CHAMBERS COUNTY COMMISSION MEETING.....APRIL 20, 2015

The Chambers County Commission met on Monday, April 20, 2015 at 4:00 PM CST with the following members in attendance: Chairman David Eastridge, Commissioners Charlie Williams, James Brown, Henry Osborne and Debbie Wood. Attorney McCoy was also in attendance. Commissioner Joe Blanks, Engineer Harvill and County Manager Dendy were absent.

Chairman Eastridge called the meeting to order. Commissioner Brown led the pledge of allegiance and Chairman Eastridge gave the invocation. County Clerk Chambers conducted a roll call. The results of the roll call were as follow: District 1 – Present, District 2 – Present, District 3 – Absent, District 4 – Present, District 5 – Present, District 6 – Present

COMMISSIONER WOOD

Commissioner Wood expressed her appreciation to all for their prayers and love shown to her and her family during the time of her illness.

MINUTES AND WARRANTS PAYABLE

Commissioner Brown motioned to adopt the April 7, 2015 minutes and warrants payable. Commissioner Williams seconded the motion. It was **approved** by the **"I"** vote. Commissioner Wood abstained from voting because she was not in attendance at the April 7, 2015 meeting.

RESOLVED: "To adopt the April 7, 2015 minutes and warrants payable."

AGENDA APPROVAL

Commissioner Osborne motioned to approve the agenda as presented for the April 20, 2015 meeting. Commissioner Brown seconded the motion. It was **approved** by the **"I"** vote.

RESOLVED: "To approve the agenda for the April 20, 2015 meeting."

CHAIRMAN EASTRIDGE

Chairman Eastridge informed that Commissioner Blanks and County Manager Dendy were not at the meeting today because they are attending a CDBG Block Grant Workshop in Montgomery for the Town of Five Points. Chairman Eastridge further informed that Engineer Harvill and Assistant Engineer Lundy were representing Chambers County at the NACE (National Association of County Engineers) conference.

RESOLUTION #04.20.15: CHRIST-SERV PETITION TO VACATE PORTION OF ROADWAY

Attorney McCoy informed that a public hearing was held at 3:45 prior to the commission meeting for public comments are questions in regards to a petition to vacate and quit claim a portion of 35th Street (see pages 275-278). Attorney McCoy noted Engineer Harvill advised this roadway was of no public use to the county. At that time, there was no one in attendance in opposition of this petition. Attorney McCoy presented a resolution to the commission for consideration (see pages 279-282). Commissioner Brown motioned to adopt the resolution as presented. Commissioner Williams seconded the motion. It was **approved** by the **"I"** vote.

RESOLVED: "To adopt resolution #04.20.15 as attached hereto on pages 279-282 to approve a petition to vacate portion of 35th Street and to quit claim same to Christ-Serv."

I have read the minutes and reviewed the warrants payable. I do hereby **APPROVE** the minutes and warrants payable.

Chairman David Eastridge _____

Commissioner Charlie Williams _____

Commissioner James Brown _____

Commissioner Joe Blanks **ABSENT**

Commissioner Henry Osborne _____

Commissioner Debbie Wood _____

STATE OF ALABAMA

COUNTY OF CHAMBERS

PETITION TO VACATE A PORTION OF ROADWAY

TO THE CHAMBERS COUNTY COMMISSION:

Comes now Christ-Serv, Inc., an Alabama non-profit corporation, and respectfully represents and shows unto the Commissioners of the Chambers County, Alabama Commission as follows:

That Christ-Serv, Inc. is the owner of all of the land abutting a portion of 35th Street in Chambers County, Alabama referenced on the drawing attached hereto as Exhibit "A" and being more fully described in Exhibit "B" attached hereto.

That Petitioner Christ-Serv, Inc. desires to vacate a portion of said 35th Street as herein described; that the lands comprising said road were built and have always been maintained by your Petitioner and its predecessor in interest; that said portion of road desired to be vacated has been utilized as a private road by Petitioner and its predecessor in interest and further, same is of no use to the public and Chambers County, Alabama.

That whereas said roadway was deeded to Chambers County, Alabama by deed recorded at Deed Book 178, Page 358, said road was not built by Chambers County, Alabama, has never been maintained by Chambers County, nor is it of any use to the public.

