

October 11, 2021

STATE OF ALABAMA,
LIMESTONE COUNTY,
CITY OF ATHENS.

The City Council of the City of Athens, Alabama met in regular session at the Athens Municipal Building, 200 Hobbs Street West, Athens, Alabama, on October 11, 2021 at 5:30 p.m. The meeting was called to order by Councilman Wayne Harper, President of the Council. Upon roll call, the following were found to be present: Councilmembers Wayne Harper, Frank Travis, Chris Seibert, Dana Henry and Harold Wales. Annette Barnes, City Clerk, was present and recorded the minutes of the meeting. Dana Henry offered the invocation. Mayor Marks led the Pledge of Allegiance. The Chairperson stated that a quorum was present and that the meeting was open for transaction of business.

The Chairperson stated that the Minutes of the September 27, 2021 City Council Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried. The Chairperson stated that the Minutes of the September 27, 2021 City Council Work Session Meeting had been submitted for approval. Councilman Seibert moved that the reading of the Minutes be suspended and that the Minutes be approved as recorded. The motion was seconded by Councilman Travis and was unanimously carried.

Mayor Marks noted that Halloween would be held on October 31, 2021 and Trunk or Treat on the Square would take place on the same day from 4pm to 6pm. He also mentioned that the Veteran's Parade would be held on November 6th and Hope for Athens will take place the same day.

PUBLIC HEARING – RELATING TO A PROPOSED ORDINANCE TO REZONE +/-61 ACRES LOCATED EAST OF INTERSTATE 65 ON THE EAST SIDE OF LINDSAY LANE AND NORTH OF JOHNSON ROAD FROM EST (ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT) TO C-PUD (CONVENTIONAL PLANNED UNIT DEVELOPMENT DISTRICT)

Matt Davidson, City Planner, addressed the Council concerning the rezone and stated that the Planning Commission recommended approval.

No one spoke in favor of or against.

The public hearing was closed.

Councilman Wales introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 61 ACRES LOCATED EAST OF INTERSTATE 65 ON THE EAST SIDE OF LINDSAY LANE AND NORTH OF JOHNSON ROAD FROM EST (ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT) TO C-PUD (CONVENTIONAL PLANNED UNIT DEVELOPMENT DISTRICT).

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 – 2189

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from EST-Estate Residential and Agricultural District to C-PUD Conventional Planned Unit Development District.

The City Council of the City of Athens, Alabama, finds that “The Zoning Ordinance of the City of Athens, Alabama,” should be amended so as to rezone the hereinafter described area as “C-PUD Conventional Planned Unit Development District”.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

That all of the hereinafter described area or real estate is hereby zoned C-PUD Conventional Planned Unit Development District in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

A parcel of land situated in the Northeast Quarter of Section 27, Township 3 South, Range 4 West, Limestone County, Alabama, and being more particularly described as follows:

COMMENCING at a PK Nail marking the Northeast corner of Section 27 Township 3 South, Range 4 West, thence run N 88°26'25" W along the North line of said section 27 for a distance of 30.00 feet to the POINT OF BEGINNING, said point being a ½" rebar lying on the West Right of Way of Lindsay Lane; thence run S 00°24'09" W along the West Right of Way of Lindsay Lane for a distance of 2,098.88 feet to a PK Nail lying on the centerline of Johnson Road; thence leaving said Right of Way run N 51°23'57" W along the centerline of Johnson Road for a distance of 55.79 feet to a PK Nail; thence run N 42°57'16" W along the centerline of Johnson Rd for a distance of 268.09 feet to a PK Nail; thence run N 45°25'01" W along the centerline of Johnson Road for a distance of 165.63 feet to a PK Nail lying on the point of curvature of a curve to the left having a radius of 516.95 feet, a central angle of 18°15'25", a chord bearing of N 55°20'01" W and a chord distance of 164.03 feet; thence run along the arc of said curve and said centerline of road for a distance of 164.72 feet to a PK Nail; thence run N 61°56'29" W along the centerline of Johnson Road for a distance of 61.69 feet to a PK Nail lying on the point of curvature of a curve to the right having a radius of 519.95 feet, a central angle of 13°01'40", a chord bearing of N 54°17'50" W and a chord distance of 117.97 feet; thence run along the arc of said curve and said centerline of road for a distance of 118.23 feet to a PK Nail; thence run N 50°21'35" W along the centerline of Johnson Road for a distance of 91.07 feet to a PK Nail lying on the point of curvature of a curve to the left having a radius of 289.69 feet, a central angle of 15°01'42", a chord bearing of N 56°58'58" W and a chord distance of 75.76 feet; thence run along the arc of said curve and said centerline of road for a distance of 75.98 feet to a PK Nail; thence run N 79°54'22" W for a distance of 421.12 feet to a rebar and cap CA.# 0003; thence run N 85°54'29" W for a distance of 523.50 feet to a rebar and cap Athens; thence run N 01°25'44" E for a distance of 73.03 feet to a rebar and cap Athens; thence run N 88°33'32" W for a distance of 420.96 feet to a rebar and cap Athens lying on the Easterly Right of Way of Interstate 65 and being the point of curvature of a curve to the left having a radius of 22,918.31 feet, a central angle of 01°39'28", a chord bearing of N 03°06'13" W and a chord distance of 663.05 feet; thence run along the arc of said curve and said centerline of road for a distance of 663.07 feet to a rebar and cap Athens; thence leaving said right of way run S 88°26'04" E for a distance of 841.79 feet to a rebar and cap Athens; thence run N 00°20'51" E for a distance of 660.55 feet to a rebar and cap Athens; thence run S 88°26'25" E for a distance of 1,300.94 feet to the POINT OF BEGINNING, said parcel containing 2,691,676 S.F. or 61.792 acres more or less.

