

**ORDINANCE
2017-8**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF EUFAULA, ALABAMA TO
AUTHORIZE AND APPROVE THE EXCHANGE OF REAL PROPERTY FOR EXPANDING,
IMPROVING, AND RE-ROUTING DALE ROAD**

WHEREAS, the City of Eufaula, Alabama, herein known as the "City" desires to exchange that certain property described or depicted in the attached Exhibit A ("Property") with BB, LLC, for the public improvement of Dale Road; and

WHEREAS, the Property to be acquired from BB, LLC, by the City, in the exchange for property owned by BB, LLC, is necessary for expanding, improving, and re-routing Dale Road which is in the best interests of the citizens of Eufaula in that the project will contribute to the health, safety, and general welfare of the citizens of Eufaula; and

WHEREAS, the Property to be transferred by the City to BB, LLC, in the exchange, is no longer needed for a public or municipal purpose and the exchange is in the best interests of the citizens of Eufaula in that the project will contribute to the health, safety, and general welfare of the citizens of Eufaula; and

WHEREAS, the Property to be received by the City, is of at least equal value or of greater value to the City; and

WHEREAS, the Mayor and the City Attorney have reviewed the exchange and believe it is fair and reasonable and acquiring the Property by voluntary exchange enables the City to avoid the significant costs and delay of a condemnation action; and

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF EUFAULA, 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 for public or municipal purposes, to wit:

PARCEL B (Remnant Parcel to be conveyed to BB, LLC by the City of Eufaula)

All that certain tract or parcel of land containing 0.109 acre located in the Northwest Quarter of Section 8, Township 10 North, Range 29 East, Eufaula, Barbour County, Alabama, being more particularly described as follows:

Starting at the Northwest corner of Section 8, Township 10 North, Range 29 East, Eufaula, Barbour County, Alabama go North 88 degrees 20 minutes East a distance of 658.3 feet to a point on the East right of way of Old Dale Road; thence South 67 degrees 53 minutes 40 seconds East a distance of 599.04 feet to an Alabama Power Company metal monument on the West right of way of Dale Road; thence along the West right of way of Dale Road South 21 degrees 35 minutes 34 seconds West a distance of 954.46 feet to the POINT of BEGINNING; thence continue along the West right of way of Dale Road South 21 degrees 35 minutes 34 seconds West a distance of 25.59 feet; thence North 69 degrees 50 minutes 22 seconds West a distance of 195.54 feet; thence along a curve, concave Southerly, with a radius of 150.00 feet, an arc distance of 27.22

feet, a chord direction of North 85 degrees 25 minutes 27 seconds East, and a chord distance of 27.18 feet; thence South 83 degrees 52 minutes 16 seconds East a distance of 104.39 feet; thence South 60 degrees 50 minutes 22 seconds East a distance of 71.09 feet to the POINT of BEGINNING.

PARCEL C (Remnant Parcel to be conveyed to BB, LLC by the City of Eufaula)

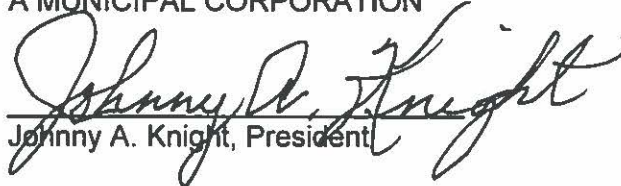
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2. The Mayor is hereby authorized, directed, and empowered to execute all documents necessary to exchange the Property as described above for the aforesaid purposes.
3. In case of failure to acquire the Property for the purposes aforesaid by voluntary conveyance from the owner thereof, the Mayor is hereby authorized to engage the City Attorney to file a condemnation action and conduct condemnation proceedings on behalf of the City of Eufaula for the acquisition of the Property by exercise of eminent domain.
4. Any prior acts taken by the administration toward the acquisition of the property pursuant to eminent domain code are hereby ratified.

ADOPTED AND APPROVED THIS 2nd day of October, 2017.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION


Johnny A. Knight, President

ATTEST:


Joy White, City Clerk/Treasurer

TRANSMITTED TO MAYOR this the 3rd day of October, 2017.


Joy White
City Clerk/Treasurer

APPROVED this the 3rd day of October, 2017.

