

ORDINANCE NO. 06092014A

**AN ORDINANCE CONVEYING UNNEEDED REAL PROPERTY
AND GRANTING PERMANENT EASEMENTS TO THE STATE OF ALABAMA**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ELBA, as follows:

SECTION 1: It is hereby established and declared that the following described real property of the City of Elba, Alabama, is no longer needed for public or municipal purposes, to-wit:

A part of the SE ¼ of the NE ¼, Section 8, as well as, NW ¼ of the NW ¼ and SW ¼ of the NW ¼, Section 9, Township 5-N, Range 20-E, identified as Tract No. 8 on Project No. NHF-0203(523) in Coffee County, Alabama, and being more fully described as follows:

Commencing at a found angle iron at the NW corner of property described in DB 125A, PG 130-131, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama; thence northeasterly and along the present south R/W line of Washington Avenue a distance of 9 feet, more or less, to a point on the acquired R/W line (said line between a point offset 275.08' RT of centerline of project, also, on the present south R/W line of Riverview Drive; and a point 247.11' RT of centerline of project, also, on the present north R/W line of Washington Avenue); thence southeasterly and along the acquired R/W line a distance of 305 feet, more or less, to a point on the present south R/W line of Riverview Drive (said point offset 275.08' RT of centerline of project), which is the point and place of beginning; thence N 28 degrees 56'53" E and along said present R/W line a distance of 115.96 feet to a point on said present R/W line; thence N 28 degrees 57'51" E and along said present R/W line a distance of 100.00 feet to a point on said present R/W line; thence N 28 degrees 57'51" E and along said present R/W line a distance of 100.00 feet to a point on the grantor's east property line; thence S 61 degrees 2'9" E and along the grantor's said property line a distance of 122.10 feet to a point on the grantor's south property line; thence S 44 degrees 58'40" W and along the grantor's said property line a distance of 104.04 feet to a point on the grantor's said property line; thence South 26 degrees 54'9" W and along the grantor's said property line a distance of 100.06 feet to a point on the grantor's said property line; thence South 33 degrees 7'26" W and along the grantor's said property line a distance of 110.29 feet to a point on the grantor's said property line; thence S 22 degrees 59'45" W and along the grantor's said property line a distance of 110.60 feet to a point on the grantor's west property line; thence following the curvature thereof an arc distance of 20.49 feet and along the grantor's said property line to a point on the acquired R/W line (said line between a point that is offset 275.08' RT of centerline of project at the present south R/W line of Riverview Drive and a point that is offset 650' RT and perpendicular to centerline of project at station 205+00.00) (said arc having a chord bearing of N 61 degrees 2'9" W, a counterclockwise direction, a chord distance of 20.49 feet and a radius of 555.89 feet); thence N 8 degrees 35'6" W and along the acquired R/W line a distance of 131.23 feet to the point and place of beginning, containing 0.84 acre(s), more or less.

SECTION 2: That the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Elba, Alabama, a warranty deed, a copy of which is/will be on file in the Office of the City Clerk, whereby the City of Elba, Alabama, does/will convey the premises described in Section 1, hereof to the State of Alabama.

SECTION 3: That a public purpose will be served by the conveyance of the property described in Section 1 to the State of Alabama.

SECTION 4: That the City of Elba also grants the State of Alabama permanent easements as to the following described real property of the City of Elba, Alabama:

Permanent Easement 1:

Commencing from a found ½" rebar at the NE corner of property described in DB 81A, PG 441, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama; thence southwesterly and along the present west R/W line of SR-125 (Smith Avenue) a distance of 158 feet, more or less, to a point on the

acquired R/W line (said point being perpendicular to the centerline of SR-125 (Smith Avenue) alignment at station 17+00.00 LT); thence southwesterly and along the acquired R/W line a distance of 313 feet, more or less, to a point on the grantor's north property line, which is the point and place of beginning; thence S 65 degrees 35'35" E and along the grantor's said property line a distance of 89.81 feet to a point on the present west R/W line of SR-125 (Smith Avenue); thence S 28 degrees 41'23" W and along said present R/W line a distance of 220.00 feet to a point on the grantor's south property line; thence N 61 degrees 18'37" W and along the grantor's said property line a distance of 135.76 feet to a point on the acquired R/W line (said line between a point that is offset 190' LT and perpendicular to centerline of project at station 190+00.00 and a point that is offset 130' LT and perpendicular to centerline of SR-125 (Smith Avenue) alignment at station 12+50.00); thence N 64 degrees 51'35" E and along the acquired R/W line a distance of 78.17 feet to a point on the acquired R/W line (said point being offset 130' LT and perpendicular to centerline of SR-125 (Smith Avenue) alignment at station 12+50.00); thence N 28 degrees 41'30" E and along the acquired R/W line a distance of 150.00 feet to a point on the acquired R/W line (said point offset 130' LT and perpendicular to centerline of SR-125 (Smith Avenue) alignment at station 14.00+00); thence N 44 degrees 52'9" E a distance of 0.20 feet to the point and place of beginning, containing 0.48 acre(s), more or less.

