

REGULAR MEETING OF THE COUNCIL

OF THE CITY OF BIRMINGHAM

OCTOBER 27, 2009 at 9:30 A.M.

The Council of the City of Birmingham met in the Council Chambers of the City Hall of Birmingham on October 27, 2009 at 9:30 a.m., in regular meeting.

The meeting was opened with prayer by Captain Tyrone Fornest of the City of Birmingham Fire and Rescue Service.

The Pledge of Allegiance was led by Councilmember Steven Hoyt.

Present on Roll Call:	Council President	Smitherman
	Councilmembers	Abbott
		Austin
		Hoyt
		Montgomery
		Parker
		Roberson
		Royal

Absent:	Duncan
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The minutes of April 14, 21, 22, 28 and May 5, 2009, were approved as submitted.

In the absence of the Mayor, Deborah Vance-Bowie, Chief of Staff, spoke on the Annual Magic City Classic to be held Saturday, October 31, 2009. There will not be a charge for the use of the shuttle. Mrs. Faye Oates, who is Classic coordinator, spoke on the upcoming game and events. Mrs. Oates noted that the police will establish a perimeter around Legion Field. The Tom Joyner Morning Show and the Steve Harvey Morning Show will both be broadcast from Birmingham's Legion Field this year.

Councilmember Smitherman made a motion to suspend the rules to take Agenda Item 15 out of order which motion was seconded by Councilmember Austin, and adopted.

Councilmember Montgomery absented himself.

Councilmember Smitherman made a motion which was seconded by Councilmember

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Austin on to lay “A Resolution authorizing the Mayor to execute an agreement with **Alabama Sports Foundation, Inc., Alabama State University, Alabama Agricultural and Mechanical University and the Birmingham Park and Recreation Board** to provide that the “Magic City Classic” football games shall be held at the historic Legion Field beginning in 2009 and continuing for the next five (5) years through the 2013 football season” on the table, and upon the roll being called the vote was as follows:

Ayes: Abbott, Austin, Hoyt, Montgomery, Royal, Smitherman

Nays: None

Abstained: Parker

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

Chief Vance-Bowie noted that the City has mailed out the quarterly notice to the neighborhoods relative to neighborhood meetings.

Chief Vance-Bowie announced that she received a letter from Bob Dickerson of the BBRC who stated that they would be returning their check from the City's annual appropriation from the FY2010 budget. Mr. Dickerson stated that BBRC will run sufficiently without the funds.

Ronnie Vaughn, employee of the Department of Public Works was congratulated on the upcoming birth of his first grandchild.

Councilmember Smitherman made a motion to suspend the rules for speakers which motion was seconded by Councilmember Abbott and adopted.

Councilmember Hoyt absented himself.

Anna Brown, 3115 - 24th Street North appeared relative to the City of Hoover's decision to not pay funds to the Birmingham Transit Authority.

Dreek Curry, 2149 Bessemer Road appeared relative to announcing the opening of his new restaurant, Dreek's Place.

David Russell, 1525 Brookfield Lane appeared relative to asking the Council to delay adoption of Agenda Item No. 15.

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Willie Jenkins, 4008 - 29th Street appeared relative to the program held by the Carver High Alumni, the upcoming performance of the Silver Voices, the Magic City Classic.

Councilmember Hoyt returned and took his seat as a Councilmember.

Councilmember Montgomery returned and took his seat as a Councilmember.

Councilmember Roberson absented himself.

Exie Bridges, 1113 Violet Drive appeared relative to officially resigning her position as President of the North Eastlake Neighborhood Association because she has moved.

Audrey Lewis, 2905 Wilson Road, Apartment E appeared relative to the alleged lack of funding of City insurance and her accident within City Hall. She wants to know the City's plan for payment.

Councilmember Royal returned and took his seat as a Councilmember.

Councilmember Hoyt absented himself.

Minister Artis Murphy, 1305 Avenue L appeared relative to talking about making sound decisions.

Councilmember Montgomery absented himself.

Councilmember Austin absented himself.

Rev. Herman Henderson, 224 Flora Street appeared relative to Audrey Lewis' accident on the City's elevator.

Councilmember Montgomery returned and took his seat as a Councilmember.

Councilmember Hoyt returned and took his seat as a Councilmember.

