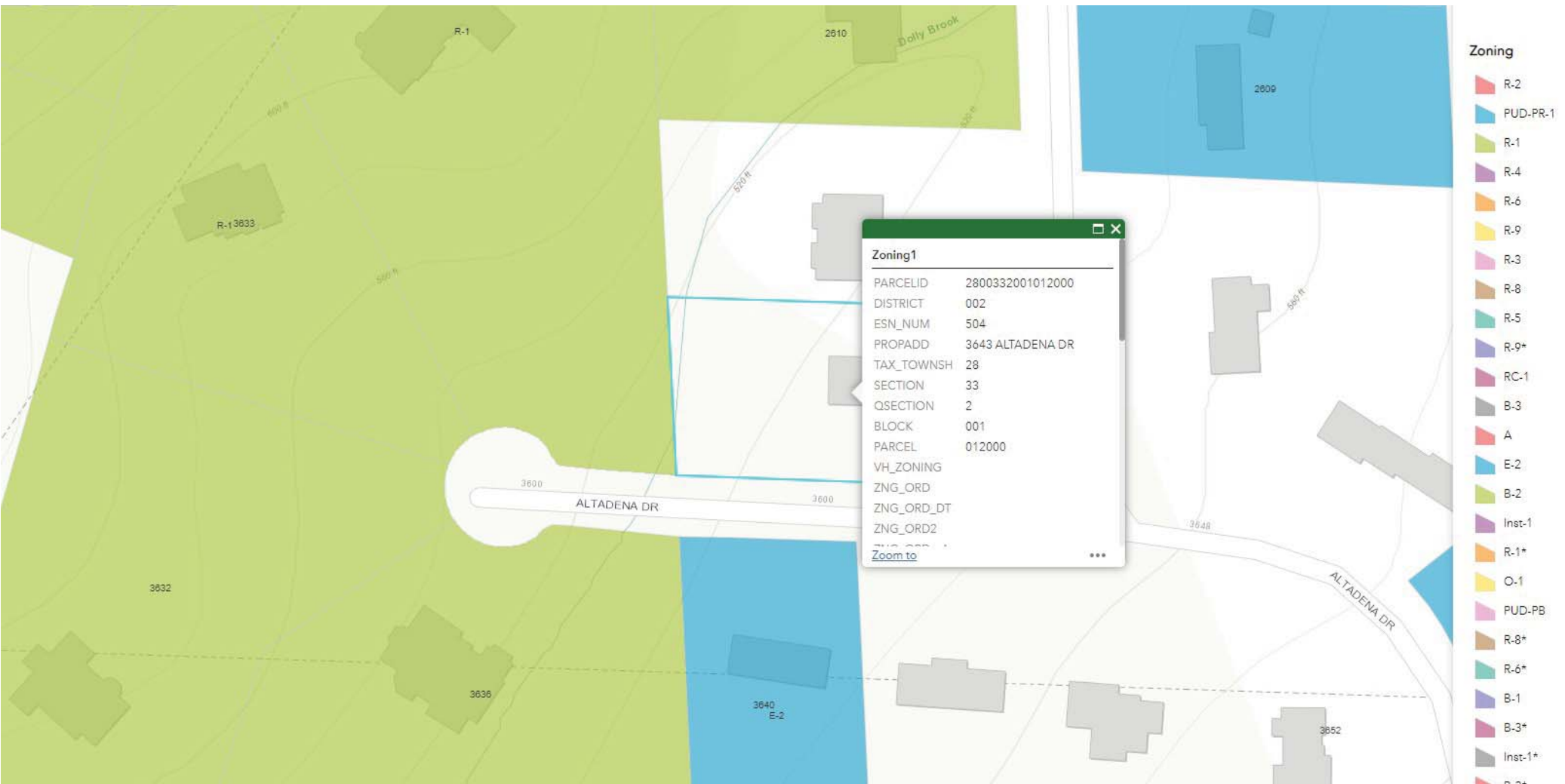
I, Ray Weigandt, a Registered Land Surveyor, hereby certify to the purchaser of this property at this time, that I have surveyed Lot 17, ALTADENA ACRES, as recorded in Map Volume 57, Page 23, in the Office of the Judge of Probate, Jefferson County, Alabama; that there are no rights-of-way, easements or point 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, (write on the surface) on or over said premises except as shown; that there are no encroachments on said land except as shown and that the same are shown and drawn thereon in accordance with the provisions of this survey and drawing in accordance with the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information and belief, according to my survey of FEBRUARY 20, 2015. Survey Invalid if not sealed in red.

Order No.: 34943
Purchaser: MARCOLM
Address: 3663 ALTADENA DRIVE

Ray Weigandt, Reg. L.S. #24873
189 Osmore Road, Horsewood, AL 35098
Phone: (205) 942-0088 Fax: (205) 942-0887

Note: (a) No title search of the public records has been performed by this firm and land shown herein was not abstracted for assessments and/or rights-of-way, recorded or unrecorded. The parcel shown herein is subject to easements, assessments, zoning, and restrictions that may be found in the public records of said county and/or city. (b) All bearings and/or angles, are doublechecked and actual unless otherwise noted. (c) Underground portions of foundations, footings, and/or other underground structures, utilities, canals, or buried pipes were not located unless otherwise noted. We do not look for underground sewers or flip manhole covers. (d) The shown north arrow is based on deadboard map. (e) This survey is not transferable and is only good for 8 years end only good to the permanent, that pays for it at time of survey. (f) Easements not shown on record map are not shown above.

SCALE: 1"=30'



ORDINANCE NUMBER 2997

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

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

2810 Five Oaks Lane
Round Too Investments, Owner(s)

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the southwest corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 34, run thence eastwardly along the south line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ for a distance of 550 feet; thence turn an angle to the left of 109 degrees 40' and run northwestwardly for a distance of 808 feet to the center line of a Branch; run thence southwestwardly along the center line of said Branch following its meanderings to intersection with the center line of Caldwell Mill Road; run thence southeastwardly along the center line of said Caldwell Mill Road for a distance of 349.08 feet; thence turn an angle to the left of 7 degrees 18' and run southeastwardly for a distance of 97.33 feet to intersection with the south line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 34; run thence Eastwardly along the south line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ for a distance of 275.62 feet to the point of beginning.

