

**REGULAR MEETING OF THE COUNCIL
OF THE CITY OF BIRMINGHAM**

August 28, 2007, at 9:30 A.M.

The Council of the City of Birmingham met in the Council Chambers of the City Hall of Birmingham on August 28, 2007 at 9:30 a.m., in regular meeting.

The meeting was opened with prayer by Father Philip Paxton, Priest of St. Mary's Catholic Church.

The Pledge of Allegiance was led by Councilmember Bell.

Present on Roll Call:	Council President	Smitherman
	Councilmembers	Abbott
		Bell
		Duncan
		Hoyt (Arrived as herein indicated)
		Parker
		Royal
		Witherspoon
Absent:		Montgomery

A moment of silence was held for the passing of Councilmember Montgomery's mother.

Mayor Bernard Kincaid recognized William Gilchrist, Director of the Planning, Engineering and Permits Department, who noted that Item Nos. 3, 4, 5, 11 and 42 on the agenda are being funded from bond fund monies.

Councilmember Hoyt arrived and assumed his seat as a Councilmember.

Police Chief Annetta Nunn gave the preliminary police report from the previous week.

Bill Gilchrist, Police Chief Nunn, and Greg Dawkins, Interim Director of Traffic Engineering spoke on the Grants Mill Road Bridge weight limit and strict regulations for the use for the bridge including placing an 8 foot headache bar across the bridge.

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Councilmember Smitherman made a motion to suspend the rules for Councilmember Duncan to speak for one (1) additional which motion was seconded by Councilmember Duncan, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Duncan, Smitherman

Nays: Hoyt, Parker, Royal, Witherspoon

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion not adopted.

Councilmember Royal absented himself.

Councilmember Duncan absented herself.

Councilmember Smitherman made a motion to suspend the rules for presentations and speakers to come up out of order which motion was seconded by Councilmember Parker, and adopted.

Councilmember Bell recognized Bishop Calvin Woods, President of the Birmingham Chapter of the Southern Christian Leadership Conference who spoke relative to the Jefferson County Commission's proposed sale of Cooper Green Mercy Hospital. Reverend Johnathan McPherson also spoke on the issue.

The following resolution was introduced by Councilmember Bell:

RESOLUTION NO. 1370-07

BE IT RESOLVED that the Birmingham City Council hereby unanimously supports the Southern Christian Leadership Conference (SCLC) position that Cooper Green Mercy Hospital and the Jefferson County Rehabilitation Center (formerly the Ketona Nursing Home) remain open to the public, committed to indigent care, and maintained by the public for its health benefits.

BE IT FURTHER RESOLVED that the Jefferson County Commission keep said aforementioned public health facilities open to provide for the welfare of all citizens regardless of their income or lack thereof.

ADOPTED this Twenty-Eighth day of August, Two Thousand and Seven.

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The resolution was read by the City Clerk, whereupon Councilmember Bell made a motion that unanimous consent be granted to adopt said resolution, which motion was seconded by Councilmember Parker, and upon the roll being called, the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Witherspoon, Smitherman
Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion to give unanimous consent for adoption of said resolution adopted.

Whereupon Councilmember Bell made a motion that said resolution be adopted, which motion was seconded by Councilmember Abbott, and upon the roll being called, the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Witherspoon, Smitherman
Nays: None

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

Councilmember Royal returned and took his seat as a Councilmember.

Councilmember Witherspoon recognized A. Faye Boykin Calhoun who has published her 5th book, with her husband Eric Calhoun, entitled "Help A Sister Out-Help A Brother Out: Can We Meet in the Middle?"

Councilmember Duncan returned and took her seat as a Councilmember.

Councilmember Royal presented a slide show of the first Back to School Equipped to Learn Supply Giveaway. Councilmember Royal recognized the sponsors of the program: Acknowledge Outreach, Harbert Realty Service, Silo Properties, Ms. Pam Lyons, Mary Wilson, Chaz Mitchell, Waymon Jackson and Gwen Welch.

Councilmember Duncan absented herself.

Each volunteer and sponsor was presented a Certificate of Appreciation.

Councilmember Duncan returned and took her seat as a Councilmember.

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Willie Jenkins, 4008 29th Street North appeared relative to expressing sympathy to the families of people in District 4 who passed and to announce the fellowship of all of the 1970 Carver High School Graduating Classes, Sunday, September 2, 2007.

Kathleen Bullard, Exie Bridges and Pat Johnson appeared relative to an incident at the Super Deli Texaco in which Kathleen Bullard was allegedly beaten by the owner; Kathleen Bullard spoke about being assaulted and the length of time it took the police to arrest the owner. Pat Johnson spoke about the Texaco business and the activity occurring at that location as well as increased gang activity in the area.

Councilmember Parker made a motion to suspend the rules to allow Mary Purnell to speak which motion was seconded by Councilmember Bell, and adopted.

Mary Purnel, 911 44th Place North appeared relative to thanking Councillor Parker for responding to her call about activities at the Texaco.

Councilmember Smitherman made a motion to suspend the rules to allow Linda Miller to speak which motion was seconded by Councilmember Parker, and adopted.

Linda Miller Allen, Vice President of Gate City Neighborhood Association. appeared relative to not allowing the incident which occurred to Mrs. Bullard to occur again.

Councilmember Smitherman made a motion to suspend the rules to allow additional person to speak which motion was seconded by Councilmember Abbott, and adopted.

Melaja Hudson appeared relative to witnessing the incident when Mrs. Bullard was assaulted.

Councilmember Hoyt absented himself.

Eddie Sanders, Jr., Constable of District 59 appeared relative to supporting Mrs. Bullard.

Councilmember Hoyt returned and took his seat as a Councilmember.

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The following resolution was introduced by Councilmember Smitherman:

RESOLUTION NO. 1371-07

BE IT RESOLVED by the Council of the City of Birmingham, Alabama that the City Clerk be and she hereby is directed to cause to be published in a newspaper of general circulation in the City of Birmingham, a notice in words in figures as follows:

NOTICE OF PUBLIC HEARING

Notice is hereby given that at a regular meeting of the Council of the City of Birmingham to be held in the Council Chamber in the City Hall of Birmingham on Tuesday, September 11, 2007, commencing at 9:30 a.m., said Council will hold a public hearing upon a proposal that it, the said Council, adopt a resolution revoking the business licenses for Super Deli, Inc., 421 Oporto Madrid Boulevard North, Birmingham, AL 35206, rescinding the Council's approval of any application for the sale of alcoholic beverages at this location, and directing that notice be made to the Alabama Alcoholic Beverage Control Board of the revocation of beer, wine and liquor licenses at this business.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Smitherman made a motion that unanimous consent be granted to adopt said resolution, which motion was seconded by Councilmember Parker, and upon the roll being called, the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman
Nays: None

The vote was then announced by the Deputy City Clerk, whereupon the Presiding Officer declared the motion to give unanimous consent for adoption of said resolution adopted.

Whereupon Councilmember Smitherman made a motion that said resolution be adopted, which motion was seconded by Councilmember Parker, and upon the roll being called, the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman
Nays: None

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

Gene Edelman, 3100 Cliff Terrace, appeared relative to the latest Birmingham School Football schedule and to ask for the support in purchasing tickets to games so that schools can receive the monies.

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Terry Jones, 4744 9th Avenue North appeared relative to the Housing Authority of the Birmingham District trying to gain ownership of the Gate City Community Center in Marks Village and plans to evict all of the programs at the center.

Councilmember Bell made a motion to suspend the rules to allow additional persons to speak which motion was seconded by Councilmember Duncan, and adopted.

Betty Jean Gilmore, Resident Council President of Marks Village appeared to introduce herself as the new council president.

Deborah Norton, resident of Marks Village appeared relative to alleged unfair treatment by the Housing Authority Birmingham District.

Betty J. Covington, new Vice President of Marks Village Resident Council appeared to ask the City Council for support.

Clarence Muhammad, who helps with programs at Marks Village, appeared to ask for the Council's support.

Artis Murphy, 1305 Avenue L, appeared relative to the Mayor Council Act and the conflict of interest that may exist with Councillors Duncan and Abbott.

Councilmember Hoyt absented himself.

Councilmember Duncan absented herself.

Councilmember Bell absented himself.

Aaron Smith, 2320 Steiner Avenue SW appeared relative to an unopened alley which is the only access to his property.

Frank Matthews, 9040 Beverly Drive North, appeared relative to an article in the newspaper and to ask the Council to hold an investigation and the City's policy on the use of City vehicles.

Councilmember Duncan returned and took her seat as a Councilmember.

Councilmember Bell returned and took his seat as a Councilmember.

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Councilmember Hoyt returned and took his seat as a Councilmember.

Councilmember Smitherman made a motion to suspend the rules for James W. Walker and David Higginbotham to speak which motion was seconded by Councilmember Witherspoon, and adopted.

James W. Walker appeared relative to the theft of copper from the homes he sells.

Gilbert Klein, 3517 Hickory Avenue SW, appeared relative to the need for a national healthcare program.

David Higginbotham, 2300 5th Avenue North, appeared relative to the handicap ramps in the City and ramps being blocked by cars.

The following resolutions and ordinances designated as Consent Agenda items were introduced by the Presiding Officer:

ORDINANCE NO. 07-152

**AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET**

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund 45 Capital Improvement Fund</u>	
<u>03117</u> Community Projects - 2005	\$ (554.13)
<u>03229</u> Community Projects - 2006	(445.87)
<u>03366</u> Community Projects - 2007	(10,565.08)
<u>03544</u> Community Projects - 2008	(4,634.92)
<u>21403</u> ARMS Reach Organization	1,500.00
<u>21343</u> Birmingham Area Tennis Association	700.00
_____ Birmingham Stars	1,000.00
<u>21527</u> Cooper Green Mercy Hospital	2,000.00
<u>21528</u> In God We Trust Ministries, Inc.	500.00

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<u>21161</u>	International Institute of Deaf Services	1,000.00
_____	Mothers Who Want the Violence to Stop! Inc.	1,000.00
<u>21021</u>	Positive Maturity	1,000.00
<u>21334</u>	Project Hopewell, Inc.	4,000.00
_____	The Titus Foundation, Inc.	500.00
_____	TR McCoy, Inc.	1,000.00
<u>21534</u>	UMADABU Dance Company	1,000.00
<u>20713</u>	West End Community Sports Association	1,000.00
		<u>\$ 0.00</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$16,200.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$16,200.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$16,200.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-153

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

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<u>Title of Appropriation</u>	<u>Amount</u>
<u>Fund CD Corrections Fund</u>	<u>Increase/Decrease</u>
03220 Municipal Projects TBD	\$ (165,000.00)
03422 South Court Renovations (142127)	165,000.00
-	<u>\$ -</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$165,000.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$165,000.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$165,000.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-154

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount</u>
	<u>Increase/Decrease</u>

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Fund AA Birmingham Fund

<u>02315</u> Annual Roof Repair Program	\$	(19,750.00)
<u>03337</u> East Ensley Roof Repair		<u>19,750.00</u>
	\$	<u>-</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$19,750.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$19,750.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$19,750.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-155

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund CH Park Improvements Bond Fund-2002</u>	

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<u>03417</u>	Recreation Center Repairs	\$	(4,200.00)
<u> </u>	Roosevelt City Recreation Center-condensing units		<u>4,200.00</u>
-			<u>\$ -</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$4,200.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$4,200.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$4,200.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-156

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>		<u>Amount</u>
		<u>Increase/Decrease</u>
<u>Fund CH Park Improvements Bond Fund-2002</u>		
<u>03417</u>	Recreation Center Repairs	\$ (5,300.00)
<u> </u>	Willow Wood Recreation Center - condensing units	<u>5,300.00</u>
		<u>\$ -</u>

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Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$5,300.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$5,300.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$5,300.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-157

AN ORDINANCE TO FURTHER AMEND
THE GENERAL FUND BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the General Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund 01 General Fund</u>	
<u>Appropriation:</u>	
<u>Non Departmental:</u>	
4643 Civil Rights Foot Soldiers	\$ (25,277.00)
_____ Miles Ahead Capital Campaign-Golden Classics	<u>25,277.00</u>
	<u>\$ -</u>

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Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$25,277.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the General Fund of the City of Birmingham \$25,277.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$25,277.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-158

AN ORDINANCE TO FURTHER AMEND
THE GENERAL FUND BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the General Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund 01 General Fund</u>	
<u>Appropriation:</u>	
<u>Non Departmental:</u>	
<u>4643</u> Civil Rights Foot Soldiers	\$ (9,723.00)
<u>4569</u> Kid One Transport	(35,000.00)
<u>Mayor's Office:</u>	
<u>2713</u> Security Services	44,723.00
	<u>\$ -</u>

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Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$44,723.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the General Fund of the City of Birmingham \$44,723.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$44,723.00, provided for in the proposed ordinance.

Respectfully,
Pete Lafakis for Michael Johnson/s/
Michael Johnson
Director of Finance

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ORDINANCE NO. 07-159

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL FUND BUDGET

WHEREAS, on September 11, 1979, the Council of the City of Birmingham, by Resolution No.1108-79, adopted and approved the Community Renewal Plan for the City of Birmingham (the "Community Renewal Plan"), and on May 5, 1981, by Resolution No. 530-81, adopted and approved the "Comprehensive Revitalization Strategy, Redevelopment Plan and Urban Renewal Plan for the Master Plan for Downtown Birmingham, Alabama," which was amended and restated by the City Center Master Plan adopted by the Council on October 29, 1991, by Resolution No.2166-91 (the "Master Plan"); and

WHEREAS, in the implementation of the Master Plan, the Council of the City of Birmingham adopted certain urban renewal and redevelopment plans pursuant to Chapters 2 and 3 of Title 24, Code of Alabama (1975), including, but not limited to, the following: the Block 60 Redevelopment Plan, by Resolution No. 1119-81; the Fourth Avenue Commercial Rehabilitation Plan, by Resolution No. 1499-82; the Commercial Revitalization, Urban Renewal and Urban

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Redevelopment Plan for Birmingham Green, by Resolution No. 1397-86; the Urban Renewal and Urban Redevelopment Plan for the Civic Center Office Park, by Resolution No. 64-87, which was further amended and restated by Resolution No. 2610-91; the Urban Renewal and Urban Redevelopment and Commercial Revitalization Plan for the Nineteenth Street District, by Resolution No. 905-87, which was amended and restated by Resolution No. 903-92 and was further amended and restated by Resolution No. 552-97; the Urban Renewal and Urban Redevelopment Plan for the Midtown District, which Plan was amended and restated by the Amended and Restated Urban Renewal and Urban Redevelopment Plan for the Midtown Area by Resolution No. 2166-91; the Urban Renewal and Urban Redevelopment Plan for Downtown West, by Resolution No. 1842-93; the Urban Renewal and Urban Redevelopment Plan for Downtown Northwest, by Resolution No. 821-95; the Urban Renewal and Urban Redevelopment Plan for the Downtown East District, by Resolution No. 2860-97; the Five Points South/Highland Avenue Urban Renewal and Urban Redevelopment Plan, by Resolution No. 2581-98; and the 21st Street Urban Renewal and Urban Redevelopment Plan, by Resolution No. 1714-99. These plans, collectively, along with the Master Plan, shall be referred to herein as the “Master Plan.” The “Master Plan Improvements” which constitute the “Project,” as defined herein, are in accordance with and in furtherance of the Community Renewal Plan and the Master Plan; and

WHEREAS, the Master Plan identifies a project area (hereinafter referred to as the “Master Plan Project Area”) and makes findings that blight and blighting factors exist throughout the Master Plan Project Area which are detrimental to public health, welfare and morals, and are deleterious to the public interest; and

WHEREAS, the City has determined that an appropriate means for financing the methods and projects to implement the Master Plan and thereby attack and eliminate blight and blighting factors is through a financing vehicle known as “tax increment financing”; and

WHEREAS, tax increment financing is designed to fund capital improvements by capturing the increased tax revenue in a defined tax increment district resulting from the economic activity generated through rehabilitation and conservation projects and the participation of private enterprises; and

WHEREAS, the City has been vested with the power and authority to create and develop tax increment districts pursuant to Chapter 99 of Title 11, Code of Alabama (1975), for the purpose of rehabilitating and salvaging blighted and economically distressed areas through appropriate public action; and

WHEREAS, it was contemplated that tax increment financing would provide a source of funds for the projects throughout the Master Plan Project Area, consistent with the redevelopment objectives set out in the Master Plan; and

WHEREAS, on September 29, 1998, the Council of the City of Birmingham adopted Resolution No.2693-98, which created a tax increment financing district in the Five Points South

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area of the City of Birmingham to be known as “Tax Increment Financing District I” and thereby also adopted the Tax Increment Financing Plan known as “Tax Increment Financing District I, a Plan of the City of Birmingham for Financing Improvements in the Five Points South Area.” All rights, powers, duties, privileges and immunities of the City, including the power to issue warrants and other obligations, were thereby authorized in accordance with Resolution No.2693-98; and

WHEREAS, on March 16, 1999, by Resolution No.809-99, the Council of the City of Birmingham determined that the expansion of the Tax Increment Financing District I to include substantially all of the Property within the Master Plan Project Area was an appropriate means to finance its obligations throughout the Master Plan Project Area and accordingly determined the Tax Increment District I should be expanded and should include whole units of property assessed for general property tax purposes, the boundaries of which were more specifically described in the document entitled “Tax Increment Financing District I, a Plan of the City of Birmingham for Financing Improvements in the Master Plan Project Area” (the “TIF Plan”) on file in the Office of the City Clerk of the City of Birmingham; and