Lorna Howard, 1801 - 14th Avenue South, Suite 103, owner of Curves appeared relative to inviting the City to "Pretty in Pink," October 29, 2009, a program relative to Breast Cancer Awareness.

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Councilmember Abbott absented herself.

Charlie Muhammad, 8625 - 9th Court South appeared relative to presenting each Councillor with the Muslim newspaper and to expound on a proposal to deal with overgrown lots by turning them into gardens with the help of the youth of Birmingham.

Councilmember Austin returned and took his seat as a Councilmember.

Councilmember Montgomery returned and took his seat as a Councilmember.

Councilmember Abbott returned and took her seat as a Councilmember.

Councilmember Smitherman absented herself.

Councilmember Montgomery absented himself.

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

RESOLUTION NO. 1604-09

WHEREAS, on September 22, 2009 the Birmingham City Council at its regularly scheduled meeting declared the property described below to be a public nuisance existing in the City of Birmingham; and

WHEREAS, all proper notices were posted and delivered by certified mail to the persons, firms, associations or corporations last assessing the below described property for state taxes as required by Act no. 105 of the Third Special Session of the Alabama Legislature 1971, as amended by Act 91-192 of the Alabama Legislature, 1991; and

WHEREAS, since September 22, 2009 the following described properties have had the nuisances thereon abated:

2	29-19-3-39-01.000-RR	3901 PARK AVE SW 35221	LOT 15 BLK 29 PARK PLACE
4	30-01-2-01-06.000-RR	619 ATTALLA ST 35224	LOT 12 BLK 4 WYLAM HILLS
5	22-33-4-06-02-002-RR	911 8TH AVE W 35204	LOT 4 BLK 9 OWENTON
6	29-16-4-32-06.000-RR	1533 PINE AVE SW 35211	LOT 3 BLK 1 PLAT A ISHKOODA
8	22-33-4-06-02.000-RR	905 8TH AVE W 35204	LOT 3 BLK 9 OWENTON
9	23-22-1-08-05.000-RR	6812 66TH ST S 35212	LOT 5 BLK 25 GATE CITY
10	29-02-3-41-03.000-RR	200 16TH AVE S 35205	LOT 1 BLK 3 ACE RLTY COS 1ST ADD TO BHAM