Less and Except

A parcel of land situated in Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama being more particularly described as follows: BEGIN at a 5/8" rebar capped Weygand at the NW corner of Lot 4-B Resurvey of Part of Lot 4 J Arthur Acton Sub-division and Acreage as recorded in Map Book 233 Page 2 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12' 46" E along the west line of Lot 4-B a distance of 59.81 feet to a point; thence S 67°47'37" W leaving said Lot 4-B a distance of 70.11 feet to a point; thence S 87°02'57" W a distance of 67.56 feet to a point; thence N 1°04'33" Ea distance of 147.07

feet to a point; thence N 46°20'37" W a distance of 23.90 feet to a point on a non-tangent curve to the right having a central angle of 146°18'17" and a radius of 50.00 feet, said curve subtended by a chord bearing N 29°29' 45" W and a chord distance of 95.71 feet; thence along the arc of said curve a distance of 127.68 feet to a point; thence N 10°39'44" W a distance of 165.77 feet to a point; thence N 55°13'48" E a distance of 98.84 feet to a point on the west line of Lot 3-A of Resurvey of Lot 3 and Part of Lot 4 of J Arthur Acton Sub-Division as recorded in Map Book 210 Page 89 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12'46" E along the west line of Lot 3-A a distance of 399.34 feet to the POINT OF BEGINNING. Said parcel of land contains 1.04 acres, more or less.

BE IT FURTHER ORDAINED that said rezoning is contingent upon the following conditions:

1. That the subdivision be built substantially as shown in the exhibit with 18 lots; lot 18 remaining in the County;
2. That lot 18 be subject to the covenants and conditions of the entire subdivision and, if subdivided cannot exceed a maximum of 2 lots compliant with its current zoning classification;
3. That the development covenants and conditions include the following to require the use of EPA advised Lot Impact Development (LID) and Green Infrastructure (GI) guidance in the SWPPP and landscape plans including:
 - a. Use of infiltration swales in greenspace and all drainage areas.
 - b. Require the planting of water-loving native trees in all infiltration swales.
 - c. Require dredging of silt and sediments from water retention ponds anytime it reaches 6".
 - d. Require that downspouts dump onto pervious surfaces.
 - e. Apply EPA LID/GI guidelines whenever reasonable to reduce the volume of water exiting the property.
4. That all of these conditions be included into the private restrictive covenants for the subdivision, recorded in the Office of the Probate Judge and a copy be filed with the City Clerk prior to effective date of rezoning.

APPROVED and ADOPTED this the 22nd day of February, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings

City Clerk

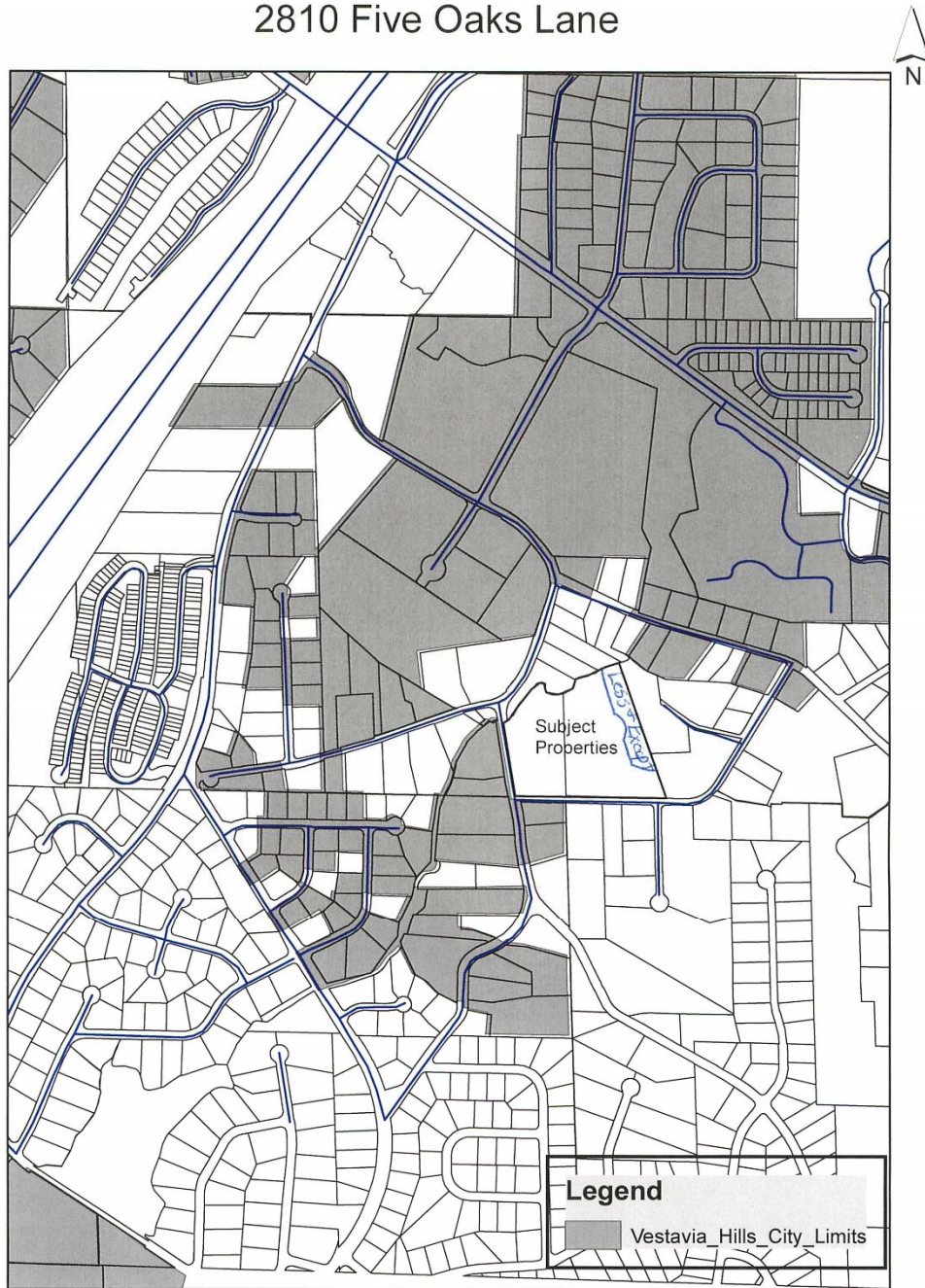
CERTIFICATION:

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 # 2997 is a true and correct copy of such 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2810 Five Oaks Lane



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

Date: **JANUARY 10, 2021**

- **CASE:** P-0121-03
- **REQUESTED ACTION:** Rezoning JC E-2 to Vestavia Hills R-2
- **ADDRESS/LOCATION:** 2810 Five Oaks Ln.
- **APPLICANT/OWNER:** Round Too Investments, LLC
- **GENERAL DISCUSSION:** The request is for annexation and rezoning for property at the corner of Five Oaks Ln. and Caldwell Mill Rd. The request is for an 18 lot subdivision. Seven lots will front Five Oaks Ln. The remaining lots will be accessed off a new street from Caldwell Mill Rd. Lot 18 would be part of the subdivision and subjected to the same covenants but is not part of the annexation and will remain in the County. The northern portion of the property is reserved for drainage detention/retention. Sidewalks would be constructed in front of the proposed lots and a pedestrian bridge is proposed along Caldwell Mill Rd.

City Council began the 90 annexation process with Resolution 5276 in 11/23/20. Compatible annexation would result in an R-1 zoning, however, this proposed zoning is R-2. All proposed lots meet the minimum requirements of R-2. Site plan and proposed covenants are attached.

- **CAHABA HEIGHTS COMMUNITY PLAN:** The property is not contemplated in the Community Plan but is adjacent low-density residential and planned mixed use.
- **STAFF REVIEW AND RECOMMENDATION:**

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

City Planner Recommendation: Staff recommends the following conditions: A. Approval based on site plan presented. B. Rezoning not completed until the final map has been recorded CC&R's for the subdivision that include Lot 18 are recorded,

2. **City Engineer Review:** I have reviewed the application and I have no issues with this request.

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

MOTION Mr. Weaver made a motion to recommend Rezoning from JC E-2 to Vestavia Hills R-2 for the property located at 2810 Five Oaks Ln. with the following conditions:

1. That the subdivision be built substantially as shown in the exhibit with 18 lots; lot 18 remaining in the County;
2. That lot 18 be subject to the covenants and conditions of the entire subdivision and, if subdivided cannot exceed a maximum of 2 lots compliant with the zoning classification;
3. That the development covenants and conditions include the following to require the use of EPA advised Lot Impact Development (LID) and Green Infrastructure (GI) guidance in the SWPPP and landscape plans including:
 - a. Use of infiltration swales in greenspace and all drainage areas.
 - b. Require the planting of water-loving native trees in all infiltration swales.
 - c. Require dredging of silt and sediments from water retention ponds anytime it reaches 6”.
 - d. Require that downspouts dump onto pervious surfaces.
 - e. Apply EPA LID/GI guidelines whenever reasonable to reduce the volume of water exiting the property.
4. That all of these conditions be included into the private restrictive covenants for the subdivision, recorded in the Office of the Probate Judge and a copy be filed with the City Clerk prior to effective date of rezoning.

Second was by Mr. Larson. Motion was carried on a roll call; vote:

Mr. Maloof– yes
Mr. Ferrell – yes
Ms. Vercher – yes
Mr. Larson – yes
Motion carried.

Mr. Romeo – yes
Mr. Honeycutt– yes
Mr. Weaver – yes
Mr. Barnes – yes



DATE:	JANUARY 6, 2020
CLIENT:	PLOT LAYOUT DGN
PROJECT NO.:	HIGHWOOD
CHECKED BY:	WHL
DRAWN BY:	CAF
REVISIONS:	

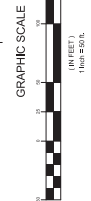
PROJECT:	FIVE OAKS LANE
TITLE:	SITE LAYOUT PLAN
LOCATION:	VESTAVIA HILLS, ALABAMA

120 BISHOP CIRCLE, SUITE 300
 FIVE OAKS LANE, AL 35124
 TEL - (205) 403-9158
 FAX - (205) 403-9175

EDC
 ENGINEERING DESIGN GROUP, LLC
 CIVIL ENGINEERING - LAND SURVEYING
 (205) 403-9158

C1.0
 SHEET NUMBER

SITE DATA TABLE	
PROPOSED ZONING:	R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT
MINIMUM LOT WIDTH:	100'
MINIMUM LOT AREA:	15,000 SQ FT
SETBACKS:	
FRONT:	50'
REAR:	30'
SIDE:	15'
ACREAGE TO BE ANNEXED:	0.38 AC
LOTS PROVIDED:	18



