

**AN ORDINANCE
DECLARING CERTAIN CITY OF TROY REAL PROPERTY NO LONGER NEEDED FOR
MUNICIPAL PURPOSES AND AUTHORIZING THE CONVEYANCE OF SAID REAL PROPERTY
TO THE PIKE COUNTY BOARD OF EDUCATION**

ORDINANCE NO. 427

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

SECTION 1. It is hereby established and declared that the real property of the City of Troy, Alabama which is described in **Exhibit A** attached hereto and made a part hereof is no longer needed for public or municipal purposes, and it is hereby established and declared by the City Council that the conveyance of the aforesaid real property to the Pike County Board of Education will serve a sufficient valid public purpose for the reasons set forth in Exhibit B attached hereto and made a part hereof.

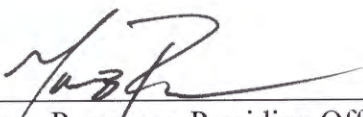
SECTION 2. Accordingly, the Mayor and the City Clerk be, and they hereby are, authorized and directed to execute and attest, respectively, for and on behalf of the City of Troy, Alabama, a deed of conveyance, a copy of which is on file in the office of the City Clerk, whereby the City of Troy, Alabama does convey the real property described in Section 1 hereof to the **Pike County Board of Education**.

SECTION 3. It is the intention of the City Council that each separate provision of this ordinance shall be deemed independent of all other provisions herein, and it is further the intention of the City Council that if any provision of this ordinance be declared invalid or unconstitutional, all other provisions thereof shall remain valid and enforceable.

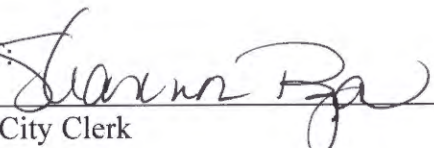
SECTION 4. All ordinances or parts of ordinances in conflict herewith, are to the extent of such conflict hereby repealed.

SECTION 5. This ordinance shall become effective upon its approval and publication as provided by law.

ADOPTED AND APPROVED this 14th day of December, 2021.

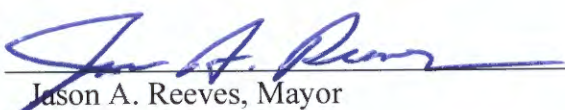


Marcus Paramore, Presiding Officer

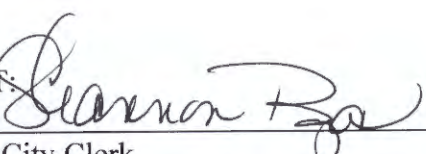
ATTEST: 

City Clerk

APPROVED this the 14th day of
December, 2021.



Jason A. Reeves, Mayor

ATTEST: 

City Clerk

EXHIBIT A

A PARCEL, A STRIP OF LAND LYING ALONG THE NORTHERLY SIDE OF KIMBER WAY, LYING ON THE EASTERLY SIDE OF MOCKING BIRD LANE, BEING SITUATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 9 NORTH OF RANGE 21 EAST, TROY, PIKE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 5/8" REBAR (CAP #9587) AT THE SOUTHEAST CORNER OF LOT 2 ACCORDING TO FINAL PLAT OF REPLAT OF LOT 2, HORIZON TRAVEL CENTER COMMERCIAL PARK AS RECORDED IN PLAT BOOK 2008 PAGE 3, LOCATED IN THE OFFICE OF THE JUDGE OF PROBATE, PIKE COUNTY, ALABAMA; THENCE SOUTH 08°35'27" WEST 444.71 FEET TO A SET IRON (SET IRONS ARE 1/2" DIAMETER REBAR WITH PLASTIC CAP LABELED PLS CA#1067-LS) ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 40°20'33" EAST 140.88 FEET TO A SET IRON; THENCE SOUTH 48°47'28" EAST 680.41 FEET TO A SET IRON ON THE NORTHERLY RIGHT OF WAY OF KIMBER WAY; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID KIMBER WAY (50 FEET FROM CENTERLINE), ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 214.84 FEET, A RADIUS OF 450.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 62°27'48" WEST 212.80 FEET TO A SET IRON; THENCE CONTINUE ALONG SAID RIGHT OF WAY NORTH 48°48'53" WEST 484.31 FEET TO A SET IRON; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 59.49 FEET, A RADIUS OF 550.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 51°56'40" WEST 59.46 FEET TO A SET IRON ON A RIGHT OF WAY FLARE OF MOCKING BIRD LANE; THENCE ALONG SAID FLARE NORTH 11°09'57" WEST 74.68 FEET TO A SET IRON ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE; THENCE ALONG SAID RIGHT OF WAY (35 FEET FROM CENTERLINE) NORTH 21°48'21" EAST 30.62 FEET BACK TO THE POINT OF BEGINNING, AND CONTAINING 0.87 ACRE, MORE OR LESS.