WHEREAS, Resolution No.809-99 created an amended and revised tax increment financing district in the Master Plan Project Area of the City to be known as “Amended and Restated Tax Increment Financing District I” (the “Amended TIF DI”), and also adopted the TIF Plan. All rights, powers, duties, privileges and immunities of the City, including the power to issue warrants and other obligations, were thereby authorized in accordance with Resolution No.809-99; and

WHEREAS, in Resolution No.809-99, the City’s Department of Finance was authorized to open an account and pay debts incurred by TIF DI. In addition, Resolution No.809-99 stated that the City shall have the authority to issue and sell bonds, as needed, to finance projects outlined in the TIF Plan, as well as any amendment thereto, or as are developed from time to time within the TIF DI consistent with the goals and objectives of the TIF Plan; and

WHEREAS, in Resolution No.809-99 the Council of the City of Birmingham certified the following:

- That the Amended TIF DI on the whole has not been subject to growth and development through investment by private enterprises and it is not reasonable to anticipate that the Master Plan Project Area will be developed without the adoption of the amendment to the TIF Plan.
- That a feasible method exists for the relocation of or the compensation for any individuals, families or businesses that may be displaced by the TIF Plan.
- That the TIF Plan conforms with the purposes, objectives and provisions of the Master Plan.
- That the TIF Plan will afford maximum opportunity, consistent with the sound needs of the

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City as a whole, for the rehabilitation or redevelopment of the amended TIF DI by private enterprise; and

WHEREAS, by Ordinance No. 00-107, adopted June 20, 2000, the Council determined that in order to finance the cost of capital improvements to the Master Plan Project Area and to pay related issuance expenses, it was necessary and desirable, and in the best interests of the City and its residents, for the City to issue the warrants therein authorized (the "Warrants"); and

WHEREAS, Ordinance No. 00-107 appropriated TIF funds from the proceeds of the Warrants for certain TIF projects authorized under the TIF Plan, including appropriations in the amount of \$3,706,000.00 to Fund BR-Project 60006, (Downtown Northwest - Phases I and II, acquisition/infrastructure); and

WHEREAS, Ordinance No. 00-107 also appropriated TIF funds from the proceeds of the Warrants for other certain TIF projects authorized under the TIF Plan and, upon the subsequent completion of such projects, the Finance Department determined there were remaining appropriated but unspent funds in the total amount of \$1,226,000.00; and

WHEREAS, pursuant to Ordinance No. 01-122, adopted by the Birmingham City Council on August 28, 2001, the capital fund budget was amended to appropriate remaining unspent funds in the total amount of \$1,226,000.00 in Fund BR-TIF Construction Fund, Project 99999 (Miscellaneous Projects) to several projects, including an appropriation of \$650,000.00 to BR-Project 02683 (Pizitz Building); and

WHEREAS, in December 2003, the Department of Finance determined there were unused funds in the total amount of \$650,000.00 in Fund BR-Project 02683 which were appropriated under Ordinance No. 01-122 for the Pizitz Building project and that unused TIF funds for the Pizitz Building project in the amount of \$650,000.00 in Fund BR-Project 02683 were available for use to provide financing for additional projects in the Master Plan Project Area; and

WHEREAS, pursuant to Ordinance No. 03-182, adopted by the Birmingham City Council on December 30, 2003, the Council determined that unused, remaining TIF Funds in the total amount of \$650,000.00 in Fund BR-Project 02683 (Pizitz Building) should be used to provide financing for additional redevelopment capital improvement projects in the Master Plan Project Area, that transferring the TIF Funds was consistent with the redevelopment objectives of the TIF Plan and the Master Plan and that financing the costs for capital improvements in the Master Plan Project Area through transfer of such funds was necessary and desirable, constituted a public purpose pursuant to the Master Plan and was in the best interests of the City and its residents and, accordingly, the capital fund budget was amended to appropriate remaining unspent funds in the total amount of \$650,000.00 in Fund BR-Project 02683 (Pizitz Building) to Fund BR-60010 (Kress Building Sidewalk Improvements - \$72,000.00) and Fund BR-60011 (Infrastructure Improvements - \$578,000.00); and

WHEREAS, in August 2004, the Department of Finance determined there were remaining

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unspent funds in the total amount of \$578,000.00 in Fund BR-Project 60011 (Infrastructure Improvements) which were appropriated under Ordinance No. 03-182 and, accordingly, that unused TIF funds for the Downtown Northwest project area in the amount of \$425,000.00 in Fund BR-Project 60011 (Infrastructure Improvements) were available for use to provide financing for additional projects in the Downtown Northwest urban renewal and redevelopment project area which are in the Master Plan Project Area; and

WHEREAS, in August 2004, the Department of Finance also determined there were remaining unencumbered and unspent funds in the total amount of \$3,413,802.11 in Fund BR-Project 60006, which were appropriated under Ordinance No. 00-107 for capital improvements for the Downtown Northwest project area and, accordingly, that unused TIF funds in the amount of \$200,000.00 in Fund BR-Project 60006 were available for use to provide financing for additional projects in the Downtown Northwest urban renewal and redevelopment project area which are in the Master Plan Project Area; and

WHEREAS, pursuant to Ordinance No. 04-91, adopted by the Birmingham City Council on August 17, 2004, the Council determined that unused, remaining TIF Funds in the total amount of \$425,000.00 in Fund BR-Project 60011 (Infrastructure Improvements), and that unused, remaining TIF Funds in the total amount of \$200,000.00 in Fund BR-Project 60006 (Downtown Northwest), should be used to provide financing for additional redevelopment capital improvement projects in the Master Plan Project Area, that transferring such TIF Funds was consistent with the redevelopment objectives of the TIF Plan and the Master Plan and that financing the costs for capital improvements in the Master Plan Project Area through transfer of such funds was necessary and desirable, constituted a public purpose pursuant to the Master Plan and was in the best interests of the City and its residents and, accordingly, the capital fund budget was amended to appropriate remaining unspent funds in the total amount of \$200,000.00 in Fund BR-Project 60006 (Downtown Northwest) and \$425,000.00 in Fund BR-60011 (Infrastructure Improvements) to Fund BR-60012 (12th Street North Project Improvements); and

WHEREAS, in October 2005, the Department of Finance determined there were remaining unspent funds in the total amount of \$153,000.00 in Fund BR-Project 60011 (Infrastructure Improvements) which were appropriated under Ordinance No. 03-182 which were available for use to provide financing for additional projects in the Downtown Northwest urban renewal and redevelopment project area which were in the Master Plan Project Area and, accordingly, that unused TIF funds in the amount of \$118,768.00 in Fund BR-Project 60011 were available for use to provide financing for additional projects in the Downtown Northwest urban renewal and redevelopment project area which are in the Master Plan Project Area; and

WHEREAS, pursuant to Ordinance No. 05-203, adopted by the Birmingham City Council on October 4, 2005, the Council determined that unused TIF funds in the amount of \$118,768.00 in Fund BR-Project 60011 should be used to provide financing for additional projects in the Downtown Northwest urban renewal and redevelopment project area which are in the Master Plan Project Area, that transferring the TIF Funds was consistent with the redevelopment objectives of the TIF Plan and the Master Plan and that financing the costs for capital improvements in the

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Master Plan Project Area through transfer of such funds was necessary and desirable, constituted a public purpose pursuant to the Master Plan and was in the best interests of the City and its residents and, accordingly, the capital fund budget was amended to appropriate remaining unspent funds in the total amount of \$118,768.00 from Fund BR-60011 (Infrastructure Improvements) to Fund BR-60012 (12th Street North Project Improvements); and

WHEREAS, the Department of Finance has determined there are remaining unspent funds in the total amount of \$34,232.00 in Fund BR-60011 (Infrastructure Improvements) which were appropriated under Ordinance No. 03-182 which are available for use to provide financing for additional projects in the Master Plan Project Area; and

WHEREAS, the City has determined that it is an appropriate and permissible use of TIF funds pursuant to the TIF Plan and projects described thereunder and under the Master Plan to transfer TIF funds in the amount of \$16,000.00 from Fund BR-60011 (Infrastructure Improvements) to City Center Street Feasibility Study, as provided below; and

WHEREAS, the Birmingham City Council does hereby determine that transferring the TIF funds as provided below is consistent with the redevelopment objectives of the TIF Plan and Master Plan and that financing the costs of a street feasibility study in the Master Plan Project Area through the transfer of such funds is necessary and desirable, constitutes a public purpose pursuant to the Master Plan and is in the best interests of the City and its residents.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amounts:</u> <u>Increased or (Decreased)</u>
Fund BR-TIF Construction Fund	
<u>BR/60011</u> Infrastructure Improvements	< 16,000.00>
_____ City Center Street Feasibility Study	<u>16,000.00</u>
	<u><u>-0-</u></u>

Recommendation of the Mayor:

I recommend the above appropriation in the amount of \$16,000.00

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

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Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham, \$16,000.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$16,000.00 provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

ORDINANCE NO. 07-160

WHEREAS, in Chapter 96A of Title 11, Code of Alabama (1975) (“Chapter 96A”), the Alabama Legislature found that it is a matter of public interest to provide safe and sanitary housing for low and moderate income citizens within the municipalities of the State by making available a more adequate supply of funds and increasing the availability of safe and sanitary housing for such citizens of low and moderate income, and that the necessity for the provision of such housing for low and moderate income persons and the taking of related actions provided for in Chapter 96A is in the public interest; and

WHEREAS, pursuant to Chapter 96A, the City has been vested with the power and authority to take certain actions to accomplish the legislative purpose of providing safe and sanitary housing for citizens of low and moderate income, including to sell at public or private sale, exchange, lease and convey any of its properties whenever such action is in furtherance of the purposes stated in Chapter 96A, and to appropriate, lend or donate funds or properties to nonprofit corporations or agencies to be used for the purpose of funding or providing low or moderate income housing, to make, enter into and execute such contracts, agreements, leases and other instruments and to take such other actions as may be necessary or desirable to accomplish any purpose granted by Chapter 96A; and

WHEREAS, Greater Birmingham Habitat for Humanity (“Habitat for Humanity”) is an Internal Revenue Code §501(c)(3) corporation which works with the economically disadvantaged to help them create a better human habitat in which to live and work; and

WHEREAS, the City and Habitat for Humanity have entered into a HOME Program Agreement (the “Home Agreement”) on June 9, 2003 for the construction of affordable homes; and

WHEREAS, the City and Habitat for Humanity simultaneously herewith propose, subject to the approval of the City Council of Birmingham, to enter into an additional HOME Investment Partnerships Program Agreement (the “Additional Home Agreement”) dated August 28, 2007 for the purposes of acquisition of property and providing mortgage assistance for up to 11 single-family detached units; and

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WHEREAS, the Home Investment Partnership Program (the "Home Program") was created by the United States Government under Title II of the Cranston-Gonzalez National Affordable Housing Act as amended (Title II, Pub.L.101-625, originally approved November 28, 1990, 104 Stat. 4094-4128, 42 U.S.C. 12707-12839) (the "Cranston-Gonzalez Act"); and

WHEREAS, pursuant to the Home Agreement and the Additional Home Agreement, Habitat for Humanity serves as a non-profit developer of affordable housing for persons with low to moderate income on scattered sites throughout the City of Birmingham, and is specifically developing single-family homes; and

WHEREAS, as the developer, Habitat for Humanity will be responsible that such project (the "Project") is in compliance with the requirements of the HOME Program by ensuring that these units will be sold to buyers who meet Federal Home Program Income and Occupancy Restrictions; and

WHEREAS, Habitat for Humanity will act as developer for the construction development of affordable homes on the property located at: (1) 227 47th Street South, Birmingham, AL 35222; (2) 601 26th Street Ensley, Birmingham, AL 35218; (3) 2518 Avenue I, Birmingham, AL 35218; (4) 471 Theta Avenue, Birmingham, AL 35205; and (5) 464 Iota Avenue, Birmingham, AL 35205 which property is more particularly described below (the "Property"); and,

WHEREAS, pursuant to Resolution 899-06, adopted by the Council of the City of Birmingham on April 4, 2006, the City purchased property known as "Butler School" located at 227 47th Street, Birmingham, Alabama 35222 (hereinafter referred to as the "Butler School Property"), from the City Board of Education of Birmingham, Alabama, for the sum of \$125,000.00, which property is more particularly described below, for the purpose of land banking for future residential use; and

WHEREAS, on August 17, 1998, the City purchased property located at 601 26th Street, Ensley, Birmingham, Alabama 35218 from Residential Funding Corporation, for the sum of \$49,451.36, which property is more particularly described below, for the purpose of land banking for future residential use; and

WHEREAS, on April 8, 2003, the City purchased property located at 2518 Avenue I, Birmingham, Alabama 35218 from Barbara Ellen Perry Pitts, as Trustee of the BCP Trust, for the sum of \$5,000.00, which property is more particularly described below, for the purpose of land banking for future residential use; and

WHEREAS, on August 10, 1995, the City purchased property located at 471 Theta Avenue, Birmingham, Alabama 35205 and 464 Iota Avenue, Birmingham, Alabama 35205 from Douglas Corretti, for the sum of \$42,500.00, which property is more particularly described below, for the purpose of land banking for future residential use; and

WHEREAS, the City has determined that the conveyance of the Property to Habitat for Humanity in connection with and in furtherance of the HOME Program is in the public interest and for a public purpose and is consistent with the legislative purposes of United States Government under Title II of the Cranston-Gonzalez Act and is in accordance with the legislative purposes of Chapter 96A, and that the use of the Property for affordable housing is in the public interest and

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will benefit the public by making available housing opportunities for persons of low or moderate income; and

WHEREAS, the City desires to convey the Property to Habitat for Humanity for a consideration of One Dollar (\$1.00) in order that Habitat for Humanity can develop affordable housing thereon for sale to persons with low or moderate income under the HOME Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Birmingham as follows:

1. That the Mayor be and hereby is authorized, for and as the act of said City, to execute a statutory warranty deed or quitclaim deed, subject to restrictions on title, and other instruments required to finalize the conveyance of the Property to Habitat for Humanity for redevelopment of affordable homes in accordance with the purposes of the applicable Home Agreement.

2. That in the judgment of said Council the Property is not needed for public or municipal purposes.

3. The Mayor is hereby authorized to execute statutory warranty deeds and/or quitclaim deeds and any and all other instruments and to take any and all actions to effectuate the direction of this Ordinance.

4. In case any one or more of the provisions contained in this Ordinance shall be held invalid, illegal or unenforceable for any reason, the invalidity, illegality or unenforceability shall not affect any other provision hereof and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

LEGAL DESCRIPTIONS:

(1)

Property Address: 227 47th Street South, Birmingham, AL 35222

Legal Description: Lot 10-A, Block 47, according to the Survey of East Avondale, being a resurvey of 1/2 of Block 22, Section 29 Township 17, Range 2, as recorded in Map Book 47, Page 36, in the Probate Office of Jefferson County, Alabama

Parcel ID: 23-29-1-6-11.000-RR

(2)

Property Address: 601 26th Street Ensley, Birmingham, AL 35218

Legal Description: Lots 1 & 2, Block 26-F Ensley 1st Add

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Parcel ID: 29-6-2-23-1.000-RR

(3)

Property Address: 2518 Avenue I, Birmingham, AL 35218

Legal Description: Lot 8, Block 25-H 1st Add to Ensley

Parcel ID: 29-6-2-19-8.000-RR

(4)

Property Address: 471 Theta Avenue, Birmingham, AL 35205

Legal Description: Lots 1, 2, 3 and 4, Block 2, according to the Survey of W.A. Watts Addition to Birmingham, as recorded in Map Book 14, Page 49, in the Probate Office of JEFFERSON COUNTY, ALABAMA.

Parcel ID: 29-02-2-024-002.000-RR

(5)

Property Address: 464 Iota Avenue, Birmingham, AL 35205

Legal Description: Lots 1, 2, 3 and 4, Block 3, according to the Survey of W.A. Watts Addition to Birmingham, as recorded in Map Book 14, Page 49, in the Probate Office of JEFFERSON COUNTY, ALABAMA.

Parcel ID: 29-02-2-024-028.000-RR

RESOLUTION NO. 1372-07

BE IT RESOLVED by the Council of the City of Birmingham, Alabama, that the Mayor be authorized to enter into an agreement whereby Clayton Industries, LTD is allowed to enter upon City of Birmingham right of way to install and maintain a canopy as shown on Exhibit "A" attached to and being a part of said agreement, said canopy to be located within the right of way of the 400 Block of 3rd Avenue Alley North.

RESOLUTION NO. 1373-07

WHEREAS, Community Housing Development Corporation of Alabama and the City of Birmingham entered into a HOME Agreement dated June 21, 2005 (the "Agreement"), under which Community Housing Development Corporation of Alabama agreed to acquire and rehabilitate ten single family detached units for sale to low-to-moderate-income residents and the City agreed to provide financing in the amount of \$861,440.00 to Community Housing Development Corporation of Alabama for such activities; and

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WHEREAS, the City and Community Housing Development Corporation of Alabama desire to amend the Contract to increase the original appropriation from \$861,440.00 to \$1,253,410.40; and

WHEREAS, the City has determined that such amendment to the Agreement is consistent with the intent of the parties and the scope of services set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that the Mayor be and hereby is authorized to execute an amendment to the HOME Agreement, in substantially the same form as on file in the Office of the City Clerk, with Community Housing Development Corporation of Alabama under which the City will provide an additional Three Hundred Ninety-One Thousand Nine Hundred Seventy and 40/100 Dollars (\$391,970.40) in HOME Funds at 0% interest to be utilized for acquisition and rehabilitation financing for the rehabilitation of up to ten (10) single-family detached units, and to be secured by a construction mortgage on each rehabilitated single-family unit.