That Petitioner prays unto the Commissioners of the Chambers County, Alabama Commission, as follows:

1. That a Resolution be adopted by the Chambers County Commission assenting to the vacation of a portion of 35th Street, as above-described within the county limits of Chambers County, Alabama, and/or same be quitclaimed by Chambers County, Alabama to your Petitioner. Further, that a certified copy of said Resolution be furnished to the Petitioner to be attached to, filed, and recorded with, the written Declaration of Vacation of Portion of Roadway, as provided by Section 23-4-20, Code of Alabama, 1975.

Signed at LaFayette, Alabama, this the 18th day of March, 2015.

CHRIST-SERV, INC.

ATTEST:

Curtis Guy

Curtis Guy, Secretary

By: Philip Sparks

Philip Sparks, President

STATE OF ALABAMA
COUNTY OF CHAMBERS

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that Philip Sparks and Curtis Guy, whose names as President and Secretary of Christ-Serv, Inc., an Alabama non-profit corporation, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they as such officers and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this the 18th day of March, 2015.

NOTARY PUBLIC
My Commission Expires: 11-19-15

PREPARED BY:

LAW OFFICES OF JOHNSON, CALDWELL & McCOY, LLC
117 North Lanier Avenue, Suite 201
Lanett, AL 36863
(334) 644-1171 Telephone
(334) 644-7657 Facsimile

EXHIBIT "A"

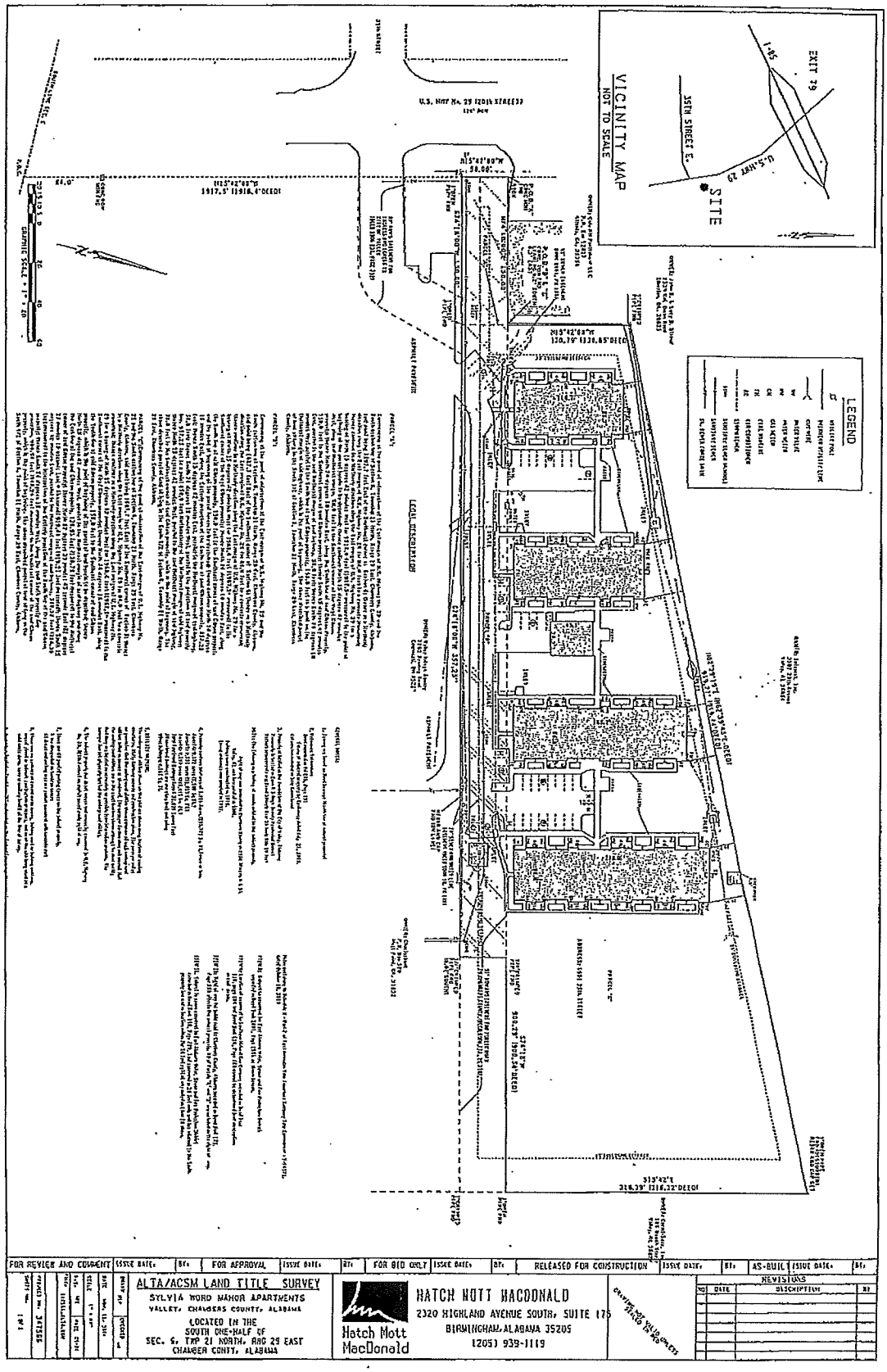
VICINITY MAP
NOT TO SCALE
EXIT 79
I-85
35TH STREET E.
U.S. HWY 29
SITE
LEGEND
GRAPHIC SCALE
ALTA/ACSM LAND TITLE SURVEY
SYLVIA WORD MANOR APARTMENTS
VALLEY, CHAMBERS COUNTY, ALABAMA
LOCATED IN THE
SOUTH ONE-HALF OF
SEC. 6, TWP 21 NORTH, RNG 29 EAST
CHAMBER COUNTY, ALABAMA
HATCH MOTT MACDONALD
2320 HIGHLAND AVENUE SOUTH, SUITE 175
BIRMINGHAM, ALABAMA 35205
(205) 939-1119
Hatch Mott MacDonald
FOR REVIEW AND COMMENT
FOR APPROVAL
FOR BID ONLY
RELEASED FOR CONSTRUCTION
AS-BUILT
REVISIONS