EXHIBIT B

There lies a .87 acres more or less piece of land owned by the City of Troy between the Kimber Way right-of-way and the Pike County Board of Education site which houses the Center for Advanced Academics and Accelerated Learning. Due to the current shape of the property, it is undevelopable as a standalone parcel of land. The Pike County Board of Education donated .591 acres more or less to the City of Troy in 2019 for the extension of Mockingbird Lane, which was a Rebuild Alabama Transportation Project in conjunction with the Kimber Way IA & ST Projects. This donation divided the Pike County Board of Education's property. In return for the Pike County Board of Education's generous donation, the City of Troy would like to surplus this currently undevelopable .87 acres more or less piece of land owned by the City of Troy and donate it to the Pike County Board of Education.

STATE OF ALABAMA

STATUTORY WARRANTY DEED

COUNTY OF PIKE

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of Ten Dollars and other good and valuable consideration to the undersigned Grantor, **City of Troy, Alabama, an Alabama municipal corporation**, in hand paid by the **Pike County Board of Education**, the receipt whereof is hereby acknowledged, **City of Troy, Alabama, an Alabama municipal corporation**, hereby Grants, Bargains, Sells, Confirms and Conveys unto the said **Pike County Board of Education**, its successors and assigns, the following described real estate, situated in Pike County, Alabama, to-wit:

A PARCEL, A STRIP OF LAND LYING ALONG THE NORTHERLY SIDE OF KIMBER WAY, LYING ON THE EASTERLY SIDE OF MOCKING BIRD LANE, BEING SITUATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 9 NORTH OF RANGE 21 EAST, TROY, PIKE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 5/8" REBAR (CAP #9587) AT THE SOUTHEAST CORNER OF LOT 2 ACCORDING TO FINAL PLAT OF REPLAT OF LOT 2, HORIZON TRAVEL CENTER COMMERCIAL PARK AS RECORDED IN PLAT BOOK 2008 PAGE 3, LOCATED IN THE OFFICE OF THE JUDGE OF PROBATE, PIKE COUNTY, ALABAMA; THENCE SOUTH 08°35'27" WEST 444.71 FEET TO A SET IRON (SET IRONS ARE 1/2" DIAMETER REBAR WITH PLASTIC CAP LABELED PLS CA#1067-LS) ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 40°20'33" EAST 140.88 FEET TO A SET IRON; THENCE SOUTH 48°47'28" EAST 680.41 FEET TO A SET IRON ON THE NORTHERLY RIGHT OF WAY OF KIMBER WAY; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID KIMBER WAY (50 FEET FROM CENTERLINE), ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 214.84 FEET, A RADIUS OF 450.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 62°27'48" WEST 212.80 FEET TO A SET IRON; THENCE CONTINUE ALONG SAID RIGHT OF WAY NORTH 48°48'53" WEST 484.31 FEET TO A SET IRON; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 59.49 FEET, A RADIUS OF 550.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 51°56'40" WEST 59.46 FEET TO A SET IRON ON A RIGHT OF WAY FLARE OF MOCKING BIRD LANE; THENCE ALONG SAID FLARE NORTH 11°09'57" WEST 74.68 FEET TO A SET IRON ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE; THENCE ALONG SAID RIGHT OF WAY (35 FEET FROM CENTERLINE) NORTH 21°48'21" EAST 30.62 FEET BACK TO THE POINT OF BEGINNING, AND CONTAINING 0.87 ACRE, MORE OR LESS.

This conveyance is made subject to the following:

1. All ad valorem taxes which may be due and payable.
2. The preparer of this instrument renders no opinion as to validity of title, correctness of description, value of the above described property, or acreage.

TO HAVE AND TO HOLD, The aforegranted premises to the said **Pike County Board of Education**, its successors and assigns forever.

WITNESS WHEREOF, the said City of Troy, Alabama by its Mayor, Jason A. Reeves, who is authorized to execute this conveyance, has hereunto set its signature and seal, this 14th day of December, 2021.