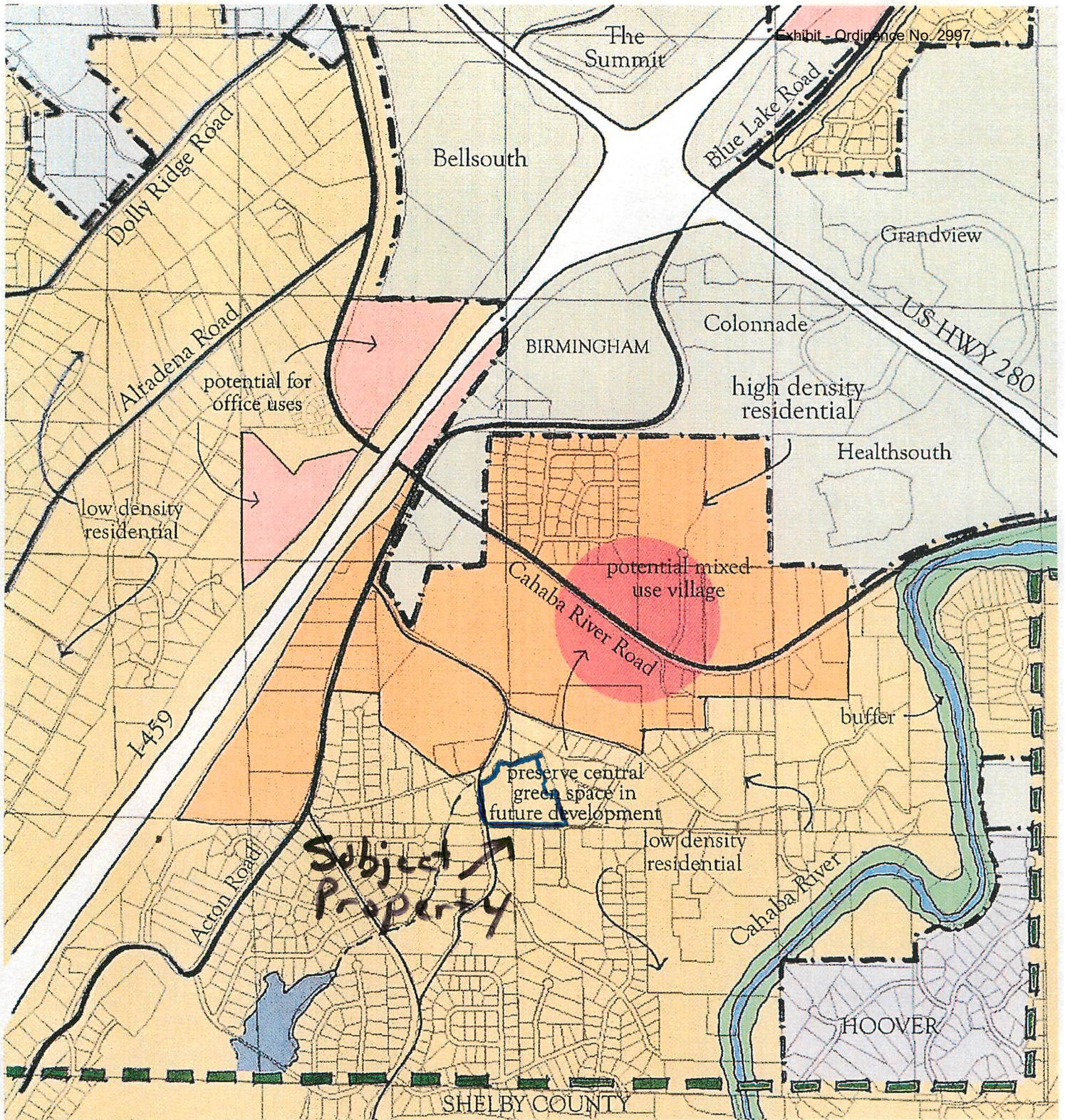
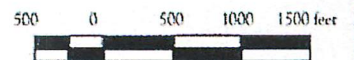


Figure 22: Cahaba River Road / Acton Road East
Land Use Analysis

- 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 bike racks, seating, parking, and public amenities are provided for trail users.
- Schools - School facilities administered by the Vestavia Hills School System.



ORDINANCE NUMBER 2998

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

WHEREAS, on the 23rd day of November, 2020, 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:

2810 Five Oaks Lane
Round Too Investments, Owner(s)

Part of the SW¹/₄ of the NE¹/₄ and part of the SE 1/4 of NW¹/₄ of Section 34, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

Begin at the southwest corner of the SW¹/₄ of NE¹/₄ of said Section 34, run thence eastwardly along the south line of said SW 1/4 of NE¹/₄ for a distance of 550 feet; thence turn an angle to the left of 109 degrees 40' and run northwestwardly for a distance of 808 feet to the center line of a Branch; run thence southwestwardly along the center line of said Branch following its meanderings to intersection with the center line of Caldwell Mill Road; run thence southeastwardly along the center line of said Caldwell Mill Road for a distance of 349.08 feet; thence turn an angle to the left of 7 degrees 18' and run southeastwardly for a distance of 97.33 feet to intersection with the south line of the SE¹/₄ of NW¹/₄ of said Section 34; run thence Eastwardly along the south line of said SE 1/4 of NW¹/₄ for a distance of 275.62 feet to the point of beginning.

Less and Except

A parcel of land situated in Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama being more particularly described as follows: BEGIN at a 5/8" rebar capped Weygand at the NW corner of Lot 4-B Resurvey of Part of Lot 4 J Arthur Acton Sub-division and Acreage as recorded in Map Book 233 Page 2 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12' 46" E along the west line of Lot 4-B a distance of 59.81 feet to a point; thence S 67°47'37" W leaving said Lot 4-B a distance of 70.11 feet to a point; thence S 87°02'57" W a distance of 67 .56 feet to a point; thence N 1 °04'33" Ea distance of 147.07 feet to a point; thence N 46°20'37" W a distance of 23.90 feet to a point on a non-tangent curve to the right having a central angle of 146°18'17" and a radius of 50.00 feet, said curve subtended by a chord bearing N 29°29' 45" W and a chord distance of 95.71 feet; thence along the arc of said curve a distance of 127.68 feet to a point; thence N 10°39'44" W a distance of 165.77 feet to a point; thence N 55°13'48" E a distance of 98.84 feet to a point on the west line of Lot 3-A of Resurvey of Lot 3 and Part of Lot 4 of J Arthur Acton Sub-Division as recorded in Map Book 210 Page 89 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12'46" E along the west line of Lot 3-A a distance of 399.34 feet to the POINT OF BEGINNING. Said parcel of land contains 1.04 acres, more or less.

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

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

ADOPTING and APPROVED this the 22nd day of February, 2021.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

