

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 5, 2019

The Council of the City of Mobile, Alabama, met in the City Council's Conference Room on the ninth floor of the Mobile Government Plaza on Tuesday, November 5, 2019, at 9:00 a.m.

Present:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory
Absent: None

The meeting was called to order. The Council reviewed and discussed the agenda for their meeting to be held today at 10:30 a.m.

Approved: November 14, 2019

COUNCIL PRESIDENT

CITY CLERK

MUNICIPAL BUILDING, MOBILE, ALABAMA, NOVEMBER 5, 2019

The City Council of the City of Mobile, Alabama, met in the Auditorium of the Mobile Government Plaza, on Tuesday, November 5, 2019, at 10:30 a.m., in regular meeting.

The meeting was called to order by City Clerk Lisa Lambert.

Pastor Everage Thomas, III, New Generation Church, offered an invocation.

The Presiding Officer led the Pledge of Allegiance.

Present on Roll Call:

Chairman: Manzie
Councilmembers: Richardson, Small, Williams, Daves, Rich and Gregory
Absent: None

STATEMENT OF RULES BY PRESIDING OFFICER:

The Presiding Officer provided an overview of the City Council rules of procedure.

APPROVAL OF MINUTES:

The minutes of the meetings of October 30, 2019 were approved as submitted.

COMMUNICATIONS FROM THE MAYOR:

Mayor Stimpson provided updates on his meetings with the Mayors of the five largest cities in Alabama.

Mayor Stimpson requested the Council hold over Resolutions 02-984, 02-985 and 02-986 for two weeks.

PRESENTATIONS BY THE COUNCIL:

Councilmember Williams introduced students from the Tillman's Corner Area Learning Leadership (TALL) program.

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Joyce Davis Reed, Quilts of Valor, presented quilts to Donald Booth, Mobile Police Department and Michael Wieckowski, Mobile Fire-Rescue Department. Assistant Fire Chief Lami accepted the quilt for Wieckowski, who could not be present for the ceremony.

Councilmember Daves presented a proclamation to Michelle Dubose Adams in honor of her receiving the Carol H. Bell Award for Leadership.

Frank Harkins, President/CEO, Goodwill Easterseals of the Gulf Coast, gave each Councilmember a 2019 commemorative Christmas ornament.

ADOPTION OF THE AGENDA:

Councilmember Small moved to adopt the agenda, which move was seconded by Councilmember Williams and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk whereupon the Presiding Officer declared the agenda adopted.

APPEALS:

The Council considered the request of O'hara Corbett for a waiver of the Noise Ordinance in Bienville Square on November 22, 2019 from 6:00 p.m. until 10:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which motion was seconded by Councilmember Small and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the waiver granted.

The Council considered the request of Vandlyn Pierre, Lily Baptist Church, for a waiver of the Noise Ordinance at 358 Kenney Street on November 10, 2019 from 1:00 p.m. until 5:00 p.m. (District 2).

Councilmember Daves moved to grant the waiver, which motion was seconded by Councilmember Small and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by City Clerk, whereupon the Presiding Officer declared the waiver granted.

PUBLIC HEARINGS:

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 1804 LACEY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 1804 Lacey Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

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PUBLIC HEARING TO DECLARE THE STRUCTURE AT 907 OPAL AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 907 Opal Avenue a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PUBLIC HEARING TO DECLARE THE STRUCTURE AT 714 RUTH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2).

The Presiding Officer announced that today was the day for the public hearing to declare the structure at 714 Ruth Street a public nuisance and order it demolished and asked if there was anyone present to speak for or against this matter.

No one appeared.

The Presiding Officer declared the hearing concluded and that the necessary resolution authorizing the proper action would be introduced at a later date.

PRESENTATIONS OF PETITIONS AND OTHER COMMUNICATIONS TO THE COUNCIL:

AGENDA ITEMS:

1. The following people spoke in favor of Resolutions 02-984, 02-985 and 02-986:
 - a. David Richey, 2346 Chapel Hill Drive
 - b. Danny Patterson, 3500 Quincy Drive
 - c. Constance Dial, 7451 Mallard Drive
 - d. Bill Boswell, 1609 Government Street
 - e. Gary Grice, 3460 Jester Drive, East
 - f. Fred Wheeler, 8405 Sterling Drive
 - g. Dale Sawyer, 2001 Bradbury Drive, West
 - h. Sandra Fondren, 8585 Sterling Drive
2. Greg Harris, II, 301 Chidester Avenue, spoke in opposition of Resolutions 02-984, 02-985 and 02-986.
3. Reggie Hill, 1007 Center Street, asked questions regarding Resolutions 02-984, 02-985 and 02-986.

NON-AGENDA ITEMS:

1. Joseph Jones, 1464 St. Stephens Road, expressed concerns regarding the Lafayette Heights Park.

RESOLUTIONS HELD OVER:

AUTHORIZE NON-EXCLUSIVE LEASE AGREEMENT WITH THE GULF COAST DUCKS LLC FOR USE OF BOAT RAMP NEAR CONVENTION CENTER, \$500.00 PER MONTH.

The following resolution, which was introduced and read at the regular meeting of October 22, 2019 and held over until the regular meetings of October 30, 2019 and November 5, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-964-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, 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 Mobile, lessor, the Lease Agreement by and between the City of Mobile and Gulf Coast Ducks, LLC, Lessee, for the property described and shown in Exhibit "1" to the Lease Agreement. A copy of said Lease Agreement is on file in the office of the City Clerk.

EXHIBIT "1"



CITY OF MOBILE SITE NORTH OF AND ADJACENT TO THE MOBILE CONVENTION CENTER

10 N WATER STREET

LEGAL DESCRIPTION & PARCEL NUMBER

LEGAL DESCRIPTION

COMM. ATA PT ON THE N/ROW/L OF GOVERNMENT ST & THE W/ L OF VACATED COMMERCE ST. AS DESC IN INSTRUMENT REC IN RPB 1930 PG 196-206 TH RUN N 11 DEG 04 MIN 21 SEC W (THIS BEARING & ALL SUBSEQUENT BEARINGS REFER TO ALABAMA STATE PLANE COORDINATE SYSTEM) ALG SD W/L 659.93 FT TO THE POB OF THE PPTY HEREIN DES TH CONT N 11 DEG 04 MIN 21 SEC W 173.02 FT TO A PT TH N 81 DEG 57 MIN 01 SEC E 338 FT M/L TO A PT ON THE W MARGIN OF MOBILE RIVER TH SWLY ALG SD W MARGIN 171.0 FT M/L TO A PT THAT BEARS N 81 DEG 37 MIN 30 SEC E FROM THE POB TH S 81 DEG 37 MIN 30 SEC W 320 FT M/L TO THE POB # SEC 40 T4S R1W BMP29 06 40 0001 004.

PARCEL NUMBER: R02290640001004.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of November 14, 2019, which was seconded by Councilmember Rich. Following comments from Councilmember Manzie the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over.

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AUTHORIZE SUBLEASE AGREEMENT WITH GULF COAST DUCKS, LLC FOR SPACE IN 650 ST. ANTHONY STREET. The following resolution, which was introduced and read at the regular meeting of October 22, 2019 and held over until the regular meeting of October 30, 2019, was called up by the Presiding Officer.

RESOLUTION: 01-965-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, 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 Mobile, the Sublease Agreement by and between Gulf Coast Ducks, LLC, Sublessor, and the City of Mobile, Sublessee, to lease approximately 1,360 square feet located in a portion of the Building located at 650 St. Anthony Street, as outlined in the Sublease Agreement attached hereto and made a part hereof as though set forth in full.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of November 14, 2019, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over.

DECLARE THE PUBLIC GOOD REQUIRES CERTAIN TERRITORY BE BROUGHT INTO THE CITY OF MOBILE (SCHILLINGER CORRIDOR). The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 02-984-2019

Sponsored by: Mayor Stimpson

A RESOLUTION DECLARING THAT THE PUBLIC GOOD REQUIRES THAT CERTAIN TERRITORY SHALL BE BROUGHT WITHIN THE LIMITS OF THE CITY OF MOBILE PURSUANT TO AND IN ACCORDANCE WITH TITLE 11, CHAPTER 42, ARTICLE 3, OF THE CODE OF ALABAMA (SCHILLINGER CORRIDOR)

WHEREAS, § 11-42-41 of the Code of Alabama provides that a city council may pass a resolution to the effect that the public health or public good requires that certain territory shall be brought within the limits of a city; and,

WHEREAS, § 11-42-43 of the Code of Alabama provides that upon passage of such a resolution by a council and certification by a mayor, the Judge of Probate must make and enter an order directing and ordering an election to be held by the qualified electors residing within the territory proposed to be brought within the limits of the city; and,

WHEREAS, § 11-42-47 of the Code of Alabama provides that each qualified voter who has resided within the boundaries of the territory proposed to be brought into the city for three months next preceding the election may vote at such election; and,

WHEREAS, a large number of qualified voters who reside within the boundaries of the territory described below have evidenced their desire to have such territory brought within the boundaries of the City of Mobile; and,

WHEREAS, the City Council of the City of Mobile desires to take the appropriate action so that the voice of these residents is given effect by passing this resolution (the "Resolution")

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allowing these residents an opportunity to vote on the question of whether they desire for such territory to be brought within the boundaries of the City of Mobile, and so as to provide for the future economic well-being of these residents as well as all persons residing within the metropolitan Mobile area.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOBILE, THAT:

1. The public good requires that the following described territory shall be brought within the limits of the City of Mobile:

Beginning at the northeast corner of Lot 41, Block 6, Highland Park (Map Book 4, Page 380, Mobile County Probate Court); thence along the extension of the north line of said Lot 41, Block 6, Highland Park and the west line of the existing Mobile City Limits, run eastwardly, 60 feet, more or less, to the east line of Section 19, T4S-R2W; thence along said east line of said Section 19, T4S-R2W and continuing along said west line of the existing Mobile City Limits, run southwardly, 3404 feet, more or less, to the southeast corner of said Section 19, T4S-R2W; thence along the east line of Section 30, T4S-R2W and continuing along said west line of the existing Mobile City Limits, run southwardly, 127.7 feet to a point; thence departing said east line of Section 30, T4S-R2W, along the south right of way line of Pine Run Road and the continuation of the existing Mobile City limits, run southwestwardly, 611 feet, more or less, to the northeast corner of Lot 2, Pine Run, Unit One (Map Book 24, Page 63, Mobile County Probate Court); thence along the east line of said Pine Run, Unit One and along the continuation of the existing Mobile City Limits, run S 24°47'10" W, 150 feet to a point; thence continuing along said east line of said Pine Run, Unit One and said continuation of the existing Mobile City Limits, run as follows: S 67°09' W, 135.9 feet; S 31°04'14" E, 128.12 feet to the northeast corner of lot 18, Pine Run, Unit Two, Part "A" (Map Book 26, Page 54, Mobile County Probate Court); thence along the East line of said Pine Run, Unit Two, Part "A" and said continuation of the existing Mobile City Limits, run as follows: S 14°54' E, 231.12 feet; S 62°34'25" E, 265.17 feet; S 08°03'50" E, 220 feet; S 23°17'25" W, 125.48 feet; S 52°17'55" W, 130.09 feet; S 62°35'40" W, 240 feet; N 27°24'20" W, 15 feet; S 72°44'25" W, 79.59 feet to a point on the East line of Lot 14 of the aforementioned Pine Run, Unit One; thence continuing along said East line of Pine Run, Unit One and said continuation of the existing Mobile City Limits, run as follows: S 32°11'30" E, 102.62 feet; N 75°26'30" E, 58.99 feet; S 11°24'30" E, 120 feet; S 17°55' W, 91.83 feet; S 09°51' E, 108.75 feet; S 01°24'20" W, 60 feet; S 88°35'40" W, 30 feet; S 01°24'20" E, 120 feet to the northwest corner of Lot 2, Covenant Subdivision (Map Book 60, Page 83, Mobile County Probate Court); thence along the north line of Lot 2, Covenant Subdivision and said continuation of the existing Mobile City Limits, run as follows: Southeastwardly, 609.05 feet, more or less; eastwardly, 284.5 feet, more or less to a point on the east line of the aforementioned east line of Section 30, T4S-R2W; thence continuing along said east line of Section 30, T4S-R2W and said continuation of the existing Mobile City Limits, run southwardly, 370 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits and along the south right of way line of Hitt Road (variable R/W) run westwardly, 736 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run southwardly, 495 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run southeastwardly, 80 feet, more or less to a point; thence along the continuation of the existing Mobile City Limits, run southwardly, 1075 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run southeastwardly, 245 feet to a point; thence along said continuation of the existing Mobile City Limits, run eastwardly, 213 feet, more or less, to a point on the west right of way line of Smithfield Road; thence along said west right of way line of Smithfield Road and said continuation of the existing Mobile City Limits, run southwardly, 20 feet, more or less to a point; thence along said continuation of the existing Mobile City Limits, run eastwardly, 207, feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run southwardly, 10,437 feet, more or less, to a point on the eastward extension of the North line of Darby Creek (Map Book 67, Page 71, Mobile County Probate Court); thence along said north line of Darby Creek and said continuation of the existing Mobile City Limits, run N 89°45'40" W, 480 feet, more or less, to the northeast corner of Lot 14 of said Darby Creek; thence along said continuation of the existing Mobile City Limits, run as follows: N 00°14'20" E, 45.00 feet; N 89°45'40" W, 159.53 feet; S 00°14'20"