CITY OF EUFAULA, ALABAMA
A MUNICIPAL CORPORATION


Jack B. Tibbs, Jr., Mayor

ATTEST:


Joy White
City Clerk/Treasurer

DALE ROAD REALIGNMENT PROJECT

PARCEL A (Right of way to be conveyed by BB, LLC to the City of Eufaula)

All that certain tract or parcel of land containing 0.914 acre located in the Northwest Quarter of Section 8, Township 10 North, Range 29 East, Eufaula, Barbour County, Alabama, being more particularly described as follows:

Starting at the Northwest corner of Section 8, Township 10 North, Range 29 East, Eufaula, Barbour County, Alabama go North 88 degrees 20 minutes East a distance of 658.3 feet to a point on the East right of way of Old Dale Road; thence South 67 degrees 53 minutes 40 seconds East a distance of 599.04 feet to an Alabama Power Company metal monument on the West right of way of Dale Road; thence along the West right of way of Dale Road South 21 degrees 35 minutes 34 seconds West a distance of 980.05 feet; thence North 69 degrees 50 minutes 22 seconds West a distance of 195.54 feet to the POINT of BEGINNING; thence along a curve, concave Easterly, with a radius of 150.00 feet, an arc distance of 341.21 feet, a chord direction of South 15 degrees 03 minutes 33 seconds West, and a chord distance of 272.26 feet; thence South 50 degrees 06 minutes 24 seconds East a distance of 61.69 feet; thence South 86 degrees 35 minutes 35 seconds East a distance of 111.30 feet to a point on the aforementioned West right of way of Dale Road; thence along the West right of way of Dale Road South 21 degrees 35 minutes 34 seconds West a distance of 13.16 feet to its intersection with the West right of way of U.S. Highway 431 (also known as South Eufaula Avenue); thence along the West right of way of U.S. Highway 431 South 39 degrees 54 minutes 04 seconds West a distance of 157.52 feet; thence North 17 degrees 40 minutes 24 seconds West a distance of 72.40 feet; thence North 50 degrees 06 minutes 24 seconds West a distance of 94.38 feet; thence along a curve, concave Northeasterly, with a radius of 215.00 feet, an arc distance of 84.36 feet, a chord direction of North 38 degrees 51 minutes 59 seconds West, and a chord distance of 83.82 feet; thence South 82 degrees 02 minutes 46 seconds West a distance of 1.91 feet to a point on the West line of the property of BB, LLC; thence along the West line of the property of BB, LLC North 11 degrees 52 minutes 07 seconds West a distance of 99.58 feet; thence along a curve, concave Southeasterly, with a radius of 210.00 feet, an arc distance of 287.03 feet, a chord direction of North 46 degrees 32 minutes 39 seconds East, and a chord distance of 265.20 feet; thence South 21 degrees 22 minutes 46 seconds West a distance of 61.18 feet; thence South 69 degrees 50 minutes 22 seconds East a distance of 13.40 feet to the POINT of BEGINNING.

57.944.5

2 JUL 8

² A 1998 survey showed that 60% of the survey respondents had a positive attitude toward the South African government.

RIGHT OF WAY MAP EXHIBIT

DALE ROAD REALIGNMENT

LOCATED IN NW 1/4 OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 29 EAST,
EUFULA, BARBOUR COUNTY, ALABAMA

This report was prepared by the staff of the Office of Management and Administration, Department of Health, Education and Welfare, under contract to the U.S. Government Printing Office.

THE NEW YORK
PUBLIC LIBRARY
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AMERICAN SOCIETY OF MECHANICAL ENGINEERS

DALE ROAD

U.S. HIGHWAY 431 - SOUTH EUGALA AVENUE

DALL LEE
PARTIAL

This was was prepared solely from the Lake Road Management Project materials provided by George H. (Sam) W. and the first three key people. It will represent a design by Barrett, E. B., and others as creators in actual words of the date.



BARRETT-SIMPSON, INC.