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25	29-09-3-19-52.000-RR	1400 17TH PL SW 35211	LOT 1 BLK 10 BEVERLY PLACE
26	23-20-1-10-21.000-RR	4720 12TH AVE N 35212	LOT 10 BLK 3 WHALEYS ADD TO BHAM
30	29-19-2-07-12.000-RR	3536 JEFFERSON AVE SW 35221	LOT 10 BLK 8 PARK PLACE SEC 19 TP 18 R3
31	29-19-2-07-13.000-RR	3528 JEFFERSON AVE SW 35221	LOT 12 BLK 8 PARK PLACE SEC 19 TP 18 R3
42	22-31-4-20-15.000-RR	1506 AVENUE I 35218	LOT 21 BLK 15-H ENSLEY
44	29-02-3-26-09.000-RR	16 16TH AVE S 35205	LOT 9 BLK 3 N B SMITH ADD TO BHAM
45	23-20-1-15-36.000-RR	1028 48TH ST N 35212	LOTS 19 & 20 R A GILBERT TRUSTEE
46	23-22-2-11-10.000-RR	6514 2ND AVE S 35212	LOT 4 BLK 3-D EAST WOODLAWN
47	23-22-2-11-09.000-RR	6508 2ND AVE S 35212	LOT 3 BLK 3-D EAST WOODLAWN
49	29-05-2-24-04.000-RR	2337 28TH ST W 35208	LOT 5 BLK 67 BHAM ENSLEY
53	30-16-4-14-14.000-RR	3543 2ND ST 35061	LOT 15 & S 1/2 16 BL 2 SYX MOXLEY ADD TO DOLOMITE
54	30-16-4-14-13.000-RR	1432 HOLLYWOOD LN 35061	LOT 14+N 1/2 16 BLK 2 SYX MOXLEY ADD TO DOLOMITE
62	30-02-2-09-05.000-RR	809 RICHMOND ST 35224	LOT 3 BLK 3 TENN LD COS 6TH ADD TO WYLAM
64	29-06-2-18-12.000-RR	2500 AVENUE J 35218	LOTS 23 & 24 & NE 3-1/2 FT LOT 22 BLK 25-1 ENSLEY LD CO 5TH ADD TO ENSLEY
69	22-15-3-19-03.000-RR	3640 4TH ST W 35207	LOT 4 BLK 1 HOOPER CITY HIGHLANDS 1ST SECT
70	22-15-3-19-02.000-RR	3642 4TH ST W 35207	LOT 3 BLK 1 HOOPER CITY HIGHLANDS FIRST SECTOR
77	29-07-4-17-15.000-RR	1612 52ND ST 35208	LOT 3 I M FOWLER RESUR OF LOTS 13 THRU 15 BLK 32 MARTINS ADD BHAM ENSLEY
81	30-25-2-18-01.000-RR	5028 CRAIG AVE 35221	LOT 1 BL 4 HILLMAN
82	30-25-2-18-02.000-RR	5024 CRAIG AVE SW 35221	LOT 2 BL 4 HILLMAN
104	30-16-4-08-07.000-RR	1348 EDWARDS ST 35061	LOT 15 DOLOMITE VILLAGE 4TH ADD
109	29-08-1-22-16.000-RR	1924 PRINCETON CT SW 35211	LOT 16 BLK 3 OAKWOOD ESTATES
110	22-22-1-10-04.000-RR	1700 32ND AVE N 35207	LOT 12 & W 1/2 LOT 11 BLK 152 NO BHAM
125	29-02-2-20-07.000-RR	112 POWELL AVE 35205	LOT 5 MARY SADLER SUR
127	29-02-2-20-13.000-RR	212 POWELL AVE 35205	S 60 FT OF LOTS 22 & 23 SWANSON SUR
136	22-27-4-41-01.000-RR	301 12TH AVE N 35204	LOTS 7 & 8 BLK 2 NEW ZEALAND SUB ALSO BEING AT INTER OF N W COR SD LOT 8 & N 12TH AVE TH W 108S FT TO RR R/W TH S E CONTINUED
137	22-27-4-29-07.000-RR	1201 3RD ST N 35204	LOTS 1 & 2 BLK 3 MAP OF NEW ZEALAND
139	22-26-2-36-16.000-RR	1502 4TH ST N 35204	LOT 4 BROWNLIE REALTY COS S/D BLK 12 HUDSON EST
140	22-26-2-36-17.000-RR	1506 4TH ST N 35204	LOT 3 BROWNLIE REALTY COS S/D BLK 12 HUDSON ES
156	23-20-4-09-14.000-RR	805 47TH ST N 35212	LOT 61 & 62 PHILLIPS ADD TO BHAM
158	23-16-4-01-12.000-RR	6308 4TH CT N 35212	LOT 3 BLK 2 PINE GROVE
159	23-16-4-01-11.000-RR	6304 4TH CT N 35212	LOT 2 BLK 2 PINE GROVE
161	23-16-4-01-14.000-RR	6316 4TH CT N 35212	POB INTER OF S/L OF L&N RR & W/L OF I-59 TH SW 130 FT ALG I- 59 TH NW 147 FT TH NE 7 FT E 16 FT ALG RR R/W TO POB LYING