Permanent Easement 2:

Commencing at a found angle iron at the NW corner of property described in DB 125A, PG 130-131, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama; thence northeasterly and along the present east R/W line of Washington Avenue a distance of 9 feet, more or less, to a point on the acquired R/W line (said line between a point offset 275.08' RT of centerline of project, also, on the present east R/W line of Riverview Drive; and a point 247.11' RT of centerline of project, also, on the present west R/W line of Washington Avenue); thence southwesterly and along the acquired R/W a distance of 47 feet, more or less to a point on the acquired R/W line (said point offset 247.11' RT of centerline of project) (said point also on the present west R/W line of Washington Avenue), which is the point and place of beginning; thence following the curvature thereof an arc distance of 131.33 feet and along the acquired R/W line to a point on the grantor's west property line (said arc having a chord bearing of N 69 degrees 36'34" W, a counterclockwise direction, a chord distance of 131.32 feet and a radius of 2752.89 feet); thence N 28 degrees 30'58" E and along the grantor's said property line a distance of 167.56 feet to a point on the grantor's north property line; thence S 61 degrees 55'46" E and along the grantor's said property line a distance of 128.99 feet to a point on the present west R/W line of Washington Avenue; thence S 28 degrees 7'39" W and along said present R/W line a distance of 150.00 feet to the point and place of beginning, containing 0.47 acre(s), more or less.

Permanent Easement 3:

Commencing at a found angle iron at the NW corner of property described in DB 125A, PG 130-131, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama; thence northeasterly and along the present south R/W line of Washington Avenue a distance of 9 feet, more or less, to a point on the acquired R/W line (said line between a point offset 275.08' RT of centerline of project, also, on the present east R/W line of Riverview Drive; and a point 247.11' RT of centerline of project, also, on the present west R/W line of Washington Avenue), which is the point and place of beginning; thence N 28 degrees 34'55" E and along said present R/W line a distance of 80.82 feet to a point on the grantor's north property line; thence S 60 degrees 39'36" E and along grantor's said property line a distance of 127.92 feet to a point on the grantor's said property line; thence S 59 degrees 30'22" E and along the grantor's said property line a distance of 127.47 feet to a point on the present west R/W line of Riverview Drive; thence S 28 degrees 57'51" W and along said present R/W line a distance of 81.09 feet to a point on the acquired R/W line (said line between a point offset 275.08' RT of centerline of project, also, on the present east R/W line of Riverview Drive; and a point 247.11" RT of centerline of project, also, on the present west R/W line of Washington Avenue); thence N 60 degrees 1'21" W and along the acquired R/W line a distance of 254.84 feet to the point and place of beginning, containing 0.48 acre(s), more or less.

Permanent Easement 4:

As described in DB 39A, PG 667, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama;


Lot No. 36 according to the Plat of Riverview Subdivision, as recorded, in Plat Book 1, page 5, in the Office of the Judge of Probate in Elba, Coffee County, Alabama.

Permanent Easement 5:

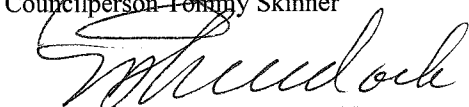
Commencing from a found ½" rebar at the NE corner of property described in DB 81A, PG 441, recorded in the Office of the Judge of Probate in Elba, Coffee County, Alabama; thence S 5 degrees 51'1" W and along a monument line a distance of 226.45 feet to a point on the grantor's north property line, which is the point and place of beginning; thence S 19 degrees 45'16" W and along the acquired R/W line a distance of 136.71 feet to a point on the present north R/W line of Riverview Drive (said point offset 68.59' RT of centerline of SR-125 (Smith Avenue) alignment); thence N 61 degrees 11'12" W and along said present R/W line a distance of 24.27 feet to a point on the present east R/W line of SR-125 (Smith Avenue); thence N 28 degrees 41'23" E and along said present R/W line a distance of 135 feet to a point on the grantor's north property line; thence S 61 degrees 18'37" E and along the grantor's said property line a distance of 3.04 feet to the point and place of beginning, containing 0.05 acre(s), more or less.

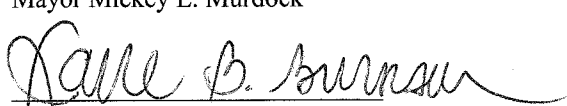
SECTION 5: That a public purpose will be served by granting permanent easements to the State of Alabama as to the real property described in Section 4.

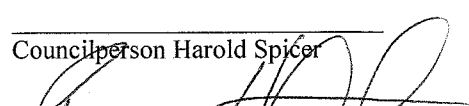
ADOPTED and APPROVED this 9th day of JUNE, 2014.

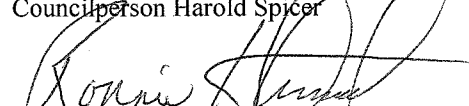

Councilperson Rolanda P. Jones


Councilperson Tommy Skinner


Mayor Mickey L. Murdock

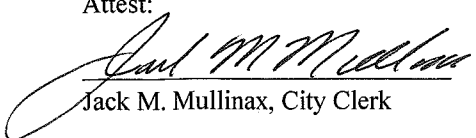

Councilperson Jane B. Brunson


Councilperson Harold Spicer


Councilperson Ronnie Hammond

(SEAL)

Attest:


Jack M. Mullinax, City Clerk