ADOPTED and APPROVED this, the 11th day of October, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Henry, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Wales thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

PUBLIC HEARING – RELATING TO A PROPOSED RESOLUTION DETERMINING THAT A STRUCTURE AT 1151 US HIGHWAY 31 SOUTH IS UNSAFE AND A PUBLIC NUISANCE AND ORDERING ABATEMENT OF SAME

Erik Waddell, Chief Building Inspector, addressed the Council concerning the property and asked for no action to be taken at this time.

No one spoke in favor of or against.

The public hearing was closed.

PUBLIC HEARING – RELATING TO THE ZONING APPROVAL FOR THE SALE OF ALCOHOL BY ATHENS OPCPC, LLC, DBA: BUFFALO WILD WINGS (CHANGE OF OWNERSHIP)

No one spoke in favor of or against.

The public hearing was closed.

Chuck Bradley, 24943 Queen Anne’s Lacey, Athens, addressed the Council concerning the traffic study performed by Skipper Consulting, on September 1, 2021, regarding Highway 72 and Cambridge Lane and asked the Council if they had viewed the results. Mr. Bradley also noted, per WHNT 19, a copy had been provided to Taz Morell, Morell Engineering. He stated that the traffic study answered all of the questions that had been asked about the area. Councilman Seibert acknowledged that Highway 72 and Cambridge Lane was a traffic problem. Mr. Bradley stated that he believed that the Council had been lied to about the rezone that affected this intersection. Council President Harper mentioned that the Council was under the impression that ALDOT was planning on making the improvements. Mr. Bradley commented that ALDOT’s schedule showed no plans of such improvements and that he believes that people will die at this intersection. Mr. Bradley stated that he would like to know why the Council did not have the study before they voted on the Newby Farms rezone. Councilman Travis asked Mr. Bradley which questions were never answered and Mr. Bradley replied that his concern was how many cars would be traveling through that intersection. Mr. Bradley then provided data for the number of cars that would be traveling Cambridge Lane. He also mentioned that Mooresville Road improvements had not been made. Council President stated that the Council would find out the answers that Mr. Bradley had requested.

David Malone, 1300 Somerest Drive, Athens, addressed the Council concerning streets in his area. He asked when Miller, Bridgeforth and Plato Jones Streets would be repaired. Mr. Malone remarked that these streets have been in need of repair for three years. Councilman Travis commented that those streets were addressed at the last Council meeting and that Mr. Rich promised that once Hwy 31 was finished, the repairs would be made. Mr. Rich agreed that there was no excuse for the delay. He stated that the delay was due to a lack of workforce. Mr. Malone stated that he would like to see this area completed before the City moves on to another project.

George Lockett, 934 East Strain Road, Athens, addressed the Council concerning sewer installation in his area and what process is used to notify homeowners. Mayor Marks remarked that he would contact Jimmy Junkin, Water/Wastewater Manager, concerning the matter.