EXHIBIT "B"

Begin at the Southwest Corner of Section 6, Township 21 North, Range 29 East, of Chambers County, Alabama; thence North 86 degrees 43 minutes East along the Section Line between Sections 6 and 7 a distance of 1607.7 feet to a concrete monument, located on the East margin of U.S. Highway No. 29, said monument being Highway Station 96 / 35.0; thence Northwesterly along the curve of said Highway to the left a distance of 84.0 feet to a concrete monument, Station 95 / 60.2 for a point; thence North 15 degrees 42 minutes West along the East margin of said Highway 29 a distance of 1,918.4 feet to an iron pin for a corner and the starting point of the parcel herein described; FROM THIS STARTING POINT, thence continue North 15 degrees 42 minutes West along the East margin of said Highway a distance of 50.0 feet to an iron pin for a corner; thence North 74 degrees 18 minutes East for 1050.0 feet to a point for a corner; thence South 15 degrees 42 minutes East for 50.0 feet to a point for a corner; thence South 74 degrees 18 minutes West along the property line of Taunton-Johnson Corporation lease a distance of 1050.0 feet to an iron pin located on the East margin of said Highway 29 for a corner and the Starting Point. SUBJECT TO: The utility easements held by The East Alabama Water, Sewer and Fire Protection District and any and all other easements, licenses, rights-of-way, rights by prescription, or rights heretofore granted to or obtained by others in and to said real property. This is the same property conveyed by Forrest Word and wife, Margaret Hall Word, to Chambers County, Alabama by deed dated January 1, 1968 and being recorded at Deed Volume 178, Page 358, in the Office of the Judge of Probate of Chambers County, Alabama.

RESOLUTION NO. 04.20.15

BE IT RESOLVED BY THE CHAMBERS COUNTY, ALABAMA COMMISSION AS FOLLOWS:

THAT, WHEREAS, Christ-Serv, Inc., an Alabama non-profit corporation, is the owner of all of the property abutting a portion of 35th Street in Chambers County, Alabama referenced on the drawing attached hereto as Exhibit "A" and being described in Exhibit "B" attached hereto.

