

ORDINANCE NO. 2022-5

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA TO AUTHORIZE AND APPROVE THE CONVEYANCE OF THE BLUFF CITY INN PROPERTY FROM THE CITY OF EUFAULA TO THE EUFAULA DOWNTOWN REDEVELOPMENT AUTHORITY

WHEREAS, the City of Eufaula, Alabama (the “City”), desires to provide for the redevelopment of the Bluff City Inn Hotel and has previously entered into a Project Development Agreement dated March 16, 2021, by and between the City, RAM Eufaula Hospitality Two, LLC (“RAM”), the Eufaula Downtown Redevelopment Authority (the “Authority”), and the Eufaula Barbour County Chamber of Commerce (together with any future amendments thereto, the “Development Agreement”) as authorized by City Council Resolution No. 14-2021; and

WHEREAS, pursuant to the Development Agreement, the City agreed to convey the Bluff City Inn property to the Authority; and

WHEREAS, RAM has requested the City convey the Bluff City Inn property to the Authority on or before July 31, 2022, in order that RAM may submit its application for historical tax credits with the Authority listed as the record owner of title to the Bluff City Inn property by said date; and

WHEREAS, pursuant to the Development Agreement, the City and Authority agreed to provide reasonable cooperation, assistance, and aid in RAM’s pursuit of obtaining historical tax credits; and

WHEREAS, the City Council has previously found and declared pursuant to Resolution 14-2021 that the conveyance by the City of the Bluff City Inn property to the Authority and the redevelopment of the Bluff City Inn property as contemplated by the Development Agreement will serve a valid and sufficient public purpose, notwithstanding any incidental benefit accruing to any private entity, as redevelopment of the Bluff City Inn is expected to have a significant positive impact on the tax base, tax revenues, and job opportunities in the City of Eufaula; and

WHEREAS, Bluff City Inn property is no longer needed by the City for public or municipal purposes.

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

1. The foregoing recitals are incorporated into this Ordinance by reference, and it is hereby established that the following described real property of the City of Eufaula, Alabama, is no longer needed by the City for public or municipal purposes, to wit:

Parcel A. (Bluff City Inn) That certain block of Real Estate in the City of Eufaula, Barbour County, Alabama, commencing at the northwest corner of

Broad Street and Eufaula Avenue, 170 feet and 6 inches to the lot formerly belonging to the Independent Order of Odd Fellows; thence West 68 feet to the Southwest corner of the property formerly belonging to the Odd Fellows; thence North 40 feet to an alley; thence West along the South side of said alley 37 feet and 2 inches; thence South 210 feet and 6 inches to the North line of Broad Street; thence East along the North line of Broad Street 105 feet and 2 inches to the point of beginning. And the improvements thereon, including the building formerly described as the "Bluff City Inn Hotel" and the building on the West side of said Hotel Building and occupied for many years by the Eufaula Tribune and formerly occupied by McPherson Engineering and Realty and presently occupied by Barb's Country Kitchen. The lot being designated on the City map of Eufaula as part of Lot 5, Block D. Being that same parcel conveyed to Barbour County Historical Preservation Authority, a public corporation organized under the laws of Alabama, by Warranty Deed from J. Gorman Houston, Jr. and wife, Marthur Houston, Celeste Houston, Billy V. Houston and wife, Marie D. Houston dated February 22, 1985 and recorded February 26, 1985 in Official Record Book E91, at Pages 996-997 in the Eufaula Office of the Barbour County Judge of Probate, and also

Parcel B. (Bill's Dollar Footprint) That certain tract of Real Estate, together with all improvements thereon, described as follows: From the Southwest corner of the Real Estate formerly leased by W. Young Johnson and wife, Robert D. Powers and wife, and William H. Clark to the State of Alabama for use as and ABC store, as the point of beginning, run thence in a Southerly direction to a point on the North side of Broad Street, which point is 210' 87 degrees 6" West from the West side of Eufaula Street; run thence in an easterly direction along the North line of Broad Street to the property formerly belonging to the J.L. Houston Estate; run thence along the said J.L. Houston Estate property in a northerly direction to the southeast corner of the property leased to the State of Alabama for use as and ABC store; run thence in a westerly direction along the south side of the property leased to the State of Alabama 100' feet, more or less to the point of beginning. Being that same parcel conveyed to Barbour County Historical Preservation Authority, a public corporation organized under the laws of Alabama, by Warranty Deed from W. Young Johnston and wife, Frances R. Johnston, Robert D. Powers and wife, Kendall C. Powers, and William H. Clark dated August 1, 1985 and recorded August 13, 1985 in Official Record Book E-91, at Page 998 in the Eufaula Office of the Barbour County Judge of Probate, and also

ALSO: (Alley) That certain alley way located between parcels A and B presumed to have been previously abandoned and vacated.