**CITY OF TROY, ALABAMA, an
Alabama municipal corporation**

By: _____

Jason A. Reeves
Its Mayor

ATTEST:

Shanna Bza
Its City Clerk

STATE OF ALABAMA

COUNTY OF PIKE

I, the undersigned Notary Public in and for said County and State, hereby certify that the Honorable Jason A. Reeves, whose name as Mayor of the City of Troy, Alabama, an Alabama municipal corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said City of Troy, Alabama on the day the same bears date.

Given under my hand and seal this 14th day of December, 2021.

Shanna Bza
Notary Public

My Commissioner Expires: 02/26/2025

SEND TAX NOTICE TO:

Pike County Board of Education
101 West Love Street
Troy, Alabama 36081

THIS INSTRUMENT WAS PREPARED BY:

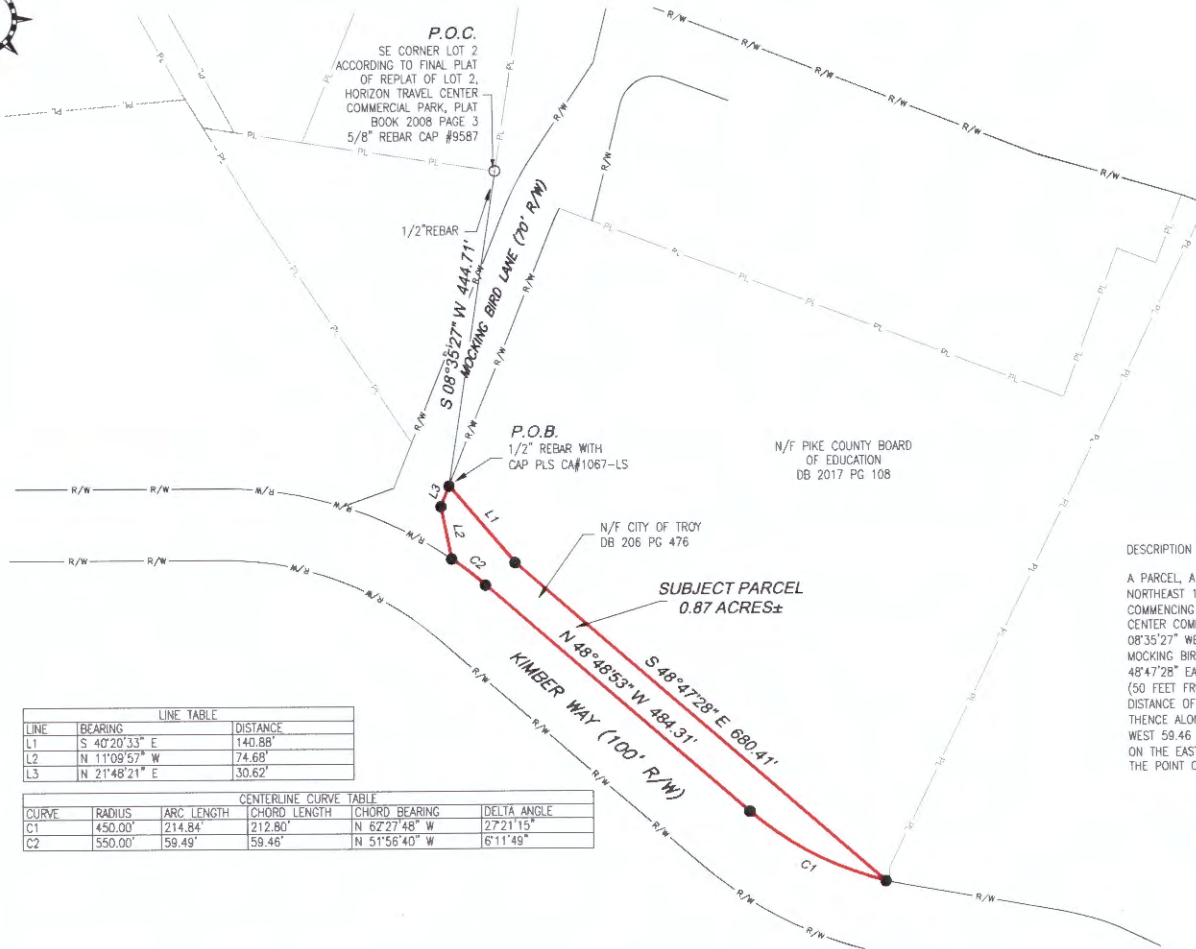
Richard F. Calhoun
CALHOUN, FAULK & CURTIS, L.L.C.
P. O. Box 489
Troy, Alabama 36081
(334)566-7200
Deeds:RCF/jh