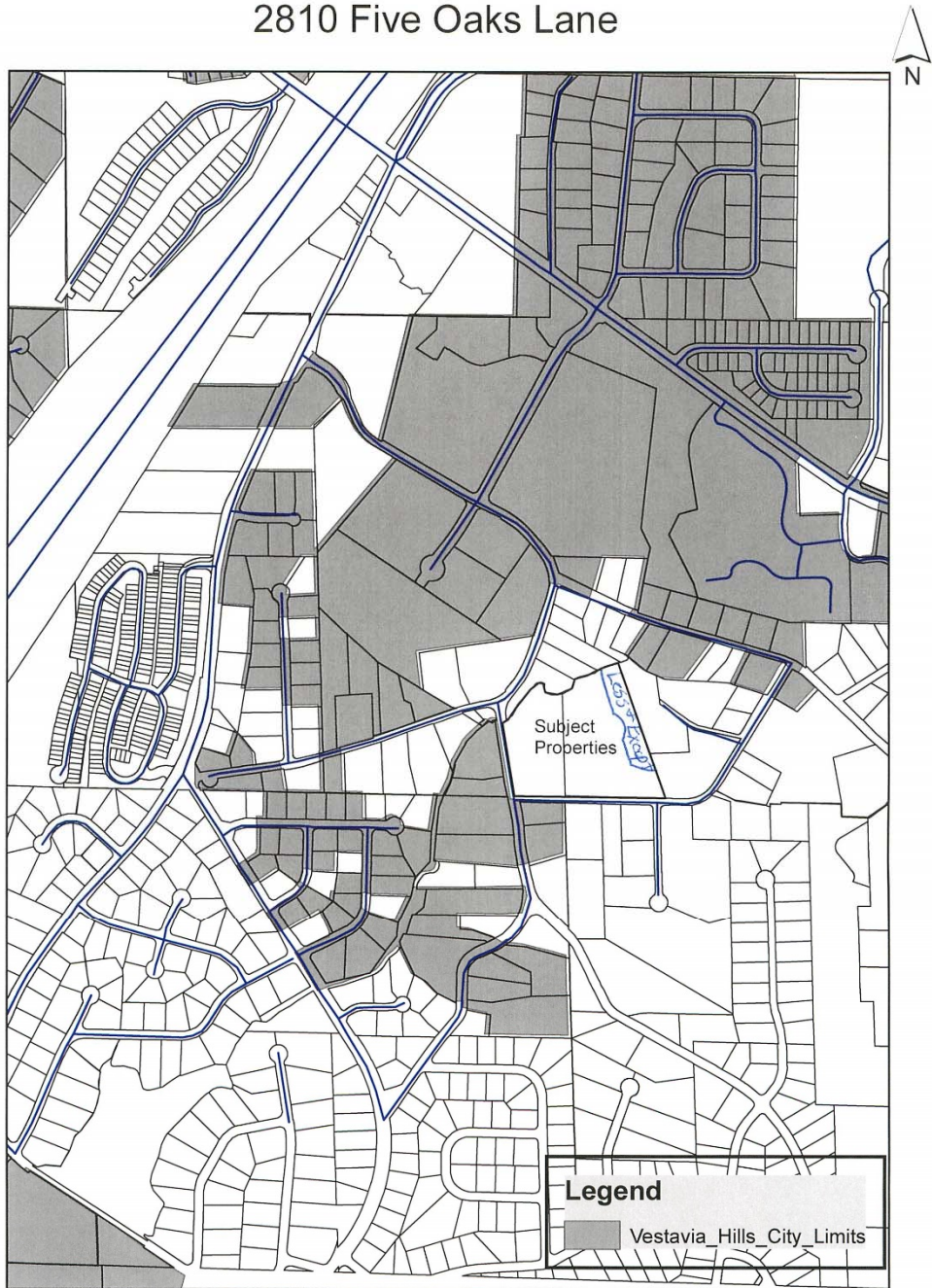
CERTIFICATION:

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 # 2998 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 22nd day of February, 2021, 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 _____, 2021.

Rebecca Leavings
City Clerk

2810 Five Oaks Lane



Annexation Committee Petition Review

Property: 2810 Five Oaks Lane

Owners: Round Too Investments LLC

Date: 10-19-2020

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

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

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

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

5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of N/A. Meets city criteria: Yes No
Comment: property to be developed
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes No
Number of total homes 20 +/- Number in city 12 +/-
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes No Comment _____

Property: 2810 Five Oaks Lane


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

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

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

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

Other Comments: There was a lot of discussion with the developer. Developer plans to develop the property, whether it is annexed into Vestavia Hills, or not.



George Pierce
Chairman

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: 2810 Five Oaks Lane

Engineering; Public Services Date: 9/25/2000 Initials: CB

Comments: See Comments Below

Police Department: Date: 09/22 Initials: JCG

Comments: _____

Fire Department: Date: 9/21 Initials: RF

Comments: Bridge capacity?

Board of Education: Date: 9/13/20 Initials: SB

Comments: _____

2810 Five Oaks Lane -- proposed to be developed as a multi-lot single family residential subdivision; preliminary engineering plans have yet to be submitted, but ongoing dialogue continues with developer's design engineer to assure development will meet City of Vestavia Hills requirements for drainage, access management and other City requirements; as a high percentage of surrounding properties will continue to be within Jefferson County, it is anticipated that the County will continue roadway maintenance along both Caldwell Mill and Five Oaks; primary access to the property and anticipated development is via a weight restricted bridge – ongoing dialogue needs to continue with developer and Jefferson County on upgrading this bridge; feasibility of further development of pedestrian facilities along this area as well as incorporation of traffic calming measures is recommended.

PARCEL #: 28 00 34 1 003 010.000
OWNER: GRANT BARBARA S
ADDRESS: 120 BISHOP CIR PELHAM AL 35124
LOCATION: 2810 FIVE OAKS LN BHAM AL 35243

2810 Five Oaks Lane
 Baths: **0.0** H/C Sqft: **0**
18-040.0 Bed Rooms: **0** Land Sch: **A116**
 Land: **690,000** Imp: **0** Total: **690,000**
 Acres: **10.000** Sales Info: **\$0**

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

Tax Year : 2020 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT
 PROPERTY CLASS: 3 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

 CLASS USE:
 FOREST ACRES: 10 TAX SALE:
 PREV YEAR VALUE: \$690,000.00 BOE VALUE: 0

VALUE
 LAND VALUE 10% \$690,000
 LAND VALUE 20% \$0
 CURRENT USE VALUE [DEACTIVATED] \$0

 TOTAL MARKET VALUE [APPR. VALUE: \$690,000]: \$690,000
 Assesment Override:
 MARKET VALUE:
 CU VALUE:
 PENALTY:
 ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$69,000	\$448.50	\$0	\$0.00	\$448.50
COUNTY	3	1	\$69,000	\$931.50	\$0	\$0.00	\$931.50
SCHOOL	3	1	\$69,000	\$565.80	\$0	\$0.00	\$565.80
DIST SCHOOL	3	1	\$69,000	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$69,000	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$1.00	\$0	\$0.00	\$1.00
SPC SCHOOL1	3	1	\$69,000	\$351.90	\$0	\$0.00	\$351.90
SPC SCHOOL2	3	1	\$69,000	\$1,159.20	\$0	\$0.00	\$1,159.20
ASSD. VALUE: \$69,000.00				\$3,457.90		GRAND TOTAL: \$3,457.90	