Councilman Seibert introduced the following resolution:

RESOLUTION NUMBER 2021 - 1771

WHEREAS, T-Mobile has requested to modify their equipment on an existing telecommunications facility located at 14180 AL Highway 251, Athens, AL to provide wireless services essentially within the corporate limits of the City of Athens;

WHEREAS, T-Mobile has complied with the City’s Ordinance No. 1999-1320 and has demonstrated the need for the modification of this wireless facility to deliver consistently reliable services in the identified area, and;

WHEREAS, both the City and T-Mobile customers in Athens will benefit from improved service; and;

WHEREAS, the City's consultant, The Center for Municipal Solutions (CMS), recommends the granting of a conditional Special Use Permit for the modification at this facility located at 14180 AL Highway 251, Athens, AL, which consists of a 250-foot guyed tower;

THEREFORE, BE IT RESOLVED by the City Council of the City of Athens, Alabama that T-Mobile is hereby granted a Special Use Permit to modify their equipment at 14180 AL Highway 251, Athens, AL. As recommended by CMS, the Special Use Permit is subject to compliance with the following conditions prior to the issuance of said permit and/or a Certificate of Completion:

1. To prevent warehousing of permits or authorizations and to assure the best service to the City's residents as expeditiously as possible, the facility must be built, activated, and be providing service *no later than one hundred eighty (180) days after the issuance of the Special Use Permit or other applicable authorization, subject to commonly accepted force majeure exceptions acceptable to the City.* T-Mobile may petition the City of an extension of this for good cause shown, but the decision whether to grant the extension shall exclusively be the prerogative of the City.
2. T-Mobile must provide contractor information with a construction schedule to the City and to CMS prior to the issuance of the Building Permit. The contractor must notify the City's consultant for all inspections.
3. Prior to the issuance of the Certificate of Completion for this project, T-Mobile or the tower owner shall remediate the following safety issues noted at the pre-application site visit:
 - a. Replace or repair missing compound fence grounds.
 - b. Secure guyed anchor compounds per City Ordinance.
 - c. Repair grounds to grounding bar mounted on tower.
 - d. Replace or repair missing generator ground.
 - e. Replace or repair missing grounds at towers base.
4. At the completion of construction, the Applicant must notify the City's consultant and provide proof that all inspections have been satisfactorily completed and the project is ready for a final on-site inspection. Upon passing the final inspection, a recommendation to issue a Certificate of Occupancy shall be made.
5. The Certificate of Occupancy shall not be issued until all fees and costs associated with this Permit, including inspections, have been paid.
6. The provision of the Certificate of Completion for this work shall be a pre-condition for any future modifications of any kind by this carrier, at this facility.

ADOPTED this 11th day of October, 2021

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilman Wales and was unanimously carried.

Councilman Seibert introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to approve the following travel/education expenses for IT Department personnel:

Lisa LaGrone	Mileage	\$ 147.84
	August 1, 2021 through September 30, 2021	

THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA on

October 11, 2021 at 5:30 p.m., as follows:

1. The Mayor of the City is hereby authorized and directed, in the name of and for account of the City, to enter into a contract between the City and the Company, in substantially the same form as is attached hereto (and entitled the “Project Development Agreement”) as **Exhibit 1**, with such non-substantive changes or additions thereto or deletions therefrom as the Mayor shall approve, which approval shall be conclusively evidenced by his execution of such instrument. The City Clerk of the City is hereby authorized and directed to attest the same.

2. It is hereby determined that the expenditures of public funds for the purposes specified in this resolution will serve valid and sufficient public purposes, including (i) promoting, improving and expanding economic and commercial development/activity, (ii) increasing the number and diversity of employment opportunities for citizens of the City, and (iii) enhancing the overall quality of life for the citizens of the City, notwithstanding any incidental benefit accruing to any private entity or entities.

3. The Mayor is authorized to take actions and execute such other and further documents as may be necessary to effect and carry out the transactions contemplated by this Resolution and/or the agreement referenced herein, including but not limited to authorizing the issuance of warrants; the expenditure and use of municipal funds as set forth in those agreements; and approving and executing further agreement(s) that are consistent with and involved in carrying out the transactions contemplated by this Resolution.