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170	22-15-3-17-03.000-RR	437 37TH CT W 35207	LOT 9 BLK 12 A J HOOPERS 2ND ADD
173	29-19-3-15-09.000-RR	3637 LAUREL AVE SW 35221	LOT 10 BLK 3 PLAT OF CENTRAL TRACT OF THE PLEASANT VALLEY LAND AND MANUFACTURING COMPANY
176	29-09-3-20-14.000-RR	1413 17TH PL SW 35211	LOT 21 BLK 8 BEVERLY PL
177	23-21-3-02-10.000-RR	127 54TH ST 35212	PT OF 7 & 8 WOODLAWN REALTY CO 2ND ADD TO WOODLAWN 5/50 DESC AS FOLS: BEG SW COR OF LOT 8 TH N 85 FT TH NE 144.5 FT TH S CONTINUED
178	23-21-1-07-08.000-RR	200 60TH ST N 35212	LOT 23 COPELAND AND STONE SUR ADD TO WOODLAWN
181	30-02-4-09-12.000-RR	1300 FRISCO ST 35224	LOTS 1 & 2 BLK 6 ANDREW BURGINS ADD TO WYLAM
182	29-04-2-12-06.000-RR	1217 4TH AVE W 35204	LOT 12 BLK 27 COMPTON RISING
183	22-33-4-20-03.000-RR	1105 4TH TER W 35204	LOT 10 BLK 15 HIGHLAND LAKE LD CO RESUR BLKS 11 & 14 & 15
184	22-33-3-22-15.000-RR	440 12TH ST W 35208	S 1/2 LOTS 8 & 9 BLK 30 COMPTON RISING
193	29-04-1-07-06.000-RR	1025 4TH AVE 35204	LOTS 2 THRU 7 BLK 12 HIGHLAND LAKE LD CO RESUR OF BLKS 12 & 13 & 16
195	22-15-4-27-12.000-RR	1616 34TH AVE N 35207	LOT 17 BLK 113 NO BHAM LD COS ADD #5
201	29-30-2-36-14.000-RR	3928 WILLARD AVE SW 35221	LOTS 1 & 2 BLK 2 GRASSELLI SOUTH HGLDS
203	29-30-1-19-03.000-RR	3315 GRASSELLI AVE SW 35221	LOT 5 BL 8 TARPLEY
204	29-30-1-22-01.000-RR	3209 NUMBER 10 CIR 35211	LOT 8 BLK 3 WENONAH SUB PLAT C
207	22-31-4-37-05.000-RR	1633 19TH ST 35218	LOT 1 BLK 3 ENSLEY RLTY COS ADD TO ENSLEY
212	23-20-2-11-07.000-RR	4321 11TH CT N 35212	LOT 14 BLK 4 KING LD & IMP COS 2ND ADD TO KINGSTON
215	23-28-2-29-11.000-RR	4802 5TH AVE S 35222	LOT 11 BLK 28 EAST AVONDALE
219	23-28-3-10-02.000-RR	809 47TH ST S 35222	LOTS 2 THRU 6 BLK 3 JR PHILLIPS SUR 5/67
220	23-28-3-02-109.000-RR	825 47TH PL S 35222	LOT 7 BLK 4 J R PHILLIPS
221	23-28-3-02-103.000-RR	NEXT TO 805 47TH PL S 35222	LOT 1 BLK 4 J R PHILLIPS SUR
223	29-11-2-07-19.000-RR	14 17TH CT S 35205	LOT 29 BLOCK 4 BENJAMINS ADD TO BIRMINGHAM
224	22-15-3-19-01.000-RR	3644 4TH ST W 35207	LOTS 1 & 2 BLK 1 HOOPER CITY HIGHLANDS 1ST SECTOR
225	29-20-1-17-06.000-RR	1813 ELECTRA DR SW 35211	LOT 6 FLEETWOOD 1ST SECT 60/97
235	23-21-4-14-01.000-RR	505 55TH PL S 35212	N 50 FT LOT 35 & ALL LOT 36 BLK 1 WOODLAWN RLTY CO
236	23-21-4-14-02.000-RR	509 55TH PL S 35212	NLY 45 FT LOT 34 & SLY 5 FT LOT 35 BLK 1 WOODLAWN RLTY COS 6TH ADD
237	23-21-4-26-08.001-RR	617 58TH ST S 35212	LOT 6 BLK 8 WOODLAWN RLTY COS 4TH ADD 7/96
244	22-20-4-24-01.000-RR	292 MILES AVE 35214	P O B S W INTER OF BEALL ST & MILES AVE TH W 220S FT ALG BEALL ST TO MILDRED AVE TH S 88S FT ALG AVE TH E 220S FT TO
247	22-20-3-21-04.000-RR	923 HIBERNIAN ST 35214	LOT 4 BLK 2 TENN LD COS 5TH ADD TO PRATT CITY
248	22-20-3-18-04.000-RR	908 TRIBLY ST 35214	LOTS 1 THRU 3 BLK E NORTH HIGHLANDS ADD TO PRATT CITY
249	22-20-3-16-02.000-RR	1029 LAFAYETTE ST 35214	LOTS 20 & 21 BLK D NORTH HIGHLANDS ADD TO PRATT CITY
250	23-22-1-28-05.000-RR	7316 GEORGIA RD 35212	LOT 4 BLK 12 GATE CITY