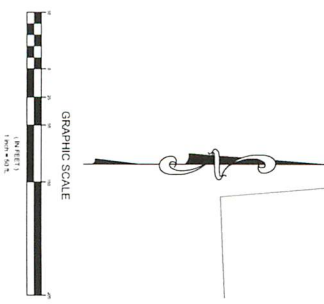
Payoff Quote

DEEDS

INSTRUMENT NUMBER	DATE
2020042617	3/12/2020
1963-273	09/15/1980
471-307	10/25/1968

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2020		\$0.00
12/4/2019	2019	HARDING AND CARBONE, INC.	\$3,457.90
11/2/2018	2018	BARBARA S GRANT	\$3,457.90
10/9/2017	2017	BARBARA S GRANT	\$3,734.45
10/21/2016	2016	GRANT BARBARA S	\$3,457.90
10/20/2015	2015	-	\$3,457.90
10/16/2014	2014	-	\$3,462.90
10/16/2013	2013	-	\$3,462.90
11/14/2012	2012	BANK OF AMERICA	\$3,462.90
20111222	2011	***	\$3,462.90
20101231	2010	***	\$3,462.90



SITE DATA TABLE	
PROPOSED ZONING:	R-2 MEDIAL DENSITY RESIDENTIAL DISTRICT
MINIMUM LOT WIDTH:	100'
MINIMUM LOT AREA:	15,000 SQ. FT.
SETBACKS	
FRONT:	50'
REAR:	30'
SIDE:	15'
ACREAGE TO BE ADJACED:	9.28 AC.
LOTS PROVIDED:	17

SCALE: 1" = 40'

EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING • LAND SURVEYING
(205) 403-9158

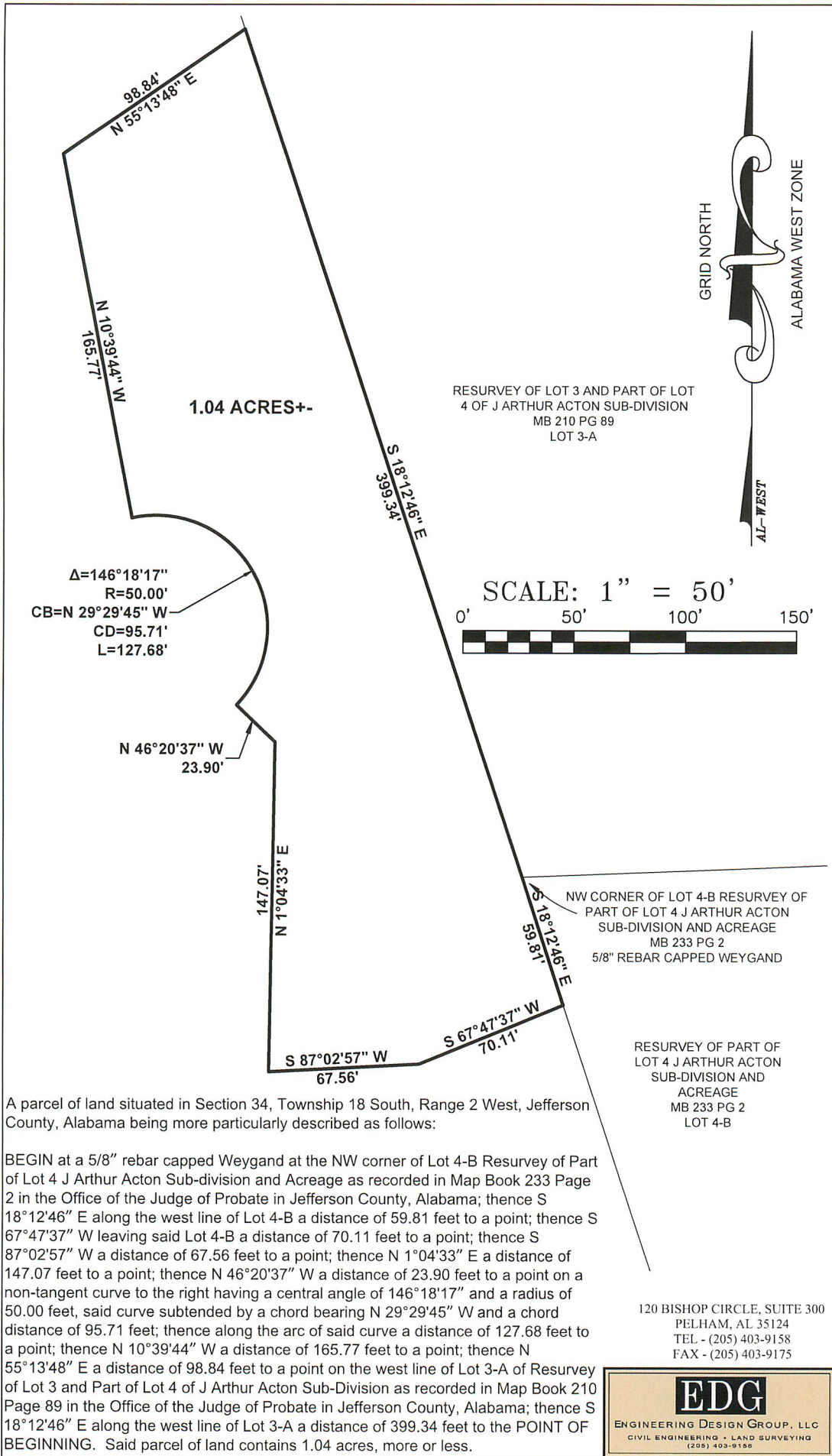
120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35124
TEL - (205) 403-9158
FAX - (205) 403-9175