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W, 45.00 feet to the northwest corner of said Lot 14, Darby Creek; thence continuing along said north line of Darby Creek and said continuation of the existing Mobile City Limits, run N 89°45'40" W, 10.99 feet to the northwest corner of Lot 15 of said Darby Creek; thence along the west line of said Darby Creek and said continuation of the existing Mobile City Limits, run S 02°17'22" W, 36.03 feet to a point; thence along said continuation of the existing Mobile City Limits, run as follows: S 89°43'10" W, 60 feet; S 02°17'22" W, 90 feet; N 89°43'10" E, 60 feet to a point on said West line of Darby Creek; thence along said west line of Darby Creek and said continuation of the existing Mobile City Limits, run as follows: S 01°27'57" W, 266.59 feet; S 01°01'35" W, 80.84 feet; S 00°07'02" W, 87.42 feet; S 00°57'45" W, 115.08 feet; S 01°36'24" W, 118.31 feet; S 00°19'56" E, 264.37 feet to the southwest corner of Darby Creek; thence along the south line of Darby Creek and said continuation of the existing Mobile City Limits, run S 89°41'50" E, 666.3 feet to a point on the east line of Section 7, T5S-R2W; thence along said east line of Section 7, T5S-R2W and said continuation of the existing Mobile City Limits, run southwardly, 2676 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run as follows: westwardly, 2698 feet, more or less; northwardly, 915 feet, more or less; westwardly, 1317 feet, more or less; southwardly, 666 feet, more or less; westwardly, 660 feet, more or less; southwardly, 645 feet, more or less; Eastwardly, 657 feet, more or less; southwardly, 678 feet, more or less; eastwardly, 4026 feet, more or less; southwardly, 1339 feet, more or less to a point on the south line of Section 7, T5S-R2W; thence departing from said the existing Mobile City Limits, run westwardly along said south line of Section 7, T5S-R2W and along the south line of Section 12, T5S-R3W, a distance of 7870 feet, more or less, to a point on the east right of way line of Leroy Stevens Road; thence along said east right of way line of Leroy Stevens Road, run northwardly, 660 feet, more or less, to a point on the south line of the northwest Quarter of the southwest Quarter of the southeast Quarter of said Section 12, T5S-R3W; thence along said South line of the Northwest Quarter of the Southwest Quarter of the Southeast Quarter of Section 12, T5S-R3W and along the South line of the Northeast Quarter of the Southeast Quarter of the Southwest Quarter of said Section 12, T5S-R3W, run Westwardly, 752 feet, more or less, to the Southwest corner of said Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 12, T5S-R3W; thence along the West line of said Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 12, T5S-R3W, run Northwardly, 674 feet, more or less, to the Northwest corner of said Northeast Quarter of the Southeast Quarter of the Southwest Quarter of Section 12, T5S-R3W; thence along said South line of the Northeast Quarter of the Southwest Quarter of Section 12, T5S-R3W, run Westwardly, 660 feet, more or less, to the Southwest corner of said Northeast Quarter of the Southwest Quarter of Section 12, T5S-R3W; thence along the West line of said Northeast Quarter of the Southwest Quarter of Section 12, T5S-R3W, run Northwardly, 1329 feet, more or less, to the Northwest corner of said Northeast Quarter of the Southwest Quarter of Section 12, T5S-R3W; thence along the North line of said Northeast Quarter of the Southwest Quarter of Section 12, T5S-R3W, run Eastwardly, 1385 feet, more or less, to a point on the aforementioned East right of way line of Leroy Stevens Road; thence along said East right of way line of Leroy Stevens Road, run Northwardly, 2007 feet, more or less, to a point on the extension of the North right of way line of Nugget Drive; thence along said North right of way line of Nugget Drive, run N 89°47'46" W, 492.62 feet, more or less, to the Southwest corner of Lot B, Resubdivision of Lot 2, Nelson Woods (PL 135, Page 110, Mobile County Probate Court); thence along the West boundary of said Resubdivision of Lot 2, Nelson Woods, run N 00°05'14" W, 629.86 feet to the Northwest corner of Lot A of Resubdivision of Lot 2, Nelson Woods; thence along the North boundary of said Lot A, Resubdivision of Lot 2, Nelson Woods, run S 89°49'54" E, 412.66 feet to a point on the West right of way line of Leroy Stevens Road; thence along said West right of way line of Leroy Stevens Road, run N 00°07'48" W, 1718.65 feet to the Northeast corner of Lot 7, A Resubdivision of Lots 1 thru 5 and Lots 40 & 41, Winchester Woods, Phase 1 (Map Book 60, Page 72, Mobile County Probate Court); thence along the North line of said Lot 7, A Resubdivision of Lots 1 thru 5 and Lots 40 & 41, Winchester Woods, Phase 1, run S 89°53'21" W, 262.30 feet to the Northwest corner of said Lot 7, A Resubdivision of Lots 1 thru 5 and Lots 40 & 41, Winchester Woods, Phase 1; thence along the West line of said A Resubdivision of Lots 1 thru 5 and Lots 40 & 41, Winchester Woods, Phase 1, the West line of Stevens Subdivision (Map Book 22, Page 47, Mobile County Probate Court), and the West line of Stevens Subdivision, First Addition (Map Book 22, Page 69, Mobile County Probate Court), run Northwardly, 579.5 feet, more or less, to the Southeast corner of Lot 2, Fairchild Estates (Map Book 58, Page

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42, Mobile County Probate Court); thence along the South line of said Fairchild Estates, run S 88°17'21" W, 365.69 feet to the Southwest corner of said Fairchild Estates; thence along the West line of said Fairchild Estates, run N 00°18'01" W, 144.31 feet to the Northeast corner of Lot 64, "Twin Lakes", First Unit (Map Book 27, Page 5, Mobile County Probate Court); thence along the North line of said Lot 64, "Twin Lakes", First Unit, run N 89°56'46" W, 52.44 feet to a point the Northwest corner of said Lot 64, "Twin Lakes", First Unit; thence run Northwestwardly, 81.8 feet, more or less, to the Southeast corner of Lot 65 of said "Twin Lakes", First Unit; thence along the South line of said Lot 65, "Twin Lakes", First Unit, the South line of Lots 66 and 67 of said "Twin Lakes", First Unit, run S 89°15'47" W, 371.88 feet to the Southwest corner of Lot 67, "Twin Lakes", First Unit; thence along the West line of Lots 70 and 71 of said "Twin Lakes", First Unit, run S 03°59'31" W, 347.98 feet to the Southwest corner of said Lot 71, "Twin Lakes", First Unit; thence along the North line of Lots 75, 76 and 77 of said "Twin Lakes", First Unit, run N 87° 32'49" W, 223.15 feet to the Southeast corner of Lot 79 of said "Twin Lakes", First Unit; thence along the East line of said Lot 79, "Twin Lakes", First Unit, run N 15°30'01" E, 97.74 feet to a point; thence continuing along said East line of Lot 79, "Twin Lakes", First Unit and along the East line of Lot 80 of said "Twin Lakes", First Unit, run N 17°43'01" E, 91.62 feet to a point; thence continuing along said East line of Lot 80, "Twin Lakes", First Unit and along the East line of Lot 81 of said "Twin Lakes", First Unit, run N 08°15'41" E, 143.31 feet to the Southeast corner of Lot 82, "Twin Lakes", First Unit; thence along the South line of said Lot 82, "Twin Lakes", First Unit and along the South line of Lots 83 and 84 of said "Twin Lakes", First Unit, run S 89°15'47" W, 297.65 feet to the Southwest corner of said Lot 84, "Twin Lakes", First Unit; thence along the East right of way line of Pontchartrain Drive, run N 00°44'13" W, 52 feet to a point on the extension of the South line of Lot 7 of "Twin Lakes", First Unit; thence along said extension of the South line of Lot 7 of "Twin Lakes", First Unit, run Westwardly, 80 feet to a point on the West right of way line of Pontchartrain Drive; said point being the Southeast corner of said Lot 7, "Twin Lakes", First Unit; thence along the South line of said Lot 7, "Twin Lakes", First Unit and the South line of Lots 6, 5, 4, 3, 2 and 1 of said "Twin Lakes", First Unit, run as follows: S 89°15'47" W, 470 feet; S 79°35'40" W, 136.95 feet; S 76°27'31" W, 112.81 feet; S 67°31'48" W, 102.62 feet; S 62°21'12" W, 110.43 feet to the Southwest corner of said Lot 1, "Twin Lakes", First Unit; thence along the West line of said "Twin Lakes", First Unit, run N 00°01'11" E, 278 feet to the Northeast corner of Common Area 1, The Gardens of Cottage Hill, Phase Five (Map Book 113, Page 94, Mobile County Probate Court); said point being on the South right of way line of Cottage Hill Road; thence along said South right of way line of Cottage Hill Road, an extension of said South right of way line of Cottage Hill Road and continuing along said South right of way line of Cottage Hill Road, run S 89°14'40" W, 660.9 feet to the Northwest corner of Lot 122, The Gardens of Cottage Hill, Phase Four (Map Book 122, Page 67, Mobile County Probate Court); thence along the West line of said The Gardens of Cottage Hill, Phase Four and the West line of The Gardens of Cottage Hill, Phase One (Map Book 101, Page 51, Mobile County Probate Court), run S 00°07'09" W, 499.74 feet to the Northeast corner of Lot 7, D'Iberville Estates (Map Book 11, Page 136, Mobile County Probate Court); thence along the East boundary of said D'Iberville Estates, run as follows: S 89°14'40" W, 200 feet; N 00°01'20", 450 feet to the Northeast corner of Lot 1 of said D'Iberville Estates; said point on the South right of way line of 30 foot service road of Cottage Hill Road; thence along said South right of way line of 30 foot service road of Cottage Hill Road run S 89°14'40" W, 288.41 feet to the P.C. of a 24.70 foot radius curve having a central angle of 90°40'50" and being concave Southwardly; thence along the arc of said curve, run Southeastwardly, 39.09 feet to the P.T. of said curve; said point being on the West right of way line of D'Iberville Drive North; thence along said West right of way line of D'Iberville Drive North, run S 00°04'30" E, 199.70 feet to the Southeast corner of Lot B, Resubdivision of Lots 22 & 23, D'Iberville Estates (Map Book 122 Page 79, Mobile County Probate Court); thence along the South line of said Lot A, Resubdivision of Lots 22 & 23, D'Iberville Estates, run S 89°09'40" W, 200 feet to a point on the East line of Lot 1, Dix Subdivision, Resubdivision of Lots 1 and 2 (Map Book 112, Page 111, Mobile County Probate Court); thence along said East line of said Lot 1, Dix Subdivision, Resubdivision of Lots 1 and 2, run S 00°04'30" E, 338.2 feet to the Southeast corner of said Lot 1, Dix Subdivision, Resubdivision of Lots 1 and 2; thence along the South line of said Lot 1, Dix Subdivision, Resubdivision of Lots 1 and 2, run S 89°13'53" W, 824.55 feet to the Southwest corner of said Lot 1, Dix Subdivision, Resubdivision of Lots 1 and 2; thence run Westwardly, 80 feet, more or less, to the Southeast corner of Lot 1, Dix Subdivision, Unit Three (Map Book 121, Page 31, Mobile County Probate Court); thence

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along the South line of said Lot 1, Dix Subdivision, Unit Three, run S 89°36'44" W, 423.36 feet to the Southwest corner of said Lot 1, Dix Subdivision, Unit Three; thence along the West line of said Lot 1, Dix Subdivision, Unit Three and the West line of Lot 1, Dix Subdivision, Unit Two, Resubdivision of and Addition to Lot 2, Unit One (Map Book 97, Page 4, Mobile County Probate Court), run N 00°07'02" W, 602.67 to the Northwest corner of said Lot 1, Dix Subdivision, Unit Two, Resubdivision of and Addition to Lot 2, Unit One; thence run Northwardly, 90 feet, more or less, to a point on the North right of way line of Cottage Hill Road; said point being the P.C. of a 35.90 foot curve having a central angle of 80°32'16" and being concave Northwardly; thence along said North right of way line of Cottage Hill Road, run Southeastwardly along the arc of said curve a distance of 50.46 feet to the P.T. of said curve; said point being the Southwest corner of Lot 39, Quail Crossing, Phase I (Map Book 53, Page 111, Mobile County Probate Court); thence continuing along said North right of way line of Cottage Hill Road, run S 89°29'23" E, 179.50 feet to the Southwest corner of Lot 3, DLM Subdivision, Resubdivision of Lots 2 and 3 (Map Book 116, Page 31, Mobile County Probate Court); thence along the West line of said Lot 3, DLM Subdivision, Resubdivision of Lots 2 and 3, run N 00°15'02" E, 222.50 feet to the Northwest corner of said Lot 3, DLM Subdivision, Resubdivision of Lots 2 and 3; said point being on the South line of Lot 1, Dawes Pointe West II Subdivision (Map Book 127, Page 19); thence along the South line of said Lot 1, Dawes Pointe West II Subdivision, run N 80°36'23" W, 107.81 feet to the Southwest corner of said Lot 1, Dawes Pointe West II Subdivision; thence along the West line of said Lot 1, Dawes Pointe West II Subdivision, run N 03°07'12" E, 172.71 feet to the Northeast corner of said Lot 1, Dawes Pointe West II Subdivision; thence along the North line of said Lot 1, Dawes Pointe West II Subdivision, run N 82°37'06" W, 269.40 feet to the Southeast corner of Lot 15, Quail Crossing, Phase II (Map Book 58, Page 79, Mobile County Probate Court); thence along the West line of said Quail Crossing, Phase II, run N 00°15'37" E, 795 feet to the Northeast corner of lot 9 of said Quail Crossing, Unit II; said point being on the South line of a Common Area as shown on the plat of Spring Grove, Unit One (Map Book 104, Page 23, Mobile County Probate Court); thence along the South line of Spring Grove, Unit One, run S 89°54'24" W, 615.64 feet to the Southwest corner of said Common Area, Spring Grove, Unit One; thence along the West line of said Common Area, Spring Grove, Unit One, run as follows: N 40°41'40" E, 224.46 feet; N 25°52'56" E, 519.43 feet; N 42°22'30" E, 193.63 feet; N 34°55'49" E, 16.14 feet; N 41°59'36" E, 33.35 feet; N 21°34'39" E, 48.08 feet; N 09°23'58" E, 37.33 feet; N 00°39'38" W, 29.69 feet; N 06°49'21" W, 23.95 feet; N 11°57'39" W, 13.82 feet; N 03°08'30" W, 19.34 feet; N 13°25'26" E, 28.40 feet; N 05°05'37" W, 34.52 feet; N 26°57'09" E, 30.37 feet N 02°05'36" W, 28.66 feet; N 07°39'45" E, 26.33 feet; N 00°53'19" W, 21.61 feet to a point on the South right of way line of Spring Grove North; thence along said South right of way line of Spring Grove North, run N 89°52'26" E, 66.02 feet to the Northeast corner of said Common Area, Spring Grove, Unit One; thence along the East line of said Common Area, Spring Grove, Unit One, run as follows: S 06°08'13" E, 23.62 feet; S 13°29'11" E, 35.17 feet; S 26°34'07" W, 24.77 feet; S 20°47'12" W, 34.49 feet; S 09°50'48" W, 61.16 feet; S 10°45'52" W, 16.69 feet; S 32°18'07" W, 22.83 feet; S 13°59'10" E, 27.02 feet; S 08°50'03" W, 23.64 feet; S 00°13'44" E, 20.60 feet; S 16°21'43" W, 31.17 feet; S 04°10'27" W, 25.99 feet; S 42°59'03" W, 26.24 feet; S 08°59'53" W, 38.35 feet; S 06°18'38" W, 25.06 feet; S 27°43'09" W, 23.92 feet; S 31°43'10" W, 10 feet; S 00°31'10" W, 141.70 feet; S 39°15'34" E, 126.39 feet to the Southwest corner of Lot 12 of said Spring Grove, Unit One; thence along the South line of said Lot 12, Spring Grove, Unit One and the South line of Lot 11 of said Spring Grove, Unit One, run S 83°18'03" E, 287.59 feet to a point on the West right of way line of Dawes Road; said point being on the arc of a 2825.03 foot radius curve that is concave Westwardly; thence along said West right of way line of Dawes Road, run Northwardly along the arc of said curve a distance of 17.5 feet, more or less, to a point; thence run N 02°28'31" E, 141.5 feet, more or less, to a point; thence run Eastwardly, 100 feet, more or less, to the Southwest corner of Lot 80, Irongate, Unit One (Map Book 64, Page 76, Mobile County Probate Court); thence along the boundary of said Irongate, Unit One, run as follows: N 89°24'E, 112 feet; N 81°31'08" E, 216.16 feet; S 00°03'41" E, 600.77 feet to the Northwest corner of the Southeast Quarter of the Northeast Quarter of Section 2, T5S-R3W; said point being on the North line of Randlett Trace, Resubdivision and Addition to Lots 1-7 (Map Book 85, Page 54, Mobile County Probate Court); thence along the North line of the Southwest Quarter of the Northeast Quarter of Section 2, T5S-R3W and the North line of Randlett Trace, Resubdivision and Addition to Lots 1-7, run S 89°52'05" W, 198.96 feet to the Northeast corner of Lot 1, Airport Manor, Resubdivision of Lots 1, 2 and 20 (Map Book 96, Page 120,