Grantor=s Address: City of Troy
P.O. Box 549, Troy, Alabama 36081

Grantee=s Address: Pike County Board of Education
101 West Love Street, Troy, Alabama 36081

Property Address: 0.87 acre strip of land lying along the Northerly side of Kimber Way,
lying on the Easterly side of Mockingbird Lane

Property Value: \$.00 per Pike County Revenue Commissioner=s Appraised Value



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 40°20'33\"	140.88'
L2	N 11°09'57\"	74.68'
L3	N 21°48'21\"	30.62'

CENTERLINE CURVE TABLE					
CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	450.00'	214.84'	212.80'	N 62°27'48\"	27°21'15\"
C2	550.00'	59.49'	58.46'	N 51°56'40\"	6°11'49\"

LEGEND OF ABBREVIATIONS

R/W - RIGHT OF WAY
N/F - NOW OR FORMERLY
PL - PROPERTY LINE
DB - DEED BOOK
PG - PAGE
P.O.C. - POINT OF COMMENCEMENT
P.O.B. - POINT OF BEGINNING
N - NORTH
S - SOUTH
E - EAST
W - WEST

LEGEND

● SET PROPERTY CORNER
○ 1/2\" REBAR WITH CAP STAMPED PLS CA#1067-LS
○ FOUND IRON PIN
TYPE AND SIZE AS SHOWN
' FEET / MINUTES
\" INCHES / SECONDS
N 16°39'36\" E
(N00°00'00\" E)
— R/W
— PROPERTY LINE (THIS SURVEY)

DESCRIPTION (AS SURVEYED)

A PARCEL, A STRIP OF LAND LYING ALONG THE NORTHERLY SIDE OF KIMBER WAY, LYING ON THE EASTERLY SIDE OF MOCKING BIRD LANE, BEING SITUATED IN THE NORTHEAST 1/4 OF SECTION 10, TOWNSHIP 9 NORTH OF RANGE 21 EAST, TROY, PIKE COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 5/8\" REBAR (CAP #9587) AT THE SOUTHEAST CORNER OF LOT 2 ACCORDING TO FINAL PLAT OF REPLAT OF LOT 2, HORIZON TRAVEL CENTER COMMERCIAL PARK AS RECORDED IN PLAT BOOK 2008 PAGE 3, LOCATED IN THE OFFICE OF THE JUDGE OF PROBATE, PIKE COUNTY, ALABAMA; THENCE SOUTH 08°35'27\" WEST 444.71 FEET TO A SET IRON (SET IRONS ARE 1/2\" DIAMETER REBAR WITH PLASTIC CAP LABELED PLS CA#1067-LS) ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE AND THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 40°20'33\" EAST 140.88 FEET TO A SET IRON; THENCE SOUTH 48°47'28\" EAST 680.41 FEET TO A SET IRON ON THE NORTHERLY RIGHT OF WAY OF KIMBER WAY; THENCE ALONG THE NORTHERLY RIGHT OF WAY OF SAID KIMBER WAY (50 FEET FROM CENTERLINE), ALONG A CURVE TO THE RIGHT WITH AN ARC LENGTH OF 214.84 FEET, A RADIUS OF 450.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 62°27'48\" WEST 212.80 FEET TO A SET IRON; THENCE CONTINUE ALONG SAID RIGHT OF WAY NORTH 48°48'53\" WEST 484.31 FEET TO A SET IRON; THENCE ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 59.49 FEET, A RADIUS OF 550.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 51°56'40\" WEST 58.46 FEET TO A SET IRON ON A RIGHT OF WAY FLARE OF MOCKING BIRD LANE; THENCE ALONG SAID FLARE NORTH 11°09'57\" WEST 74.68 FEET TO A SET IRON ON THE EAST RIGHT OF WAY OF MOCKING BIRD LANE; THENCE ALONG SAID RIGHT OF WAY (35 FEET FROM CENTERLINE) NORTH 21°48'21\" EAST 30.62 FEET BACK TO THE POINT OF BEGINNING, AND CONTAINING 0.87 ACRE, MORE OR LESS.