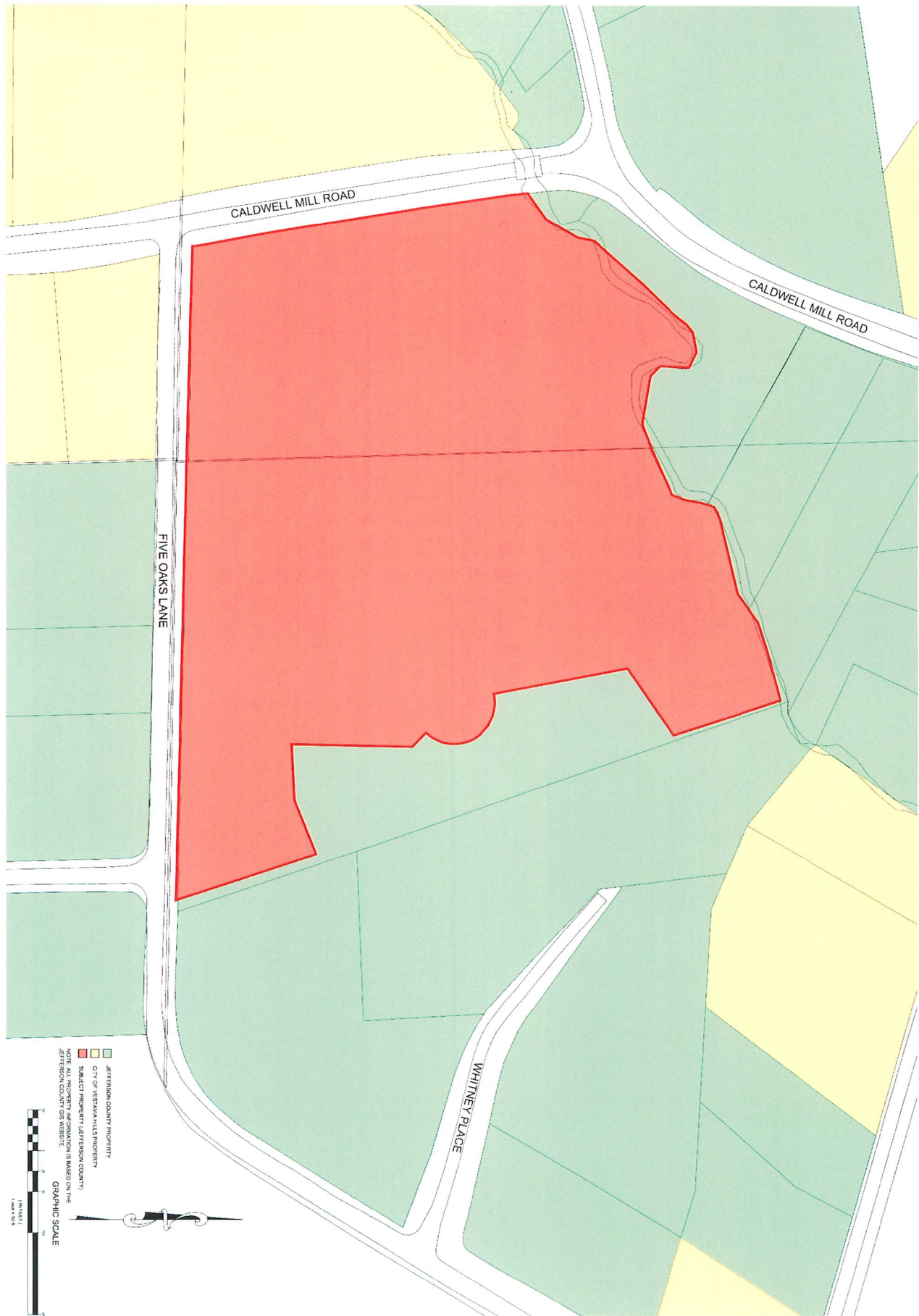
PROJECT: FIVE OAKS LANE
VESTAVIA HILLS, ALABAMA
TITLE: SITE LAYOUT PLAN

DRAWN BY: EAF
CHECKED BY: WHL
PROJECT NO.: HIGH0045
JOB TITLE: PLOT LAYOUT.DGN
DATE: OCTOBER 12, 2020

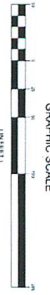
REVISIONS

PRELIMINARY
NOT FOR CONSTRUCTION





JEFFERSON COUNTY PROPERTY
CITY OF VESTAVIA HILLS PROPERTY
SUBJECT PROPERTY (JEFFERSON COUNTY)
NOTE: ALL PROPERTY ANNOTATION IS BASED ON THE JEFFERSON COUNTY GIS DATABASE