ADOPTED this the 11th day of October, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

EXHIBIT 1

PROJECT DEVELOPMENT AGREEMENT

(Please see insert behind minutes)

Councilmember Henry moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Wales thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Henry and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Travis introduced the following ordinance:

AN ORDINANCE OF THE CITY OF ATHENS, ALABAMA, TO EXEMPT CERTAIN “COVERED ITEMS” FROM THE MUNICIPAL SALES AND USE TAX DURING THE LAST WEEKEND OF FEBRUARY, 2022, AS AUTHORIZED BY ACT 2012-256, GENERALLY REFERRED TO AS THE STATE SEVERE WEATHER PREPAREDNESS SALES TAX HOLIDAY LEGISLATION.

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 - 2190

BE IT ORDAINED BY THE CITY COUNCIL OF ATHENS, ALABAMA, AS FOLLOWS:

Section 1. In conformity with the provisions of Act 2012-256 enacted by the Alabama Legislature during the 2012 Regular Session, providing for a State Severe Weather Preparedness Sales Tax Holiday, the City of Athens, Alabama, exempts “covered items” from municipal sales and use tax during the same period, beginning at 12:01 a.m. on the last Friday in February 2022 (February 25, 2022) and ending at twelve midnight the following Sunday (February 27, 2022).

Section 2. This ordinance shall be subject to all terms, conditions, definitions, time periods, and rules as provided by Act 2012-256, except that the time period shall only be as specified in Section 1 above and not for all years thereafter.

Section 3. The City Clerk is hereby authorized and directed to certify a copy of this ordinance under the seal of the City of Athens, Alabama, and to forward said certified copy to the Alabama Department of Revenue to be recorded and posted on the Department website.

Section 4. This ordinance shall become effective on October 11, 2021.

ADOPTED AND APPROVED THIS 11th DAY OF OCTOBER, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA

ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

Councilmember Seibert moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Councilmember Wales, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President

thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said ordinance had been unanimously carried. Councilmember Travis thereupon moved that the ordinance be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said ordinance had been unanimously carried.

Councilman Wales introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to enter into an agreement with Gonzalez Strength & Associates for the survey for Lindsay Lane Extension and HSV-Brownsferry intersection improvements. The survey budget is \$8,600 and shall be funded from the City of Athens Capital Infrastructure Fund.

Councilmember Travis moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Wales thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Seibert and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilwoman Henry introduced the following resolution:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, to authorize the Mayor to enter into an agreement with Sain Associates for an intersection study at the following locations: Jefferson St/Market St, Jefferson St/Washington St, Houston St/Market St, Madison St/Washington St, and Madison St/Market St. The traffic study budget is \$41,600 and shall be funded from the City of Athens Capital Infrastructure Fund.

Councilmember Wales moved that unanimous consent be given for immediate consideration of and action on said resolution, which motion was seconded by Councilmember Seibert, and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon declared that the motion for unanimous consent for immediate consideration of and action on the said resolution had been unanimously carried. Councilmember Henry thereupon moved that the resolution be finally adopted, which motion was seconded by Councilmember Travis and upon the said motion being put to vote the following vote was recorded: YEAS: Councilmembers Seibert, Wales, Travis, Henry and Harper; NAYS: None. The President thereupon announced that the motion for the adoption of the said resolution had been unanimously carried.

Councilman Seibert introduced the following ordinance:

AN ORDINANCE TO REZONE +/- 234.42 ACRES OF PROPERTY (NEWBY FARMS) ON THE EASTSIDE OF CAMBRIDGE LANE MOSTLY SOUTH OF FRENCH MILL CREEK, KNOWN AS A PORTION OF LOT 12 OF ATHENS-EAST SUBDIVISION, FROM EST-ESTATE RESIDENTIAL AND AGRICULTURAL DISTRICT TO R-1-3 HIGH DENSITY SINGLE FAMILY RESIDENTIAL DISTRICT, WITHIN THE CORPORATE LIMITS OF THE CITY OF ATHENS.

STATE OF ALABAMA
LIMESTONE COUNTY,
CITY OF ATHENS

ORDINANCE NUMBER 2021 – 2191

WHEREAS, at its September 27, 2021 meeting, after a public hearing, the City Council adopted Ordinance No. 2021-2188 (an ordinance of permanent operation), which addressed the same subject matter as is set forth herein, but since there was some confusion about the procedure, this instrument, introduced at the September 27 meeting after a public hearing concerning the same, is hereby taken up again and adopted, at this, the next following regular meeting of the City Council, so as to cure any potential confusion.

WHEREAS, the Planning Commission of the City of Athens, Alabama, has made a recommendation to the City Council of the City of Athens, Alabama, that hereinafter described areas should be rezoned from EST Estate Residential and Agricultural District to R-1-3 High Density Residential District.