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251	23-22-2-21-09.000-RR	471 ANTWERP AV 35212	LOT 25-A RESUR OF LOTS 24 THRU 26 BLK 8 WOODLAWN HEIGHTS 81/51
255	22-33-4-05-02.000-RR	833 8TH AVE W 35204	LOT 10 BLK 8 OWENTON
256	22-33-4-06-02.001-RR	915 8TH AVE W 35204	LOT 5 BLK 9 OWENTON
257	22-33-4-06-03.000-RR	919 8TH AVE W 35204	LOT 6 BLK 9 OWENTON
266	29-17-3-22-14.000-RR	2533 DAWSON AVE 35211	LOT 110 COLLEGE PARK RESUB
269	22-34-2-29-06.000-RR	812 4TH ST W 35204	S 50 FT OF N 100 FT OF LOTS 1 & 2 BLK 2 J N MILLER
276	29-08-2-39-04.000-RR	2220 FULTON AVE SW 35211	LOT 5 BLK 3 WEST HAVEN
279	29-04-3-04-01.000-RR	11 15TH ST SW 35204	POB INTER OF E/L OF 16TH ST W & NW R/W OF RR TH
282	29-17-3-22-10.000-RR	2513 DAWSON AVE SW 35211	LOTS 105 & 106 COLLEGE PARK RESUB
284	22-31-3-54-08.000-RR	817 22ND ST 35218	POB 50 FT NW OF SW INTER 22ND ST & AVE I TH NW 5
287	29-15-2-02-04.000-RR	1517 12TH ST SW 35211	POB 125 FT(S) S OF THE E INTER OF MASON AVE & 12TH ST SW TH S 00 FT(S) ALONG ST TH E 150 FT S) TO ALLEY TH N 100 FT W
290	29-02-3-21-05.000-RR	211 5TH AVE S 35205	E 1/2 LOT 6 BLK 33 WALKER LAND COS ADD TO BHAM
291	29-02-3-21-04.000-RR	215 5TH AVE S 35205	LOT 5 BLK 33 WALKER LAND COS ADD TO BHAM
292	29-02-3-17-17.000-RR	208 5TH AVE S 35205	E 1/2 LOT 11 & W 5 FT LOT 12 BLK 31 WALKER LAND COS ADD TO BHAM
294	29-02-4-21-13.000-RR	620 10TH AVE S 35205	LOT 14 BLK 8 BHAM RLTY COS 8TH ADD
295	23-20-3-03-13.000-RR	928 44TH ST N 35212	E 100 FT LOT 19 BLK 3 KINGSTON
296	29-17-3-25-07.006-RR	2912 DOWELL AVE SW 35211	LOT 13 BLK 7 ORIGINAL TRACTOF PLEASANT VALLEY
298	13-23-4-00-161.000-RR	1504 AUGUST CIR 35215	LOT 10 BLK 17 MARLIN SPRINGS ESTATES 132/43
302	29-20-1-17-05.000-RR	1809 ELECTRA DR SW 35211	LOT 5 FLEETWOOD 1ST SECTOR 60/97
306	29-19-3-28-05.000-RR	3921 ELLIS AVE SW 35221	LOT 5 BLK 23 PARK PLACE
310	29-04-4-18-22.000-RR	1108 MCMILLON AVE SW 35211	THE W 42-1/2 FT OF THE S 70 F OF LOT 22 BLK 2 WES
312	29-04-4-18-16.000-RR	1136 MCMILLON AVE SW 35211	LOT 15 BLK 2 WEST END LAND & IMPROVEMENT CO
313	29-04-4-18-14.000-RR	825 12TH ST SW 35211	WESTEND LD & IMP CO BLOCK: 2 LOT: 13
314	29-04-4-18-13.000-RR	821 12TH ST SW 35211	S 31.7 OF N 95 FT OF LOTS 13 & 14 & 26 BLK 2 WEST
321	29-21-2-05-16.000-RR	1656 MATT LEONARD DR 35211	LOT 1 BLK 14 PLAT A ISHKOODA
322	29-01-2-12-10.000-RR	316 14TH ST S 35233	LOT 20 BLK 154 BHAM
325	29-04-2-46-04.003-RR	SIDE IF 7 15TH ST W 35000	LOT 3 DIGIORGIOS RESURVEY PB 209 PG 93
326	29-04-3-19-09.000-RR	1641 WOODLAND AVE SW 35211	N 130 FT OF LOT 11 BLK 44 WEST END LAND & IMP CO
327	22-34-3-18-03.000-RR	715 8TH AVE W 35204	LOT 4 BLK 7 R W OWENS ADD TO BHAM
330	29-16-4-28-07.000-RR	1620 MAPLE AVE SW 35211	LOT 5 BLK 32 PLAT A ISHKOODA SUB
336	22-35-4-16-01.000-RR	1229 1ST AVE S 35203	P O B INTER OF S LY LINE 1ST AVE S & W LY LINE
345	23-21-3-06-17.000-RR	5116 9TH AVE N 35212	W 6-1/2 FT LOT 2 & ALL LOT 3 MAUCHLINE SUR BLK 4 FORSYTHE ESTATES