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Mobile County Probate Court); thence along the East line of said Lot 1, Airport Manor, Resubdivision of Lots 1, 2 and 20, run as follows: S 11°14'47" W, 90.35 feet; S 42°22'15" E, 95.62 feet; S 47°37'45" W, 129.78 feet to the Southeast corner of said Lot 1, Airport Manor, Resubdivision of Lots 1, 2 and 20; thence along the South line of said Lot 1, Airport Manor, Resubdivision of Lots 1, 2 and 20, run N 78°16'26" W, 14.37 feet to the Northwest corner of Lot 19, Airport Manor (Map Book 9, Page 275, Mobile County Probate Court); thence along the West line of said Lot 19, Airport Manor and an extension thereof, run S 08°51'40" W, 730 feet, more or less, to the Northwest corner of Lot 2, Capital Drive West Subdivision (Map Book 119, Page 72, Mobile County, Alabama); thence along the North line of said Capital Drive West Subdivision, run S 84°47'31" E, 204.94 feet to the Northeast corner of Lot 1 of said Capital Drive West Subdivision; thence run Eastwardly, 54 feet, more or less, to the Southwest corner of Lot 31 of said Airport Manor; thence along the South line of said Lot 31, Airport Manor, run Southeastwardly, 219.2 feet to the Southeast corner of said Lot 31, Airport Manor; thence along the East line of said Lot 31, Airport Manor, run Northwardly, 13.8 feet, more or less, to a point; thence run Eastwardly, 212 feet, more or less, to a point on the East line of Lot A, Dawes Point West No. 3 (Map Book 128, Page 85, Mobile County Probate Court); thence along said East line of Lot A, Dawes Point West No. 3, run S 00°49' 18" E, 15 feet, more or less, to a point on the extension of the South line of Lot 1, Randlett Trace, Resubdivision of Lot 26 (Map Book 96, Page 91, Mobile County Probate Court); thence along said extension of the South line of Lot 1, Randlett Trace, Resubdivision of Lot 26, run Eastwardly, 24.5 feet, more or less, to the Southwest corner of said Randlett Trace, Resubdivision of Lot 26; thence along the West line of said Randlett Trace, Resubdivision of Lot 26, run N 01°05' W, 252.17 feet to the Northwest corner of Lot 4, Randlett Trace, Resubdivision of Lot 26; thence along the North line of said Lot 4, Randlett Trace, Resubdivision of Lot 26, run N 85°29'40" E, 156.01 feet to a point; thence continuing along said North line of Lot 4, Randlett Trace, Resubdivision of Lot 26, run N 89°26'25" E, 150.00 feet to a the Northeast corner of said Lot 4, Randlett Trace, Resubdivision of Lot 26; said point being on the West right of way line of Randlett Trace; thence along said West right of way line of Randlett Trace, run S 00°01'47" E, 90 feet, more or less, to a point on the Westward extension of the South line of Lot 27, Randlett Park, First Sector (Map Book 38, Page 25, Mobile County Probate Court); thence along said Westward extension of the South line of Lot 27, Randlett Park, First Sector, along the South line of said Lot 27, Randlett Park, First Sector and along the South line of Lot 23 of said Randlett Park, First Sector and the Eastward extension thereof, run N 89°15' E, 535 feet, more or less, to a point on the East right of way line of Randlett Drive; said point being the Southwest corner of property known as Lot 2, Randlett Park, an unrecorded subdivision; thence along the South line of said Lot 2, Randlett Park, run N 89°55' E, 156.24 feet to a point on the West line of Chapel Hill (Map Book 77, Page 7, Mobile County Probate Court); thence along the West line of said Chapel Hill, run N 00°02'46" E, 1060 feet, more or less, to the Northeast corner of Lot 9, Randlett Park, Second Sector (Map Book 39, Page 91, Mobile County Probate Court); said point being on the South line of Carrington West (Map Book 67, Page 52, Mobile County Probate Court); thence along the South line of Carrington West, run S 89°52'05" W, 330 feet to the Southwest corner of said Carrington West; thence along the West line of said Carrington West, run N 00°04'07" E, 809.88 feet to a point on the South right of way line of O'Rourke Drive; thence along said South right of way line of O'Rourke Drive, run Eastwardly, 166.4 feet to a point; thence run Southeastwardly, 80 feet, more or less, to the P.C. of a 75 foot radius curve concave Southeastwardly; thence along said South right of way line of O'Rourke Drive, run Eastwardly, 526 feet, more or less, to the Northeast corner of Lot 31, Carrington Place, Ninth Addition (Revised) (Map Book 74, Page 79, Mobile County Probate Court); thence run Northwestwardly, 50 feet, more or less, to a point on the North right of way line of O'Rourke Drive; said point being the P.C. of a 25 foot radius curve concave Northwardly; thence along said North right of way line of O'Rourke Drive, run Northeastwardly, 116.87 feet to the Southwest corner of Lot 7 of said Carrington Place, Ninth Addition (Revised); thence along the West line of said Lot 7, Carrington Place, Ninth Addition (Revised), run N 12°11'45" E, 159.56 feet to the Northwest corner of said Lot 7, Carrington Place, Ninth Addition (Revised); said point being on the North line of Section 1, T5S-R3W; thence along said North line of Section 1, T5S-R3W, run S 89°31' E, 1916.71 feet to the Southeast corner of said Lot 15, Greenwood Estates, Unit One (Map Book 26, Page 28, Mobile County Probate Court); thence along the East line of said Greenwood Estates, Unit One, run as follows: N 03°04'E, 276.26 feet; S 88°28' E, 80.3 feet; N 06°13' W, 506.07 feet to the Northwest corner of Lot 13, Green Farnettes, Unit One (Map Book 17, Page 72, Mobile

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County Probate Court); thence along the North line of said Lot 13, Green Farnettes, Unit One and the Eastward extension thereof, run N 84°30'E, 493.30 feet to a point on the East right of way line of Leroy Stevens Road; thence along said East right of way line of Leroy Stevens Road, run Northwardly, 665 feet, more or less, to the Southwest corner of Lot 1, Yorkwood Estates (Map Book 18, Page 49, Mobile County Probate Court); thence along the South line of said Yorkwood Estates, run N 84°30' E, 1320.55 feet to the Southwest corner of Lot 13 of said Yorkwood Estates; thence continuing along said South line of Yorkwood Estates, run N 81°37" E, 799 feet, more or less, to the Northwest corner of Lot 1 of said Green Farnettes, Unit One; thence run Northwardly, 60 feet, more or less, to a point on the North right of way line of Yorkhaven Road; said point being the Southwest corner of Lot 18 of said Yorkwood Estates; thence along the West line of said Lot 18, Yorkwood Estates, run N 07°53' W, 900.18 feet to the Northwest corner of Lot 20 of said Yorkwood Estates; thence along the North line of said Lot 20, Yorkwood Estates and the South line of Lot 41, Magnolia Hills (Map book 9, Page 13, Mobile County Probate Court) run N 83°36'30" E, 530 feet, more or less, to a point on the West right of way line of Schillinger Road; thence along said West right of way line of Schillinger Road, run Northwardly, 3806 feet, more or less, to a point on the South line of the Northeast Quarter of the Southeast Quarter of Section 25, T4S-R3W; thence along said South line of the Northeast Quarter of the Southeast Quarter of Section 25, T4S-R3W, run Eastwardly, 1246 feet, more or less, to the Southwest corner of said Northeast Quarter of the Southeast Quarter of Section 25, T4S-R3W; thence along the West line of said Northeast Quarter of the Southeast Quarter of Section 25, T4S-R3W, run Northwardly, 1344 feet, more or less, to the Northwest corner of said Northeast Quarter of the Southeast Quarter of Section 25, T4S-R3W; said point being situated on the existing Mobile City Limits; thence along the North line of said Northeast Quarter of the Southeast Quarter of Section 25, T4S12 R3W and the continuation of the existing Mobile City Limits, run Eastwardly, 1281 feet, more or less, to a point on said West right of way line of Schillinger Road; thence along said West right of way line of Schillinger Road and said continuation of the existing Mobile City Limits, run Southwardly, 17 feet, more or less, to a point on the Westward extension of the South right of way line of Hitt Road; thence along said extension of the South right of way line of Hitt Road and the said South right of way line of Hitt road (and said continuation of the existing Mobile City Limits), run N 89°31'46" E, 1530 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run Northwardly, 1335 feet, more or less, to a point; thence along the continuation of the existing Mobile City Limits, run as follows: Westwardly, 50 feet, more or less; Northwardly, 651 feet, more or less; Eastwardly, 720 feet, more or less; Northwardly, 691 feet, more or less; Eastwardly, 40 feet, more or less; Northwardly, 221 feet, more or less to a point on the South right of way line of Old Government Street Road; thence run Northwardly, 50 feet, more or less, to a point on the North right of way line of Old Government Street Road; thence along the continuation of the existing Mobile City Limits, run as follows: Northwardly, 1079 feet, more or less; Westwardly, 723 feet, more or less; Northwardly, 1337 feet, more or less to the Southwest corner of Lot 1, Mill Creek (Map Book 90, Page 18, Mobile County Probate Court); thence along the South line of said Lot 1, Mill Creek, the South line of Lot 1, Moore Family Subdivision (Map Book 49, Page 39, Mobile County Probate Court) and said continuation of the existing Mobile City Limits, run Eastwardly, 1399 feet, more or less, to the Southwest corner of Westover, Unit Four (Map Book 66, Page 23, Mobile County Probate Court); thence along the boundary of said Westover, Unit Four and said continuation of the existing Mobile City Limits, run as follows: N 01°40'00" E, 722.93 feet; N 72°26'20" E, 300.03 feet; N 01°40'00" E, 150.73 feet; S 89°05'30" E, 371.55 feet to a point on the West right of way line of Portside Boulevard; thence continuing along said existing Mobile City Limits, run Eastwardly, 51.4 feet, more or less, to the Northwest corner of Lot 1, Westover, Unit One (Map Book 61, Page 100, Mobile County Probate Court); thence along the North line of said Lot 1, Westover, Unit One and along said continuation of the existing Mobile City Limits, run as follows: S 89°08'30" E, 265 feet; S 00°51'30" W, 52.86 feet to the Northwest corner of Lot 4, Westover, Unit Two (Map Book 63, Page 111, Mobile County Probate Court); thence along the North line of said Westover, Unit Two and along said continuation of the existing Mobile City Limits, run as follows: S 89°08'30" E, 425.00 feet; S 00°51'30" W, 101.13 feet to the Northwest corner of Lot 6, Block 8 of the aforementioned Highland Park; thence along the North line of said Lot 6, Block 8, Highland Park and the Eastward extension thereof, and along said continuation of the existing Mobile City Limits, run Eastwardly, 306 feet, more or less, to a point on the East right of way line of Lakeview Drive; thence along said East right of way

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line of Lakeview Drive and along said continuation of the existing Mobile City Limits, run Northwardly, 253.1 feet, more or less, to the Northwest corner of Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub (Map Book 99, Page 76, Mobile County Probate Court); said point being a point on the arc of a 79.52 foot radius curve concave Northwestwardly; thence along the North line of said Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub and along said continuation of the existing Mobile City Limits, run Northeastwardly along the arc of said curve a distance of 67.57 feet to a point; thence continuing along said North line of Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub and along said continuation of the existing Mobile City Limits, run Eastwardly, 144.09 feet to the Northeast corner of said Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub; thence along the East line of said Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub and along said continuation of the existing Mobile City Limits, run Southwardly, 90.03 feet to the Southeast corner of said Lot "B", Resubdivision of Lots 42 & 43, Block 5, Highland Park Sub; thence along said continuation of the existing Mobile City Limits, run Eastwardly, 204 feet, more or less, to the Northeast corner of Lot 2, Block 5 of the aforementioned Highland Park; said point being on the West right of way line of Park Avenue; thence along said continuation of the existing Mobile City Limits, run Eastwardly, 50 feet, more or less, to the Northwest corner of Lot "A", Eschol Place (Map Book 116, Page 29, Mobile County Probate Court); thence along the North line of said Lot "A", Eschol Place and along said continuation of the existing Mobile City Limits, run N 89°29'28" E, 200 feet to the Northeast corner of said Lot "A", Eschol Place; thence along the East line of said Lot "A", Eschol Place and along said continuation of the existing Mobile City Limits, run S 00°02'23" W, 100 feet to the Southeast corner of said Lot "A", Eschol Place; said point being the Southwest corner of Lot 3, Block 6 of the aforementioned Highland Park; thence along the South line of said Lot 3, Block 6, Highland Park and along said continuation of the existing Mobile City Limits, run Eastwardly, 34 feet, more or less, to a point; thence along said continuation of the existing Mobile City Limits, run Southwardly, 99 feet, more or less, to a point on the North line of Lot 9 of said Block 6, Highland Park; thence along the North line of said Lot 9, Block 6, Highland Park, the North line of Lot 41 of said Block 6, Highland Park and along said continuation of the existing Mobile City Limits, run Eastwardly, 334 feet to the point of beginning.

A map depicting this area is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the territory described above, the depiction of the territory on the attached map shall control and be given effect.

2. The Mayor of the City of Mobile is authorized and directed to certify and deliver a copy of this Resolution to the Judge of Probate for Mobile County pursuant to and in accordance with § 11-42-42 of the Code of Alabama;

3. If the majority of those persons voting in such an election vote in favor of the above-described territory being brought within the corporate limits of the City of Mobile, then all of such territory, and all property having a situs within such territory, shall be exempt from City ad valorem taxation or the payment of ad valorem taxes to the City for a period of ten (10) years from the time when such territory is brought within the corporate limits of the City, all as provided by § 11-42-57 of the Code of Alabama; except that, from time to time after the lapse of five (5) years from the time when such territory is brought within the corporate limits of the City, all portions of such territory as has residing on it a population of at least twenty (20) persons on a contiguous ten (10) acres of land and all property having a situs on such populated territory shall thereafter be subject to ad valorem taxation by the City and ad valorem taxes thereon shall thereafter be paid to the City, all as provided by § 11-42-58 of the Code of Alabama.

4. Pursuant to § 11-42-83 of the Code of Alabama, every person, firm, company or corporation engaged in or carrying on any business, vocation, occupation or profession in the territory brought within the corporate limits of the City pursuant to this Resolution shall be exempt from the City's gross receipts business license tax with respect to gross receipts received from the business, vocation, occupation, or profession engaged in or carried on in such territory for so long as the territory is exempt from City taxation; provided, however, that a business license tax shall be assessed and collected from each such person, firm, company or corporation in proportion to the capital employed within the territory exempt

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from City taxation in such trade, business, vocation, occupation or profession, including the value of the land with improvements thereon, used in such trade, business, vocation, or occupation and shall not exceed \$2.00 per \$1,000.00 where the capital employed does not exceed \$100,000.00, and shall not exceed \$1.00 per \$1,000.00 on the excess of capital employed over \$100,000.00 up to \$200,000.00, and shall not exceed \$.50 per \$1,000.00 on the excess of the capital employed over \$200,000.00 up to \$300,000.00, and shall not exceed \$.25 per \$1,000.00 on the excess of capital employed over \$300,000.00; provided, however, that if no capital is employed or where the capital employed is less than \$1,000.00, there shall be no privilege or license tax assessed and collected. At such time as such territory is no longer exempt from City taxation under the provisions of Article 3, Chapter 42, Title 11 of the Code of Alabama, the then existing City gross receipts business license tax shall be annually assessed and collected from each and every such person, firm, company or corporation engaging in or carrying on any business, vocation, occupation or profession in the territory formerly exempt from City taxation.