EDG
ENGINEERING DESIGN GROUP, LLC
CIVIL ENGINEERING • LAND SURVEYING
(205) 403-9158

120 BISHOP CIRCLE, SUITE 300
PELHAM, AL 35124
TEL - (205) 403-9158
FAX - (205) 403-9175

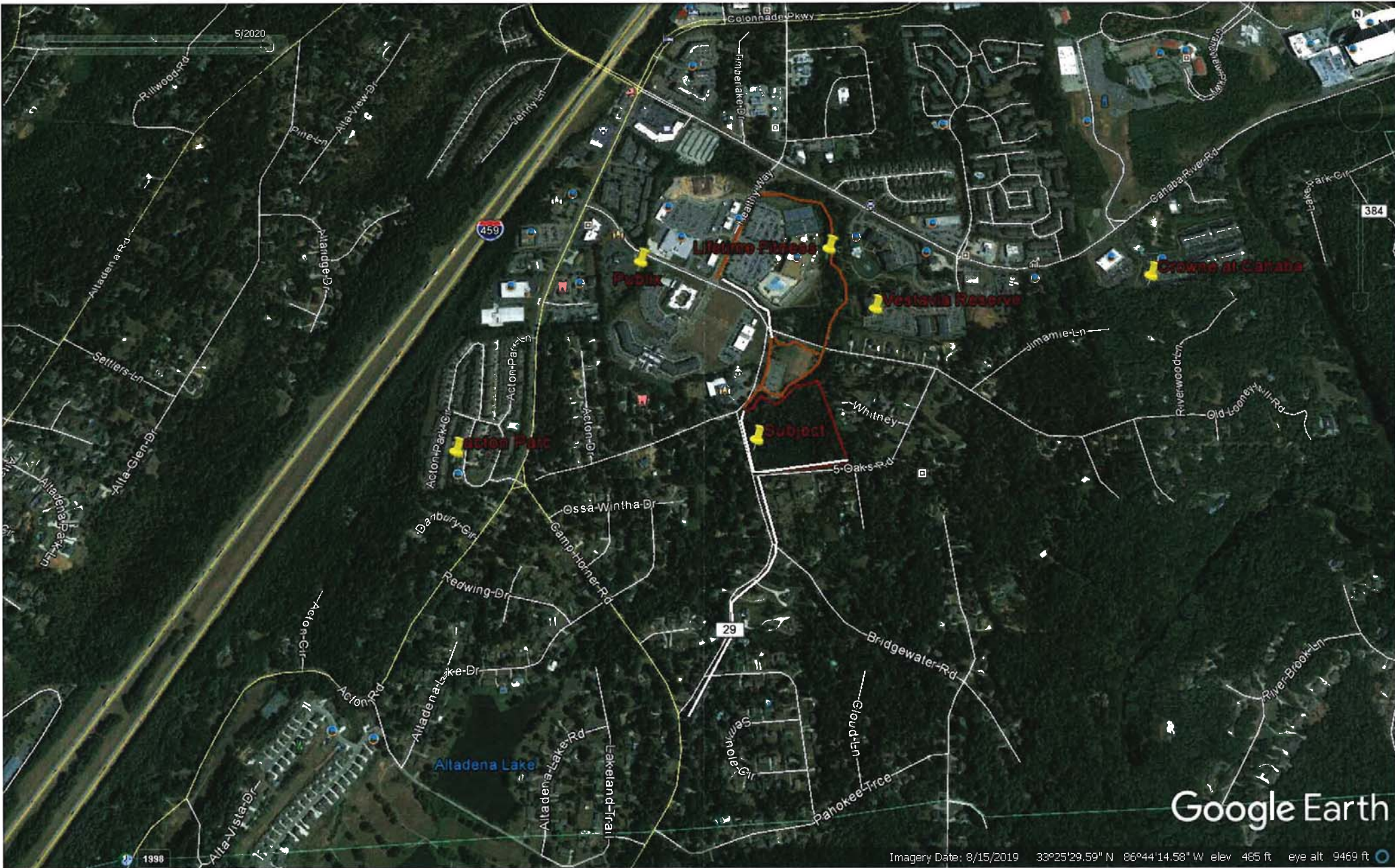
PROJECT: FIVE OAKS LANE
VESTAVIA HILLS, ALABAMA
TITLE: ANNEXATION
EXHIBIT A

DRAWN BY: EAF
CHECKED BY: WHL
PROJECT NO: HSDH0046
DATE: OCTOBER 12, 2020

REVISIONS

PRELIMINARY
NOT FOR CONSTRUCTION

EXB



STATE OF ALABAMA

JEFFERSON COUNTY

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

Date of Petition: OCTOBER 26, 2020

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

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

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

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

EXHIBIT "A"

LOT: _____

BLOCK: _____

SURVEY: _____

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

COUNTY ZONING: E-2 ESTATE DISTRICT

COMPATIBLE CITY ZONING: R-2 MEDIUM DENSITY RESIDENTIAL

LEGAL DESCRIPTION (METES AND BOUNDS):

SEE ATTACHED.

Part of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 34, Township 18 South, Range 2 West, situated in Jefferson County, Alabama, more particularly described as follows:

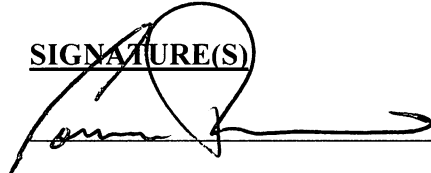
Begin at the southwest corner of the SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of said Section 34, run thence eastwardly along the south line of said SW $\frac{1}{4}$ of NE $\frac{1}{4}$ for a distance of 550 feet; thence turn an angle to the left of 109 degrees 40' and run northwestwardly for a distance of 808 feet to the center line of a Branch; run thence southwestwardly along the center line of said Branch following its meanderings to intersection with the center line of Caldwell Mill Road; run thence southeastwardly along the center line of said Caldwell Mill Road for a distance of 349.08 feet; thence turn an angle to the left of 7 degrees 18' and run southeastwardly for a distance of 97.33 feet to intersection with the south line of the SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 34; run thence Eastwardly along the south line of said SE $\frac{1}{4}$ of NW $\frac{1}{4}$ for a distance of 275.62 feet to the point of beginning.

Less and Except

A parcel of land situated in Section 34, Township 18 South, Range 2 West, Jefferson County, Alabama being more particularly described as follows:

BEGIN at a 5/8" rebar capped Weygand at the NW corner of Lot 4-B Resurvey of Part of Lot 4 J Arthur Acton Sub-division and Acreage as recorded in Map Book 233 Page 2 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12'46" E along the west line of Lot 4-B a distance of 59.81 feet to a point; thence S 67°47'37" W leaving said Lot 4-B a distance of 70.11 feet to a point; thence S 87°02'57" W a distance of 67.56 feet to a point; thence N 1°04'33" E a distance of 147.07 feet to a point; thence N 46°20'37" W a distance of 23.90 feet to a point on a non-tangent curve to the right having a central angle of 146°18'17" and a radius of 50.00 feet, said curve subtended by a chord bearing N 29°29'45" W and a chord distance of 95.71 feet; thence along the arc of said curve a distance of 127.68 feet to a point; thence N 10°39'44" W a distance of 165.77 feet to a point; thence N 55°13'48" E a distance of 98.84 feet to a point on the west line of Lot 3-A of Resurvey of Lot 3 and Part of Lot 4 of J Arthur Acton Sub-Division as recorded in Map Book 210 Page 89 in the Office of the Judge of Probate in Jefferson County, Alabama; thence S 18°12'46" E along the west line of Lot 3-A a distance of 399.34 feet to the POINT OF BEGINNING. Said parcel of land contains 1.04 acres, more or less.

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

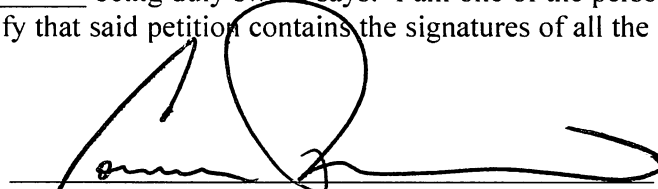
<u>SIGNATURE(S)</u>	<u>DESCRIPTION OF PROPERTY</u>
	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____
_____	Lot _____ Block _____ Survey _____

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

STATE OF ALABAMA

JEFFERSON COUNTY

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


Signature of Certifier

Subscribed and sworn before me this the 27 day of October, 2020.


Notary Public

My commission expires: 12/18/2023

CAROL DEAN JOHNSON
Notary Public
Alabama State at Large

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): _____

Address: _____

City: _____ State: _____ Zip: _____

Information on Children:

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

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

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