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347	29-02-2-26-03.000-RR	331 IOTA AVE 35205	P O B 204 S FT W OF SW INTER IOTA AVE & OMEGA ST TH W 49 S FT ALG IOTA AVE TH S 135 S FT TO ALLEY TH E 48 S FT TH N
348	29-02-3-17-02.000-RR	229 4TH AVE S 35205	LOT 2 BLK 31 WALKER LAND COS ADD TO BHAM
350	29-20-3-14-05.000-RR	2619 FAIRBANKS AVE SW 35211	LOTS 5 & 6 BLK 5 INDUSTRIAL CENTER
351	29-30-1-25-04.000-RR	3236 WILSON RD 35221	LOTS 15 & 16 & 17 BLK 10 TARPLEY 5/74 EXC PART TO H/W
357	13-25-4-05-14.000-RR	1128 DOGWOOD LN 35215	LOT 6 BLK 15 ROEBUCK GARDEN ESTS
362	29-06-3-17-07.000-RR	1415 30TH ST 35218	LOT 4 BLK 4 SO HGHLDS OF ENSLEY
364	30-02-2-02-17.000-RR	620 LEXINGTON ST 35224	LOT 20 BLK 1 OAKMONT SUR
366	29-06-4-16-01.000-RR	3200 AVENUE S 35208	LOT A BLK 2 FIDELITY INV CO RESUR OF PT OF BLKS 1-2 & O
375	30-25-4-06-12.000-RR	804 HAMPTON RD 35221	LOT 19 BLK 7 COLONY ESTATES 1ST SECTOR
386	23-11-3-08-28.000-RR	8156 2ND AVE S 35206	LOT 15 BLK 133 EAST LAKE
388	29-17-4-14-18.002-RR	1713 24TH ST SW 35211	LOTS 70 & 71 NABERS LAND COS 2ND ADD TO COLLEGE PARK 12/91
389	29-17-4-14-18.000-RR	1721 24TH ST SW 35211	LOT 72 NABORS LD COS 2ND ADD TO COLLEGE PARK
393	23-15-3-01-14.000-RR	119 69TH PL N 35206	LOT 2 BLK 2 C J & W R SHARP
394	23-15-3-01-15.000-RR	6912 1ST AVE N 35206	LOT 1 BLK 2 C J & W R SHARP
396	29-29-2-02-01.000-RR	2901 WENONAH DRIVE 35221	LOT 10 BLK 3 WEST GOLDWIRE ESTATES
400	29-19-2-05-09.000-RR	1201 RAYFIELD DR 35228	LOT 12 BLK 9 MIDFIELD PARK 6TH ADD
406	29-06-1-36-04.000-RR	1828 29TH ST 35218	LOT 13 BLK 51 ENSLEY HGLDS
411	29-21-2-07-05.000-RR	1641 MATT LEONARD DR 35211	LOT 14 BLK 9 PLAT A ISHKOODA
412	29-20-1-05-12.000-RR	2125 24TH ST SW 35211	LOT 4 NABORS 1ST ADD TO COLLEGE PARK

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that after having heard all protests or objections presented, the noxious or dangerous weeds located at the premises listed here in below, which were declared to be abated by the removal of said weeds by the City and the costs of such abatement shall be assessed against and shall constitute a lien on such property:

1	23-28-3-10-08.000-RR	812 47TH PL S 35222	LOT 13 BLK 3 J R PHILLIPS SUR
3	29-20-2-07-06.000-RR	2837 LAWN AVE SW 35211	LOTS 1 & 2 BLK 9 PARK LAWN
7	29-07-3-33-05.000-RR	5304 COURT J 35208	LOT 5 BLK 18 MONTE SAN0
11	13-25-1-09-21.000-RR	1124 WOODSLEE ST 352215	LOT 49 BERKELEY HILLS
12	29-07-3-35-11.000-RR	n/a 5300 AVENUE K 35208	LOT 6 BLK 20 MONTE SAN0
13	23-02-2-07-28.000-RR	612 BRUNSON AVE 35206	LOT 2 BLK 2 BEL AIR
14	22-15-3-19-03.001-RR	3638 4TH ST W 35207	LOT 5 BLK 1 HOOPER CITY HIGHLANDS 1ST SECT
15	29-08-4-16-06.000-RR	2239 PEARSON AVE SW 35211	LOT 5 BLK 1 MAPLEHURST
16	29-18-2-02-21.000-RR	1212 PINEVIEW RD 35228	LOT 7 BLK 2 GREEN ACRES SUR
17	29-18-2-09-17.000-RR	1219 PINEVIEW RD 35228	LOT 3 BLK 3 GREEN ACRES

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18	22-27-4-39-14.000-RR	1140 BANKHEAD HWY N HWY N 35204	LOT 16A RESURVEY & SUBDIVISION OF LOT 16 BLK 2 NOR
19	22-32-2-10-23.000-RR	2010 10TH PL 35214	E 1/2 OF LOT 22 BLK 6 HUEY LAND CO
20	29-06-4-03-01.000-RR	1645 29TH ST 35208	LOT 1 BLK 19 BHAM-ENSLEY
21	29-11-2-04-10.000-RR	1614 1ST PL S 35205	LOT 10 BLK 1 GREENSPRINGS 1ST ADD
22	23-22-2-05-07.000-RR	337 66TH ST S 35212	LOT 2 BLK 24 WOODLAWN HTS
23	23-22-2-11-11.000-RR	6518 2ND AVE S 35212	LOT 5 BLK 3-D EAST WOODLAWN
24	23-15-3-31-05.000-RR	6615 DIVISION AVE 35206	LOT 13 BLK 2-C EAST WOODLAWN
27	23-21-1-23-25.000-RR	112 61ST ST S 35212	LOT 4 HOPSON PLACE
28	23-15-4-12-01.000-RR	7135 DIVISION AVE 35206	LOT 10 BLK 13 EAST LAKE
29	29-19-1-29-01.000-RR	3205 CEDAR AVE SW 35221	LOTS 1 & 2 BLK 7 ROSEMONT
32	29-19-4-13-09.000-RR-01	3526 OAK AVE SW 35221	LOT 10 BLK 8 CENTRAL TRACT OF PLEASANT VALLEY LD & MFG CO
33	29-05-3-26-08.000-RR	4307 COURT T 35208	P O B 371.9 FT SE OF THE E INTER OF CT T & WARRIOR RD TH SE 60 FT ALG CT T TH NE 188 FT
34	29-07-4-17-19.001-RR	1628 52ND ST 35208	E 50 FT OF LOT 17 & W 25 FT OF LOT 18 BLK 32 MARTIN ADD TO BHAM ENSLEY
35	29-08-2-24-09.000-RR	2103 48TH PL 35208	LOT 1 BLK 8 SOUTH PARK
36	29-08-3-12-03.000-RR	1791 49TH ST 35208	LOT 1 FALLON PL CENTRAL PARK
37	22-20-4-08-12.000-RR	716 CHERRY AVE 35214	LOT 5 BLK 6 TENN LD COS 2ND ADD TO PRATT CITY
38	29-05-2-24-05.000-RR	2333 28TH ST W 35208	LOT 6 BLK 67 BHAM ENSLEY
39	23-23-3-01-03.000-RR	7801 GEORGIA RD 35212	LOT 2B ERNEST JENKINS ADD TO GATE CITY RESUR OF LO
40	23-14-3-02-04.000-RR	7125 LONDON AV 35206	COM SW COR OF SE 1/4 OF SW 1/4 SEC 14 TP 17 R 2 TH N 759 FT TH E 42 FT TO POB TH CONT E 186 FT TH N 165 FT TH W 186 FT CONTINUED
41	22-31-4-20-05.000-RR	1513 AVENUE H 35218	LOT 7 BLK 15-H ENSLEY
43	29-11-2-14-07.000-RR	1746 CENTER WAY S 35203	LOT 7 BLK 1 LOCASCIA CATANZANOS
48	23-22-2-03-05.001-RR	209 66TH ST S 35212	S 45 FT OF LOTS 19 & 20 BLK 4-C EAST WOODLAWN 3/109
50	29-05-2-24-06.000-RR	2329 28TH ST W 35208	LOT 7 & E 15 FT OF LOT 8 BLK 67 BHAM ENSLEY
51	29-05-2-22-02.000-RR	2561 28TH ST W 35208	LOT 3 BLK 64 BHAM ENSLEY ALSO TRIA PT OF LOT 8 BLK 8 FAIRVIEW PARK SUR LYING SW OF E LINE OF SD LOT 3 BLK 64 IF SECTION 05 TOWNSHIP 18S RANGE
52	30-16-4-17-03.000-RR	3625 CHARLES ST 35061	LOT 125 DOLOMITE VILLAGE 3RD ADD
55	23-03-1-07-05.000-RR	1317 LINE DR 35217	LOT 1 BLK 3 AIRPORT ESTS 2ND ADD
56	30-02-2-02-12.000-RR	4824 7TH AVE 35224	LOT 14 BLK 1 OAKMONT SUR
57	23-14-3-20-02.000-RR	7143 LONDON AV 35026	COM 180 FT S OF SE INTER OF LONDON AVE & 73RD ST S TH E 45 FT TO POB TH S 84 FT TH E 170 FT TH N 82.5 FT TH W 170 FT TO CONTINUED
58	23-14-3-20-01.000-RR	7201 LONDON AVE 35206	POB SE INTER OF 73RD ST S & LONDON AVE TH S 180 FT TH E 166 FT TH N 180 FT TH W 165 FT
59	23-14-3-26-25.000-RR	7138 LONDON AVE 35206	LOTS 42-43 BROWNSVILLE PLUS A TRACT P O B SE COR S