5. This Resolution is passed under the provisions of Title 11, Chapter 42, Article 3, of the Code of Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of November 19, 2019, which was seconded by Councilmember Rich. Following comments from Councilmembers Richardson, Manzie, Daves, Rich, Gregory and Small the vote was as follows:

Ayes: Richardson, Manzie, Williams, Daves, Rich and Gregory

Nays: Small

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over.

DECLARE THE PUBLIC GOOD REQUIRES CERTAIN TERRITORY BE BROUGHT INTO THE CITY OF MOBILE (AIRPORT & SNOW ROAD AREA). The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 02-985-2019

Sponsored by: Mayor Stimpson

A RESOLUTION DECLARING THAT THE PUBLIC GOOD REQUIRES THAT CERTAIN TERRITORY SHALL BE BROUGHT WITHIN THE LIMITS OF THE CITY OF MOBILE PURSUANT TO AND IN ACCORDANCE WITH TITLE 11, CHAPTER 42, ARTICLE 3, OF THE CODE OF ALABAMA (AIRPORT & SNOW AREA)

WHEREAS, § 11-42-41 of the Code of Alabama provides that a city council may pass a resolution to the effect that the public health or public good requires that certain territory shall be brought within the limits of a city; and,

WHEREAS, § 11-42-43 of the Code of Alabama provides that upon passage of such a resolution by a council and certification by a mayor, the Judge of Probate must make and enter an order directing and ordering an election to be held by the qualified electors residing within the territory proposed to be brought within the limits of the city; and,

WHEREAS, § 11-42-47 of the Code of Alabama provides that each qualified voter who has resided within the boundaries of the territory proposed to be brought into the city for three months next preceding the election may vote at such election; and,

WHEREAS, a large number of qualified voters who reside within the boundaries of the territory described below have evidenced their desire to have such territory brought within the boundaries of the City of Mobile; and,

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WHEREAS, the City Council of the City of Mobile desires to take the appropriate action so that the voice of these residents is given effect by passing this resolution (the "Resolution") allowing these residents an opportunity to vote on the question of whether they desire for such territory to be brought within the boundaries of the City of Mobile, and so as to provide for the future economic well-being of these residents as well as all persons residing within the metropolitan Mobile area.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOBILE, THAT:

1. The public good requires that the following described territory shall be brought within the limits of the City of Mobile:

BEGINNING at the Northwest corner of the Northeast Quarter of the Northwest Quarter of Section 25, Township 4 South, Range 3 West, Mobile County, Alabama said point being the Northwest corner of Westminster Estates as recorded in Map Book 23, Page 86 in the office of Judge of Probate, Mobile County, Alabama; Thence Run North 04° 22' 03" East 989.00 feet, more or less, to the North right-of-way of Airport Boulevard; THENCE RUN in a Southwesterly direction along the North right-of-way of said Airport Boulevard 3738.00 feet, more or less; THENCE RUN North 00° 00' 00" East 470.00 feet, more or less; THENCE RUN North 88° 40' 10" West 230.00 feet, more or less; THENCE RUN South 00° 19' 36" West 570.00 feet, more or less, to the North right-of-way of said Airport Boulevard; THENCE RUN in a Southwesterly direction along the North right-of-way of said Airport Boulevard 260.00 feet, more or less; THENCE RUN North 00° 00' 00" East 672.00 feet, more or less, to the South line of Section 23, Township 4 South, Range 3 West, Mobile County, Alabama; RUN THENCE South 90° 00' 00" West along the South line of said Section 23 1400.00 feet, more or less, to the Southwest corner of the Southeast Quarter of the Southwest Quarter of said Section 23, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN North 00° 00' 00" West along the West line of said Southeast Quarter 1350.00 feet, more or less to the Southeast corner of the Northwest Quarter of the Southwest Quarter of said Section 23; THENCE RUN South 90° 00' 00" West 3,400.00 feet, more or less; THENCE RUN South 00° 00' 00" East 640.00 feet, more or less; THENCE RUN South 90° 00' 00" West 700.00 feet, more or less to the East right-of-way of Hale Road; THENCE RUN North 00° 00' 00" West 667 feet, more or less to the Easterly projection of the South line of the Northeast Quarter of the Southwest Quarter of Section 22, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN Westerly along said South line and its projection, 2066 feet, more or less, to the Southeast corner of Lot 1 of Four Oaks Subdivision as recorded in Map Book 44, Page 114 in the office of the Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly along the East line of said subdivision 347.07 feet, more or less, to the Northeast corner of said subdivision, THENCE RUN Westerly along the North line of said subdivision 543.44 feet, more or less, to the East right of way line of Snow Road; THENCE RUN Southerly along the East right-of-way of Snow Road to a point on the Easterly projection of the North line of Z and F Subdivision as recorded in Map Book 100, Page 36 in the office of the Judge of Probate, Mobile County, Alabama; THENCE RUN Westerly along the projected North line of said Z and F Subdivision to the West right-of-way of Snow Road, said point also being the Northeast Corner of said Z and F Subdivision; THENCE RUN continuing Westerly along the North line of said Z and F Subdivision to the Northwest corner of said Z and F Subdivision; THENCE RUN Southerly along the West line of said Z and F Subdivision 330.05 feet, more or less to the Southwest corner of said subdivision, said corner also being the Northeast corner of Doss Family Subdivision, as recorded in Map Book 130, Page 12, in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly along the East line of said Doss Family Subdivision 324.66 feet, more or less, to the Northeast corner of Hunter's Park Unit IV Subdivision, as recorded in Map Book 117 Page 80 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN, continuing Southerly along the East line of said Hunter's Park Unit IV Subdivision, 286.79 feet, more or less, to the Northeast corner of Hunter's Park Unit III – Part "B" Subdivision, as recorded in Map Book 117 Page 19 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Southerly along the East line of said Hunter's Park Unit III – Part "B" Subdivision, 998.06 feet, more or less, to the Southwest corner of said subdivision; THENCE RUN Westerly along the South line of said Hunter's Park Unit III – Part "B" Subdivision and its Westerly projection 1298.89 feet, more

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or less, to the East right-of-way of Dykes Road South; THENCE RUN South along the East right-of-way of Dykes Road South to the North right-of-way line of Airport Boulevard; THENCE RUN Easterly along the North right-of-way of Airport Boulevard to the Southeast corner of Lot 2 of Airport West Commercial Park Subdivision as recorded in Map Book 73, Page 64 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly to the South right-of-way line of Airport Boulevard to the Northeast corner of Wakefield Unit I Subdivision as recorded in Map Book 61, Page 5 of the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly 201.8 feet, more or less, along the East line of said subdivision to the Northwest corner of Wakefield Unit 3 Subdivision as recorded in Map Book 70, Page 87 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said subdivision to the Northwest corner of Wakefield Unit Seven Phase One as recorded in Map Book 85, Page 58 of the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northeasterly along the North line of Lot 5 of said subdivision to the West right-of-way line of Wakefield Drive East; THENCE RUN Easterly to the East right-of-way line of Wakefield Drive East and the Northwest corner of Lot 6 of said subdivision; THENCE RUN continuing Easterly along the North line of Lot 6 to the Northeast corner of Lot 6; THENCE RUN Southerly along the East line of Lot 6 and 7 of said subdivision to the Southeast corner of Lot 7 of said subdivision and a point on the North line of Lot 8 of said subdivision; THENCE RUN Easterly along the North line of Lot 8 of said subdivision to the Northeast corner of Lot 8; THENCE RUN South along the East line of Lot 8 and 9 to the Northwest corner of The Dominion Second Unit Subdivision as recorded in Map Book 81, Page 95 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said subdivision to the Northeast corner of said subdivision, said corner also being the Northwest corner of The Dominion Unit One Subdivision, as recorded in Map Book 60 Page 124 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said The Dominion Unit One Subdivision to the Northeast corner of said subdivision, said corner lying on the West section line of Section 27, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN Southerly along said section line to the Southwest corner of Airsnow Subdivision as recorded in Map Book 120 Page 60 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN along the South line of said subdivision to the West of right-of-way of Snow Road South; THENCE RUN Southeasterly along the West right-of-way of said Snow Road South to the Southeast corner of Parcel A of the Dominion Unit One, as recorded in Map Book 60 Page 124 in the office of Judge of Probate, Mobile County, Alabama. THENCE RUN Westerly along the South line of said subdivision to the Southwest corner of said subdivision; THENCE RUN Southeasterly 447.61 feet, more or less, to the Southeast corner of Section 28, Township 4 South, Range 3 West, Mobile County, Alabama, said corner also being the Northwest corner of Pine Crest Cemetery West, as recorded in Map Book 41 Page 201 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly 3446.17 feet, more or less, along the West line of said subdivision to the Southwest corner of said subdivision; THENCE RUN Southerly along the West line of Section 34, Township 4 South, Range 3 West 1566.86 feet, more or less, to the Southwest corner of said Section 34; THENCE RUN Easterly along the South line of said section 2910 feet, more or less, to the Southwest corner of Lot 2 of McCawley Subdivision, as recorded in Map Book 111 Page 59 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly along the West line of said subdivision 1258.57 feet, more or less, to the Northwest corner of said subdivision; THENCE RUN Easterly 1096.57 feet, more or less, along the North line of said subdivision to the Northeast corner of said subdivision, said corner also being the Northwest corner of Autumn Leaf Estates, First Addition, as recorded in Map Book 77 Page 61 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Westerly along the North line of said Autumn Leaf Estates, First Addition to the West right-of-way of Snow Road South; THENCE RUN Northwesterly along said West right-of-way 1300 feet, more or less to a point on the Southwesterly projection of the Southeast line of the Grove U.M.C. Subdivision as recorded in Map Book 107 Page 108 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northeasterly to the East right-of-way of Snow Road South and the Southeast corner of said subdivision; THENCE RUN Northeasterly 618.05 feet, more or less, along the Southeast line of said subdivision; THENCE RUN Northwesterly 623.29 feet, more or less, along said subdivision; THENCE RUN Northeasterly 470.71 feet, more or less, along said subdivision to the Northern most corner of Lot 28-A of Resub of Lots 27 & 28, Holley Branch as recorded in Map Book 117 Page 53 of the office of Judge of

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Probate, Mobile County, Alabama; THENCE RUN Southeasterly along the North line of said Lot 28-A, 162.14 feet, more or less; THENCE RUN Easterly 626.28 feet, more or less, along the North line of Holley Branch as recorded in Map Book 113 Page 54 of the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly continuing along said North line to the East section line of Section 34, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN Northerly along said East section line to the Northeast corner of the Southeast Quarter of the Northeast Quarter of Said Section 34; THENCE RUN Westerly 2042.56 feet, more or less, along the North line of the South half of the Northeast Quarter of said Section 34; THENCE RUN continuing Westerly 734.84 feet, more or less, along said line; THENCE RUN Northerly 465 feet, more or less; THENCE RUN Easterly 53 feet, more or less; THENCE RUN Northerly 850 feet, more or less, to the Northwest corner of the Northeast Quarter of said Section 34 and the North section line of said Section 34; THENCE RUN Westerly along said North section line to the intersection of the North line with the East line of Snow Road Subdivision Unit Five as recorded in Map Book 41 Page 42 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northwesterly along the East line of said subdivision 512.22 feet, more or less, to the Northeast corner of Lot 2 of said subdivision, said corner also being the Southeast corner of Hancock Estates as recorded in Map Book 75 Page 104 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Northwesterly 1139.66 feet, more or less, along the East line of said subdivision to the Southeast corner of Snow Road Subdivision Unit Two as recorded in Map book 41 Page 11 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northwesterly along the East line of said subdivision 462.87 feet, more or less, to the Northeast corner of said subdivision, said corner also being the Southeast corner of Snow Road Subdivision Unit One as recorded in Map Book 41 Page 3 of the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northwesterly along the East line of said subdivision to the Northeast corner of said subdivision, said corner being the Southeast corner of Snow Road Professional Park, as recorded in Map Book 136 Page 45 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Northwesterly along the East line of said subdivision to the Southwest corner of Lot 8 of Air One Subdivision as recorded in Map Book 135 Page 69 of the Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the South line of said Lot 8 to the Southeast corner of said Lot 8; THENCE RUN Northwesterly then Southwesterly then Northwesterly along the East line of said Lot 8 to the Southwest corner of Lot 6 of said subdivision; THENCE RUN Northeasterly along the South line of Lot 6 and Lot 5 of said subdivision to the Southeast corner of said Lot 5, said corner lying on the West line of Lot 4 of said subdivision; THENCE RUN Southeasterly along said West line to the Southwest corner of Lot 4 and the South line of said subdivision; THENCE RUN Northeasterly along said South line to the Southeast corner of Lot 1 of said subdivision and the Southeast corner of said subdivision; THENCE RUN Northwesterly along the East line of said subdivision to the Northeast corner of said subdivision and the South right-of-way line of Airport Boulevard; THENCE RUN Westerly along said South right-of-way of Airport Boulevard to the Northwest corner of said subdivision; THENCE RUN Northwesterly to the North right-of-way line of Airport Boulevard and the Southwest corner of Trailwood Unit One as recorded in Map Book 30 Page 120 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northwesterly along the West line of said subdivision to the Northwest corner of said subdivision and the Southwest corner of Trailwood, Unit Two as recorded in Map Book 33 Page 66 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Northwesterly along the West line of said subdivision to the Northwest corner of said subdivision; THENCE RUN Easterly along the North line of said subdivision to the Southwest corner of Lot 21 of Trailwood, Unit Three, Phase II, as recorded in Map Book 36 Page 49 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northwesterly along the West line of said subdivision to the intersection with the South line of Lot A, Maxwell Place, Phase 1A, as recorded in Map Book 136 Page 9 in the office of Judge of Probate, Mobile County, Alabama, said line being the North section line of Section 27, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN along said South line of Lot A and said North section line to the Southeast corner of said Lot A; THENCE RUN Northwesterly along the East line of said Lot A to the Northeast corner of Lot A and the North line of said subdivision; THENCE RUN Northeasterly along said North line of said subdivision to the West right-of-way of Begeman Road; THENCE RUN Southeasterly to the East right-of-way Begeman Road and the Northwest corner of Lot 44 of said subdivision; THENCE RUN Southeasterly