THAT, Christ-Serv, Inc. has filed a petition with the Chambers County Commission requesting said Commissioners to give their assent to the vacation of that portion of public roadway known as 35th Street and/or to quitclaim said property to Petitioner.

NOW THEREFORE, BE IT RESOLVED BY THE COMMISSIONERS OF THE CHAMBERS COUNTY, ALABAMA COMMISSION AS FOLLOWS:

THAT Chambers County, Alabama, by and through the Chambers County, Alabama Commissioners, assents to the vacation of that portion of 35th Street in Chambers County, Alabama, as described in Exhibit "B" attached hereto.

THAT WHEREAS, said roadway was constructed, has been improved, is maintained by the Petitioner, and is of no public use to the County; and,

THAT WHEREAS, said property is due to be conveyed by Chambers County to the Petitioner by quitclaim deed subject to all easements and rights held by The East Alabama Water, Sewer and Fire Protection District and others.

THAT a certified copy of this Resolution be furnished to said Petitioner with the Declaration of Vacation of Portion of Roadway, as provided for by Section 23-4-20, Code of Alabama, 1975 and said property be quitclaimed from Chambers County to Petitioner.

ADOPTED by the Chambers County, Alabama Commission on this the _____ day of _____, 2015.

_____
David Eastridge, Chairman, District 5

_____
Charlie L. Williams, District 1

_____
James E. Brown, District 2

_____
Joe L. Blanks, District 3

ATTEST:

Henry C. Osborne, District 4

John Dendy, County Manager

Debbie H. Wood, District 6

EXHIBIT "A"