BE IT FURTHER RESOLVED that as part of the Agreement, if necessary in order to finance the conveyance of said units to low/moderate income homebuyers, the City will have the option of providing up to 100% purchase financing, including costs associated with the acquisition/rehabilitation and conveyances of the property when market and other conditions warrant, as determined by the Director of Community Development.

RESOLUTION NO. 1374-07

BE IT RESOLVED by the Council of the City of Birmingham that the Mayor be and hereby is authorized to enter into an agreement, in substantially the same form as on file in the Office of the City Clerk (the "Agreement"), with Greater Birmingham Habitat for Humanity under which the City will provide up to One Million Fifty Thousand and No/100 Dollars (\$1,050,000.00) in HOME Funds and at 0% interest to be utilized as construction financing for services for the design, construction and development, land acquisition, on site infrastructure, and other related costs of eleven (11) single-family units, with such loan to be secured by a construction mortgage on the eleven single-family units; and Two Hundred Fifty Thousand and No/00 (\$250,000.00) of UDAG Funds to be utilized for additional neighborhood development and revitalization activities.

BE IT FURTHER RESOLVED that as part of the Agreement, if necessary in order to finance the conveyance of said units to low/moderate income homebuyers, the City will have the option of providing up to 100% purchase financing, including costs associated with the acquisition/rehabilitation and conveyances of the property when market and other conditions warrant, as determined by the Director of Community Development. The single family units will be constructed on real property, situated in the City of Birmingham, being more particularly described as follows:

Old Butler School and scattered sites in the surrounding five block area

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227 47th Street South, Birmingham, AL 35222

Lot 10-A, Block 47, according to the Survey of East Avondale, being a resurvey of 1/2 of Block 22, Section 29 Township 17, Range 2, as recorded in Map Book 47, Page 36, in the Probate Office of Jefferson County, Alabama

RESOLUTION NO. 1375-07

WHEREAS, Jefferson County Housing Authority Housing and Development Corporation and the City of Birmingham entered into a HOME Agreement dated June 21, 2005 (the "Agreement"), under which Jefferson County Housing Authority Housing and Development Corporation agreed to acquire and rehabilitate ten single family detached units for sale to low-to-moderate-income residents and the City agreed to provide financing in the amount of \$836,184.00 to Jefferson County Housing Authority Housing and Development Corporation for such activities; and

WHEREAS, the City and Jefferson County Housing Authority Housing and Development Corporation desire to amend the Agreement to increase the original appropriation from \$836,184.00 to \$1,111,457.79; and

WHEREAS, the City has determined that such amendment to the Agreement is consistent with the intent of the parties and the scope of services set forth in the Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that the Mayor be and hereby is authorized to execute an amendment to the Agreement, in substantially the same form as on file in the Office of the City Clerk with Jefferson County Housing Authority Housing and Development Corporation under which the City will provide an additional Two Hundred Seventy-five Thousand Two Hundred Seventy-Three and 79/100 Dollars (\$275,273.79) in HOME Funds at 0% interest to be utilized for acquisition and rehabilitation financing for the rehabilitation of up to ten (10) single-family detached units, and to be secured by a construction mortgage on each rehabilitated single-family unit.

BE IT FURTHER RESOLVED that as part of the Agreement, if necessary in order to finance the conveyance of said units to low/moderate income homebuyers, the City will have the option of providing up to 100% purchase financing, including costs associated with the acquisition/rehabilitation and conveyances of the property when market and other conditions warrant, as determined by the Director of Community Development.

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RESOLUTION NO. 1376-07

WHEREAS, City of Birmingham Ordinance NO. 92-223, as amended by Ordinance No. 00-81, declared as a matter of public policy that the preservation and protection of properties and districts of historical, architectural, cultural, archaeological, educational and aesthetic merit are public necessities that contribute to the health, prosperity and welfare of the people of the City of Birmingham; and

WHEREAS, the City of Birmingham has developed and established a comprehensive historic preservation program to protect, preserve and rehabilitate significant housing, community facilities, architectural structures, distinctive landmarks, and certain historic areas within the City which are deemed worthy of preservation; and

WHEREAS, the State of Alabama has passed legislation giving local governments the authority and power to preserve historically significant sites and structures; and

WHEREAS, historic preservation can be a stimulus to reinvestment, rehabilitation, and revitalization of older areas, a goal which remains a high priority in the City's economic and community renewal efforts; and

WHEREAS, the City of Birmingham has been designated as a Preserve America Community as part of a White House initiative developed in cooperation with the Advisory Council on Historic Preservation, the U.S. Department of the Interior, and the U.S. Department of Commerce; and

WHEREAS, the goals of the Preserve America initiative include a greater shared knowledge about the Nation's past, strengthened regional identities and local pride, increased local participation in preserving the country's irreplaceable cultural and and natural heritage assets, and support for the economic vitality of communities; and

WHEREAS, this initiative is compatible with the City's interests and goals related to historic preservation; and

WHEREAS, one of the benefits of the Preserve America Community designation is eligibility to apply for competitive, Federal Preserve America matching grant funds through the Federal Preserve America Grant Program administered by the National Park Service; and

WHEREAS, Main Street Birmingham, Inc. partnered with the City of Birmingham in applying for a Federal Preserve America grant; and

WHEREAS, the City of Birmingham has been awarded a twenty-five thousand dollar (\$25,000) Federal Preserve America grant for the performance of a historical and architectural survey of the Ensley Commercial District and of Tuxedo Junction, for the nomination of the Ensley Commercial District and of Tuxedo Junction to the National Register of Historic Places, for

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the completion of an architectural guide to Ensley's commercial district, and for the completion of a cultural and industrial community history of Ensley and Tuxedo Junction; and

WHEREAS, a twenty-five thousand dollar (\$25,000) matching share must be applied to the grant and will include twenty-three thousand dollars (\$23,000) from in-kind donations, one thousand dollars (\$1,000) from Ensley Neighborhood Association funds, and one thousand dollars (\$1,000) from Tuxedo Neighborhood Association funds;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that the Mayor is hereby authorized to execute a grant agreement with the National Park Service of the United States Department of the Interior for the City of Birmingham to receive twenty-five thousand dollars (\$25,000) in grant monies, to be combined with a matching share of twenty-five thousand dollars (\$25,000), which includes twenty-three thousand dollars (\$23,000) from in-kind donations, one thousand dollars (\$1,000) from Ensley Neighborhood Association funds, and one thousand dollars (\$1,000) from Tuxedo Neighborhood Association funds, for the performance of a historical and architectural survey of the Ensley Commercial District and of Tuxedo Junction, for the nomination of the Ensley Commercial District and of Tuxedo Junction to the National Register of Historic Places, for the completion of an architectural guide to Ensley's commercial district, and for the completion of a cultural and industrial community history of Ensley and Tuxedo Junction.

RESOLUTION NO. 1377-07

Whereas on November 30, 2006, an Alabama Emergency Management Agency Hazard Mitigation Planning Application was submitted by the City of Birmingham to obtain a FEMA Hazard Mitigation Grant Program Expanded Mitigation Strategies Planning Pilot Grant;

Whereas the application has been reviewed by the Alabama Emergency Management Agency and FEMA Transitional Recovery Office in Montgomery, Alabama as a part of its pre-award review phase; and

Whereas as a result of this review the City of Birmingham must provide a formal commitment to provide the required local match should this grant be awarded;

BE IT RESOLVED by the Council of the City of Birmingham, Alabama, that the Mayor is hereby authorized to commit to providing in-kind services and/or cash for an amount not to exceed One Hundred Fifteen Thousand Dollars and no/100 (\$115,000.00) to match the federal share of \$345,000 should the grant be awarded.

RESOLUTION NO. 1378-07

BE IT RESOLVED by the Council of the City of Birmingham that the appointment of Civil Rights Activist Committee, Birmingham, AL, in the amount of \$50,000.00 to present workshops, collect oral histories, education, establish and maintain a database, publish a newsletter, and

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organize and facilitate an annual reunion and festival be and the same hereby is approved, and;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appointment letter on behalf of the City.

Appropriated for in FY 2007-2008 Budget
Condense Code: 001
Object Code: 4643, 4624

RESOLUTION NO. 1379-07

BE IT RESOLVED by the Council of the City of Birmingham that the appointment of Miles College, Fairfield, AL, in the amount of \$25,277.00 to promote, host, and facilitate the Golden Classic Football Game, which is to be held at Legion Field Stadium, and to market the City with prominent signage and recognition where appropriate be and the same hereby is approved, and;

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appointment letter on behalf of the City.

Appropriated for in FY 2007-2008 Budget

RESOLUTION NO. 1380-07

WHEREAS, the provisions of Act No. 929 (Ala. Acts 1951) of the Legislature of Alabama, as amended by Act No. 558 (Ala. Acts 2000) of the Legislature of Alabama, as restated in Act 2006-339 of the Legislature of Alabama (Ala. Acts 2006), relating to the Board of Managers of the City of Birmingham Retirement and Relief System, provide that the governing body of the City of Birmingham has the authority to prescribe rules and regulations concerning the conduct of the election to the Board of Managers;

WHEREAS, under Act No. 2006-339, should a vacancy arise due to death of Member No. 7, the firefighter representative, there shall be an election to fill the unexpired term of such Member No. 7;

WHEREAS, Resolution 9-66, amended by Resolution 37-66, amended by Resolution 222-70, which provided for certain election rules and regulations for members of the Board of Managers for the Retirement and Relief System of the City of Birmingham are due to be amended based upon provisions of the new state Act No. 2006-339;

NOW THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that the rules and regulations of Resolution 222-70 are hereby amended and the following rules and

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regulations for the election to fill the unexpired term of Member No. 7 are prescribed for the conduct of such election:

1. The election, and each election thereafter, shall be by secret ballot and conducted by and under the supervision of an election committee of three members, each of whom shall be a member of the system. The members of the election committee shall be appointed by the Mayor for a term of four years and shall serve until his/her successor has been appointed. One member of said committee shall be a member of the police department, one shall be a member of the fire department and one shall be a member of the system not a member of the fire department or police department. In the event of a vacancy in said committee for any reason, the Mayor shall appoint a person of the same class as the person last holding the position to serve the unexpired term. No member of the election committee shall be a candidate in said election.
2. The election committee shall designate the department head of the Fire Department of the City of Birmingham to be in charge and responsible for the conduct of the balloting by the firefighters members of the system assigned to that department. The Fire Chief is authorized to designate and appoint a sufficient number of persons to assist him/her for this purpose.
3. All nominations for position of Members No. 7 shall be made in writing to the Council and delivered or sent to the City Clerk no later than the first Friday in October. Acceptance of the nomination shall be upon a form prepared by the election committee and the nominee shall certify that he/she meets the qualification required for that position by state law. Failure to file such acceptance and certification, as hereinabove required shall void such nominations.
4. The election committee shall cause to be prepared and distributed to the Fire Chief a sufficient number of ballots, and every ballot shall contain the names of the qualified candidates nominated for the firefighter position to be filled as provided for under state law. In filling position of Member No. 7, only members of the system who are firefighters shall vote to fill this position. The Fire Chief shall be provided by the election committee with a roll containing the names of the members of the system in Fire Department entitled to vote in said election and the names of such members shall be appropriately marked at the time their ballots are cast and a poll list or lists on which each firefighter shall place his/her signature at the time his/her ballot is cast. At the close of each day's balloting the ballot box or boxes of the Fire Department shall be secured and placed for safe keeping under lock. Fire Chief by 9:00 A.M. on the next day after the balloting is closed shall deliver the same to the election committee, together with all ballots cast, in an envelope securely sealed and addressed.
5. As soon as all ballots for firefighters shall have been received by the election committee, the members of the election committee in the presence of each other shall open said envelopes, canvass and count the same and ascertain and determine the total number of ballots cast at said election and the number of ballots cast for each of the candidates for each position to be filled by the election.

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A certificate of election shall be issued by the election committee to the candidate in the Member No. 7 election who shall have received a majority of the votes for that member position. If no one candidate for such position shall have received a majority of the votes for such position, the election committee shall determine the names of the two candidates who have received the highest number of votes for Member No. 7 position. The election committee shall notify the City Clerk of the results of the election. The City Clerk shall cause a notice of the run-off election on the dates provided to be posted in City Hall and distributed to the Fire Chief of the City. No election shall be set aside for want of formality in balloting by such members or in certifying or transmitting returns of any such election by the persons in charge thereof.

6. The polling place for the member candidates shall be open for three days during the election and any run-off required. The election shall be held on the first Tuesday of December of 2007, and the Wednesday and Thursday, December 4, December 5 and December 6, 2007, thereafter and shall be held each four years thereafter. Notice of said election shall be given by the City Clerk not less than ninety days prior to the date of said election by causing written notice thereof to be prominently posted in the City Hall, distributed to department heads of the City and to the election committee for distribution to the retired employees. In the event of a run-off election as a result of a lack of a candidate receiving a majority vote for the member position, the City Clerk shall have notices of the date of the run-off election posted in City Hall, distributed to the Fire Chief. Such run-off election shall be held, if necessary, on the second Tuesday and the Wednesday and Thursday thereafter in January, 2008. In the further event that only one nomination is filed for the position to be filled, the election committee shall declare the person so nominated to be elected without necessity of placing his/her name on the ballot. In the further event that there is no person nominated for Member No.7, the City Clerk shall give notice of another election and nominations shall be received for said unfilled position or positions as heretofore provided.
7. BE IT FURTHER RESOLVED that the City Clerk of the City of Birmingham be and is authorized to publish this resolution one time in a newspaper of general circulation in the City of Birmingham.

RESOLUTION NO. 1381-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 3rd day of August, 2004, adopted Resolution No. 2557-04; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 25th day of October, 2004 Volume 200414, Page 5278, and;

WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

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WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$1,373.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$1,373.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$1,373.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Blanche A Lacey
ADDRESS: 1229 38th Street North

LEGAL DESCRIPTION: LOTS 21+22+23 BLK 55 KLONDYKE AS RECORDED IN MAP BOOK 5, MAP PAGE 62 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (23-19-1-32-1). LOT SIZE: 50' X 144'

COST: \$1,373.00 ACCT# 5977 PTK# CON2003-00066

RESOLUTION NO. 1382-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 26th day of August, 2003, adopted Resolution No. 1373-03; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 15th day of October, 2003 Volume 200315, Page 7991, and;

WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

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WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$8,017.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$8,017.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$8,017.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Tacqua C. Key
ADDRESS: 3006 Prince Avenue Ensley

LEGAL DESCRIPTION: N 20 FT LOT 17 AND S 20 FT LOT 18 INVESTMENT REAL EST CO SUR OF BLK D MARGARET BRYAN SUR AS RECORDED IN MAP BOOK 5, MAP PAGE 89 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (29-5-3-18-27). LOT SIZE: 40' X 88.7'

COST: \$8,017.00 ACCT# 5978 PTK# CON2002-00172

RESOLUTION NO. 1383-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 6th day of September, 2005, adopted Resolution No. 2237-05; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 18th day of October, 2005 Volume 200514, Page 3518, and;

WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a

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public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$2,610.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$2,610.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$2,610.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Alta Monroe
ADDRESS: 2001 15th Place SW

LEGAL DESCRIPTION: LOT 14 BLK 40 MASON CITY AS RECORDED IN MAP BOOK 6, MAP PAGE 8 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (29-16-4-21-1). LOT SIZE: 50' X 135'

COST: \$2,610.00 ACCT# 5979 PTK# CON2003-0009

RESOLUTION NO. 1384-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 23rd day of November, 2004, adopted Resolution No. 3618-04; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 15th day of March, 2005 Volume 200504, Page 2438, and;

WHEREAS, by said resolution the Council determined that the building or structure

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described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$2,740.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$2,740.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$2,740.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Residential Funding Corp.

ADDRESS: 1614 2nd Street South

LEGAL DESCRIPTION: LOTS 10 & 11 BLK 2 GREEN SPRINGS 1ST ADD AS RECORDED IN MAP BOOK 15, MAP PAGE 46 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (29-11-2-3-10). LOT SIZE: 80' X 100'

COST: \$2,740.00 ACCT# 5980 PTK# CON2004-00012

RESOLUTION NO. 1385-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 26th day of January, 2006, adopted Resolution No. 168-06; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 17th day of May, 2006 Volume 200608, Page 16049, and;

WHEREAS, by said resolution the Council determined that the building or structure

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described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$4,710.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$4,710.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$4,710.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Andrew & Evelyn Green
ADDRESS: 2104 Avenue J

LEGAL DESCRIPTION: SE 93 FT OF LOTS 21+22 BLK 21-I ENSLEY LD CO 5TH ADD TO ENSLEY AS RECORDED IN MAP BOOK 4, MAP PAGE 80 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (22-31-3-43-12). LOT SIZE: 50' X 93'

COST: \$ 4,710.00 ACCT# 5981 PTK# CON2005-00040

RESOLUTION NO. 1386-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 9th day of August, 2005, adopted Resolution No. 1824-05; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 18th day of October, 2005 Volume 200514, Page 3514, and;

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WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$1,760.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$1,760.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$1,760.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Migel Quinton Sanders
ADDRESS: 5528 Walker Avenue RC

LEGAL DESCRIPTION: LOT 2 BL 22 CRESCENT HGTS AS RECORDED IN MAP BOOK 1206, MAP PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (30-25-3-7-7). LOT SIZE: 50' X 130'

COST: \$ 1,760.00 ACCT# 5982 PTK#CON2005-00055

RESOLUTION NO. 1387-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 9th day of August, 2005, adopted Resolution No. 1825-05; and recorded same in the Office of the Judge of Probate of Jefferson County, Alabama on the 18th day of October, 2005 Volume 200514, Page 3460, and;

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WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$7,674.00; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$7,674.00 was reasonably incurred as the costs of demolition of such unsafe building or structure.