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to the Northeast corner of Lot 44 and the northeast corner of said subdivision; THENCE RUN Southerly along the East line of said subdivision to the Southeast corner of said subdivision and the North line of said Section 27; THENCE RUN Easterly along the said North line of Section 27 to the Northwest corner of Myer Marine Subdivision as recorded in Map Book 130 Page 2 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southeasterly along the West line of said subdivision 550 feet, more or less, to the Southwest corner of said subdivision and Northwest corner of Blackburn Court, First Addition as recorded in Map Book 37 Page 96 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Southeasterly along the West line of said subdivision 300 feet, more or less, to the Southwest corner of said subdivision and the Northwest corner of Blackburn Court as recorded in Map Book 31 Page 116 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Southeasterly along the West line of said subdivision to the Southwest corner of said subdivision and the North right-of-way line of Airport Boulevard; THENCE RUN Northeasterly along the North right-of-way line of Airport Boulevard to the West section line of Section 26, Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN South along said West section line to the South right-of-way line of Airport Boulevard and the Northwest corner of Baker Subdivision as recorded in Map Book 4 Page 171 in the office of Judge of Probate, Mobile County, Alabama, said corner being the Northwest corner of Lot 1, Block 1 of said subdivision; THENCE RUN along said West line of Section 26 and the West line of said subdivision to the Northwest corner of Lot 8 Block 1 of said subdivision; THENCE RUN Easterly along the North line of said Lot 8 to the Northeast corner of Lot 8 and the West right-of-way line of Walter Smith Road; THENCE RUN continuing Easterly to the East right-of-way line of Walter Smith Road and the Northwest corner of Lot 7 Block 2 of said subdivision; THENCE RUN continuing Easterly along the North line of said Lot 7 to the Northeast corner of said Lot 7 and the East line of said subdivision; THENCE RUN Southerly along said East line of said subdivision to the North line of the Southwest Quarter of Section 26, Township 4 South Range 3 West, Mobile County, Alabama and the North line of Tara Estates, as recorded in Map Book 20 Page 89 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said subdivision and said North line of Southwest Quarter of Section 26 to the Northeast corner of said subdivision and a point on the West side of West Point Plaza, First Addition as recorded in Map Book 133 Page 100 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Easterly 14.94 feet, more or less, to a point on the West line of said subdivision; THENCE RUN Northerly along said West line of said subdivision to the Northwest corner of said subdivision; THENCE RUN Easterly 410.78 feet, more or less, along the North line of said subdivision; THENCE RUN Southerly 56.21 feet, more or less, along said subdivision; THENCE RUN Easterly 229 feet, more or less, along said subdivision to the Northeast corner of said subdivision, said corner also being the Southeast corner of Breland Park Corrected as recorded in Map Book 93 Page 73 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly then Westerly then Northerly along the East line of said subdivision to the Northwest corner Hamilton Bridges, Unit One as recorded in Map Book 100 Page 39 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said subdivision to the West right of way of Hamilton Bridges Drive West; THENCE RUN continuing along the North line of said subdivision to the Northeast corner of said subdivision; THENCE RUN Southerly 481.76 feet, more or less, then Easterly 5.13 feet, more or less, then Southerly 94.39 feet, more or less, then Easterly 155.00 feet, more or less, along the East side of said subdivision to the Northwest corner of Tower Place as recorded in Map Book 126 Page 42 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly along the North line of said subdivision to the Northeast corner of said subdivision, said corner being the Northwest corner of Three Dean Way Subdivision as recorded in Map Book 130 Page 50 of the Judge of Probate, Mobile County, Alabama; THENCE RUN continuing Easterly along the North line of said Three Dean Way Subdivision to the West right-of-way line of Air Terminal Drive; THENCE Southerly along said West right-of-way of Air Terminal Drive to the intersection of said West right-of-way and the South right-of-way line of Three Dean Way (50' right-of-way); THENCE RUN Westerly along said South right-of-way to the Northeast corner of Lot 19 of Tower Place as recorded in Map Book 126 Page 42 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly 485.56 feet, more or less, then Southwesterly 163.15 feet, more or less, then Southeasterly 147.88 feet, more or less, then Southwesterly 450.62 feet, more or less, and 153.67 feet, more or less, and 202.35 feet, more or less,

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along the Eastern and Southern line of said subdivision to the Southwest corner of the common area of said subdivision, also being a point on the Southeastern line of Lot 16 of Hamilton Bridges, Unit Two as recorded in Map Book 107, Page 69 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southwesterly 61.81 feet, more or less, along said line of Lot 16 to the intersection with the South line of the Southwest Quarter of the Northeast Quarter of Section 26 Township 4 South, Range 3 West, Mobile County, Alabama; THENCE RUN Westerly 150.00 feet, more or less, along said South line of the Southwest Quarter of the Northeast Quarter of said Section 26 to the Southwest corner of the Southeast Quarter of the Northeast Quarter of said Section 26; THENCE RUN Southerly 957.00 feet, more or less, to the Northwest corner of Katherine's Place as recorded in Map Book 130 Page 26 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Southerly 362.62 feet, more or less, along the West line of said Subdivision; THENCE RUN Easterly along the South line of said subdivision and it's Easterly projection to the Southwest corner of the Northwest Quarter of the Southwest Quarter of Section 25, Township 4 South Range 3 West, Mobile County, Alabama, said corner being in the right-of-way of Air Terminal Drive; THENCE RUN Easterly 537 feet, more or less, along the South line of said Northwest Quarter of the Southwest Quarter of said Section 25; THENCE RUN Northerly 495 feet, more or less, to a corner on the South line of Lot 2 of Dawes-Air Terminal Subdivision as recorded in Map Book 131, Page 79 in the office of the Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly 551.95 feet, more or less, along the South line of said Lot 2; THENCE RUN Northerly 296.46 feet, more or less, along said Lot 2; THENCE RUN Southeasterly 127.61 feet, more or less, along said Lot 2; THENCE RUN Northerly 528.26 feet, more or less, along Lot 2; to the west corner of Lot 1 of said subdivision; THENCE RUN Southeasterly 411.90 feet, more or less, along the North line of said Lot 1 to the West right-of-way of Dawes Road; THENCE RUN Northeasterly along the West right-of-way of Dawes Road to the intersection of the South right-of-way of Stacey Road; THENCE RUN Westerly along said South right-of-way to the West end of Stacey Road as recorded in Map Book 131 Page 79 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly to the Southwest corner of Magnolia Village Subdivision, Unit Two as recorded in Map Book 95 Page 38 in the Office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly 354.16 feet, more or less, along the West line of said subdivision to the Northwest corner of said subdivision, said corner also being the Southwest corner of Magnolia Village Subdivision Unit One as recorded in Map Book 89 Page 3 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Northerly 284.73 feet, more or less, along the West line of said subdivision to the Northwest corner of said subdivision, said corner also being the Southwest corner of Westminster Estates as recorded in Map Book 23 Page 86 in the office of Judge of Probate, Mobile County, Alabama; THENCE RUN Easterly 1407 feet, more or less, along the South line of said subdivision to the West right-of-way of Dawes Road; THENCE RUN Northeasterly 640 feet, more or less, along said West right-of-way to the Northeast corner of Lot 1 of said subdivision; THENCE RUN continuing Northeasterly along the West right-of-way of Dawes Road to the intersection with the North line of Section 25, Township 4 South Range 3 West, Mobile County, Alabama; THENCE RUN Westerly 2032.24 feet, more or less, along said North line of Section 25 to the Northwest corner of Westminster Estates as recorded in Map Book 23, Page 86 in the office of Judge of Probate, Mobile County, Alabama, said corner also being the Northwest corner of the Northeast Quarter of the Northwest Quarter of said Section 25 and the POINT OF BEGINNING.

A map depicting this area is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the territory described above, the depiction of the territory on the attached map shall control and be given effect.

2. The Mayor of the City of Mobile is authorized and directed to certify and deliver a copy of this Resolution to the Judge of Probate for Mobile County pursuant to and in accordance with § 11-42-42 of the Code of Alabama;

3. If the majority of those persons voting in such an election vote in favor of the above-described territory being brought within the corporate limits of the City of Mobile, then all of such territory, and all property having a situs within such territory, shall be exempt from City ad valorem taxation or the payment of ad valorem taxes to the City for a period of ten (10) years from the time when such territory is brought within the corporate limits of the

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City, all as provided by § 11-42-57 of the Code of Alabama; except that, from time to time after the lapse of five (5) years from the time when such territory is brought within the corporate limits of the City, all portions of such territory as has residing on it a population of at least twenty (20) persons on a contiguous ten (10) acres of land and all property having a situs on such populated territory shall thereafter be subject to ad valorem taxation by the City and ad valorem taxes thereon shall thereafter be paid to the City, all as provided by § 11-42-58 of the Code of Alabama.

4. Pursuant to § 11-42-83 of the Code of Alabama, every person, firm, company or corporation engaged in or carrying on any business, vocation, occupation or profession in the territory brought within the corporate limits of the City pursuant to this Resolution shall be exempt from the City's gross receipts business license tax with respect to gross receipts received from the business, vocation, occupation, or profession engaged in or carried on in such territory for so long as the territory is exempt from City taxation; provided, however, that a business license tax shall be assessed and collected from each such person, firm, company or corporation in proportion to the capital employed within the territory exempt from City taxation in such trade, business, vocation, occupation or profession, including the value of the land with improvements thereon, used in such trade, business, vocation, or occupation and shall not exceed \$2.00 per \$1,000.00 where the capital employed does not exceed \$100,000.00, and shall not exceed \$1.00 per \$1,000.00 on the excess of capital employed over \$100,000.00 up to \$200,000.00, and shall not exceed \$.50 per \$1,000.00 on the excess of the capital employed over \$200,000.00 up to \$300,000.00, and shall not exceed \$.25 per \$1,000.00 on the excess of capital employed over \$300,000.00; provided, however, that if no capital is employed or where the capital employed is less than \$1,000.00, there shall be no privilege or license tax assessed and collected. At such time as such territory is no longer exempt from City taxation under the provisions of Article 3, Chapter 42, Title 11 of the Code of Alabama, the then existing City gross receipts business license tax shall be annually assessed and collected from each and every such person, firm, company or corporation engaging in or carrying on any business, vocation, occupation or profession in the territory formerly exempt from City taxation.

5. This Resolution is passed under the provisions of Title 11, Chapter 42, Article 3, of the Code of Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of November 19, 2019, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, Williams, Daves, Rich and Gregory

Nays: Small

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over.

DECLARE THE PUBLIC GOOD REQUIRES CERTAIN TERRITORY BE BROUGHT INTO THE CITY OF MOBILE (KING'S BRANCH AREA). The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 02-986-2019

Sponsored by: Mayor Stimpson

RESOLUTION DECLARING THAT THE PUBLIC GOOD REQUIRES THAT CERTAIN TERRITORY SHALL BE BROUGHT WITHIN THE LIMITS OF THE CITY OF MOBILE PURSUANT TO AND IN ACCORDANCE WITH TITLE 11, CHAPTER 42, ARTICLE 3, OF THE CODE OF ALABAMA (KING'S BRANCH AREA)

WHEREAS, § 11-42-41 of the Code of Alabama provides that a city council may pass a resolution to the effect that the public health or public good requires that certain territory shall be brought within the limits of a city; and,

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WHEREAS, § 11-42-43 of the Code of Alabama provides that upon passage of such a resolution by a council and certification by a mayor, the Judge of Probate must make and enter an order directing and ordering an election to be held by the qualified electors residing within the territory proposed to be brought within the limits of the city; and,

WHEREAS, § 11-42-47 of the Code of Alabama provides that each qualified voter who has resided within the boundaries of the territory proposed to be brought into the city for three months next preceding the election may vote at such election; and,

WHEREAS, a large number of qualified voters who reside within the boundaries of the territory described below have evidenced their desire to have such territory brought within the boundaries of the City of Mobile; and,

WHEREAS, the City Council of the City of Mobile desires to take the appropriate action so that the voice of these residents is given effect by passing this resolution (the "Resolution") allowing these residents an opportunity to vote on the question of whether they desire for such territory to be brought within the boundaries of the City of Mobile, and so as to provide for the future economic well-being of these residents as well as all persons residing within the metropolitan Mobile area.

NOW, THEREFORE, BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF MOBILE, THAT:

1. The public good requires that the following described territory shall be brought within the limits of the City of Mobile:

Beginning at the Southeast corner of Section 28, T3S-R2W, Mobile County, Alabama; thence along the South line of said Section 28, T3S-R3W and along the North line of the existing Mobile City Limits, run Westwardly 7,320 feet, more or less to a point on the East line of Pinetucky (Map Book 6, Pages 271-272, Mobile County Probate Court); thence departing said North line of the existing Mobile City Limits, run Northwardly along said East line of Pinetucky and along the West line of White Commercial Subdivision (Map Book 56, Page 32, Mobile County Probate Court), a distance of 1032 feet, more or less, to the Northeast corner of Lot 25 of said Pinetucky; thence along the North line of said Lot 25, Pinetucky, run Westwardly 203.6 feet to a point on the East right of way line of Pinetucky Road; thence along said East right of way line of Pinetucky Road, run Northwardly 100 feet, more or less, to a point; thence run Westwardly and along the North line of Lots 24 and 7, Pinetucky, and an extension of said North line of Lot 7, Pinetucky, a distance of 500 feet, more or less, to a point on the West right of way line of Graham Road; thence along said West right of way line of Graham Road, run Northwardly 153 feet, more or less, to a point; thence run Westwardly and along the East line of Lot 3B, Resubdivision of Lot 3, "Cochran Business Park" (Map Book 103, Page 96, Mobile County Probate Court) a distance of 660 feet, more or less, to a point; thence continuing along said East line of Lot 3B, Resubdivision of Lot 3, "Cochran Business Park", run Southwardly 171.17 feet to the Southeast corner of said Resubdivision of Lot 3, "Cochran Business Park"; thence along the South line of said Resubdivision of Lot 3, "Cochran Business Park" and along the South line of "Cochran Business Park" (Map Book 70, Page 60, Mobile County Probate Court), run Southwestwardly 720.21 feet to the Southwest corner of "Cochran Business Park"; said point being on the South line of a 100 foot Alabama Power Company right of way, Block "A", shown on plat of Lord Subdivision (Map Book 6, pages 371-372, Mobile County Probate Court); thence along the West line of said "Cochran Business Park" and the Northward extension thereof and along the East line of said Block "A", Lord Subdivision, run N 00°33' E 930.99 feet to a point on the South right of way line of Moffett Road; thence along said South right of way line of Moffett Road, run N 80°40' W 50.70 feet to a point; thence continuing along said South right of way line of Moffett Road and the Westward extension thereof, run N 82°59' W 144.44 feet to a point; thence continuing along said Westward extension of the South right of way line of Moffett Road, run N 82°59' W 49 feet, more or less, to the Northeast corner of Lot 8, Block "B" of said Lord Subdivision; thence run Northwardly 80 feet to a point on the North right of way line of said Moffett Road; thence run Northwardly 200 feet, more or less, to the Southwest corner of Western Woods (Map Book 24, Page 55, Mobile County Probate Court); thence along the South