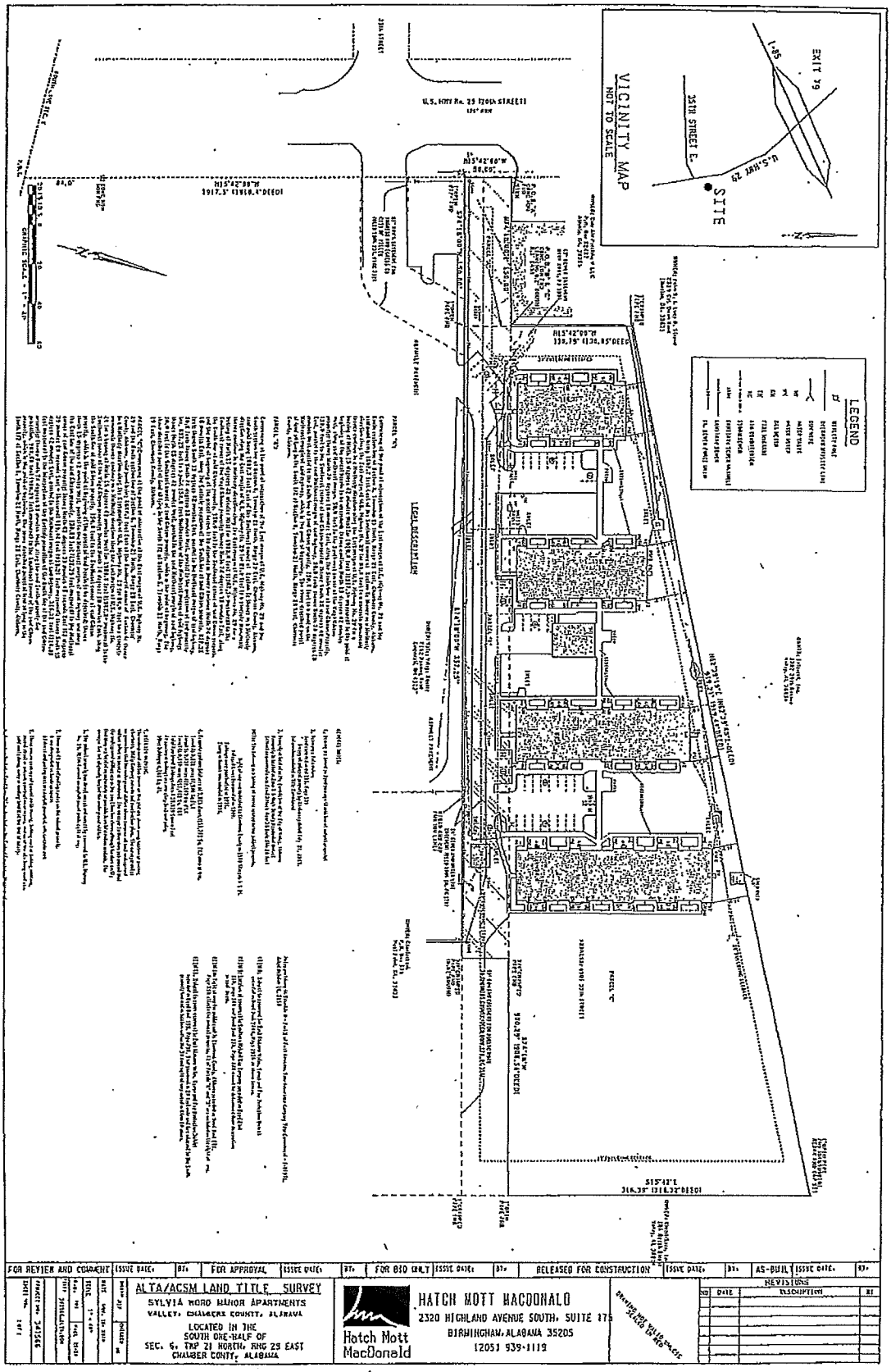
VICINITY MAP
NOT TO SCALE
EXIT 79
I-85
35TH STREET E.
U.S. HWY 29
SITE
LEGEND
LEGAL DESCRIPTION
FOR REVIEW AND COMMENT
FOR APPROVAL
FOR BID ONLY
RELEASED FOR CONSTRUCTION
AS-BUILT
ALTA/ACSM LAND TITLE SURVEY
SYLVIA WORD MANOR APARTMENTS
VALLEY, CHAMBERS COUNTY, ALABAMA
LOCATED IN THE
SOUTH ONE-HALF OF
SEC. 6, TWP 21 NORTH, RNG 29 EAST
CHAMBER CONTY, ALABAMA
Hatch Mott MacDonald
HATCH MOTT MACDONALD
2320 HIGHLAND AVENUE SOUTH, SUITE 175
BIRMINGHAM, ALABAMA 35205
(205) 939-1119
REVISIONS

EXHIBIT "B"

Begin at the Southwest Corner of Section 6, Township 21 North, Range 29 East, of Chambers County, Alabama; thence North 86 degrees 43 minutes East along the Section Line between Sections 6 and 7 a distance of 1607.7 feet to a concrete monument, located on the East margin of U.S. Highway No. 29, said monument being Highway Station 96 / 35.0; thence Northwesterly along the curve of said Highway to the left a distance of 84.0 feet to a concrete monument, Station 95 / 60.2 for a point; thence North 15 degrees 42 minutes West along the East margin of said Highway 29 a distance of 1,918.4 feet to an iron pin for a corner and the starting point of the parcel herein described; FROM THIS STARTING POINT, thence continue North 15 degrees 42 minutes West along the East margin of said Highway a distance of 50.0 feet to an iron pin for a corner; thence North 74 degrees 18 minutes East for 1050.0 feet to a point for a corner; thence South 15 degrees 42 minutes East for 50.0 feet to a point for a corner; thence South 74 degrees 18 minutes West along the property line of Taunton-Johnson Corporation lease a distance of 1050.0 feet to an iron pin located on the East margin of said Highway 29 for a corner and the Starting Point. SUBJECT TO: The utility easements held by The East Alabama Water, Sewer and Fire Protection District and any and all other easements, licenses, rights-of-way, rights by prescription, or rights heretofore granted to or obtained by others in and to said real property. This is the same property conveyed by Forrest Word and wife, Margaret Hall Word, to Chambers County, Alabama by deed dated January 1, 1968 and being recorded at Deed Volume 178, Page 358, in the Office of the Judge of Probate of Chambers County, Alabama.