2. That the sum of \$7,674.00 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.

3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: Estate of Marie Montgomery
ADDRESS: 1417 Avenue J

LEGAL DESCRIPTION: LOTS 9 & 10 BLK 14-J ENSLEY LAND COMPANYS SECOND ADDITION TO ENSLEY AS RECORDED IN MAP BOOK 4, MAP PAGE 37 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (22-31-4-15-6). LOT SIZE: 25' X 130'

COST: \$ 7,674.00 ACCT# 5983 PTK#CON2005-00057

RESOLUTION NO. 1388-07

WHEREAS, the Council of the City of Birmingham, Alabama, on the 23rd day of May, 2006 , adopted Resolution No. 1239-06; and recorded same in the Office of the Judge of Probate of

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Jefferson County, Alabama on the 3rd day of July, 2006 Volume 200611, Page 8678, and;

WHEREAS, by said resolution the Council determined that the building or structure described in said resolution and further described herein, was unsafe to the extent that it was a public nuisance; and

WHEREAS, said resolution provided that the Director of Planning, Engineering and Permits was directed to cause such building or structure to be demolished; and

WHEREAS, the said building or structure has been demolished as provided by law and the costs of such demolition has been reported to the Council to be the sum of \$2,066.50; and

WHEREAS, notice has been given as required by law that on this date and time the council would consider a resolution fixing the costs and assessing said against the property described herein;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham as follows:

1. That it is hereby ascertained by the Council that the sum of \$2,066.50 was reasonably incurred as the costs of demolition of such unsafe building or structure.
2. That the sum of \$2,066.50 shall be hereby fixed as a special assessment against the property hereinafter described and that such sum shall constitute a lien upon said property for the amount of such assessment and shall continue in force until paid.
3. That the name of the person or persons, firm, association or corporation last assessing the said property for state taxes, a description of such assessment for said costs is hereby determined, adjudged and fixed as follows, to wit:

NAME: West End Development Inc.
ADDRESS: 4146 23rd Lane North

LEGAL DESCRIPTION: P O B 101.4 FT S S LY OF THE INTER OF N LINE SEC 14 T 17 S R 3 W & W LINE 23RD LN TH S LY 25.7 FT ALG LN TH W 98 FT S TO I-65 TH NE 25.7 FT ALG I-65 TH E 100 FT S TO P O B BEING PT OF LOT 3 BLK 5 MASONTON AS RECORDED IN MAP BOOK 8, MAP PAGE 44 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (22-14-2-2-5). LOT SIZE: 25' X 98'

COST: \$2,066.50 ACCT# 5984 PTK#CON2005-00268

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RESOLUTION NO. 1389-07

WHEREAS, the Council of the City of Birmingham, on the 24th day of July, 2007 , by Resolution No. 1203-07, determined that the building(s) or structure(s) located at 916 52nd Street North, in the City of Birmingham is unsafe and a public nuisance and directed its demolition; and,

WHEREAS, the owner or agent of said property, William Frost, has filed application for a permit to perform the necessary and required repairs to abate such nuisance and is requesting a stay in the Council's demolition order and requests authorization to conduct such repairs; however, applicant had No other repair permits which was/were voided due to lack of substantial repairs; and,

WHEREAS, Section 103.6.2 of the Technical Code of the City of Birmingham, 2005, requires that an applicant for a building permit shall secure the building(s) or structure(s) and remove the weeds and trash from the premises within ten (10) days and make substantial repairs to the building(s) or structure(s) within thirty (30) days from the date the permit is issued or the permit is invalid; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that a permit may be issued to William Frost to conduct necessary and required repairs at 916 52nd Street North, and that the demolition directed pursuant to Resolution No. 1203-07 shall be delayed so long as a valid building permit is in effect;

BE IT FURTHER RESOLVED that if said permit is not obtained within seven (7) days from the date of this resolution or if the permit becomes invalid, the demolition as directed in Resolution No. 1203-07 shall proceed.

CON2007-00017

RESOLUTION NO. 1390-07

WHEREAS, the Council of the City of Birmingham, on the 7th day of August, 2007, by Resolution No. 1281-07, determined that the building(s) or structure(s) located at 717 6th Way Pratt City, in the City of Birmingham is unsafe and a public nuisance and directed its demolition; and,

WHEREAS, the owner or agent of said property, Lee Prather Sr., has filed application for a permit to perform the necessary and required repairs to abate such nuisance and is requesting a stay in the Council's demolition order and requests authorization to conduct such repairs; however, applicant had One other repair permits which was/were voided due to lack of substantial repairs; and,

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WHEREAS, Section 103.6.2 of the Technical Code of the City of Birmingham, 2005, requires that an applicant for a building permit shall secure the building(s) or structure(s) and remove the weeds and trash from the premises within ten (10) days and make substantial repairs to the building(s) or structure(s) within thirty (30) days from the date the permit is issued or the permit is invalid; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that a permit may be issued to Lee Prather Sr. to conduct necessary and required repairs at 717 6th Way Pratt City, and that the demolition directed pursuant to Resolution No. 1281-07 shall be delayed so long as a valid building permit is in effect;

BE IT FURTHER RESOLVED that if said permit is not obtained within seven (7) days from the date of this resolution or if the permit becomes invalid, the demolition as directed in Resolution No. 1281-07 shall proceed.

CON2004-00299

RESOLUTION NO. 1391-07

WHEREAS, the Council of the City of Birmingham, on the 5th day of December, 2006, by Resolution No. 2747-06, determined that the building(s) or structure(s) located at 716 83rd Street South, in the City of Birmingham is unsafe and a public nuisance and directed its demolition; and,

WHEREAS, the owner or agent of said property, Shannon Simpson, has filed application for a permit to perform the necessary and required repairs to abate such nuisance and is requesting a stay in the Council's demolition order and requests authorization to conduct such repairs; however, applicant had No other repair permits which was/were voided due to lack of substantial repairs; and,

WHEREAS, Section 103.6.2 of the Technical Code of the City of Birmingham, 2005, requires that an applicant for a building permit shall secure the building(s) or structure(s) and remove the weeds and trash from the premises within ten (10) days and make substantial repairs to the building(s) or structure(s) within thirty (30) days from the date the permit is issued or the permit is invalid; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that a permit may be issued to Shannon Simpson to conduct necessary and required repairs at 716 83rd Street South, and that the demolition directed pursuant to Resolution No. 2747-06 shall be delayed so long as a valid building permit is in effect;

BE IT FURTHER RESOLVED that if said permit is not obtained within seven (7) days from the date of this resolution or if the permit becomes invalid, the demolition as directed in

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Resolution No. 2747-06 shall proceed.

CON2006-00112

RESOLUTION NO. 1392-07

BE IT RESOLVED by the Council of the City of Birmingham, Alabama, that the lump sum bid of Three Hundred Fifty-Seven Thousand Seven Hundred Thirty-Five Dollars and no/100 (\$357,735.00), submitted by R.J. MECHANICAL, INC., 3153 Bellwood Drive, Birmingham, AL 35243, to install a vehicle exhaust system at FIRE STATION #7, 9, 13, 18, 23, 28, 29 & 30, for the BIRMINGHAM FIRE AND RESCUE, Birmingham, AL; received by the Department of Planning, Engineering and Permits on August 21, 2007, be and the same is hereby accepted, this being the lowest bid submitted, meeting specifications. The project will be funded under Miscellaneous Grants Fund [84-16106; approp. YR07]. The contract to be awarded is let in compliance with Title 39, Code of Alabama, 1975, as amended, and all other applicable provisions of law.

BE IT FURTHER RESOLVED that the Mayor be, and he is hereby authorized to enter into a contract with R.J. Mechanical, Inc., in accordance with said bid, providing that the total contract not exceed the appropriation.

RESOLUTION NO. 1393-07

BE IT RESOLVED by the Council of the City of Birmingham, Alabama, that the lump sum bid of Twenty-Seven Thousand Sixty Dollars and no/100 (\$ 27,060.00), submitted by U.S. SECURITY SYSTEMS, INC., 156 Market Place, Montgomery, AL 36117 (Not in City), to repair and/or replace doors and frames at BIRMINGHAM CITY JAIL, 425 6TH Avenue South, Birmingham, AL 35205; PTK# 142568, received by the Department of Planning, Engineering and Permits on August 10, 2007, be and the same is hereby accepted, this being the lowest bid submitted, meeting specifications. The project will be funded under Corrections Fund [CD-03321; approp. YR06]. The contract to be awarded is let in compliance with Title 39, Code of Alabama, 1975, as amended, and all other applicable provisions of law.

BE IT FURTHER RESOLVED that the Mayor be, and he is hereby authorized to enter into a contract with U.S. Security Systems, Inc., in accordance with said bid, providing that the total contract not exceed the appropriation.

RESOLUTION NO. 1394-07

BE IT RESOLVED by the Council of the City of Birmingham that any and all necessary payments for goods and services costing in excess of \$10,000.00 to any sole source vendors, for

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the purpose of conducting the October 9, 2007 Mayor and District 3 School Board Election and, if required, the October 30, 2007 Runoff Election, be and the same hereby is approved in accordance with City Code Section 3-1-7; and,

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute any and all necessary contracts or agreements.

Appropriated for in FY 2008 Budget

RESOLUTION NO. 1395-07

BE IT RESOLVED by the Council of the City of Birmingham that the employee expense accounts of the following be and the same is hereby approved for payment:

Victor Blackledge, Urban Design Administrator, Planning, Engineering and Permits, Washington, District of Columbia, \$887.02, July 11-12, 2007, to attend the Preserve America Grant Awards.

Lee Frazier, Deputy City Clerk, Office of the City Clerk, Florence, Alabama, \$538.98, June 29 - July 1, 2007, to attend the Alabama Association Municipal Clerks and Administrators Summer Conference.

Tamara Harris Johnson, City Attorney, Law Department, Atlanta, Georgia, \$1,482.41, July 30 – August 4, 2007, to attend National Bar Association.

Sam Schifanella, Public Works Contracts Administrator, Planning, Engineering and Permits, Nashville, Tennessee, \$2,008.92, July 14-18, 2007, to attend the American Association of Cost Engineers International Annual Meeting..

Paula Smith, City Clerk, Office of the City Clerk, Tuscaloosa, Alabama, \$620.85, August 7-10, 2007, to attend the Certification Training Institute for Municipal Clerks and Administrators and Master Municipal Clerks Academy.

RESOLUTION NO. 1396-07

WHEREAS, Act No. 105 of the Third Special Session of the Alabama Legislature, 1971, as amended by Act No. 87-728 of the Regular Session of the Alabama Legislature, 1987, and Act No. 89-380 of the Regular Session of the Alabama Legislature, 1989, and Act No. 91-192 of the Regular Session of the Alabama Legislature, 1991, provides that noxious or dangerous weeds growing upon private property in a municipality may be found and declared to be a public nuisance and the municipality may abate the nuisance and the cost of the abatement of said nuisance shall constitute a special assessment and create a lien against such private property: and

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WHEREAS, the properties listed herein below in the City of Birmingham have growing upon them weeds which have attained such a large growth as to become a fire menace when dry and which are noxious and dangerous:

NOW, THEREFORE BE IT RESOLVED by the Council of the City of Birmingham that the real properties described herein below be and are hereby declared to be a public nuisance.

1	29-16-3-09-08.000-RR	+228 WEST ANN DR SW 35211	LOT 3 BLK 3 POWDERLY HILLS
2	29-17-4-18-24.000-RR	2212 DAWSON AVE SW 35211	LOT 137 COLLEGE PARK
3	29-09-2-17-36.000-RR	1528 COTTON AVE 35211	P O B 35S FT SW OF INTER NW LINE COTTON AVE & E LI
4	29-09-2-12-01.000-RR	1645 FULTON AVE 35211	LOT 10 BLK 3 WEST END PLACE
5	29-05-4-15-07.000-RR	107 18TH WAY SW 35211	OAKWOOD ESTATES RESUR BLOCK: 11 LOT: 3
6	30-26-1-14-03.000-RR	5605 WINTERGREEN AVE 35020	BEG 20 FT W & 85 FT N OF SE COR OF SE1/4 OF NE1/4 TH CONT N 35 FT W 205 FT S 35 FT E 205 FT TO POB BEING PT
7	30-26-1-14-01.000-RR	5613 WINTERGREEN AVE 35020	BEG 20 FT W OF SE COR OF SE1/4 OF NE1/4 TH CONT W 205 FT N 35 FT E 205 FT S 35 FT TO POB BEING PT OF SE1/4
8	30-26-1-14-04.000-RR	5601 WINTERGREEN AVE 35020	BEG 20 FT W & 120 FT N OF SE COR OF SE 1/4 OF NE 1/4 TH CONT N 61.5 FT W 205 FT S 61.5 FT E 205 FT TO POB BEING
9	22-15-3-21-08.000-RR	3608 4TH ST W 35207	Lots 9 & 10 Blk 3 Hooper Highlands Sector One & A
10	22-20-3-03-07.000-RR	1204 COLUMBIA ST 35214	LOTS 2 & 3 & 4 BLK 2 AMOS GOING LYING S OF COLUMBIA PL & N COLUMBUS ST LESS & EXC E 10 FT OF
11	22-15-3-19-03.001-RR	3638 4TH ST W 35207	LOT 5 BLK 1 HOOPER CITY HIGHLANDS 1ST SECTCOLUMBUS ST LESS & EXC E 10 FT OF
11	22-15-3-19-03.001-RR	3638 4TH ST W 35207	LOT 5 BLK 1 HOOPER CITY HIGHLANDS 1ST SECT
12	22-15-1-05-06.000-RR	147 41st AVE N 35207	LOT IN SE1 / 4 NE1 / 4 DESC BEG 612 FT W OF SW / C
13	22-15-1-05-05.000-RR	204 41ST AVE N 35207	LOT IN SE 1/4 NE 1/4 DESC BEG 505 FT W SW/COR INT
14	22-15-1-05-04.000-RR	207 41ST AVE N 35207	ENSLEN C F SUB L 22-15-1 LOT: 3
15	22-15-1-05-03.000-RR	211 41ST AVE N 35207	ENSLEN C F SUB L 22-15-1 LOT: 3
16	22-15-1-05-02.000-RR	213 41ST AVE N 35207	ENSLEN C F SUB L 22-15-1 LOT: 2
17	22-15-1-05-47.000-RR	308 40TH CT N 35207	ENSLEN C F SUB L 22-15-1 LOT: 22
18	22-15-1-05-38.000-RR	4020 3RD ST N 35207	LOT 12 BLK 3 AMELIA THOMAS SUB
19	22-19-3-01-124.000-RR	301 LAMPLIGHTER LN 35214	LOT 10 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87
20	22-19-3-01-03.000-RR	621 SHERIDAN RD 35214	BEG 60 S FT SE & 55 S FT S OF INTER OF N ROW SHERIDAN RD & N LINE OF SW 1/4 THENCE S-179 163 S SE-100 N-179 163 S
21	22-31-4-05-01.000-RR	1309 AVENUE J 35218	LOT 4 BLK 13-J JOHN CARRETTES
22	23-15-1-12-14.000-RR	7528 1ST AVE N 35206	LOT 8 BLK 9 EAST LAKE
23	29-17-4-18-25.000-RR	2208 DAWSON AVE SW 35211	LOT 138 COLLEGE PARK
24	29-17-4-17-10.002-RR	2032 DAWSON AVE SW 35211	LOT 152 COLLEGE PARK