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line of said Western Woods run S 82° 56'10" E 315.23 feet to a point; thence continuing along said South line of Western Woods, run N 04°32'10" E 102.60 feet to a point; thence continuing along said South line of Western Woods and the Eastern extension thereof, run S 81°06'50" E 285 feet, more or less, to a point on the East right of way line of Western Woods Drive; thence along said East right of way line of Western Woods Drive, run Southwardly 106 feet, more or less, to the Southwest corner of Lot 1 of said Western Woods; thence along the South line of said Lot 1, Western Woods, run s 85°26'50" E 254.64 feet to a point; thence run Southwardly 22 feet, more or less, to the Northwest corner of Lot 1, Hughes Subdivision (Map Book 88, Page 38, Mobile County Probate Court); thence along the North line of said Lot 1, Hughes Subdivision and the Eastern extension thereof, run S 89°49'37" E 258.5 feet, more or, less, to a point on the East right of way line of Meadow Lane; thence along said East right of way line of Meadow Lane, run S 00°09" W 81 feet, more or less, to the Northwest corner of Lot 24, Meadow Lane Estates (Map Book 18, Page 34, Mobile County Probate Court); thence along the North line of said Lot 24, Meadow Lane Estates, the North line of Lot 25 of said Meadow Lane Estates, the South line of Lot 1, Robin's Heights (Map Book 39, Page 80, Mobile County Probate Court) and the Eastward extension thereof, run S 89°51' E 487 feet, more or less, to a point on the East right of way line of Graham Road; thence along said East right of way line of Graham Road, run Southwardly 200 feet, more or less, to the Northwest corner of Lot 1, First Addition to Pinetucky (Map Book 9, Page 430, Mobile County Probate Court); thence along the North line of said Lot 1, First Addition to Pinetucky, run Eastwardly 175.4 feet to a point on the West line of Lot 12 of said First Addition to Pinetucky; thence along said West line of Lot 12, First Addition to Pinetucky, run Southwardly 54.5 feet to the Southwest corner of said Lot 12, First Addition to Pinetucky; said point being on the North line of the aforementioned 100 foot Alabama Power Company right of way; thence along the South line of said Lot 12, First Addition to Pinetucky and the Northeastward extension thereof and said North line of a 100 foot Alabama Power Company right of way, run Northeastwardly 268.54 feet to the Southwest corner of Lot 28 of said First Addition to Pinetucky; thence run Southwardly 108.5 feet, more or less, to the Northwest corner of Lot 29-A of said First Addition to Pinetucky; said point being on the South line of said 100 foot Alabama Power Company right of way; thence along the North line of said Lot 29-A, First Addition to Pinetucky, along the North line of Lot 29-B of said First Addition to Pinetucky and the Eastward extension thereof, and along said South line of a 100 foot Alabama Power Company right of way, run Northeastwardly 428 feet, more or less, to the Northwest corner of Lot 13, Pinetucky Second Addition (Map Book 18, Page 61, Mobile County Probate Court); thence along the West line of said Pinetucky Second Addition, run S 00°32' W 537.4 feet to the Southwest corner of Lot 10 of said Pinetucky Second Addition; thence along the South line of said Lot 10, Pinetucky Second Addition, run Southeastwardly 212 feet, more or less, to a point on the West right of way line of LaCoste Road; thence run Southeastwardly 53 feet, more or less, to the Southwest corner of Lot 14 of said Pinetucky Second Addition; thence along the South line of said Lot 14, Pinetucky Second Addition, run Southeastwardly 220 feet, more or less, to the Southeast corner of said Lot 14, Pinetucky Second Addition; thence run Southeastwardly 487 feet, more or less, to a point; thence run Northwardly 1160 feet, more or less, to the Southeast corner of Lot 24 of said Pinetucky Second Addition; thence along the East line of said Pinetucky Second Addition, run N 00°32' W 411.7 feet to the Southeast corner of Lot 1, Pinetucky Third Addition (Map Book 21, Page 124, Mobile County Probate Court), run N 00° 36' W 1100 feet, more or less, to a point; thence run Eastwardly 901 feet, more or less, to a point; thence run Northwardly 70 feet, more or less, to a point; thence run Eastwardly 398 feet, more or less, to a point; thence run Northeastwardly 773 feet, more or less, to a point; thence run Northwestwardly 450 feet, more or less, to a point; thence run Southwestwardly 191 feet, more or less, to a point; thence run Westwardly 308 feet, more or less, to a point; thence run Northwardly 200 feet, more or less, to a point; thence run Eastwardly 300 feet, more or less, to a point; thence run Northwardly 542 feet, more or less to a point on the North line of said Section 28, T3S-R2W; thence along said North line of Section 28, T3S-R2W, run Westwardly 500 feet, more or less, to the Northwest corner of said Section 28, T3S-R2W; said point being the Southeast corner of Section 20, T3S-R2W; said point also being the Southeast corner of Lot 43, Kings Branch Subdivision, Phase Two, Unit Two (Map Book 122, Page 84, Mobile County Probate Court); thence along the East line of said Section 20, T3S-R2W and the East line of said Lot 43, Kings Branch Subdivision, Phase Two, Unit Two, run N 00° 18' 19" E 340.00 feet to the Northeast corner of said Lot 43, Kings Branch Subdivision, Phase Two, Unit Two; thence along the North line of said

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Lot 43, Kings Branch Subdivision, Phase Two, Unit Two, run as follows: N 82°22'43" W, 132.72 feet; S 37°21'50" W, 78.93 feet; S 77°38'59" W 157.37 feet to the Northwest corner of said Lot 43, Kings Branch Subdivision, Phase Two, Unit Two; thence along the West line of said Lot 43, Kings Branch Subdivision, Phase Two, Unit Two, run S 09°19'32" E 267.66 feet to the Southwest corner of said Lot 43, Kings Branch Subdivision, Phase Two, Unit Two; said point being on the south line of said Kings Branch Subdivision, Phase Two, Unit Two; thence along said South line of Kings Branch Subdivision, Phase Two, Unit Two, and along the South line of Lot 32, Kings Branch Subdivision, Phase Two, Unit One (Map Book 116, Page 88, Mobile County Probate Court), run S 89°25'12" W 1068.30 feet to the Northeast corner of Kings Branch, Unit Three-B (Map Book 102, Page 78, Mobile County Probate Court); thence along the East line of said Kings Branch, Unit Three-B, run S 00°25'01" E 1034.05 feet to the Northeast corner of Kings Branch, Unit Two-A (Corrected Plat) (Map Book 98, Page 56, Mobile County Probate Court); thence along the East line of said Kings Branch, Unit Two-A, run as follows: S 00°24'58" E, 307.19 feet; S 00°16'01" E, 39.94 feet; S 00°22'53" E, 100.35 feet; S 00°29'21" E, 399.68'; S 00°30'15" E, 200.21 feet; S 00°23'26" E, 100.34 feet; S 01°37'23" W, 99.48 feet; N 89°26'46" E, 204.02 feet to a point on the West right of way line of LaCoste Road; thence along said West right of way line of LaCoste Road, run S 00° 22'36" W 400 feet, more or less, to the Northeast corner of Lot 27 of the aforementioned Pinetucky Second Addition; thence along the North line of said Pinetucky Second Addition, run S 89°28' E 200 feet, more or less, to the Southeast corner of Lot 33 of said Kings Branch, Unit Two-A (Corrected Plat); thence along said North line of Pinetucky Second Addition and along the South line of said Kings Branch, Unit Two-A (Corrected Plat), run as follows: S 88°09'05" W, 83.29 feet; S 89°24'30" W, 158.35 feet; S 89°21'29" W 150.04 feet; S 89°39'30" W 27.26 feet to the Southwest corner of said Kings Branch, Unit Two-A (Corrected Plat); thence along the West line of said Kings Branch, Unit Two-A (Corrected Plat), run as follows: N 00°07'31" W, 213.01 feet; N 00°02'07" W, 471.85 feet; N 00°00'09" E; 655.07 feet to the Southeast corner of Lot 9, Kings Branch Estates, Unit One (Map Book 90, Page 22, Mobile County Probate Court); thence along the South line of said Kings Branch Estates, Unit One, run as follows: S 89°21'17" W, 111.91 feet; S 89°19'45" W, 88.70 feet; S 89°28'17" W, 19.56 feet; N 89°35'15" W, 362.33 feet; N 87°59'04" W, 257.06 feet; N 79°59'44" W, 49.82 feet; N 88°38'55" W, 115.01 feet to the Southeast corner of Kings Branch, Unit Three-A (Map Book 102, Page 104, Mobile County Probate Court); thence along the South line of said Kings Branch, Unit Three-A, run as follows: S 88°28'16" W, 90.43 feet; N 89°00'53" W, 475.43 feet to the Southwest corner of Lot 3 of said Kings Branch, Unit Three-A; thence along the West line of said Lot 3, Kings Branch, Unit Three-A and along the West line of Lot 2 of said Kings Branch, Unit Three-A, run N 00°39'58" E 200.00 feet to the Northwest corner of said Lot 2, Kings Branch, Unit Three-A; thence along the North line of said Lot 2, Kings Branch, Unit Three-A, run N 89°20'02" E 214.62 feet to a point on the West right of way line of Meadow Lane; thence along said West right of way line of Meadow Lane, run N 00°39'58" E 42.71 feet to the P.C. of a curve to the right having a radius of 700.00 feet; thence continuing along said West right of way line of Meadow Lane and along the arc of said curve, run Northwardly 40.38 feet to the Northeast corner of Lot 1 (Common Area), Kings Branch, Unit Four (Map Book 107, Page 3, Mobile County Probate Court); thence along the North line of said Lot 1 (Common Area), Kings Branch, Unit Four, run N 89°20'02" W 199.67 feet to a point; thence along the East line of said Lot 1 (Common Area), Kings Branch, Unit Four, run N 23° 58'42" W 144.86 feet to a point on the East bank of Kings Branch; thence along the meanderings of said East bank of Kings Branch, run Northeastwardly 1055 feet, more or less, to the Southeast corner of Turnbrook Subdivision (Map Book 83, Page 51, Mobile County Probate Court); thence along the East line of said Turnbrook Subdivision, run N 19°24'45" E 181.98 feet to the Southeast corner of Lloyd & Jayne Davis Estate (Map Book 55, Page 84, Mobile County Probate Court); thence along the East line of said Lloyd & Jayne Davis Estates, run N 19° 50'30" E 463.96 feet to the Southeast corner of Remington Estates, Unit 4, Revised (Map Book 102, Page 60, Mobile County Probate Court); thence along the East line of said Remington Estates, Unit 4, Revised Map, run as follows: N 18°50'45" E, 535.66 feet; N 16°35'01" W, 217.92 feet; N 23°38'59" E, 299.74 feet; N 04°53'07" W, 174.50 feet to a point; thence run Northwardly 305 feet, more or less, to a point; thence run Westwardly 48 feet to a point the on the West line of the Southeast Quarter of the aforementioned Section 20, T3S-R2W; thence along said West line of the Southeast Quarter of Section 20, T3S-R2W, run Northwardly 521 feet, more or less, to the Northwest corner of said Southeast Quarter of Section 20, T3S-R2W; thence along the North line of said Southeast Quarter of Section 20, T3S-R2W, run

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Eastwardly 2632 feet, more or less to the East line of said Southeast Quarter of Section 20, T3S-R2W; thence along said Southeast Quarter of Section 20, T3S-R2W, run Southwardly 1736 feet, more or less, to the centerline of Red Creek; thence along the meanderings of said centerline of Red Creek, run Southeastwardly 1466 feet to a point on the aforementioned North line of Section 28, T3S-R2W; thence along said North line of Section 28, T3S-R2W, run Eastwardly 1566 feet, more or less, to the Northwest corner of the Northeast Quarter of said Section 28, T3S-R2W; thence along the West line of said Northeast Quarter of Section 28, T3S-R2W, run Southwardly 1335 feet, more or less, to the Northwest corner of the South Half of said Northeast Quarter of Section 28, T3S-R2W; thence along the North line of said South Half of the Northeast Quarter of Section 28, T3S-R2W and along the South line of Jarrett Place, First Addition (Map Book 109, Page 103, Mobile County Probate Court), run Eastwardly 2179 feet, more or less, to a point; thence run Southwardly 208 feet, more or less, to a point; thence run Eastwardly 58 feet, more or less, to a point; thence run Southwardly 210 feet, more or less, to a point; thence run Eastwardly 436 feet, more or less to a point on the East line of said section 28, T3S-R2W; said point being on the West line of the existing Prichard City Limits; thence along said East line of Section 28, T3S-R2W and along said West line of the existing Prichard City Limits, run Southwardly 3571 feet, more or less, to the point of beginning.

A map depicting this area is attached hereto and incorporated herein. In the event of a conflict between the attached map and the written description of the territory described above, the depiction of the territory on the attached map shall control and be given effect.

2. The Mayor of the City of Mobile is authorized and directed to certify and deliver a copy of this Resolution to the Judge of Probate for Mobile County pursuant to and in accordance with § 11-42-42 of the Code of Alabama;

3. If the majority of those persons voting in such an election vote in favor of the above-described territory being brought within the corporate limits of the City of Mobile, then all of such territory, and all property having a situs within such territory, shall be exempt from City ad valorem taxation or the payment of ad valorem taxes to the City for a period of ten (10) years from the time when such territory is brought within the corporate limits of the City, all as provided by § 11-42-57 of the Code of Alabama; except that, from time to time after the lapse of five (5) years from the time when such territory is brought within the corporate limits of the City, all portions of such territory as has residing on it a population of at least twenty (20) persons on a contiguous ten (10) acres of land and all property having a situs on such populated territory shall thereafter be subject to ad valorem taxation by the City and ad valorem taxes thereon shall thereafter be paid to the City, all as provided by § 11-42-58 of the Code of Alabama.

4. Pursuant to § 11-42-83 of the Code of Alabama, every person, firm, company or corporation engaged in or carrying on any business, vocation, occupation or profession in the territory brought within the corporate limits of the City pursuant to this Resolution shall be exempt from the City's gross receipts business license tax with respect to gross receipts received from the business, vocation, occupation, or profession engaged in or carried on in such territory for so long as the territory is exempt from City taxation; provided, however, that a business license tax shall be assessed and collected from each such person, firm, company or corporation in proportion to the capital employed within the territory exempt from City taxation in such trade, business, vocation, occupation or profession including the value of the land with improvements thereon, used in such trade, business, vocation, or occupation and shall not exceed \$2.00 per \$1,000.00 where the capital employed does not exceed \$100,000.00, and shall not exceed \$1.00 per \$1,000.00 on the excess of capital employed over \$100,000.00 up to \$200,000.00, and shall not exceed \$.50 per \$1,000.00 on the excess of the capital employed over \$200,000.00 up to \$300,000.00, and shall not exceed \$.25 per \$1,000.00 on the excess of capital employed over \$300,000.00; provided, however, that if no capital is employed or where the capital employed is less than \$1,000.00, there shall be no privilege or license tax assessed and collected. At such time as such territory is no longer exempt from City taxation under the provisions of Article 3, Chapter 42, Title 11 of the Code of Alabama, the then existing City gross receipts business license tax shall be annually assessed and collected from each and every such person, firm, company or corporation engaging in or carrying on any

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business, vocation, occupation or profession in the territory formerly exempt from City taxation.

5. This Resolution is passed under the provisions of Title 11, Chapter 42, Article 3, of the Code of Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Gregory moved that the resolution be held over until the regular meeting of November 19, 2019, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, Williams, Daves, Rich and Gregory
Nays: Small

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution held over.