Civil Engineers & Land Surveyors
706 15th STREET PHOENIX CITY, N. CAROLINA 252-757-5472 FAX 252-757-2401
121 W. WINDARD STREET ELIZABETH, NJ 201-277-1111 FAX 201-277-0070
127 SOUTH 10th STREET TROY, N.J. 201-341-7467 FAX 201-341-7467



DESIGN BY
DATE OF PLAN
SCALE:

24 AUG. 2011
1° - 30°

PARCEL B (Remnant Parcel to be conveyed to BB, LLC by the City of Eufaula)

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SECTION 6

SECTION 5

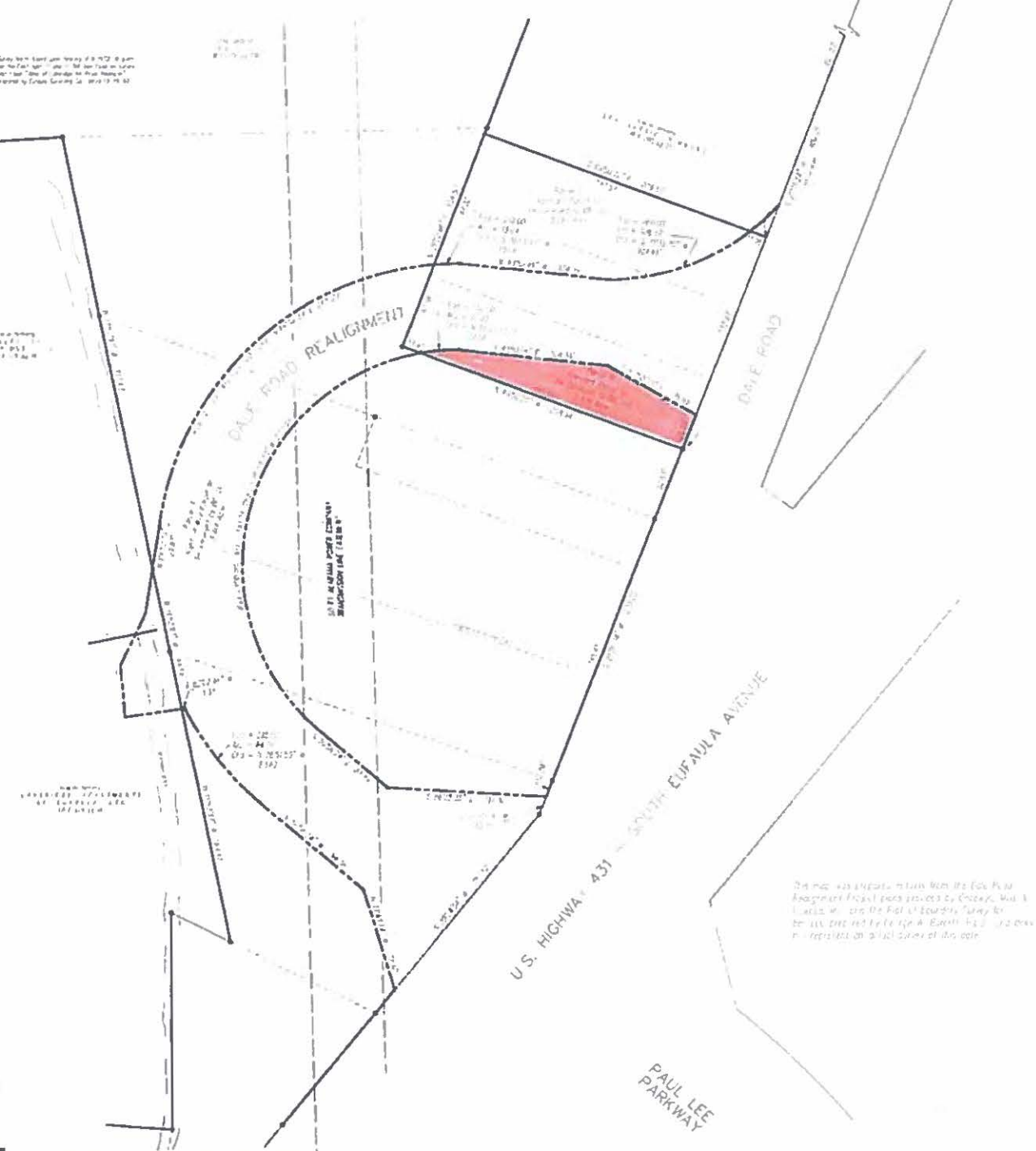
SECTION 7

SECTION 8

RIGHT OF WAY MAP EXHIBIT

DALE ROAD REALIGNMENTLOCATED IN NW 1/4 OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 29 EAST,
EUFULA, BARBOUR COUNTY, ALABAMA

Scale: 1" = 50' (1" = 100' for 100' x 100' blocks)
 Date: 10/10/10
 Drawn by: [Name]
 Checked by: [Name]



This map was prepared in accordance with the Alabama Right of Way Act, Chapter 10, Code of Alabama, 1975, and the Federal Highway Administration, Manual for Uniform Traffic Control Devices, 4th Edition, 1981, and the Federal Highway Administration, Manual for Uniform Traffic Control Devices, 4th Edition, 1981, and the Federal Highway Administration, Manual for Uniform Traffic Control Devices, 4th Edition, 1981.