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25	29-17-4-17-10.000-RR	2024 DAWSON AVE SW 35211	LOTS 154 COLLEGE PARK PB 10 PG 11
26	22-20-3-04-05.000-RR	1116 LAFAYETTE ST 35214	POB 143 FT E OF INTER OF N/L OF LAFAYETTE ST & E/L DUGAN AV TH E 140 FT TH N 145 FT T W 120 FT TH S 126 FT TO POB
27	28-01-1-10-08.000-RR	790 WALNUT ST 35210	LOT 158 OVERTON LAND COS OVERTON NO 2 SUBDIVISION
28	29-17-4-17-10.003-RR	NEXT TO 2024 DAWSON AVENUE 35211	LOT 155 COLLEGE PARK PB 10 PG 11
29	29-17-4-17-04.000-RR	2017 SNAVELY AVE SW 35211	LOT 155 NABERS LD CO 2ND ADD TO COLLEGE PARK
30	29-17-4-17-05.000-RR-01	2021 SNAVELY AVE SW 35211	LOT 154 NABERS LD CO 2ND ADD TO COLLEGE PARK 12/91
31	29-17-4-17-05.001-RR	2025 SNAVELY AVE SW 35211	LOT 153 NABERS LD CO 2ND ADD TO COLLEGE PARK 12/91
32	22-15-1-07-12.000-RR	4016 MILLER ROW 35207	No 70 Ft Of Lot 33 C F Enslen Survey
33	29-17-4-15-10.000-RR	2024 SNAVELY AVE SW 35211	LOT 146 NABERS LAND CO 2ND ADD TO COLLEGE PARK
34	29-17-4-17-06.000-RR	2029 SNAVELY AVE SW 35211	LOT 152 NABERS LD CO 2ND ADD TO COLLEGE PARK
35	22-15-1-05-23.000-RR-01	28 40TH CT N 35207	LOTS 6 & 7 BLK 1 FRANKLIN GARDENS #2 PB 27 PG 94
36	22-26-1-02-24.000-RR	1584 HUNTSVILLE RD 35234	LOT 11 BLK 8 DRUID HILLS EXCEPT RD R/W
37	22-26-1-02-27.000-RR	1602 HUNTSVILLE RD 35234	LOT 14 BLK 8 DRUID HILLS EXCEPT ROAD ROW
38	22-31-1-40-12.000-RR	1304 AVENUE J 35218	LOT 25 ALA LOT COS RESUR OF SE 1/2 OF BLK 13-1 ENSLEY
39	22-31-1-40-13.000-RR	1300 AVENUE J 35218	LOT 26 ALA LOT COS RESUR OF SE 1/2 OF BLK 13-1 ENSLEY
40	23-15-1-12-15.000-RR	7532 1ST AVE S 35206	LOT 9 BLK 9 EAST LAKE
41	23-15-1-11-02.000-RR	7515 1ST AVE S 35206	LOT 14 BLK 6 EAST LAKE
42	23-15-1-11-04.000-RR	7511 1ST AVE S 35206	LOT 16 BLK 6 EAST LAKE
43	22-15-3-21-13.000-RR	3624 4TH ST W 35207	LOTS 34 & 35 BLK 2 HOOPER CITY HIGHLANDS FIRST SEC
44	22-20-3-02-09.000-RR	817 LACEY RD 35214	N 100 FT LOT 6 BLK 3 AMOS GOING
45	22-15-3-19-02.000-RR	3642 4TH ST W 35207	LOT 3 BLK 1 HOOPER CITY HIGHLANDS FIRST SECTOR
46	22-20-3-10-09.000-RR	1129 COLUMBIA ST 35214	POB 72.5 FT E OF INTER COLUMBIA ST & AMOS ST TH CONT E 72.5 FT TH S 68 FT TH W 70 FT TH N 75 FT TO POB
47	22-15-3-19-01.000-RR	3644 4TH ST W 35207	LOTS 1 & 2 BLK 1 HOOPER CITY HIGHLANDS 1ST SECTOR
48	22-30-1-17-04.000-RR	409 AVENUE E 35214	LOT 5 ACC TO RESUR & SUB OF PT OF LOTS 2-3 BLK 2 HUEY PLAT REC 81/150 SD RESUR BEING REC 26/45 HUEY PLAT RESUR
49	22-30-1-16-14.000-RR-01	420 AVENUE E 35214	PT OF LOT 4 BLK 1 HUEYS ORIGINAL SUB MORE PART DESC AS FOLS POB 100 FT N OF THE NW INTER OF 5TH ST AND AVE E TH
50	22-15-4-07-21.000-RR	3842 1ST ST W 35207	LOT 3 BLK 5 OAKHURST ADD TO NORTH BHAM
51	22-30-1-16-01.001-RR	400 AVENUE E 35214	LOT 2 COSTELLOS RESUR 169/48
52	22-30-4-03-03.000-RR	520 CARLINE AVE 35214	LOT 8 BLK 1 ENSLEY LD CO ADD TO PRATT CITY
53	23-22-3-15-01.000-RR	512 ATHENS CT 35212	LOT 45 NEW CALEDONIA RESUR 42/34
54	23-22-3-15-05.000-RR	513 ATHENS CT 35212	LOT 52 NEW CALEDONIA RESUR

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55	29-09-4-21-66.000-RR	1408 16TH ST SW 35211	LOT 4 SHOOKS ADD TO WEST END
56	23-22-3-03-03.000-RR	6425 5TH AVE S 35212	W 67.50 FT OF LOTS 22+23+24 BLK 1 SCOTT PLACE
57	29-10-1-14-21.000-RR	29 9TH CT SW 35211	LOT 24 HONEYSUCKLE CIRCLE
58	28-01-1-10-06.000-RR	764 WALNUT ST 35210	LOT 162 OVERTON LAND COS OVERTON NO 2 SUBDIVISION
59	28-01-1-10-09.000-RR	806 WALNUT ST 35210	LOT 156 OVERTON LAND COS OVERTON NO 2 SUBDIVISION
60	23-22-2-32-03.000-RR	6300 2ND AVE S 35212	LOT 31 WARE STEWART WALDROP & HAWKINS
61	22-31-1-39-03.000-RR	1307 AVENUE J 35218	LOT 3 BLK 13-J JOHN CARRETTE SUB
62	22-31-1-39-02.000-RR	1303 AVENUE J 35218	LOT 2 BLK 13-J JOHN CARRETTE SUB
63	23-21-4-26-08.001-RR	617 58TH ST S 35212	LOT 6 BLK 8 WOODLAWN RLTY COS 4TH ADD 7/96
64	30-25-2-21-02.000-RR	5206 CRAIG AVE 35221	LOTS 3 4 & 5 BLK 2 HILLMAN
65	30-25-1-14-13.000-RR	5004 JEFFERSON AVE SW 35221	LOT 10 BL 7 HILLMAN
66	30-25-1-10-12.000-RR	4625 GRASSELLI BLV 35221	Lot 8 BL 3 Hillman Gardens
67	30-25-1-07-03.000-RR	4613 JEFFERSON AVE SW 35221	LOT 10 & 11 BLK 1 CORRECTED SUR OF DONALDS 2ND ADD TO GRASSELLI LESS PT TO R/W FOR JEFFERSON AVE
68	29-30-2-27-16.000-RR	3924 TODD AVE SW 35221	LOT 18 BL 17 SIMON SCHARF
69	30-26-3-21-08.000-RR	205 WOODWARD AVE 35020	LOT 14 BL 14 ROOSEVELT
70	30-35-2-13-01.000-RR	6001 PRATT ST 35228	LOT 16 BL 25 BREWER PLACE
71	30-35-2-13-05.000-RR	6021 PRATT ST 35020	LOT 11 BL 25 BREWER PLACE
72	30-35-2-11-11.000-RR	5904 PRATT ST 35020	Lot 2 BL 17 Brewer PL
73	30-35-2-11-10.000-RR	5912 PRATT ST 35020	LOT 4 BL 17 BREWER PLACE
74	29-17-4-23-26.000-RR	200 ANN DR SW 35211	LOT 10 BLK 3 POWDERLY HILLS
75	29-16-4-30-04.000-RR	1612 PINE AVE SW 35211	LOT 4 BLK 9 PLAT A ISHKOODA
76	13-12-1-04-38.000-RR	489 WESTCHESTER DR 35215	LOT 7 BLK 10 VALLEY BROOK 4TH SECT
77	30-26-3-08-25.000-RR	5537 SUGAR RAY DR 35020	LOT 10 BL 32 EAST ADD TO ROOSEVELT
78	30-25-2-21-12.000-RR	0 DOLOMITE ST 35020	LOT 4 BL 28 BREWER PLACE
79	30-35-2-21-11.000-RR	6116 ELLINGTON ST 35020	LOT 5 BL 28 BREWER PLACE
80	30-35-2-21-10.000-RR	0 DOLOMITE ST 35020	LOT 6 BL 28 BREWER PLACE
81	30-35-2-11-01.000-RR	6029 BLOCKTON AVE 35020	LOT 1 BL 17 BREWER PLACE
82	30-35-2-17-78.000-RR	6124 ALICE AVE 35020	LOT 11 BL 2 HUDSON GROVE
83	22-15-3-13-03.000-RR	457 37TH TER W 35207	LOTS 9 & 10 BLK 6 A J HOOPERS SUB
84	22-15-3-17-04.000-RR	441 37TH CT W 35207	LOTS 9 & 10 BLK 6 A J HOOPERS SUB
85	29-16-4-04-14.000-RR	1800 14TH WAY SW 35211	LOT 1 BLK 23 MASON CITY
86	29-20-1-08-02.000-RR	2217 ISHKOODA RD SW 35211	LOT 6 BLK 5 NABERS LD CO 4TH ADD TO COLLEGE PARK
87	29-21-1-08-04.000-RR	2225 ISHKOODA RD SW 35211	LOT 4 BLK 5 NABERS LD COS 4TH ADD TO COLLEGE PARK

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88	29-20-2-13-05.000-RR	2720 BALSAM AVE SW 35211	P O B 995 FT S SW OF THE INTER OF SE R/W OF L & N RR & E
89	29-20-4-10-04.000-RR	2721 22ND ST SW 35211	LOTS 6 & 7 BLK 11 GARDEN HGLDS ADD TO POWDERLY
90	29-16-4-20-06.000-RR	2004 14TH WAY SW 35211	LOTS 1 THRU 3 BLK 39 MASON CITY
91	29-21-2-25-07.000-RR	1816 MAPLE AVE 35218	LOT 3 BLK 17 PLAT A ISHKOODA
92	29-17-4-18-04.000-RR	2113 SNAVELY AVE SW 35211	LOT 127 NABERS LD CO 2ND ADD TO COLLEGE PARK
93	29-17-4-14-35.000-RR-01	2104 SNAVELY AVE SW 35211	LOT 92 NABERS 2ND ADD TO COLLEGE PARK 12/9
94	29-17-4-16-11.000-RR	1881 FRANCIS AVE SW 35211	LOTS 10 THRU 12 & W 5 FT LOT 13 WEST END HILLS 1ST ADD
95	29-17-4-13-01.000-RR	2101 POWDERLY AVE SW 35211	LOT 26 BLK 1 NABERS LD CO 3RD ADD TO COLLEGE PARK
96	29-17-4-19-07.000-RR	2129 DAWSON AVE SW 35211	LOT 178 COLLEGE PARK
97	29-17-4-19-08.000-RR	2133 DAWSON AVE SW 35211	LOT 179 COLLEGE PARK
98	23-15-1-29-05.000-RR	129 73RD ST N 35206	N 57 FT OF LOTS 16 THRU 18 BLK 5-A EAST LAKE 1/217
99	23-15-2-13-07.000-RR	309 73RD ST N 35206	S 50 FT LOTS 16+17+18 BLK 5-C EAST LAKE
100	23-20-2-05-28.000-RR	1124 45TH ST N 35212	LOT 2 LYNN & TEAL
101	22-15-3-13-04.000-RR	440 37TH CT N 35207	Lot 11 Blk 11 A J Hooper 2nd Add
102	22-15-3-13-01.000-RR	441 37TH TERR W 35207	Lots 6 & 7 Blk 6 A J Hooper
103	22-15-3-13-06.000-RR	437 37TH TER W 35207	LOT 5 BLK 6 HOOPER CITY SUB
104	22-30-4-32-11.000-RR	635 6TH WAY 35214	LOTS 15 AND 16 BLK 23 ENSLEY LAND CO ADD TO PRATT CITY
105	22-31-3-13-01.000-RR	1709 AVENUE C 35218	LOT 24 BLK 17-C ENSLEY
106	22-31-3-15-01.000-RR	1801 AVENUE C 35218	LOT 1 BLK 18-C ENSLEY
107	29-17-4-19-02.000-RR	2105 DAWSON AVE SW 35211	LOT 172 COLLEGE PARK
108	22-23-4-07-06.000-RR	2220 STOUTS RD 35234	LOT 6 BLK 1 J C WESTBROOK SUR
109	22-23-4-07-05.000-RR	2216 STOUTS RD 35234	LOT 5 BLK 1 J C WESTBROOK
110	23-21-3-03-07.000-RR	937 53RD ST N 35212	LOT 4 M E MOSS
111	23-20-1-13-10.000-RR	1125 45TH ST N 35212	LOT 22-A RESUR OF PT OF LOTS 2-3-4-5 BLK 1 BROWN & REEDS ADD TO BROOKLYN
112	23-07-4-04-06.000-RR	4317 PULASKI ST 35217	LOT 20 BLK 8 BOYLES PARK
113	22-15-3-09-09.000-RR	438 37TH TER W 35207	LOT 16 BLK 3 A J HOOPERS SUB
114	22-31-4-33-07.000-RR	1705 18TH ST 35218	LOT 3 BLK 1 ENSLEY RLTY COS ADD TO ENSLEY
115	29-04-3-13-03.000-RR	1444 WOODLAND AVE SW 35211	LOT 13 BLK 41 WEST END LAND & IMP CO
116	29-17-4-24-01.005-RR	2037 CARLOS AVE SW 35211	LOT 228 NABERS LAND COMPANYS SUR OF COLLEGE PARK 10/113
117	29-17-4-24-01.000-RR	2025 CARLOS AVE SW 35211	LOTS 225 & 226 NABERS LAND COMPANYS SUR OF COLLEGE PARK 10/113
118	29-17-4-24-01.001-RR	2021 CARLOS AVE SW 35211	LOTS 223 & 224 NABERS LAND COMPANYS SUR OF COLLEGE PARK 10/113
119	29-17-4-20-10.000-RR	2020 CARLOS AVE SW 35211	LOTS 213 & 214 COLLEGE PARK

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120	29-17-4-24-01.002-RR	2009 CARLOS AVE SW 35211	LOTS 221 & 222 NABERS LAND COMPANYS SUR OF COLLEGE PARK 10/113
121	29-17-4-24-01.003-RR	2001 CARLOS AVE SW 35211	LOTS 219 & 220 NABERS LAND COMPANYS SUR OF COLLEGE PARK 10/113
122	29-17-4-17-14.000-RR	2000 DAWSON AVE SW 35211	LOT 160 COLLEGE PARK
123	22-23-4-15-11.000-RR	2222 21ST AVE N 35234	LOTS 2204 2206 & 2208 M A MAY
124	22-23-4-25-03.000-RR	1909 STOUTS RD 35234	P O B 178 FT S SE OF SE INTER 20TH AVE N & STOUTS RD TH SE 100 FT S ALG STOUTS RD TH NE 40 FT S TH NW 96.7 TO ALLEY TH
125	22-23-4-26-02.000-RR	1908 STOUTS RD 35234	LOT 3-A E A WESTBROOK RESUR OF LOTS 3 & 4 BLK 2
126	23-08-2-26-01.000-RR	4145 50TH AVE N 35217	LOT 8 BLK 3 JEFFERSON HILLS
127	23-07-4-04-17.000-RR	4322 HARMON ST 35217	LOT 7 BLK 8 BOYLES PARK LAND CO
128	23-07-4-07-17.000-RR	4328 PULASKI ST 35217	LOT 8 BLK 5 BOYLES PARK
129	22-11-4-07-04.000-RR	2867 BOYDGA RD 35207	LOT 9 BLK 8 BOYDGA TERRACE
130	29-05-4-14-03.000-RR	1891 MADISON AVE SW 35211	LOT 4 BLK 9 OAKWOOD ESTS RESUR OF BLKS 8 & 9 & 10 & 11
131	30-02-1-16-01.000-RR	602 ERIE ST 35224	N 1/2 LOTS 5 & 6 BLK 3 PRATT LAND & IMPROVEMENT CO
132	30-02-1-47-10.000-RR	4206 11TH AVE 35224	LOT 9A OF COBERNS RESUR PB 176 PG 37
133	29-19-3-35-17.000-RR	3724 PINE AVE SW 35221	LOTS 115&116 BLK 5 TREVELLICK
134	23-20-4-32-08.000-RR	4800 1ST AVE N 35212	LOT 8 AND 9 BLK 9 WOODLAWN REALTY CO 1ST ADD
135	29-17-4-19-03.000-RR	2109 DAWSON AVE SW 5084	LOT 173 COLLEGE PARK
136	29-19-3-44-04.000-RR	3722 WILLOW AVE SW 35221	W 1/2 OF LOT 4 BLK 34 PARK PLACE
137	29-19-3-47-11.000-RR	3725 WILLOW AVE SW 35221	LOT 1 BLK 35 PARK PLACE
138	29-19-3-47-10.000-RR	3721 WILLOW AVE SW 35221	LOT 2 BLK 35 PARK PLACE
139	29-19-3-47-09.000-RR	3716 Mineral AVE SW 35211	Lot 3 Blk 35 Park PL
140	29-19-1-21-16.000-RR	3212 BEECH AVE SW 35221	LOT 21 BLK 2 ROSEMONT
141	29-19-1-21-15.000-RR	3216 Beech AVE SW 35221	Lots 19 & 20 Blk 2 Rosemont
142	29-19-1-01-38.000-RR	3209 ASH AVE SW 35221	OB 135 FT W OF THE W INTER OF W 32 ND ST & SW ASH AVE TH W 0 FT ALG SW ASH AVE TH S 160 T TO ALLEY TH E 50
143	23-03-2-12-20.000-RR	1608 90TH ST N 35206	LOT 14 BLK 4 HOOVERS RESUR OF BLOCKS 1 3 4 5 PLEASANT VIEW HEIGHTS
144	30-26-4-03-11.000-RR	5745 MARTIN LUTHER AVE 35020	LOT 38 RESUR OF LOTS 28 THRU 66 ROOSEVELT CAIRO VILLAGE ADD #2
145	30-26-3-01-06.000-RR	5828 MARTIN LUTHER AVE 35020	LOT 20 BL 6 JOHNSON CITY
146	30-26-3-12-01.000-RR	6101 MALCOLM AVE 35020	LOT 8 BLK 8 ROOSEVELT EXC R/W OF BHAM BESSEMER SUPER H/W
147	30-26-3-17-20.000-RR	6000 JESSE OWENS AVE 35020	LOT 19 BL 10 EAST ADD TO ROOSEVELT
148	30-26-3-17-07.000-RR	311 PATTON AVE 35020	LOT 4 BL 10 ROOSEVELT

