

ORDINANCE NO. 2019-24

AN ORDINANCE REPEALING ORDINANCE NO. 2008-4 IN ITS ENTIRETY AND DECLARING REAL PROPERTY CURRENTLY OWNED BY THE CITY OF OXFORD AS SURPLUS AND NO LONGER NEEDED FOR A PUBLIC PURPOSE AND AUTHORIZING THE EXCHANGE OF SAID PROPERTY FOR REAL PROPERTY CURRENTLY OWNED BY EXCEL BASEBALL ACADEMY, LLC.

WHEREAS the City of Oxford, Alabama (“City”) is the owner of certain real property more particularly described as follows:

IN THE SW ¼ OF THE SE ¼ OF SECTION 27, TOWNSHIP 16 SOUTH, RANGE 8 EAST, CALHOUN COUNTY, ALABAMA, BEING MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE SOUTHWEST CORNER OF THE SW ¼ OF THE SE ¼ OF SAID SECTION 27; THENCE NORTH 00°52’32” WEST, A DISTANCE OF 38.95 FEET; THENCE SOUTH 89°21’26” EAST, A DISTANCE OF 106.45 FEET TO THE EASTERLY RIGHT OF WAY OF LEON SMITH PARKWAY AND THE CENTERLINE OF THE OLD ABANDONED BOILING SPRINGS ROAD, SAID POINT BEING THE POINT OF BEGINNING OF THE HEREIN DESCRIBED PARCEL OF LAND; THENCE NORTH 01°38’54” WEST ALONG SAID RIGHT OF WAY OF LEON SMITH PARKWAY, A DISTANCE OF 166.64 FEET TO THE SOUTHERLY RIGHT OF WAY OF BOILING SPRINGS ROAD; THENCE NORTH 89°28’26” EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 381.47 FEET; THENCE SOUTH 01°38’54” EAST, A DISTANCE OF 178.46 FEET TO THE CENTERLINE OF THE OLD ABANDONED BOILING SPRINGS ROAD; THENCE NORTH 88°45’09” WEST, A DISTANCE OF 381.89 FEET BACK TO THE BEGINNING POINT, CONTAINING 1.51 ACRES, MORE OR LESS.

WHEREAS the municipal owned property is no longer needed for a municipal purpose and is therefore subject to conveyance;

WHEREAS Excel Baseball Academy, LLC (“Excel”) is the owner of certain real property more particularly described as follows:

IN THE SE ¼ OF THE SW ¼ OF SECTION 27, TOWNSHIP 16 SOUTH, RANGE 8 EAST, BEING MORE PARTICULARLY DESCRIBED AS BEGINNING AT A POINT ON THE SOUTH LINE OF THE SE ¼ OF THE SW ¼ OF SAID SECTION 27, SOUTH 88°53’00” WEST, 147.72 FEET FROM THE SOUTHEAST CORNER THEREOF, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF LEON SMITH PARKWAY; THENCE SOUTH 88°53’00” WEST ALONG SAID SOUTH LINE OF THE SE ¼ OF THE SW ¼ OF SECTION 27, A DISTANCE OF 342.63 FEET; THENCE NORTH 01°07’00” WEST, A DISTANCE OF 73.30 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 59.00 FEET, A CENTRAL ANGLE OF 52°24’15”, AND A CHORD WHICH BEARS NORTH 23°20’50” EAST, A DISTANCE OF 52.10 FEET; THENCE NORTHERLY ALONG SAID CURVE, AN ARC DISTANCE OF 53.96 FEET; THENCE NORTH 02°21’17” WEST, A DISTANCE OF 18.71 FEET

TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00', A CENTRAL ANGLE OF 62°26'22", AND A CHORD WHICH BEARS NORTH 28°51'54" EAST, A DISTANCE OF 41.47', THENCE NORTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 43.59 FEET TO THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 94.00', A CENTRAL ANGLE OF 18°18'25", A CHORD WHICH BEARS NORTH 50°55'52" EAST, A DISTANCE OF 29.91'; THENCE NORTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 30.03 FEET TO THE BEGINNING OF A CURVE TO THE RIGHT HAVING A RADIUS OF 40.00', A CENTRAL ANGLE OF 58°22'22", AND A CHORD WHICH BEARS NORTH 70°57'50" EAST, A DISTANCE OF 39.01'; THENCE NORTHEASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 40.75 FEET TO THE POINT OF BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 228.00', A CENTRAL ANGLE OF 13°11'59", AND A CHORD WHICH BEARS SOUTH 86°26'58" EAST, A DISTANCE OF 52.41'; THENCE EASTERLY ALONG SAID CURVE, AN ARC DISTANCE OF 52.53 FEET; THENCE NORTH 86°57'02" EAST A DISTANCE OF 177.88 FEET TO THE WESTERLY RIGHT OF WAY LINE OF LEON SMITH PARKWAY AND THE BEGINNING OF A CURVE TO THE LEFT HAVING A RADIUS OF 12,618.19 FEET, A CENTRAL ANGLE OF 0°56'32", AND A CHORD WHICH BEARS SOUTH 03°46'15" EAST, A DISTANCE OF 207.51 FEET; THENCE SOUTHERLY ALONG SAID RIGHT OF WAY LINE, AN ARC DISTANCE OF 207.51 FEET BACK TO THE BEGINNING POINT, CONTAINING 1.49 ACRES, MORE OR LESS.

WHEREAS in order to expand employment opportunities in the City and increase development and economic opportunity along Leon Smith Parkway the City wishes to engage in a land swap of the above described property with Excel.

WHEREAS the City wishes to compensate Excel for the difference of the value of the land being exchanged for the sum of Seventy Thousand Dollars (\$70,000.00).

THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF OXFORD, ALABAMA AS FOLLOWS:

SECTION ONE: Ordinance No. 2008-4 is hereby repealed in its entirety.

SECTION TWO: The above described municipal property is no longer needed for a municipal purpose and is therefore subject to a conveyance.

SECTION THREE: The Mayor of the City of Oxford is hereby authorized and directed to convey title to the above described real estate owned by the City to Excel in exchange for the above described property currently owned by Excel subject to for a payment by the City of Seventy Thousand Dollars (\$70,000.00).

SECTION FOUR: This conveyance shall be made subject to the following restrictions:

1. In the event Excel decides to sell said property, the City shall have first right refusal to purchase said property by paying the amount offered to Excel by the third party.

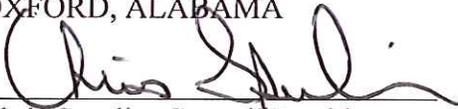
2. Any improvements made on said property must be approved by the City.

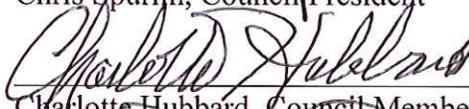
SECTION FIVE: The Mayor of the City is hereby authorized and directed to do any act necessary to convey title to the City owned property described above and to accept title to the above property currently owned by Excel.

SECTION SIX: This Ordinance shall become effective upon its passage by the Council and publication as required by law.

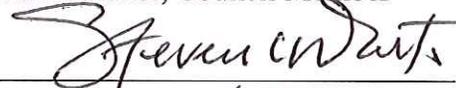
APPROVED and ADOPTED this 27th day of August, 2019.

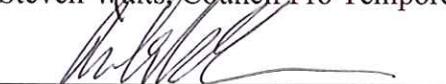
CITY COUNCIL OF THE CITY OF
OXFORD, ALABAMA


Chris Spurlin, Council President


Charlotte Hubbard, Council Member


Phil Gardner, Council Member


Steven Waits, Council Pro Tempore


Mike Henderson, Council Member

APPROVED:


Alton Craft, Mayor

ATTEST:


Alan B. Atkinson, City Clerk

CERTIFICATION OF ADOPTION

I hereby certify that the attached ordinance was duly adopted by the Oxford City Council in regular session assembled on the 27th day of August, 2019, and is recorded in the official minutes of the Oxford City Council.



Alan B. Atkinson, City Clerk

CERTIFICATION OF PUBLICATION

I, Alan B. Atkinson, City Clerk for the City of Oxford, Alabama, do hereby certify this Ordinance was posted in three public places within the City and at Oxford City Hall beginning on the 29th day of August, 2019, as in accordance with the provisions of Code of Alabama, 1975, Section 11-45-8.



Alan B. Atkinson, City Clerk