**BARRETT-SIMPSON, INC.**

Civil Engineering & Land Surveying
 1000 1/2 STREET PHOENIX CITY, AL 36860 (PH) 334-297-1473 FAX 334-297-2445
 21 W. BRIDGES STREET EUFULA, AL 36527 (PH) 334-687-4237 FAX 334-687-0670
 293 WILSON STREET UPRIVER, AL 36581 (PH) 334-687-1000 FAX 334-687-1001



DRAWN BY
 DATE OF PLOT
 SCALE

CWB
 24 AUG. 2017
 1" = 50'

PARCEL C (Remnant Parcel to be conveyed to BB, LLC by the City of Eufaula)

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SECTION 5

2020 10 1

RIGHT OF WAY MAP EXHIBIT

DALE ROAD REALIGNMENT

LOCATED IN NW 1/4 OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 29 EAST,
EUFULA, BARBOUR COUNTY, ALABAMA

1990

IMPACT OF THE PARTIAL

This map was prepared at least before the late 1800s.
Frederick's first map provided by George. Was it
from 1800, as the first of the day, however.
It is prepared by George H. Brown, F.R.S. and was
re-printed in 1810, as it is of the 1800s.



BARRETT-SIMPSON, INC.

Civil Engineers & Land Surveyors
700 12th STREET NW WASHINGTON, DC 20004 (PH) 334-787-3425 FAX 334-787-3449
121 W HOWARD STREET SUITE 200 ALBANY, GA 31702 (PH) 334-687-4249 FAX 334-687-8874
271 WILKINSON WAY SUITE 100 DUBLIN, GA 31021 (PH) 334-716-7036 FAX 334-716-4871

A horizontal graphic scale bar labeled "SCALE" on the left and "FEET" on the right. The bar is divided into segments with tick marks at 0, 25, 50, 100, 150, and 200 feet.

DRAWN BY: CUB
DATE OF PLOT: 24 AUG. 2007
SCALE: 1" = 50'

SECTION 6

SECTION 5

SECTION 7

SECTION 8

To be shown as a part of
the 100' wide right of way of
the Dale Road as shown on the
plan.

RIGHT OF WAY MAP EXHIBIT

DALE ROAD REALIGNMENT

LOCATED IN NW 1/4 OF SECTION 8, TOWNSHIP 10 NORTH, RANGE 29 EAST,
EUFULA, BARBOUR COUNTY, ALABAMA

Survey north based upon bearing of 5.187° & goes
for the 100' wide right of way of Dale Road as shown
on the plan. This is based upon the Right of Way
shown by the Alabama Power Co. dated 10-10-00.

after study of
S.S. 11-C
10-1-76, pg. 12

area of land
shown on
plan of 10-1-76, pg. 12

area of land
shown on
plan of 10-1-76, pg. 12

10 FT ALABAMA POWER COMPANY
TRANSMISSION LINE (OVERHEAD)

DALE ROAD REALIGNMENT

DALE ROAD

U.S. HIGHWAY 431 ~ SOUTH EUFULA AVENUE

PAUL LEE PARKWAY

BB LLC property
to City
city property to
BB LLC

This map was prepared entirely from the Dale Road
Realignment Project plans provided by Goodwyn, Mills &
Cawood, Inc. and the Plot of Boundary Survey for
BB LLC prepared by George W. Barrett, P.L.S., and does
not represent an actual survey of this date.



BARRETT-SIMPSON, INC.

Chief Engineers & Land Surveyors
100 17th STREET, PHOENIX CITY, AL 36860 PHN 334-797-2423 FAX 334-797-2440
121 W. SPRING STREET, EUPHULA, AL 36527 PHN 334-662-4264 FAX 334-667-0489
309 SOUTH 9th STREET, EUPHULA, AL 36527 PHN 334-662-7000 FAX 334-662-2871

SCALE 0 25 50 100 150 200 FEET

DRAWN BY
DATE OF PLAT
SCALE

C.W.B.
24 AUG, 2007
1" = 50'