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149	30-26-3-17-02.000-RR	6005 PATTON AVE 35020	LOT 17 BL 10 EAST ADD TO ROOSEVELT
150	30-26-3-17-03.000-RR	6009 PATTON AVE 35020	LOT 8 BLK 10 ROOSEVELT BHAM
151	24-06-2-05-10.000-RR	642 BISCAYNE DR 35206	LOT 10 BLK C BISCAYNE HGLDS
152	22-27-1-24-04.000-RR	14 16TH AVE W 35204	LOT 9 BLK 1 ROSEWOOD PARK REVISED
153	22-27-1-14-03.000-RR	12 16TH CT N 35204	LOTS 10+11 BLK 13 MELVILLE COURT
154	23-01-1-12-03.000-RR	606 BISCAYNE DR 35206	LOT 16 BLK C BISCAYNE
155	29-11-2-21-08.000-RR	1831 1ST ST S 35205	LOT 8 BLK 9 GREEN SPRINGS 1ST ADD
156	22-33-3-13-22.000-RR	1203 BUSH CIR 35208	LOT 15 AND S 1/2 LOT 16 BLK 25 BUSH HILLS
157	29-02-3-31-35.000-RR	732 DELTA ST 35205	LOT 27 BLK 2 TIDDLESVILLE HGTS HTS
158	30-02-2-03-09.000-RR	4833 7TH AVE 35224	LOT 19 BLK 3 OAKMONT SURVEY 15/51
159	30-01-2-05-21.000-RR	3804 7TH AVE 35224	LOT 14 BLK 2 BAILEY AND CUMMINGS RESUR BLK 1-5-6 & PT 2 & 3 TENN LD COS 1ST ADD TO WYLAM
160	30-01-2-07-09.000-RR	528 CAMBRIDGE ST 35224	LOT 6 BLK 1 W M MORRIS SURVEY
161	30-01-2-01-06.000-RR	619 ATTALLA ST 35224	LOT 12 BLK 4 WYLAM HILLS
162	29-07-2-21-18.000-RR	1428 45TH ST 35208	LOT 19 BLK 13 BELVIEW HTS 1ST ADD
163	30-16-1-04-05.000-RR	1338 CIRCLE ST 35061	LOT 4 BL 2 HENRY HUDSONS 1ST ADD TO DOLOMITE
164	29-17-3-30-06.000-RR	2433 CARLOS AVE SW 35211	LOT 62 COLLEGE PARK RE-SUB
165	23-11-4-14-01.000-RR	730 83RD PL S 35206	LOT 11 BLK 52 SO HGLDS OF EAST LAKE
166	29-07-4-19-01.000-RR	1791 51ST ST 35208	LOT 1 BLK 34 MARTINS ADD TO BHAM-ENSLEY
167	29-17-3-21-25.000-RR	2508 DAWSON AVE SW 35211	LOTS 119 THRU 121 COLLEGE PARK RESUB
168	23-15-1-17-08.000-RR	7400 3RD AVE N 35206	LOT 1 BLK 6-C EAST LAKE
169	23-15-1-31-06.000-RR	308 74TH ST N 35206	N 50 FT OF LOTS 8 & 9 BLK 5-C EAST LAKE
170	29-17-2-05-40.000-RR	2912 GARRISON AVE SW 35211	LOT 4 BLK 2 HYDE PARK SEC 17 TP 18 R 3
171	29-19-4-08-08.000-RR	3328 Laurel Ave SW 35064-2208	LOT 9 BLK 14 CENTRAL TRACTOF
172	29-19-1-08-06.000-RR-01	3461 JEFFERSON AVE SW 35221	LOTS 10 & 11 BLK 5 PARKVIEW
173	29-19-2-06-07.001-RR	3460 JEFFERSON AVE SW 35221	LOT 12 & 14 BLK 9 PARK PLACE 6/74
174	29-19-1-10-05.001-RR	3517 ELLIS AVE SW 35221	LOT 11 D R HARMONS ADD TO POWDERLY 53/10
175	24-06-02-1-23.000-RR	825 LIBBY CIR 35235	LOT 4 WATERTOWN PLACE II 99/96
176	24-06-2-04-06.000-RR	612 SUNDALE DR 35235	LOT 7 BLK 1 CAMPS ADD TO ROEBUCK
177	22-19-03-1-57.000-RR	101 HOLT AVE 35214	P O B 355 FT S N OF THE N E INTER OF PRATT HWY & HOLT AVE TH N 50 FT ALG HOLT AVE TH E 146 FT TH S 50 FT TH W 146 FT
178	22-19-3-01-81.000-RR	308 PRATT HWY 35214	LOT 3 BLK A SPIVEY SURVEY PRATT CITY
179	21-24-1-02-04.002-RR	1106 PIPER AVE 35214	POB NW COR OF NE 1/4 OF NE 1/4 TH S 385 FT TH NELY 815 FT TH NWLY 50 FT TH SWLY 375 FT TH N 180 FT TH W 388 FT TO POB

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180	21-24-1-04-08.000-RR-01	1021 OZARK CT 35214	PT OF LOT 3 BLK 5 SANDUSKY & PT OF LOT 3 BLK 6 B M MAY SUR DESC AS: COM NE INTER OF SHELBY ST & OZARK AVE TH N 222
181	29-17-3-14-04.000-RR	2813 BROOKHAVEN AVE SW 35211	LOT 13 BLK 2 YEILDING & BRITTAIN SURVEY OF GE
182	29-18-4-01-01.000-RR	3126 BEULAH AVE SW 35221	LOT 15 & 16 BLK 1 POWDERLY
183	29-18-2-06-21.000-RR	1407 57TH PL 35228	LOT 2 BLK 2 CENTRAL PARK ESTS 1 ADD
184	24-06-2-05-07.000-RR	706 BISCAYNE DR 35206	LOT 7 BLK C BISCAYNE HGLDS
185	29-02-3-31-36.000-RR	728 DELTA ST 35205	LOT 28 BLK 2 TIDDLESVILLE HGTS
186	29-02-3-32-23.000-RR	727 DELTA ST 35205	N 1/2 LOT 16 BLK 1 TIDDLESVILLE HGTS
187	23-22-2-11-05.001-RR	6505 1ST AVE S 35212	LOT 13 BLK 3-D EAST WOODLAWN 3/109
188	30-02-2-03-10.000-RR	4839 7TH AVE 35224	LOT 18 BLK 3 OAKMONT SUR
189	30-02-1-29-04.000-RR	4117 8TH AVE 35224	LOT 2 BLK 14 PRATT LAND & IMPROVEMENT CO
190	30-02-1-29-03.000-RR	4113 8TH AVE 35224	LOTS 3 & 4 BLK 14 PRATT LAND & MPROVEMENT COMPANY
191	29-17-4-06-17.000-RR	2125 NORTHLAND AVE SW 35211	LOT 11 BLK 6 OAKVALE
192	29-17-4-6-16.000-RR	2121 NORTHLAND AVE SW 35211	LOT 12 BLK 6 OAKVALE
193	29-17-4-06-08.000-RR	2025 NORTHLAND AVE SW 35211	LOT 20 BLK 6 OAKVALE
194	22-13-2-18-25.000-RR	3458 31ST PL N 35207	LOTS 16 & 17 BLK 1 CHAMBERS ADD TO NO BHAM
195	29-18-2-01-18.000-RR	5728 AVENUE O 35228	LOTS 1 THRU 6 BLK 8 1ST ADD TO CENTRAL PARK ESTATES
196	22-15-4-05-01.000-RR	3845 CENTER PL W 35207	LOT 24 BLK 1 ZION HTS
197	22-15-4-06-17.000-RR	3832 CENTER PL W 35207	LOT 3 BLK 2 ZION HGHTS
198	22-15-4-06-16.000-RR	3828 Center PL W 35207	Lot 4 Blk 2 Zion Hts
199	22-15-4-06-01.000-RR	3845 1ST ST W 35207	LOT 24 BLK 2 ZION HEIGHTS
200	22-15-4-06-02.000-RR	3841 1ST ST W 35207	LOT 23 BLK 2 ZION HEIGHTS
201	22-30-1-17-06.000-RR	417 AVE E 35214	LOT 3 RESUR & SUB OF PT OF LOTS 2 & 3 BLK 2 HUEY PLAT 81/150 SD RESUR BEING RECORDED 26/45 HUEY PLAT
202	22-15-1-13-13.000-RR	3934 Center PL W 35207	Lot In SE 1/4 NE 1/4 Desc Beg At NE/Cor Int 39TH A
203	29-04-3-26-02.000-RR	1513 FULTON AVE 35211	P O B 100 FT SW OF S INTER OF FULTON AVE & 15TH ST
204	22-34-4-19-20.000-RR	460 2nd ST N 35204	N 35 Ft Of Lot 16 & N 35 Ft Of E 45 Ft Of Lot 15 B
205	22-27-1-15-02.000-RR	10 16TH AVE N 35204	LOT 3 BLK 14 MELVILLE COURT
206	22-27-1-12-06.000-RR	209 16TH CT N 35204	LOT 6 BLK 5 MELVILLE COURT
207	22-32-4-03-02.000-RR	1521 CULLMAN AVE 35208	N 100 FT OF LOTS 1 & 2 BLK 5 SHADYSIDE 6/38
208	22-33-3-01-25.000-RR	1549 8TH CT W 35208	LOT 26 BLK 2 RIDGEWOOD PARK 1ST ADD
209	22-33-3-03-02.000-RR	1605 8TH CT W 35208	LOT 14 BLK 1 RIDGEWOOD PARK 1ST ADD
210	22-32-4-10-05.000-RR	3035 15TH ST 35208	LOT 18 BLK 1 OAKHURST SUR

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211	22-33-3-20-06.000-RR	1421 5TH AVE W 35208	OB 48 FT E OF SE INTER 5TH VE W & 15TH ST W TH E 47 FT LG 5TH AVE W TH S 140 FT TO ALLEY TH W 47 FT TH N 140
212	29-04-1-24-25.000-RR	826 LOMB AVE SW 35211	W 1/2 OF LOT 12 & ALL LOT 13 IN BLK 1 SUR OF WEST PRINCETON PRINCETON
213	29-04-3-16-17.000-RR	1340 ALABAMA AVE 35211	S 140 FT OF LOT 14 BLK 29 WEST END LAND & IMP CO
214	30-01-2-11-15.000-RR	740 ALBANY ST 35224	LOTS 7 & 8 BLK 21 ENSLEY 2ND ADD
215	30-21-1-17-04.000-RR-01	3538 COMMISSARY ST 35061	LOT 1-B OF A RES OF PART OF LOT B EDWARD BROTHERS 3RD ADD TO DOLOMITE VILLAGE 162/2 (BHAM) 28/88
216	30-16-1-02-05.000-RR	1160 ALEXANDER ST 35061	POB NE INTER OF AN ALLEY & ALEXANDER ST TH N 208 FT ALG ALEXANDER ST TH E 184 FT TH S 208 FT
217	30-16-1-02-03.000-RR	1142 ALEXANDER ST 35061	POB 308 FT S OF NE COR OF SW4 OF NE4 SEC 16 TP 18 R 4W TH S 161 FT TH W 185 FT TH N 161 FT TH E 185 FT TO
218	30-16-1-05-07.000-RR	1347 CIRCLE ST 35061	LOT 18 DOLOMITE VILLAGE 5TH ADD
219	29-08-1-19-14.000-RR	1840 ST CHARLES AVE SW 35211	LOT 2 BLK 1 OAKWOOD PLACE
220	29-30-1-19-03.000-RR	3315 GRASSELLI AVE SW 35221	LOT 5 BL 8 TARPLEY
221	29-30-1-14-15.000-RR	3320 GRASSELLI AVE SW 35221	LOT 19 BL 1 TARPLEYS 1ST ADD
222	29-30-1-14-14.000-RR	3316 GRASSELLI AVE SW 35221	LOT 18 BL 1 TARPLEY 1ST ADD
223	30-25-3-04-06.000-RR	0 7TH AVE 35020	LOT 1 BL 5 DOWNEYS 1ST ADD TO HILLMAN
224	22-19-4-08-01.002-RR	6 WOODCREST DR 35214	LOT 2 BLK 1 WOODCREST ADD TO SOUTHAMPTON 151/82
225	22-19-3-02-06.000-RR	517 PRATT HWY 35214	BEG 150S FT N OF SW COR OF NW 1/4 OF SW 1/4 THENCE N 352S FT E 100 S FT TO W ROW PRATT HWY SE LY ALG HWY 375 S W 220 S
226	21-24-1-06-02.000-RR	912 PRATT RD 35214	LOT 2 & THE E 96 FT S OF THE S 50 FT S OF LOT 3 BLK 4 B W MAY SUR
227	21-24-1-02-32.000-RR	1112 PRATT HWY 35214	LOT 1 BLK 14 SANDUSKY HEIGHTS 82/100
228	21-24-1-04-10.000-RR	NEXT TO 1021 OZARK CT 35214	LOT 4 BLK 6 B W MAY SURVEY LESS RD R/W
229	29-01-4-04-09.000-RR	1715 13TH CT S 35205	P O B E INTER 17TH PL S & 13TH CT S TH N E 45.6 FT ALG CT TH S E 76.2 FT TH S W 61.9 FT TO 17TH PL S TH N W
230	22-13-1-16-02.000-RR	3457 31ST PL N 35207	LOT 3 W J RYAN
231	22-13-1-16-03.000-RR	3453 31ST PL N 35207	LOT 4 W J RYAN
232	22-13-1-16-04.000-RR	3447 31ST PL N 35207	LOT 5 W J RYAN 4/98
233	22-25-1-09-09.001-RR-01	1212 29TH ST N 35234	LOT 8-A OF A RESUR OF LOTS 7 & 8 BLK 657 BHAM 138/17
234	22-25-1-09-10.000-RR-01	1216 29TH ST N 35234	LOT 8-B OF A RESUR OF LOTS 7 & 8 BLK 657 BHAM 138/17
235	22-34-4-19-18.000-RR	454 2ND ST N 35204	S 35 FT OF N 108 FT OF LOT 16 & S 35 FT OF N 108 FT OF E 45 FT OF LOT 15 BLK 14 MAP OF
236	29-17-4-17-11.000-RR	2016 DAWSON AVE SW 35211	LOTS 156-157 COLLEGE PARK 55/99 A& B
237	22-30-4-32-10.000-RR	631 6TH WAY 35214	LOT 14 BLK 23 ENSLEY LAND COS ADD TO PRATT CITY

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238	30-25-3-04-05.000-RR	0 7TH AVE 35020	LOT 2 BL 5 DOWNEYS 1ST ADD TO HILLMAN
239	30-25-3-04-04.000-RR	392 MILLER AVE 35020	LOT 3 & 4 BL 5 DOWNEYS 1ST ADD TO HILLMAN
240	30-25-3-004-003.000-0	7TH AVE 35020	LOT 5 BL 5 DOWNEYS 1ST ADD TO HILLMAN
241	30-25-3-08-01.000-RR	0 7TH AVE 35020	LOTS 1 & 2 BL 7 DOWNEYS 1ST ADD TO HILLMAN
242	29-30-1-14-16.000-RR	NEXT TO 3312 GRASSELLI AVE SW 35221	LOT 20 BL 1 TARPLEY 1ST ADD
243	29-30-1-19-04.000-RR	3401 GRASSELLI AVE SW 35221	LOT 7 BLK 8 TARPLEY 5/74
244	29-19-3-27-07.000-RR	4028 PARK AVE SW 35221	Lot 2 Blk 22 Park PL
245	29-04-4-29-04.000-RR	1317 Alabama Avenue 35211	Lot 5 Blk 20 West End Land & Improvement Co
246	29-04-4-29-02.000-RR	1309 Alabama Avenue 35211	Lot 3 Blk 20 West End Land & Improvement Co
247	29-18-2-01-05.000-RR	1427 57TH ST 35228	LOT 5 BLK 1 GLENVIEW SUR
248	29-16-2-02-11.000-RR	1537 17TH ST SW 35211	LOT 10 SUNNYBROOK
249	30-01-1-40-01.000-RR	201 33RD ST 35218	LOT 1 BLK 33-B ENSLEY 15TH ADD
250	23-11-1-08-06.000-RR	8606 1ST AVE S 35206	LOT 2 BLK 8 MORRIS ADD TO EAST LAKE
251	29-20-2-11-25.000-RR-02	2209 31ST ST SW 35211	LOTS 1 THRU 7 BLK 11 PARK LAWN 5/91 LESS & E
252	22-35-3-07-11.000-RR	601 5TH ST N 35204	LOT A GIARDINAS RESUR OF LOTS 9 TO 13 BLK 41 SO
253	22-34-4-18-08.000-RR	461 2nd ST N 35204	N 38 Ft Of Lots 9-10 Blk 24 Map Of Smithfield (S)
254	22-34-4-18-07.000-RR	465 2nd St North 35204	S 40 FT OF LOTS 7 AND 8 BLK 24 MAP OF SMITHFIELD
255	22-28-2-11-12.000-RR	218 2nd ST 35214	Lot 13 Blk 4 Thomas
256	28-01-1-10-07.000-RR	780 WALNUT ST 35210	LOT 160 OVERTON LAND COS OVERTON NO 2 SUBDIVISION
257	22-24-4-22-38.000-RR	1424 31ST ST N 35234	LOT 10 BLK 27 BHAM REALTY COS ADD NO 4
258	22-24-4-22-39.000-RR	1436 31ST ST N 35234	LOT 11 BLK 27 BHAM RLTY COS ADD NO 4
259	29-17-4-15-12.000-RR	2016 SNAVELY AVE SW 35211	LOTS 143 & 144 NABERS LAND CO 2ND ADD TO COLLEGE PARK
260	22-26-1-02-26.000-RR	1600 HUNTSVILLE RD 35234	LOT 13 BLK 8 DRUID HILLS EXC ELY 14 FT USED FOR RD
261	22-19-3-01-123.000-RR	311 LAMPLIGHTER LN 35214	LOT 9 BLK 2 SOUTHAMPTON TIMBERLINE ADDITION PB 200 PG 87
262	23-15-4-27-12.000-RR	7004 1ST AVE S 35206	LOT 3 BLK 14 EAST LAKE
263	22-29-3-10-21.000-RR	600 AVENUE Z 35214	LOT 11 BLK 4 TUXEDO HTS
264	22-30-4-32-07.000-RR	609 6TH PL 35214	LOT 7 BLK 23 ENSLEY LD CO ADD TO PRATT CITY
265	30-36-1-00-16.000-RR	303 CAROL ST 35221	LOT 5 BLK 2 WENONAH SUB PLAT D BROWNSVILLE
266	30-36-1-00-17.000-RR	305 CAROL ST 35221	LOT 2 BLK 3 WENONAH SUB PLAT D
267	30-36-1-00-21.000-RR	306 CAROL ST 35221	LOT 5 BLK 2 WENONAH SUB PLAT D BROWNSVILLE
268	30-36-1-00-25.000-RR	307 BARBEE ST 35221	LOT 3 BLK 2 WENONAH SUB PLAT BROWNSVILLE
269	22-15-3-08-14.000-RR	460 37TH TERR W 35207	Lot 20 Blk 2 a J Hooper Sub