APPROVE PURCHASE ORDER FOR DRIVE CAM ANNUAL SUBSCRIPTION, \$43,066.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-987-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
1194	2020	(2050) EQUIPMENT SERVICES	DRIVE CAM ANNUAL SUBSCRIPTION FOR 122 DRIVECAMS (GSA CONTRACT)	\$43,066.00	(291836) LYTX INC

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER FOR COURT COMPOSITE FOR THE MOBILE TENNIS CENTER, \$105,120.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 08-988-2019

Sponsored by: Mayor Stimpson

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1170</u>	2020	(F6110) MOBILE TENNIS CENTER	5 6FT X 60FT ROLLS PREMIER COURT COMPOSITE, WITH SEAM AND EDGE FABRIC AND RELEASE LINER FOR 3 INDOOR COURTS (SEALED BID 5299)	\$105,120.00	(296182) CALIFORNIA SPORTS SURFACES (AL SOS CERT NOT REQUIRED, SHIPPING MATERIALS ONLY)

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH AMERICAN GUARD SERVICES, INC. FOR UNARMED GUARD SERVICES FOR MOBILE ALABAMA CRUISE TERMINAL, \$200,000.00 PER YEAR. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-990-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and AMERICAN GUARD SERVICES, INC, in the amount not to exceed \$200,000 per year, for one year, and renewable without additional action by Council, for two additional years, for the provision of unarmed guard security services at the City of Mobile Alabama Cruise Terminal as outlined in the contract attached hereto and made a part hereof as though set forth in full.

A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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AUTHORIZE CONTRACT WITH ADVANCE MEDIA LLC D/B/A ALABAMA MEDIA GROUP FOR WEB, PRINT & SOCIAL MEDIA MARKETING SERVICES TO RECRUIT POLICE OFFICERS AND FIREFIGHTERS, \$36,500.00 PER YEAR. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-991-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and Advance Media LLC, doing business as Alabama Media Group, for web, print, and social media marketing services to recruit police officers and firefighters, in an amount not to exceed \$36,500 for one year, renewable without further Council action for two additional years, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

A copy of said contract is on file in the Office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH DELTA FLOORING, INC. FOR POLICE HEADQUARTERS RECORDS & DATA ENTRY – FLOORING & PAINTING, \$37,542.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-992-2019

Sponsored by: Councilmember Daves and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, 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 Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: Delta Flooring, Inc.

Project name: Howard L. Johnson Police Headquarters
Records & Data Entry Flooring & Painting

Project number: PD-229-17

Amount: \$37,542.00

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

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Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH DIVERSIFIED MAINTENANCE – RWS, LLC FOR GULFQUEST MARITIME MUSEUM – JANITORIAL SERVICES (\$147,585.00 – 3 YEARS). The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-993-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, 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 Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: Diversified Maintenance-RWS, LLC

Project name: Janitorial Services GulfQuest Maritime Museum

Project number: SC-028-19

Amount: \$ 49,195.00 (Yr. 1 - Initial Term)
\$ 49,195.00 (Yr. 2 – 1st Additional Term)
\$ 49,195.00 (Yr. 3 – 2nd Additional Term)
\$147,585.00 3 Year Contract

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE CONTRACT WITH LEADSONLINE FOR ELECTRONIC REPORTING AND CRIMINAL INVESTIGATION SOFTWARE/SUPPORT, \$29,677.00. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-994-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized to execute and attest, respectively, for and on behalf of the City of Mobile, a contract, by and between the City of Mobile and LeadsOnline LLC, for electronic reporting and criminal investigation software and support, for three years in the amount of \$29,677.00 per year, as outlined in the contract attached hereto and made a part hereof as though set forth in full.

A copy of said contract is on file in the Office of the City Clerk.

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The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

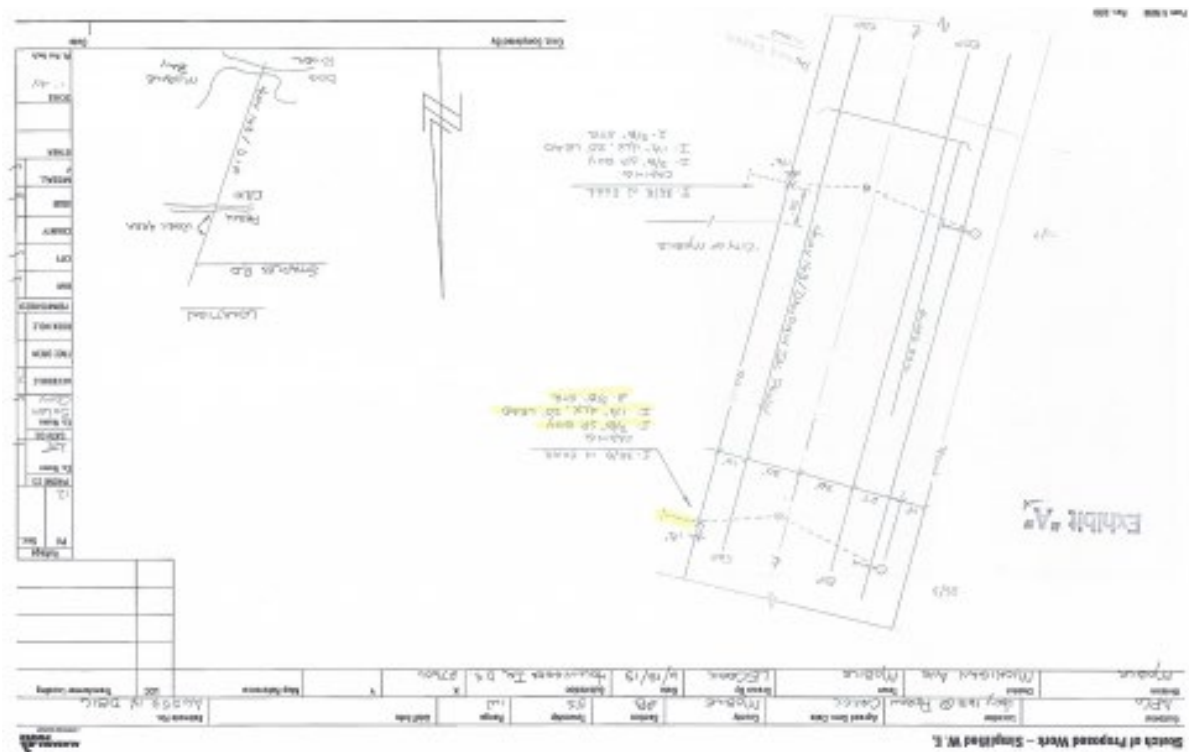
The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

GRANT EASEMENT FOR POLE INSTALLATION IN ROW ON DAUPHIN ISLAND PARKWAY. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 25-995-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an easement to ALABAMA POWER COMPANY as set out in W.E. # A6553-14-DB16, a copy of which is attached hereto and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLARS, needed for Pole Installation in right-of-way for an overhead guy as well as a 20' lead guy to ground with anchor for said pole, as shown in yellow on attached drawing.



The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

GRANT PERMANENT NON-EXCLUSIVE OPERATION AND MAINTENANCE EASEMENT TO MAWSS. The following resolution, which was introduced and read at the

MINUTES OF NOVEMBER 5, 2019

regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 25-996-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, Permanent Non-Exclusive Operation & Maintenance Easements and Permanent Non-Exclusive Ingress and Egress Easement, to the BOARD OF WATER AND SEWER COMMISSIONERS of the City of Mobile, a copy of which is attached hereto and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLARS.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

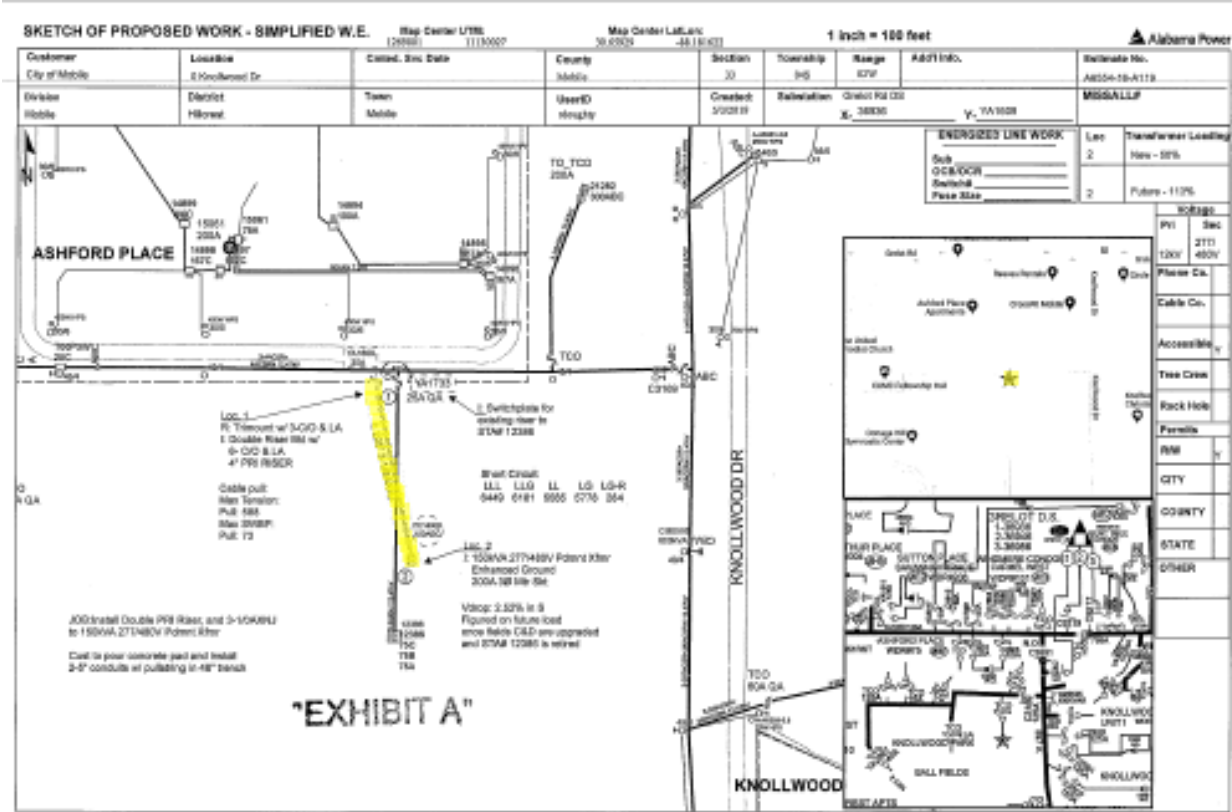
GRANT EASEMENT TO ALABAMA POWER COMPANY FOR INSTALLATION OF PAD-MOUNTED TRANSFORMER TO UPGRADE LIGHTING FOR FIELDS A AND B, MEDAL OF HONOR PARK. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 25-997-2019

Sponsored by: Councilmember Rich and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA that the Mayor and City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Mobile, an easement to ALABAMA POWER COMPANY as set out in W.E. # A6554-16-A119, a copy of which is attached hereto and made a part hereof as though fully set forth herein, for and in consideration of the sum of ONE AND NO/100 (\$1.00) DOLLARS, needed for installation of 150kVA pad-mounted transformer at the City's request to upgrade lighting for fields A and B, as shown in yellow on attached drawing.

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The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

AUTHORIZE MOU WITH ALABAMA ADMINISTRATIVE OFFICE OF COURTS FOR MAINTAINING POSITIONS IN THE CIRCUIT AND DISTRICT COURTS. The following resolution, which was introduced and read at the regular meeting of Tuesday, October 30, 2019 and held over until the regular meeting of November 4, 2019, was called up by the Presiding Officer.

RESOLUTION: 21-998-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE, ALABAMA, 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 Mobile, the Memorandum of Understanding between the Alabama Administrative Office of Courts ("AOC") and the City of Mobile ("City"), for the purpose of maintaining the positions of employees working in the Circuit Courts and District Courts of the 13th Judicial Circuit, and to perform all acts necessary as outlined in the Memorandum of Understanding attached hereto and made a part hereof as though set forth in full. A copy of said Memorandum of Understanding is on file in the office of the City Clerk.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Daves and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

MINUTES OF NOVEMBER 5, 2019

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

ORDINANCES BEING INTRODUCED:

ORDINANCE DEEMING PROPERTY AT ZEIGLER AND CODY ROADS NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE TO THE MOBILE COUNTY COMMUNICATIONS DISTRICT, \$291,000.00. The following resolution was held over until the regular meeting of November 14, 2019.

ORDINANCE: 88-040-2019

Sponsored by: Mayor Stimpson

AN ORDINANCE DEEMING CERTAIN PROPERTY NOT NOW NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND AUTHORIZING THE SALE THEREOF

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

SECTION ONE: It is hereby found and determined by the City Council of the City of Mobile, Alabama, that the real property hereinafter described is not now needed for public or municipal purposes and that it is in the best interest of the City of Mobile and in the public interest that said property be sold to the Mobile County Communications District.

SEE ATTACHED EXHIBIT "A"

SECTION TWO: The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and in the name of and on behalf of the City of Mobile, the Agreement for the Purchase and Sale of Real Estate for the property shown above.

SECTION THREE: Said Agreement is by reference made a part of this Ordinance as fully as if set forth herein and a copy of such will be on file in the office of the City Clerk of the City of Mobile, 9th Floor, Government Plaza, 205 Government Street, Mobile, Alabama.

SECTION FOUR: The Mayor and City Clerk are also hereby authorized and directed to execute and attest, respectively, for and in the name and on behalf of the City of Mobile, the deed for the property shown above, when said deed is prepared.

SECTION FIVE: The Deputy Director of Real Estate and Asset Development of the City of Mobile is hereby authorized and directed to negotiate, and to execute for and in the name and on behalf of the City of Mobile, whatever supporting documents, affidavits, closing statements, or other ancillary forms necessary to complete the sale of said property.

SECTION SIX: The proceeds from this sale are to be placed in the Public Facility Improvement Fund.

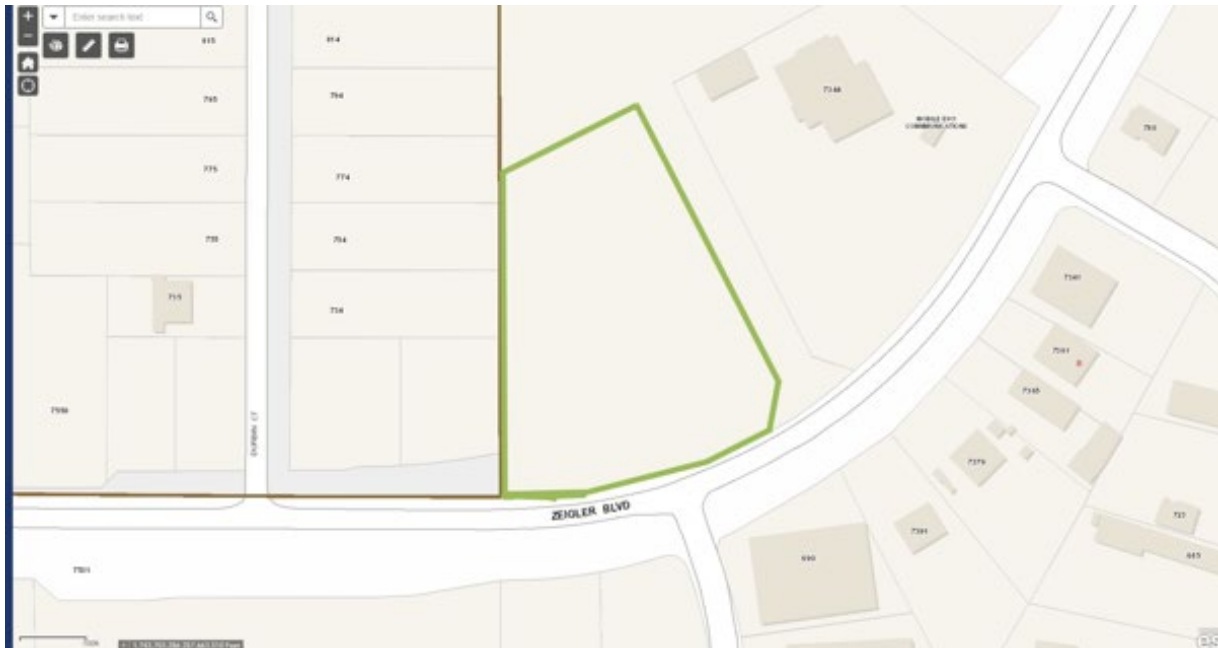
SECTION SEVEN: This Ordinance shall be in full force and effect from and after its adoption and publication as required by law.