PARCEL D. (Odd Fellows Building) That certain tract of Real Estate, together with all improvements thereon, described as follows: Beginning 170.5 feet North of the Point where West ROW of Eufaula Avenue intersection North ROW of Broad Street; North 40 feet, West 68 feet; South 40 feet; East 68 feet to the Point of Beginning, block D. Pl. Lot 5 City of Eufaula S/D PB 1 Page 57. S32 T11N,

R29E, together with the improvements thereon and the appurtenances thereunto belongings. Being the same property previously conveyed to G.W. Whipple to Grand Lodge of Alabama, Independent Order of Odd Fellows, by deed dated June 6, 1849 and recorded in Deed Book H at Page 246 in the Office of the Judge of Probate of Barbour County, Alabama, at Clayton. Being the same property conveyed to Historic Bluff Inn, LLC, an Alabama Limited Liability Company from John W. Land by Warranty Deed dated December 27, 2006 and recorded in Official Record Book E280 at Page 1003 December 27, 2006 in the Office of the Probate Judge of Barbour County at Eufaula, and also;

PARCEL E. (ABC Store Footprint) That certain tract of Real Estate, together with all improvements thereon, described as follows: Lot 6, Block "D", Eufaula, Alabama, and more particularly described as follows: from the Northwest corner of the intersection of Eufaula Street and Broad Street in the City of Eufaula, Alabama run along the north line of Broad Street South 87 degrees 06 minutes West 105.2 feet to the point of beginning; thence continue South 87 degrees 06 minutes West 104.8 feet; thence North 2 degrees 52 minutes West 210.0 feet; thence North 87 degrees 06 minutes East 105.6 feet; thence South 2 degrees 39 minutes East 210.00 feet to the point of beginning. LESS AND EXCEPT: That certain tract of Real Estate, together with all improvements thereon, described as follows: From the Southwest corner of the Real Estate formerly leased by W. Young Johnston and wife, Robert D. Powers and Wife, and William H. Clark to the State of Alabama for use as an ABC Store, as the point of beginning, run thence in a Southerly direction to a point on the north side of Broad Street, which point is 210' 87 degrees 6" West from the West side of Eufaula Street; run thence in an easterly direction along the North line of Broad Street to the property formerly belonging to the J.L. Houston Estate; run thence along the said J.L. Houston Estate property in a northerly direction to the southeast corner of the property leased to the State of Alabama for use as an ABC Store; run thence in a westerly direction along the south side of the property leased to the State of Alabama 100' feet, more or less to the point of beginning. Being that same parcel conveyed to Barbour County Historical Preservation Authority a public corporation organized under the laws of Alabama, by Warranty Deed from W. Young Johnston and wife, Frances R. Johnston, Robert D. Powers and wife, Kendall C. Powers, and William H. Clark dated August 1, 1985 and recorded August 13, 1985 in Official Record Book E-91, at Page 998 in the Eufaula Office of the Barbour County Judge of Probate. Being that same property conveyed from W. Young Johnston and Robert D. Powers to Historic Bluff Inn, LLC by Warranty Deed dated November 7, 2007 and recorded November 9, 2007 in Official Record Book E284 at Page 356 in the Office of the Probate Judge of Barbour County, Alabama. Subject to any and all covenants, restrictions, easements and rights of way, of any kind as recorded in the Office of the Judge of Probate of Barbour County, Alabama affecting said property.


2. The Mayor and City Clerk are hereby authorized, directed, and empowered to execute and attest, respectively, for and on behalf of the City of Eufaula, Alabama, a warranty

deed, a copy of which is on file in the office of the City Clerk, whereby the City of Eufaula, Alabama does hereby convey the property described in Section 1 hereof to The Eufaula Downtown Redevelopment Authority for the aforesaid purposes.

3. This ordinance shall become effective immediately upon its adoption and publication as required by law.

ADOPTED AND APPROVED THIS 18th day of July, 2022.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION



Wes Register, President

ATTEST:



Joy White, City Clerk/Treasurer