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270	22-15-3-09-04.000-RR	453 38TH AVE W 35207	Lots 8 & 9 Blk 3 A J Hooper Sub
271	22-15-3-09-05.000-RR	457 38TH AVE W 35207	Lot 10 Blk 3 aJ Hooper Sub Sec 15 TP 17 R 3
272	22-15-3-09-08.000-RR	440 37TH TERR W 35207	Lots 14 & 15 Blk 3 A J Hooper Sub
273	29-19-3-34-17.000-RR	3624 PINE AVE SW 35221	LOT 151 BLK 8 TREVELLICK
274	29-19-1-08-07.000-RR	3460 ELLIS AVENUE SW 35221	LOT 9 BLK 5 PARKVIEW
275	29-19-1-25-07.000-RR	3233 BIRCH AVE SW 35221	LOT 9 BLK 6 ROSEMONT
276	29-20-2-09-17.000-RR	2504 PARKLAWN AV SW 35211	LOT 12 BLK 7 PARK LAWN
277	29-20-2-11-06.000-RR	2509 PARKLAWN AVE SW 35211	Lot 8 Blk 14 Park Lawn
278	29-20-2-10-20.000-RR	2408 PARKLAWN AVE SW 35211	Lot 14 Blk 6 Park Lawn
279	29-08-4-03-02.000-RR	241 21st ST SW 35211	Lot 15 Blk 8 W HAVEn
280	29-09-2-12-10.000-RR	525 FRANCES ST 35211	LOT 19 BLK 3 WEST END PLACE
281	29-09-2-17-32.000-RR	1544 COTTON AVE 35211	P O B 210S FT SW OF INTER NW LINE COTTON AVE & E LINE NW 1/4 SEC 9 T18S R3W TH SW 43.6 FT ALG COTTON AVE TH NW 200D
282	21-36-1-01-01.007-RR	241 NEWARK CIR 35218	LOT 5 SHERMAN HEIGHTS SECTOR A PB 174 PG 97
283	29-09-2-17-35.000-RR	1532 COTTON AVE 35211	P O B 80S FT SW OF INTER NW LINE COTTON AVE & E LINE NW 1/4 SEC 9 T18S R3W TH SW 43S FT ALG COTTON AVE TH NW 190S
284	21-36-1-09-09.000-RR	413 NEWARK ST 35224	E 110 FT OF LOT 4 BLK 17-2 SHERMAN HEIGHTS
285	21-36-1-09-10.000-RR	417 NEWARK ST 35224	E 110 FT OF LOT 5 BLK 17-2 SHERMAN HEIGHTS
286	21-36-1-06-01.000-RR	414 NEWARK ST 35224	LOT 6 BLK 16-2 SHERMAN HEIGHTS ADD
287	21-36-1-09-08.000-RR	409 NEWARK ST 35224	E 110 FT OF LOT 3 BLK 17-2 SHERMAN HEIGHTS
288	29-09-2-02-10.000-RR	529 15TH PL SW 35211	HEWES & BOOTHS-WE 29-9-2 LOT: 150
289	29-08-1-16-15.000-RR	1920 ST CHARLES CT 35211	LOT 15 BLK 5 OAKWOOD ESTS
290	29-08-1-16-14.000-RR	1924 St Charles Court 35211	LOT 14 BLK 5 OAKWOOD ESTS
291	29-09-2-35-04.000-RR	1600 JEFFERSON AVE 35211	Lot B R J Evers Add To Beverly PL SD Sur TH NELY A
292	29-09-2-35-03.000-RR	1602 Jefferson AVE 35211	Lot A & Lot 11 R J Evers Add To Beverly PL
293	29-09-1-29-03.000-RR	1537 JEFFERSON AVENUE 35211	LOT 365 BLK 20 CLEVELAND
294	29-07-2-21-13.000-RR	1410 45TH STREET 35208	LOT 14 BLK 13 BELVIEW HTS 1ST ADD
295	29-07-2-30-02.000-RR	1439 46TH ST 35208	LOT 2 BLK 19 MARTINS ADD TO BHAM ENSLEY
296	29-07-2-29-19.000-RR	1442 46TH STREET 35208	LOTS 21 AND 22 BLK 16 MARTINS ADD BHAM ENSLEY
297	29-18-1-02-33.000-RR	1543 PINEVIEW RD 35228	Lot 15 Blk 5 Central Park 3RD Sector
298	23-23-2-22-12.000-RR	7728 65TH ST S 35212	LOT 1 BLK 5 GATE CITY
299	30-26-4-02-26.000-RR	5501 COUNTRY CLUB RD 35020	LOT 28 ROOSEVELT-CAIRO VILLAGE ADD #3
300	30-26-4-04-09.000-RR	5768 COUNTRY CLUB DR 35020	LOT 32 A G GASTONS ADD TO ROOSEVELT CAIRO VILLAGE & A RESUR OF LOTS 10 & 22 ROOSEVELT

CAIRO

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301	30-26-3-08-03.000-RR	5776 COUNTRY CLUB DR 35020	LOT 30 A G GASTONS ADD TO ROOSEVELT CAIRO VILLAGE & A RESUR OF LOTS 10 & 22 ROOSEVELT CAIRO
302	29-16-2-06-01.000-RR	1300 17TH WAY SW 35211	E 100 FT OF LOT 1 & E 100 FT N 10 FT OF LOT 2 BLK 1
303	29-17-4-02-35.000-RR	1630 18th PL SW 35211	Lot 15-16-17 & 18 Blk 8 West End Manor
304	21-36-1-04-08.000-RR	1508 SLAYDEN AVE 35222	LOT 3 BLK 15-1 SHERMAN HEIGHTS
305	21-36-3-04-08.000-RR	2800 BURRELL ST 35224	LOT 1 BLK A REUBEN BURRELL SUR
306	29-04-2-12-09.000-RR	1224 3RD AVE W 35204	Lot 2 Bk 27 Compton Rising
307	29-04-2-11-11.000-RR-01	1312 3RD AVE W 35204	Lot 5 Blk 14 Compton Rising Also Lot Compton Ri
308	30-01-2-07-05.000-RR	539 ERIE ST 35064	DESC AS BEG 448 FT S SOUTH & 12 FT S EAST OF NW C OF NW 1/4 SEC 01 TWP 18 S R 4 W TH EAST 110D-95S SOUTH 45 FT D WEST
309	12-31-4-04-85.000-RR	844 NORTHCREST DR 35235	LOT 12 NORTHCREST ADD TO BARNISDALE FOREST 2ND SECTOR 66/55
310	12-31-3-01-61.000-RR	544 ROLLINGWOOD RD 35235	LOT 28 REESE KING ADD TO HUFFMAN ESTATES
311	29-04-2-01-14.000-RR	1200 4TH AVE W 35204	LOT 7 BLK 28 COMPTON RISING
312	29-04-2-03-02.000-RR	1403 4TH CT W 35204	Lot 8 Blk 8 Compton Rising
313	29-11-2-05-17.000-RR	54 17TH AVE S 35205	LOT 27 BLK 2 BENJAMIN ADD TO BHAM
314	29-20-1-02-04.000-RR	2045 HENRY CRUMPTON DR SW 35211	LOT 11 NABERS LAND COS 7TH ADD TO COLLEGE PARK
315	13-36-4-09-10.000-RR	400 DALTON DR 35215	LOT 10 BLK 3 ROEBUCK CREST ESTS 1ST ADD
316	23-20-4-09-34.000-RR	820 47TH PL N 35212	LOTS 19 & 20 J B GIBSON SURVEY
317	23-14-2-16-02.000-RR	7769 3RD AVE S 35206	LOT 24 BLK 95 EAST LAKE
318	23-22-3-10-19.000-RR	542 63RD ST S 35212	LOT 27 BLK 8 OAK RIDGE PARK
319	29-17-4-21-30.000-RR	2032 HENRY CRUMPTON DR SW 35211	POB INTER OF THE S LINE SEC 17 T 18 S R3W THE SE R/W OF S N GAS CO TH NE 220 FT ALG GAS CO R/W TH SE 88.3
320	29-17-4-21-14.000-RR	1924 HENRY CRUMPTON DR SW 35211	LOT 16 BLK 2 POWDERLY HILLS
321	29-17-4-21-13.000-RR	1920 HENRY CRUMPTON DR SW 35211	LOT 15 BLK 2 POWDERLY HILLS
322	29-17-4-23-06.000-RR	1909 HENRY CRUMPTON DR SW 35211	LOT 30 BLK 3 POWDERLY HILLS
323	13-14-1-00-15.020-RR	1052 ALICIA DR 35215	LOT 21 BLK 1 SUNVIEW ACRES
324	22-14-4-09-08.000-RR	2810 31ST AVE N 35207	LOT 12 BLK 161 NO BHAM
325	23-11-3-02-03.000-RR	8221 3RD AVE S 35206	LOT 19 BLK 145 EAST LAKE
326	21-36-1-11-09.001-RR	NEXT 1806 SLAYDEN AVE 35224	LOT 1 BLK 18-1 SHERMAN HEIGHTS 4/52
327	21-36-1-05-01.000-RR	328 NEWARK ST 35224	LOT 11 BLK 16-1 SHERMAN HEIGHTS
328	29-10-1-12-07.000-RR	829 CENTER PL SW 35211	LOT 11 HONEYSUCKLE CIRCLE
329	29-11-2-18-10.000-RR	1803 CENTER WAY S 35205	LOT B BLK 2 JOHN W COMMONS RESUR OF LOTS 1 TO 7 & 20 TO 32 BLK 2 ACE RLTY COS 2ND ADD
330	13-14-4-03-02.000-RR	928 SUN VALLEY RD 35215	LOT 17 BLK 18 REDSTONE LAND & DEVELOPMENT COS 6TH ADD TO THE 2ND SECTOR

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331	23-11-2-01-10.000-RR-01	8632 DIVISION AVE 35206	PT LOTS 9 & 10 BLK 11 MORRIS ADD TO EAST LAKE SUB 4/38 DESC AS: BEG NE COR OF SD LOT 10 TH SW 39 FT TH NW 70 FT TH SW 61
332	23-11-4-25-03.000-RR	300 83RD ST S 35206	NW 60 FT OF LOTS 13+14 BLK 145 EASTLAKE
333	23-11-4-23-02.000-RR	8221 5TH AVE S 35206	LOTS 13+14 BLK 48 SO HGLDS OF EAST LAKE
334	23-11-4-23-06.000-RR	505 82ND ST S 35206	P O B 50 FT SE OF SE INTER 5TH AVE S & 82ND ST S TH SE 50 FT ALG 82ND ST S TH NE 150 FT TH NW 50 FT TH SW 150
335	29-3-4-19-15.000-RR	331 GOLDWIRE CIR SW 35211	LOT 16 BLK 3 LEO KARPELES 1ST ADD
336	29-03-4-24-11.000-RR	141 4TH AVE SW 35211	LOT 11 BLK 2 LEO KARPELES 1ST ADD
337	29-02-2-28-03.000-RR	213 KAPPA AVE 35205	LOT 3 SWANSON SUR
338	22-14-3-06-08.000-RR	3517 20TH ST N 35207	LOT 8 BLK 89 NORTH BHAM LAND COS ADD #5
339	22-13-2-06-07.000-RR	3907 FAIRMONT PL N 35207	LOT 18 BLK 4 TARRANT & MCMILLAN ADD TO NORTH BHAM
340	22-12-2-10-17.000-RR	4928 30TH WAY N 35207	LOTS 5 & 6 BLK 4 DAVID
341	29-17-4-02-37.000-RR	1622 18TH PL SW 35211	LOTS 11 & 12 BLK 8 WEST END MANOR
342	29-09-2-31-02.000-RR	1753 LEE AVE 35211	LOT 4 BLK 71 WEST END
343	29-09-2-31-01.000-RR	1749 LEE AVE 35211	LOT 5 BLK 71 WEST END
344	29-08-4-24-05.001-RR	719 18TH PL SW 35211	LOT 3-A RESUR OF LOTS 3 & 4 & 5 BLK 8 EUREKA SUB 51/1
345	23-35-2-01-29.000-RR	1369 SWALLOW LN 35213	LOT 12 BLK 3 MONTEVALLO MANOR 1ST SECTOR
346	22-12-2-10-24.000-RR	4917 30TH WAY N 35207	LOTS 14 & 15 BLK 3 TOWN OF DAVID
347	29-16-3-01-78.000-RR	245 EAST ANN DR SW 35211	LOT 15 BLK 5 POWDERLY HILLS
348	29-16-3-01-80.000-RR	241 WEST ANN DR SW 35211	LOT 13 BLK 5 POWDERLY HILLS
349	30-02-2-09-06.000-RR	813 RICHMOND ST 35224	LOT 2 BLK 3 TENN LD COS 6TH ADD TO WYLAM
350	30-02-2-10-02.000-RR	900 9TH ST 35224	LOTS 7 THRU 9 PRATT LD & IMP COS RESUR OF WEST WYLAM
351	30-02-1-22-03.000-RR-01	4713 7TH AVE 35224	LOT 4 BLK 9 RESUR OF ADLER WEAVER 4/43
352	22-32-3-11-02.000-RR	2537 15TH ST 35208	LOT 2 BLK 88 BHAM ENSLEY LAND AND IMP CO
353	24-06-1-07-09.000-RR	1133 SHERWOOD FOREST DR 35235	LOT 9 BLK 3 BARNISDALE FOREST 1ST SECTOR
354	24-06-1-07-06.000-RR	1121 SHERWOOD FOREST DR 35235	LOT 6 BLK 3 BARNISDALE FOREST 2ND SEC
355	24-06-1-07-19.000-RR	1100 EADOM PL 35235	LOT 21 BLK 3 BARNISDALE FOREST 2ND SEC
356	12-31-4-04-67.000-RR	928 SHERWOOD FOREST DR 35235	LOT 1 BLK 11 BARNISDALE FOREST 3 RD SEC
357	29-08-4-22-11.002-RR	718 18th Place SW 35211	PT OF LOTS 12 & 13 BLK 2 EUREKA 5/68 DESC AS
358	29-08-4-24-05.000-RR	727 18TH PL SW 35211	LOT 5-A RESUR OF LOTS 3 & 4 & 5 BLK 8 EUREKA SU
359	29-17-3-15-02.000-RR	3005 SNAVELY AVE SW 35211	E 40 FT & E 1.7 FT OF TH W 10 FT OF TH N 100 FT OF LOT 2 BLK 1 ORIGINAL TRACT OF PLEASANT VALLEY LD & MANUFACTURING CO
360	29-08-1-30-02.000-RR	2111 FULTON AVE SW 35211	LOT 12 BLK 5 WEST HAVEN
361	29-04-2-12-10.000-RR	1220 3RD AVE W 35204	Lot 2 Bk 27 Compton Rising

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362	29-04-2-02-09.000-RR	411 14TH ST W 35204	N 49 FT OF LOTS 1 & 2 BLK 13 COMPTON RISING
363	29-04-1-08-12.000-RR	902 3RD AVE W 35204	LOTS 17 & 18 & THE W 25 FT OF LOT 19 BLK 22 OWENTON
364	22-33-3-19-12.000-RR	1526 4TH TER W 35208	LOT 12 BLK 7 OF HEFLIN COLLINS SURVEY 9/58
365	22-33-3-01-01.000-RR	1400 GRAYMONT AVE W 35204	BEG NE COR SW 1/4 SEC 33 TP 17 S R 3W TH W 1355 FT S 480 FT TH SELY 928 FT TH ELY 535 FT TH N 395 FT TH W 65
366	22-33-4-11-08.000-RR	1001 6TH AVE W 35204	LOTS 11 & 12 BLK 19 BUSH HILLS LAKE LAND CO
367	22-33-4-07-19.000-RR	1004 6TH AVE W 35204	LOT 2 AND 4 FT OFF W SIDE LOT 1 BLK 22 BUSH HILLS
368	23-11-1-10-25.000-RR	8624 4TH AVE S 35206	LOTS 8 THRU 11 TREMONT
369	13-14-1-00-15.022-RR	1044 ALICIA DR 35215	LOT 19 BLK 1 SUNVIEW ACRES
370	22-13-3-03-02.000-RR	2909 28TH PL N 35207	LOTS 6 & 7 & 8 BLK 200 NORTH BHAM
371	22-13-3-03-01.000-RR	2915 28TH PL N 35207	LOTS 4 & 5 BLK 200 NORTH BHAM
372	22-14-4-10-01.000-RR	2821 31ST AVE N 35207	LOT 2 BLK 181 NO BHAM
373	22-14-4-19-14.000-RR	2726 33RD AVE N 35207	LOT 19 & E 1/2 OF LOT 20 BLK 122 NO BHAM
374	23-11-4-23-01.000-RR	8229 5TH AVE S 35206	LOTS 11 & 12 BLK 48 SO HGLDS OF EAST LAKE
375	29-03-4-19-14.000-RR	329 GOLDWIRE CIR SW 35211	LOT 15 BLK 3 LEO KARPELES 1ST ADD
376	22-14-4-08-07.000-RR	2802 32ND AVE N 35207	SLY 80 FT OF LOT 10 BLK 141 NO BHAM
377	23-14-3-18-11.000-RR	7207 NAPLES AVE 35206	LOT 23 BLK 4 EAST LAKE HGLDS HGLDS
378	21-36-2-10-02.000-RR	2911 PRICE ST 35224	E 1/2 OF LOT 9 & ALL LOT 10 BL K C JAKE JACKSON SUR
379	23-22-1-01-07.000-RR	6821 FRANKFORT AVE 35212	LOT 6 BLK 2 HIGDON HILL

Be it resolved that a hearing will be held on October 2, 2007 to hear and consider all objections or protests to the proposed abatement of these nuisances by the City.