The City Council of the City of Athens, Alabama, finds that "The Zoning Ordinance of the City of Athens, Alabama," should be amended so as to rezone the hereinafter described area as "R-1-3 **High Density Single Family Residential District**".

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ATHENS, ALABAMA, as follows:

That all of the hereinafter described area or real estate is hereby zoned R-1-3 High-Density Single-Family Residential District in accordance with and defined by "The Zoning Ordinance of the City of Athens, Alabama," and that the area which is zoned as aforesaid is situated in Athens, Limestone County, Alabama, and is more particularly described as follows:

Lot 12 of Athens-East Subdivision, a minor subdivision, a part of Sections 19 and 30 of Township 3 South, Range 3 West, Limestone County, Alabama, according to the map or plat of said subdivision on file in the Probate Office of Limestone County, Alabama, in Plat Book G, Page 74.

The above described real estate is conveyed subject to the following restriction: None of the subject property may be used for mining, whether open pit or underground or as a quarry or in any other way used for the extraction of any type of stone or stone products, including but not limited to limestone or sandstone for a period of thirty (30) years from May 14, 2001.

LESS AND EXCEPT:

A tract of land lying in Section 30, Township 3 South, Range 3 West, also being a part of Lot 12 of Athens-East Subdivision as recorded in Plat Book "G" Page 74 in the Office of the Judge of Probate of Limestone County, Alabama, and being more particularly described as follows: Commence at an existing iron pin with cap stamped: "McElroy Land Surveying" at the Northeast corner of Lot 12 of Athens East Subdivision as recorded in Plat Book "G" Page 74 in the Office of the Judge of Probate of Limestone County, Alabama, said point being on the West right of way of Mooresville Road, thence North 88 degrees 37 minutes 06 seconds West along the North boundary of said Lot 12 a distance of 10.00 feet to a set 5/8 inch rebar with cap stamped: "Dunivant Engr. Co. CA-0044-LS", said 5/8 inch rebar being Point of True Beginning of the tract herein described, thence from the Point of True Beginning South 01 degrees 24 minutes 43 seconds West along the West right of way of said Mooresville Road a distance of 382.22 feet to a set 5/8 inch rebar with cap stamped: "Dunivant Engr. Co. CA-00440-LS", thence leaving the right of way of said Mooresville Road North 88 degrees 35 minutes 17 seconds West a distance of 290.00 feet to an existing 5/8 inch rebar with cap stamped: "Ronnie G. Coffman RLS- 15455", thence South 01 degrees 24 minutes 43 seconds West a distance of 417.00 feet to an existing 5/8 inch rebar with cap stamped: "Ronnie G. Coffman RLS- 15455", thence North 88 degrees 35 minutes 17 seconds West a distance of 2328.03 feet to an existing 5/8 inch rebar with cap stamped: "Ronnie G. Coffman RLS- 15455", thence North 01 degrees 12 minutes 24 seconds East a distance of 1187.86 feet to an existing iron pin with cap stamped: "McElroy Land Surveying", thence South 88 degrees 37 minutes 06 seconds East a distance of 692.17 feet to an existing 5/8 inch rebar with cap stamped: "Ronnie G. Coffman RLS- 15455", thence South 01 degrees 24 minutes 15 seconds West a distance of 390.00 feet to an existing iron pin with cap stamped: "McElroy Land Surveying", thence South 88 degrees 37 minutes 06 seconds East a distance of 1930.06 feet the Point of True Beginning, and containing 51.43 acres, more or less.

SUBJECT TO: Easements as shown on the final plat of said Athens-East Subdivision.

ADOPTED and APPROVED this, the 11th day of October, 2021.

/s/ Wayne Harper
PRESIDENT, CITY COUNCIL,
CITY OF ATHENS, ALABAMA

/s/ William R. Marks
MAYOR, CITY OF ATHENS, ALABAMA
ATTEST:

/s/ Annette Barnes
CITY CLERK, CITY OF ATHENS, ALABAMA

The motion was seconded by Councilwoman Henry and was carried with four yeas and one nay by Councilman Wales.

* * *

There being no further business to come before the meeting, Council President Harper asked if there were any objections to adjourning the meeting. There being none, the meeting was duly and properly adjourned.

/s/Wayne Harper
PRESIDENT, CITY COUNCIL

ATTEST:

/s/ Annette Barnes
CITY CLERK