VICINITY MAP

NTS

GRAPHIC SCALE



(1\" = 200')

NOTES:

- 1.) NO REQUEST FOR, OR ATTEMPT MADE TO LOCATE ANY IMPROVEMENTS OR UNDERGROUND INSTALLATIONS, OTHER THAN SHOWN.
- 2.) THIS SURVEY, PLAT OR DRAWING WAS PREPARED WITHOUT THE BENEFIT OF A TITLE SEARCH, AND WAS SOLELY BASED ON THE INFORMATION OBTAINED FROM PUBLIC RECORDS AND/OR PROVIDED TO THE SURVEYOR. DEED REFERENCE MADE TO DEED BOOK 206, PAGE 476.
- 3.) BEARINGS SHOWN HEREON ARE BASED ON ALABAMA STATE PLANE COORDINATES EAST ZONE AS DERIVED FROM A GEODETIC SOLUTION USING RTK GPS. ALL DISTANCES SHOWN HEREON ARE GRID DISTANCES.
- 4.) THERE MAY BE ADDITIONAL RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THE COUNTY WHERE THE PROPERTY IS LOCATED.
- 5.) REPRODUCTIONS OF THIS DRAWING ARE NOT VALID UNLESS SEALED WITH AN EMBOSSED RAISED SEAL AND LIVE SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ELECTRONIC COPIES OF COPIES OF THIS DRAWING ARE NOT VALID WITHOUT A DIGITAL SIGNATURE OF AN ALABAMA LICENSED SURVEYOR. ANY MODIFICATIONS TO ORIGINAL DOCUMENTS, OTHER THAN BY THE SIGNING SURVEYOR, SHALL INVALIDATE THIS DOCUMENT.
- 6.) LIABILITY TO THE SURVEYOR SHALL NOT EXCEED THE AMOUNT PAID FOR THIS SURVEY.
- 7.) THIS COPYRIGHTED PLAT OF SURVEY IS CERTIFIED TO AND PREPARED FOR THE SOLE AND EXCLUSIVE BENEFIT FOR THE ENTITIES AND/OR INDIVIDUALS LISTED HEREON, ON THE MOST CURRENT DATE, AND SHALL NOT BE RELIED ON BY ANY OTHER ENTITIES AND/OR INDIVIDUALS WHOMSOEVER. THIS DRAWING IS INVALID WITHOUT SURVEYOR'S ORIGINAL SIGNATURE AND EMBOSSED SEAL. THIS SURVEY SHOULD NOT BE RELIED UPON 6 MONTHS AFTER THE ORIGINAL SIGNATURE BY ANY PARTY OR ENTITY AND SHALL NOT BE USED IN ANY OTHER CLOSING OR TRANSACTION OTHER THAN GERE SPIVEY, AS IT WAS ORIGINALLY INTENDED OR PREPARED FOR.
- 8.) THE USE OF THIS BOUNDARY SURVEY IN CONJUNCTION WITH AN "OWNERS AFFIDAVIT" OR ANY OTHER INSTRUMENT WHICH IS DESIGNED TO TRANSFER TITLE WITHOUT A CURRENT SURVEY IS NOT PERMITTED OR SUPPORTED BY THIS SURVEYOR, AND WILL INVALIDATE THIS SURVEY.
- 9.) THIS DRAWING IS INTENDED TO BE PRINTED ON 11X17. IF PRINTED ON A DIFFERENT SIZE THE SCALE WILL BE INACCURATE.

STATE OF ALABAMA
COUNTY OF PIKE

I, ZACHARY J. BRADLEY, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF ALABAMA, HEREBY CERTIFY TO CITY OF TROY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA, TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

ACCORDING TO MY SURVEY THIS THE 3RD DAY OF SEPTEMBER, 2021.

Zachary J Bradley

Digitally signed by Zachary J Bradley
Date: 2021.09.03 08:59:53 -05'00'

ZACHARY J. BRADLEY, PLS AL. LICENSE #34760



4417 COUNTY ROAD 2214
TROY, AL 36079
OFFICE: 334-403-4204
FAX: 334-450-9851

1401 RUCKER BLVD
ENTERPRISE, AL 36330
OFFICE: 334-347-3184
FAX: 334-450-9851

KIMBER WAY
CITY OF TROY
TROY, ALABAMA
PIKE COUNTY, ALABAMA

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SHEET TITLE: BOUNDARY SURVEY		PROJECT NO.: 21-537	
SHEET NUMBER: 01	SURVEY END DATE: 8/25/2021	DRAWING SCALE: AS SHOWN	DRAWN BY: AJA
01 OF 01	DRAWING END DATE: 8/28/2021	CHECKED BY: ZJB	