The resolutions and ordinances introduced as consent agenda matters were read by the Deputy City Clerk, all public hearings having been announced, and unanimous consent having been previously granted, Councilmember Smitherman moved their adoption which motion was seconded by Councilmember Abbott, and upon the roll being called, the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman
Nays: None

The vote was then announced by the Deputy City Clerk, whereupon the Presiding Officer declared said resolutions and ordinances adopted.

Councilmember Royal absented himself.

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The following ordinance was introduced by Councilmember Smitherman:

ORDINANCE NO. 07-161

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund BH 1998-B G.O. Warrant</u>	
<u>02407</u> Highway 280 Landscaping	\$ (85,000.00)
_____ Old Gaston Nursing Home	85,000.00
	<u>\$ -</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$85,000.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$85,000.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$85,000.00, provided for in the proposed ordinance.

Respectfully,
Michael Johnson/s/
Michael Johnson
Director of Finance

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The ordinance was read by the Deputy City Clerk, whereupon Councilmember Smitherman moved its adoption which motion was seconded by Councilmember Witherspoon, and upon the

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roll being called the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Witherspoon, Smitherman
Nays: Duncan

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

The following ordinance was introduced by Councilmember Smitherman:

ORDINANCE NO. 07-162

AN ORDINANCE TO FURTHER AMEND
THE CAPITAL BUDGET

BE IT ORDAINED by the Council of the City of Birmingham that the budget for the Capital Fund for the fiscal year ending June 30, 2008, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund BH 1999-B Park G.O. Bond</u>	
<u>02458</u> Brownsville Heights Park	\$ (135,000.00)
_____ Old Gaston Nursing Home	<u>135,000.00</u>
	<u>\$ _____ -</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$135,000.00.

Respectfully,
Bernard Kincaid/s/
Bernard Kincaid
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund of the City of Birmingham \$135,000.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$135,000.00, provided for in the proposed ordinance.

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Respectfully,
Barbara McGrue for Michael Johnson/s/
Michael Johnson
Director of Finance

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The ordinance was read by the Deputy City Clerk, whereupon Councilmember Smitherman moved its adoption which motion was seconded by Councilmember Witherspoon, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Witherspoon, Smitherman
Nays: Duncan

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

The following resolution was introduced by Councilmember Parker:

RESOLUTION NO. 1397-07

BE IT RESOLVED by the Council of the City of Birmingham that the Mayor be and hereby is authorized to execute, for and as the act of said City, (i) a Property Sales Contract in substantially the same form as on file in the Office of the City Clerk (the "Contract") between Booker T. Washington Insurance Co., as Seller, and the City, as Purchaser, under which the City will purchase improved real property located at 9225 Airport Road, Birmingham, and being further described below (the "Property"), for a purchase price of Two Hundred Twenty Thousand and No/100 Dollars (\$220,000.00), such Property being acquired for the purpose of a future community center or other community, recreational or other public uses, the City finding that the acquisition of the Property for such uses is in the public interest and for a public purpose, and (ii) such other documents and instruments related to such Contract as are necessary to the purchase of the Property; and

BE IT FURTHER RESOLVED that the Director of Finance be and hereby is authorized to pay on behalf of the City of Birmingham, the purchase price of \$220,000.00, adjusted for usual and customary closing credits and expenses, to Booker T. Washington Insurance Co. at closing under the terms and conditions of the Contract.

Legal Description of the Property:

That part of the Northwest ¼ of the Northwest ¼ of Section 3, Township 17 South, Range 2 West, situated in Jefferson County, Alabama, Birmingham Division, more particularly described as follows:

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Begin at the Southeast corner of said ¼ - ¼ section and run thence Northwardly along the East line thereof for a distance of 150 feet to the point of beginning of the parcel here described, from the point of beginning thus obtained turn an angle of 89 degree to the left and run thence Westwardly and parallel with the South line of said ¼ - ¼ section for a distance of 368.04 feet to a point in the center line of a public road; thence turn an angle to the right of 117 degree 29' and run Northeastwardly along the center line of said public road for a distance of 593.50 feet, more or less, to a point on the North line of the South half of said Northwest ¼ of Northwest ¼; run thence Eastwardly along said North line for a distance of 94.15 feet to the Northeast corner of the South half of said Northwest ¼ of Northwest ¼; run thence Southwardly along the East line of said ¼ - ¼ section for a distance of 531.30 feet, more or less, to the point of beginning.

Except that part of the above described parcel which is included within the right of way of the public road on the Westerly side thereof.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Parker moved its adoption which motion was seconded by Councilmember Hoyt, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Witherspoon, Smitherman

Nays: Duncan

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

Councilmember Royal returned and took his seat as a Councilmember.

The following resolution was introduced by Councilmember Smitherman:

RESOLUTION NO. 1398-07

BE IT RESOLVED by the Council of the City of Birmingham that the Mayor be and hereby is authorized to execute, for and as the act of said City, (i) a Lot Sales Contract in substantially the same form as on file in the Office of the City Clerk (the "Contract") between Mitchell C. Baldwin and Gennia C. Baldwin, as Sellers, and the City, as Purchaser, under which the City will purchase real property located at 1613 11th Avenue North, Birmingham, Alabama, 35203, and being further described below (the "Property"), for a purchase price of Fifty-five Thousand and No/100 Dollars (\$55,000.00), such Property being acquired for the purpose of land banking for future residential development, the City finding that the acquisition of the Property for such use is in the public interest, and (ii) such other documents and instruments related to such Contract as are necessary to the purchase of the Property; and

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BE IT FURTHER RESOLVED that the Director of Finance be and hereby is authorized to pay on behalf of the City of Birmingham, from Bond Funds CL, Project 03057 – 2002 Housing Bonds, the purchase price of \$55,000.00, adjusted for usual and customary closing credits and expenses, to Mitchell C. Baldwin and Gennia C. Baldwin at closing under the terms and conditions of the Contract.

Legal Description of the Property:

1613 11th Avenue North, Birmingham, Alabama 35203

Lot 1-A according to the corrected map of Eleavan Survey, as recorded in Map Book 67, Page 66 in the Office of the Probate Judge of Jefferson County, Alabama.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Smitherman moved its adoption which motion was seconded by Councilmember Hoyt, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Smitherman

Nays: None

Abstained: Witherspoon

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

The following resolution was introduced by Councilmember Royal:

RESOLUTION NO. 1399-07

**A RESOLUTION APPOINTING MEMBERS TO THE PRIVATE EDUCATIONAL
BUILDING AUTHORITY OF THE CITY OF BIRMINGHAM
BIRMINGHAM-SOUTHERN COLLEGE**

WHEREAS, the Private Educational Building Authority of the City of Birmingham – Birmingham-Southern College (the “Authority”) has been incorporated pursuant to the provisions of Chapter 17, Title 16, Section 1 et seq. of the Code of Alabama 1975 (the “Enabling Law”); and

WHEREAS, the terms of two of the members of the Authority have expired and the third member is no longer a resident of the City and is ineligible to serve;

WHEREAS, the persons listed below have agreed to serve as members of the Authority, if appointed or reappointed by the City Council, and have submitted for review by the City Council such personal information as the City Council deems necessary in support of such appointment;

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NOW, THEREFORE BE IT RESOLVED that the City Council does hereby appoint the following members to the Authority for the terms set forth beside their respective names, effective upon adoption and approval of this Resolution:

Name of Member Of Board	Address	Date of End of Term
Jackie Russell	644 73 rd Street South, Birmingham, AL 35206	November 12, 2007
Thomas R. Cosby	1001 Essex Road, Birmingham, AL 35222	November 10, 2009
Kimberly L. Patton	6012 Wendy Circle, Birmingham, AL 35213	November 8, 2011

The resolution was read by the Deputy City Clerk, whereupon Councilmember Royal moved its adoption which motion was seconded by Councilmember Abbott, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman

Nays:

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

The following resolution was introduced by Councilmember Smitherman:

RESOLUTION NO. 1400-07

WHEREAS, Parking Solutions, LLC. submitted a "Vehicle Immobilization Service License Application" pursuant to City of Birmingham Ordinance No. 04-96 on July 2, 2007;

WHEREAS, the chief of police has investigated the applicant and the proposed operation as required by Ordinance No. 04-96 and has submitted a recommendation to the city clerk;

WHEREAS, Ordinance No. 04-96 requires that the city clerk place the application for the license on the agenda for the next regular council meeting upon receipt of the chief's recommendation;

WHEREAS, the city clerk received the report and recommendation of the chief of police on August 22, 2007, and has placed the item on the agenda for the next regular meeting, August 27, 2007; and,

WHEREAS, the chief of police has recommended approval of the application for the license for a vehicle immobilization service for Parking Solutions, LLC.,

BE IT THEREFORE RESOLVED by the Council of the City of Birmingham that the Parking Solutions, LLC. application for a vehicle immobilization service license submitted July 2,

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2007, is hereby approved.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Smitherman moved its adoption which motion was seconded by Councilmember Duncan, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman
Nays: None

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

The following resolution was introduced by Councilmember Parker:

Case No. ZAC2007-00116
RESOLUTION NO. 1401-07

BE IT RESOLVED By the Council of the City of Birmingham that the City Clerk be, and she is hereby, directed to cause to be published in a newspaper of general circulation in the City of Birmingham, a notice in words and figures as follows:

ZONING NOTICE

Notice is hereby given that at a regular meeting of the Council of the City of Birmingham to be held in the Council Chamber in the City Hall of Birmingham on Tuesday, October 9, 2007, commencing at 9:30 a.m. said Council, will hold a public hearing upon a proposal that it, the said Council, adopt an ordinance in words and figures substantially as follows:

Case No. ZAC2007-00116

ORDINANCE NO. _____

BE IT ORDAINED by the Council of the City of Birmingham as follows:

Section 1. That the Zoning District Map of the City of Birmingham as described in Section 2., "Zone Districts and Boundaries" of Title I of the Zoning Ordinance of the City of Birmingham, (Ord. 90-130 as amended) be, and said Zone Map hereby is, amended by rezoning or redistricting the parcels of land hereinafter in this section described, so as to change such parcels from one class of districts to another class of districts as follows, to wit:

FROM: R-2, SINGLE FAMILY DISTRICT

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TO: R-5, MULTIPLE DWELLING DISTRICT

Located at 832 and 833 Sundale Drive, situated in the NW ¼ of Section 6, Township 17-S, Range 1-West (35235), being more particularly described as follows:

Parcel 1:

That part of the Northeast ¼ of the Northwest ¼ of Section 6, Township 17 South, Range 1 West; situated in Jefferson County, Alabama, more particularly described as follows:

Commence at the Northeast corner of said ¼ - ¼ section and run thence Westerly along the north line thereof for a distance of 437.75 feet to the point of beginning of tract here described; from the point of beginning of tract herein described; from the point of beginning thus obtained turn an angle of 105 deg. 36 min. to the left and run Southeasterly for a distance of 134.97 feet; thence turn an angle of 105 deg. 36 min. to the right and run Westerly for a distance of 350.05 feet; thence turn an angle of 90 deg. 15 min. 30 sec to the right and run Northerly for a distance of 130 feet to the north line of said ¼ - ¼ section; run thence Easterly and along the north line of said ¼ - ¼ section a distance of 315.09 feet to the point of beginning, in the Office of the Judge of Probate of Jefferson County, Alabama; being situated in Jefferson County, Alabama.

Parcel II:

That part of the Northeast ¼ of the Northwest ¼ of Section 6, Township 17 South; Range 1 West; situated in Jefferson County, Alabama, more particularly described as follows: Begin at the Northeast corner of said ¼ - ¼ section and run thence Westerly along the North line thereof for a distance of 437.75 feet; thence turn an angle to the left of 105 deg and 36 min. and run Southeasterly for a distance of 134.97 feet to the point of beginning of the tract herein described; from point of beginning thus obtained; turn an angle to the right of 105 deg. And 36 min. run Westerly for a distance of 354.56 feet; thence turn an angle of 89 deg and 44 min. and 30 sec to the left and run Southerly for a distance of 150 feet; thence turn an angle to the left of 90 deg. 15 min. and 30 sec and Easterly for a distance of 394.89 feet; thence turn an angle to the left of 74 deg and 24 min. and run Northwesterly for a distance of 155.74 feet to the point of beginning.

From the Northeast corner of the Northeast ¼ of the Northwest ¼ of Section 6, Township 17 South, Range 1 West; run West along the North line of said Northeast ¼ of the Northwest ¼ 437.75 feet; thence turn 105 deg 36 min. left and run 290.71 feet to the point of beginning; thence turn 105 deg. 36 min. right and 394.89 feet; thence turn 89 deg. 44 min. 30 sec left and run 150 feet; thence turn 90 deg. 15 min. 30 sec left and run 435.22 feet; thence turn 105 deg. 36 min. left and run 155.74 feet to point of beginning, in the Probate Office of Jefferson County, Alabama; being situated in Jefferson County, Alabama.

Section 2. This ordinance shall become effective when published as required by law.

Notice is hereby given that at the aforesaid time and place parties in interest and citizens will be heard in relation to the changes set forth by said proposed ordinance.

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BE IT FURTHER RESOLVED by the Council of the City of Birmingham that the City Clerk be, and she is hereby, directed to cause to be published in a newspaper of general circulation in the City of Birmingham, an additional insertion of a synopsis of the hereinabove proposed ordinance, one week after the first insertion, which synopsis shall refer to the date on which the proposed ordinance was first published in words and figures as follows:

SYNOPSIS OF ZONING NOTICE

Case No. ZAC2007-00116: The Council of the City of Birmingham will hold a public hearing to consider the adoption of an ordinance for a change in zone district boundaries from R-2, Single Family District to R-5, Multiple Dwelling District in order to construct Phase II of Ascot Place Apartments, filed by Jason Cole, applicant, representing the owner, Paul Fowler, for properties located at 832 and 833 Sundale Drive, and situated in the NW ¼ of Section 6, Township 17-S, Range 1-West (35235), commencing at 9:30 a.m. on Tuesday, October 9, 2007. Public Notice of this public hearing was first published on _____.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Parker moved its adoption which motion was seconded by Councilmember Abbott, and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Duncan, Hoyt, Parker, Royal, Witherspoon, Smitherman

Nays: None

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

Councilmember Duncan absented herself and did not return to the meeting.

Councilmember Parker made a motion to do their old and new business at the next regular meeting, Tuesday, September 4, 2007 which motion was seconded by Councilmember Smitherman and adopted.

Councilmember Smitherman made a motion that the Council adjourn to go into Executive Session, which motion was seconded by Councilmember Abbott and upon the roll being called the vote was as follows:

Ayes: Abbott, Bell, Hoyt, Parker, Royal, Witherspoon, Smitherman

Nays: None

The vote was then announced by the City Clerk, whereupon the Presiding Officer declared the motion to go into Executive Session after the Council meeting is adjourned, adopted.

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THE FOLLOWING MATTER WAS INTRODUCED READ AND DEFERRED:

Councilmember Parker made a motion, which was seconded by Councilmember Abbott an adopted, a resolution approving the amended agreement between **the Board of Trustees of the University of Alabama at Birmingham**, Birmingham, and the City of Birmingham, acting by and through its Parks and Recreation Board, extending the provisions of the original agreement as it relates to the City's purchase of football tickets by paying \$225,000.00 per year for the tickets, valued at \$375,000.00 to be used by City employees and Neighborhood Associations, for Fiscal Years 2008, 2009 and 2010, and authorizing the Mayor to execute the amendment, be deferred to the regular meeting, Tuesday, September 11, 2007 at 9:30 o'clock a.m.

ALL OTHER MATTERS WENT OVER

Upon motion by the Presiding Officer, the Council adjourned at 12:35 o'clock p.m.

Approved:

PRESIDENT OF THE COUNCIL

Printed Name

DEPUTY CITY CLERK

Printed Name

APPROVED AS TO FORM:

ASSISTANT CITY ATTORNEY

Printed Name