

## **ORDINANCE NO. 1448 - 13**

### **AN ORDINANCE APPROVING THE SALE OF REAL ESTATE OF THE CITY OF MUSCLE SHOALS, ALABAMA**

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**WHEREAS**, the City of Muscle Shoals, Alabama is one of the owners of a parcel of real estate known and designated as “SHOALS RESEARCH AIRPARK RE-PLAT”; and

**WHEREAS**, the purposes for acquiring said property by the City included the development of an industrial park for the inducement of the location of businesses and industry within the City; and

**WHEREAS**, the said property is not and has never been used for public purposes but has been held for sale to businesses and industries locating within the City; and

**WHEREAS**, the City has obtained an offer from the Shoals Industrial Development Committee (SIDC) to purchase the property and, upon the consummation of the transfer of title to said purchaser, the property will remain available for the purposes of location of businesses and industries locating within the City; and

**WHEREAS**, the said property is not needed by the City for the purpose for which it was acquired,; has not been available for public use; and is not needed for any future public use or municipal purpose

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Muscle Shoals, Alabama as follows:

1. The Council finds the property of the City of Muscle Shoals, Alabama, known and designated as “SHOALS RESEARCH AIRPARK RE-PLAT”, same being more particularly described herein, is not needed for public or municipal purposes.
2. The interest of the City of Muscle Shoals, Alabama in and to the hereinafter described real property known and designated as “SHOALS RESEARCH AIRPARK RE-PLAT”; shall be transferred unto SIDC and the Mayor, David H. Bradford, is hereby authorized to execute and deliver the deed of the City conveying all of the City’s right, title and interest in and to said property, subject to any exceptions, easements, restrictions or rights of way, unto SIDC for and in consideration of the sum of \$2,756,388.50.
3. Furthermore, the Mayor, David H. Bradford, is authorized to execute and deliver any other documents necessary and required to consummate the transaction.
4. The property subject to and covered by this action of the Council is more particularly described as follows, to wit

Tracts 1 and 2, 7, 8 and 9 known and designated according to the map and survey of “SHOALS RESEARCH AIRPARK RE-PLAT” as recorded in Plat Book 2010 at Page 1, in the Office of the Judge of Probate of Colbert County, Alabama.

**LESS AND EXCEPT** a part of Tract 2 of Shoals Research Airpark Re-Plat as recorded in Plat Cabinet 2010, Slide No. 1 in the Probate Office Of Colbert County, Alabama located in Sections 5 & 6, T-4-S, R-10-W, and being more particularly described as follows: Begin at the Southwest corner of said tract at

an iron pin found (capped PLS 13406) on the northern right of way of 6th street (Colbert County Road 24) (80' R.O.W.); thence N 00° 19' 46" W along the western line of said track for a distance of 1120.59 feet to an iron pin set (capped PLS 24022); thence S 66° 54' 20" E for a distance of 1330.15 feet to an iron pin set (capped PLS 24022); thence S 88° 20' 51" E for a distance of 479.20 feet to an iron pin found (capped PLS 13406); thence S 00° 56' 12" E for a distance of 401.03 feet to an iron pin found (capped PLS 13406); thence N 89° 09' 15" W for a distance of 129.42 feet to an iron pin found (capped PLS 13406); thence S 00° 52' 29" W for a distance of 209.97 feet to an iron pin found (capped PLS 13406) on the northern right of way of 6th street (Colbert County Road 24) (80' R.O.W.); thence along the northern R.O.W. of 6th street N 89° 19' 01" W for a distance of 187.92 feet to an iron pin set (PLS 24022); thence continue along said R.O.W., N 89° 17' 50" W for a distance of 831.24 feet to an iron pin found (capped PLS 13406); thence continue along said R.O.W., N 88° 47' 46" W for a distance of 551.09 feet to the point of beginning of the parcel of land hereby described; said parcel of land contains 30.57 acres more or less; and is subject to a portion of a 50.0 feet wide gas easement through described parcel as recorded in deed book 145, page 511; and a 40.0 feet wide grading, drainage and utility easement along the south side as shown on plat of shoals research airpark re-plat; and a 10 ft. private water easement along a portion of the southern line as shown on plat of shoals research airpark re-plat ; and any and all other easement or restrictions of record or unrecorded affecting said property.

**ALSO LESS AND EXCEPT** a part of Tract 8 of Shoals Research Airpark Re-Plat as recorded in plat cabinet 2010, Slide No. 1 in the Probate Office of Colbert County, Alabama, located in Section 5, T-4-S, R-10-W, and being more particularly described as follows: Commence at the Southeast corner of said Section 5 at a found cotton spindle; thence N 00° 37' 19" W along the eastern line of said Section for a distance of 40.01 feet to an iron pin found (capped PLS 13406) on the northern right of way of 6th Street (Colbert County Road 24) (80' R.O.W.); thence along the northern R.O.W. of 6th Street, N 88° 28' 13" W for a distance of 559.63 feet to an iron pin found (capped PLS 13406) at the southeast corner of Tract 8 of said plat at the point of beginning; thence continuing along the northern right of way of 6th Street, N 88° 31' 50" W for a distance of 100.15 feet to an iron pin found (1 in. Pipe); thence leaving said R.O.W., N 00° 44' 17" W for a distance of 620.69 feet to an iron pin found (1 in. Pipe); thence continuing N 00° 44' 17" W for a distance of 942.84 feet to an iron pin set (capped PLS 24022); thence S 88° 53' 12" E for a distance of 100.27 feet to a point on the eastern line of Tract 8 of said plat; thence along the eastern line of said Tract 8, S 00° 43' 58" E for a distance of 1564.15 feet to the point of beginning of the parcel of land hereby described; said parcel of land contains 3.60 acres more or less and is subject to any and all other easements or restrictions of record or unrecorded affecting said property.

**ALSO LESS AND EXCEPT** a part of tract 9 of Shoals Research Airpark Re-Plat as recorded in Plat Cabinet 2010, Slide No. 1 in the Probate Office of Colbert County, Alabama, located in Section 5, T-4-S, R-10-W and being more particularly described as follows: Commence at the Southeast corner of said Section 5 at a found cotton spindle; thence N 00° 37' 19" W along the eastern line of said Section for a distance of 40.01 feet to an iron pin found (capped PLS 13406) on the northern right of way of 6th Street (Colbert County Road 24) (80' R.O.W.) at the point of beginning; thence along the northern right of way of 6th Street, N 88° 28' 13" W for a distance of 559.63 feet to an iron pin found (capped PLS 13406) at the Southwest corner of Tract 9 of said plat; thence leaving said R.O.W. and along the western line of Tract 9 of said plat, N 00° 43' 58" W for a distance of 1564.15 feet to a point; thence S 88° 53' 12" E for a distance of 249.12 feet to an iron pin found (capped PLS 13406); thence S 00° 39' 56" E for a distance of 279.26 feet to an iron pin found (capped PLS 13406); thence S 88° 53' 29" E for a distance of 312.13 feet to an iron pin found (capped PLS 13406) on the eastern line of said Section 5; thence along said section line, S 00° 40' 08" E for a distance of 1288.93 feet to the point of beginning of the parcel of land hereby described; said parcel of land contains 18.14 acres more or less and is subject to a 20' wide ingress / egress easement along the eastern line of the parcel and any and all other easements or restrictions of record or unrecorded affecting said property.

Adopted and approved this 10<sup>th</sup> day of June, 2013.