EXHIBIT A

Legal Description:

LOT 1 RESUBDIVISION OF MOBILE NOAA SUBDIVISION MBK 125 PAGE 124.

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SUSPENSION OF RULES FOR IMMEDIATE CONSIDERATION OF CONSENT RESOLUTIONS BEING INTRODUCED FOR THE FIRST TIME

Councilmember Small moved for the suspension of the rules to consider Consent Resolutions 03-1001 – 60-1010, with the exception of 37-1004, being introduced for the first time. The motion was seconded by Councilmember Daves, and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The Presiding Officer declared unanimous consent granted for the items.

CONSENT RESOLUTIONS BEING INTRODUCED:

RE-APPOINT MICHAEL HOLLAND TO THE INFIRMARY HEALTH SYSTEM SPECIAL CARE FINANCING AUTHORITY. The following resolution was introduced by Councilmember Williams.

RESOLUTION: 03-1001-2019

Sponsored by: City Council

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Council concurs in the re-appointment of Michael Holland to the Infirmary System Special Care Facilities Financing Authority of Mobile board effective November 11, 2019.

The resolution was read by the City Clerk; whereupon Councilmember Williams moved that the resolution be adopted, which was seconded by Councilmember Rich and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Rich and Gregory
Nays: None
Abstained: Daves

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

APPROVE PURCHASE ORDER FOR FUEL FOR WAVE TRANSIT, \$16,308.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 08-1002-2019

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Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award if required, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>1594</u>	2020	(F6060) WAVE TRANSIT SYSTEM	PRE-ORDER DIESEL FUEL FOR WAVE TRANSIT (AL STATE CONTRACT)	\$16,308.00	(279229) PETROLEUM TRADERS CORPORATION

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

TRANSFER \$400.00 FROM DISTRICT 2 DISCRETIONARY ACCOUNT TO THE PARKS & RECREATION DEPARTMENT FOR GOSPEL FEST HELD OVER OCTOBER 12 AT THE RICKARBY COMMUNITY CENTER. The following

RESOLUTION: 09-1003-2019

Sponsored by: Councilmember Manzie

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MOBILE, ALABAMA, that the sum of \$400.00 be transferred from the General Fund, District 2 Discretionary Account DSC-02, General Fund Account 10041020-42200 to the Parks, & Recreation Department, Revenue Account 10002032-34497, for rental fees for the use of restrooms and electricity for the Gospel Fest held on October 12, 2019 at the Rickarby Park Community Center.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

RECOMMEND APPROVAL TO THE ABC BOARD FOR ISSUANCE OF A RETAIL BEER/TABLE WINE (OFF PREMISES ONLY) LICENSE FOR SPEED 3, 811 DAUPHIN ISLAND PARKWAYS. The following resolution was held over until the regular meeting of November 14, 2019.

RESOLUTION: 37-1004-2019

Sponsored by: Councilmember Small

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BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the following application to the Alabama Alcoholic Beverage Control Board of the State of Alabama, is hereby recommended for grant of such license by said Board.

Type of application: Retail Beer/Table Wine (Off Premises Only) License

Submitted by: Speed 3 LLC

Location: Speed 3
811 Dauphin Island Parkway
Mobile, AL 36605

DECLARE THE STRUCTURE AT 1804 LACEY STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 1). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-1005-2019

Sponsored by: Councilmember Richardson

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 1804 Lacey Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official-has identified-the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 8, 14 and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT resolved BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 1804 Lacey Street described as:

LOT 7 BLK1 STRAUSS THIRD ADD TO TOULMINVILLE DBK156 N.S. P 373 #SEC 44T4S RIW #MP29 02 44 0 014

Parcel number: 29 02 44 0 014 387

Last assessed to: SKINNER CARLOS

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be demolished in accordance with the Terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

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The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE THE STRUCTURE AT 907 OPAL AVENUE A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-1006-2019

Sponsored by: Councilmember Manzie

WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 907 Opal Avenue has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 7, 8, 14 and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 907 Opal Avenue described as:

LOT 10 SOR 6 SUNSET PL DBK 135 PG 35 #SEC 28 T4S RIW #MP29 10 281003

Parcel number: 29 10 281003 052

Last assessed to: BRACY NATASHA SHONTAY

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be secured in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances."

BE IT FURTHER RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County. Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DECLARE THE STRUCTURE AT 714 RUTH STREET A PUBLIC NUISANCE AND ORDER IT DEMOLISHED (DISTRICT 2). The following resolution was introduced by Councilmember Rich.

RESOLUTION: 40-1007-2019

Sponsored by: Councilmember Manzie

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WHEREAS, under the provisions of Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Buildings and Structural Nuisances," adopted December 5, 2017, the structure at 714 Ruth Street has been found by the Code Official of the City of Mobile to be dangerous and unsafe to the extent that it is a public nuisance;

WHEREAS, the Code Official has identified the following factors, in accordance with Section 4, Subsection 5 of Article II of Chapter 52, in support of the determination that the structure is dangerous and unsafe to the extent that it is a public nuisance: Nuisance Abatement Inspection Checklist/Exhibit A - No. 4, 8, 14 and 15; and

WHEREAS, the Mobile City Council has held a public hearing to determine whether said structure constitutes a public nuisance;

NOW, THEREFORE, BASED UPON THE EVIDENCE PRESENTED, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MOBILE that the structure at 714 Ruth Street described as:

LOTS 16 & N 10 FT OF LOT 15 BLK 2 FULTON HOMES DBZK 156 P 425-427 #SEC 28 T4S RIW.

Parcel number: 29 10 28 3 002 091

Last assessed to: WILLIAMS-CALL HE'LANA R N

is found and determined by the Mobile City Council to be dangerous and unsafe to the extent that it is a public nuisance and a blighted property, and it is hereby ordered that said structure be secured in accordance with the terms of said Chapter 52, Article II of the Mobile City Code, "Abatement of Unsafe Building and Structural Nuisances."

BE IT FURTHER, RESOLVED the City Clerk of the City shall mail a certified copy of this resolution by registered or certified mail to the interested persons listed above, and a certified copy of this resolution shall be published in the manner and as prescribed for the publication of municipal ordinances, and a certified copy of this resolution shall also be filed in the Office of the Judge of Probate of Mobile County, Alabama.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE EXPENDITURE TO THE WINDMILL PLACE HOMEOWNERS ASSOCIATION SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$2,000.00.
The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-1008-2019

Sponsored by: Councilmember Rich

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Rich wishes to donate \$2,000.00 to the Windmill Place Homeowners Association from her discretionary funds, and

WHEREAS, the Windmill Place Homeowners Association is an Alabama non-profit corporation which provides a service to the community: and

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WHEREAS, the Attorney General of the State of Alabama has opined that payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Windmill Place Homeowners Association will be used to help beautify their front entrance by planting shrubs, grass, drift roses, frost lorapetulum and pine straw and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Windmill Place Homeowners Association serves a public purpose and further approves and directs the payment of same.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

DETERMINE EXPENDITURE TO THE SHACKLE FREE MARKETING & ASSOCIATES SERVES A PUBLIC PUPOSE AND APPROVE PAYMENT, \$2,500.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-1009-2019

Sponsored by: Councilmember Gregory

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Gregory wishes to donate \$2,500.00 to the Shackle Free Marketing & Associates from her discretionary funds; and

WHEREAS, the Shackle Free Marketing & Associates is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Shackle Free Marketing & Associates will be used for the 9th Annual Port City "Battle of the Bands" on Sunday, October 6, 2019 at Ladd-Peebles Stadium and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City .Council hereby finds and determines that a donation to the Shackle Free Marketing & Associates serves a public purpose and further approves and directs the payment of same.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

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DETERMINE EXPENDITURE TO THE QUILTS OF VALOR SERVES A PUBLIC PURPOSE AND APPROVE PAYMENT, \$1,250.00. The following resolution was introduced by Councilmember Rich.

RESOLUTION: 60-1010-2019

Sponsored by: Councilmember Rich

A RESOLUTION TO DETERMINE CERTAIN EXPENDITURES SERVE A PUBLIC PURPOSE AND APPROVE PAYMENT

WHEREAS, Councilmember Rich wishes to donate \$1,250.00 to the Quilts of Valor from her discretionary funds; and

WHEREAS, the Quilts of Valor is an Alabama non-profit corporation which provides a service to the community; and

WHEREAS, the Attorney General of the State of Alabama has opined that payment of certain expenses is proper if the City Council determines that the same serves a public purpose; and

WHEREAS, the Mobile City Council determines that this contribution to the Quilts of Valor will be used to buy supplies to award our wounded veterans with a handmade quilt - to thank them for their service to our country and thus serves a public purpose.

NOW, THEREFORE, BE IT RESOLVED that the Mobile City Council hereby finds and determines that a donation to the Quilts of Valor serves a public purpose and further approves and directs the payment of same.

The resolution was read by the City Clerk; whereupon Councilmember Rich moved that the resolution be adopted, which was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Williams, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the resolution adopted.

CIP RESOLUTIONS BEING INTRODUCED:

AUTHORIZE CONTRACT WITH H & H ELECTRIC COMPANY, INC. FOR MEDAL OF HONOR PARK – FOOTBALL FIELD LIGHTING UPGRADES, \$56,140.00. The following resolution was held over until the regular meeting of November 14, 2019.

RESOLUTION: 21-1011-2019

Sponsored by: Councilmember Rich

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, 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 Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file in the office of the City Clerk.

Name of company: H & H Electric Company, Inc.

Project name: Medal of Honor Park - Football Field Lighting. Upgrades

Project number: PR-066-19

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Amount: \$56,140.00

RESOLUTIONS BEING INTRODUCED:

APPROVE PURCHASE ORDER TO COWIN EQUIPMENT CO., INC. TO REPLACE DAMAGED CAB ON BARKO LOADER, \$29,860.83. The following resolution was held over until the regular meeting of November 14, 2019.

RESOLUTION: 08-1012-2019

Sponsored by: Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, that the Purchasing Agent is authorized to execute, for and on behalf of the City of Mobile, a purchase order to the indicated vendor in the approximate amount stated, and to approve the supporting bid award, for the following requisition as indicated below and attached herein:

Requisition	Fiscal Year	Department	Description	Amount	Vendor
<u>652</u>	2020	(2050) EQUIPMENT SERVICES	REPLACE DAMAGED CAB ON 2016 PB348 BARKO LOADER (SEALED BID 5347)	\$29,860.83	<u>(37501) COWIN EQUIPMENT CO INC</u>

AUTHORIZE CONTRACT WITH WISS, JANNEY, ELSTNER ASSOCIATES, INC. FOR AN EXTERIOR AND MECHANICAL ASSESSMENT AT THE SAENGER THEATER; \$11,000.00; SR-044-19 (C0061, 20002000-42200). The following resolution was held over until the regular meeting of November 14, 2019.

RESOLUTION: 21-1013-2019

Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, 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 Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file In the office of the City Clerk.

Name of company: WISS, JANNEY, ELSTNER ASSOCIATES, INC.

Project name: SAENGER THEATER
EXTERIOR AND MECHANICAL ASSESSMENT

Project number: SR-044-19

Amount: \$11,000.00

AUTHORIZE CONTRACT WITH BARTER & ASSOCIATES, INC. FOR LADD-PEEBLES STADIUM – STRUCTURAL REPAIRS – PHASE 2, \$60,000.00. The following resolution was held over until the regular meeting of November 14, 2019.

RESOLUTION: 21-1014-2019

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Sponsored by: Councilmember Manzie and Mayor Stimpson

BE IT RESOLVED BY THE CITY COUNCIL OF MOBILE, ALABAMA, 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 Mobile, a Contract, by and between the City of Mobile, and the company listed below, for work as outlined in the contract attached hereto and made a part hereof as though set forth in full. A copy of said contract is on file In the office of the City Clerk.

Name of company: Barter & Associates, Inc.

Project name: Ladd-Peebles Stadium - Structural Repairs - Phase 2

Project number: PR-011-20

Amount: \$60,000.00

ANNOUNCEMENTS:

The City Clerk announced that next week's meeting will be held on Thursday, November 14, 2019 at the regular time.

Councilmember Gregory said the date of the district seven Christmas party will be announced soon.

Councilmember Gregory recognized Clinton Johnson and Senator Vivian Davis Figures and thanked them for their past service on the Council.

Councilmember Small noted that he will serve as guest speaker for the Veterans' Day program at B. C. Rain High School.

Councilmember Daves reminded citizens that a Council ad hoc committee will meet this afternoon to discuss the disposition of City owned property.

Councilmember Richardson announced that the ongoing Florida Street drainage repairs are scheduled to end next week.

NOTE: At approximately 1:23 p.m. Councilmember Williams excused himself from the meeting.

Councilmember Rich stated that the district six holiday meeting is being planned.

Councilmember Rich offered comments in support of Resolutions 02-984, 02-985 and 02-986.

Councilmember Manzie stated for the record:

"I want to start my comments by saluting our State Senator, Vivian Davis Figures. She does an enormous job in Montgomery. I've had an opportunity to be there to witness her in action. She's not just sitting at a desk, twiddling her thumbs, allowing the majority to do this or that. She is very vocal, very vehement and she is responsive. She has been a help, not only her, but her husband and the whole Figures family has been a big blessing to the city of Mobile.

I would be remiss if I did not salute Reverend Dr. Clinton L. Johnson. As a young fellow of 12 or 13 years old I had the opportunity to sit on that second seat there as a member of the Youth Council and watch him, in a very proficient and professional way, be president of this Council for eight years. To have been blessed with the opportunity to follow in his footsteps is not something that I take lightly. I appreciate him for being a mentor not only from a political standpoint, but from a pastoral standpoint and I want to say that publicly.

MINUTES OF NOVEMBER 5, 2019

People like myself have these opportunities because of trail blazers like Clinton L. Johnson, Sr.

I will not be bullied by any group, any postcard or any other politician. I am the voice for district two and I'm listening. I'm going to take two more weeks to listen further. I've heard what you've said up until now and I was willing to do what you wanted up to now, but I'm willing to give it two more weeks."

Councilmember Daves moved to adjourn the meeting, which move was seconded by Councilmember Richardson and the vote was as follows:

Ayes: Richardson, Manzie, Small, Daves, Rich and Gregory

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the regular meeting adjourned at approximately 1:37 p.m.

Adopted: November 14, 2019

COUNCIL PRESIDENT

CITY CLERK