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60	23-14-3-02-16.000-RR	7436 NAPLES AVE 35206	LOT 10 BLK 79 SO HGLDS OF EAST LAKE
61	22-31-4-34-29.000-RR	1820 19TH ST 35218	LOT 52 BLK 1 ENSLEY RLTY COS ADD TO ENSLEY
63	22-19-3-01-04.000-RR	625 SHERIDAN RD 35214	BEG AT NE COR OF NW 1/4 OF SW 1/4 THENCE W 87 FT S 246.2 210 S E 87 S N 246.7 TO POB LYING IN NW 1/4 OF SW 1/4 S-19 T-17 CONTINUED
65	29-04-1-05-15.000-RR	1108 4TH AVE W 35204	LOT 15 BLK 14 HIGHLAND LAKE LAND CO
66	22-31-4-27-06.000-RR	1615 AVENUE I 35218	LOTS 9+10 BLK 16-I ENSLEY LAND COMPANYS FIFTH ADDITION TO ENSLEY
67	22-31-4-16-08.000-RR	1423 AVENUE I 35218	LOTS 11 & 12 BLK 14-I ENSLEY LAND COMPANYS SECOND ADDITION TO ENSLEY
68	22-31-4-16-05.000-RR	1415 AVENUE I 35218	LOT 8 BLK 14-I ENSLEY LAND COMPANYS SECOND ADDITION TO ENSLEY
71	23-22-2-03-10.000-RR	6614 3RD AVE S 35212	LOT 1 LORINE LAWLEY BROWN RESUR OF LOTS 4 TO 10 BLK 4-C EAST WOODLAWN
72	29-19-4-12-16.000-RR	3500 MAPLE AVE SW 35221	LOT 16 BLK 7 CENTRAL TRACT OF PLEASANT VALLEY LAND & MFG CO
73	29-19-3-17-06.000-RR	3725 LAUREL AVE SW 35221	LOT 54 BLK 3 TREVELLICK
74	29-19-3-17-04.000-RR	3717 LAUREL AVE SW 35221	LOT 56 BLK 3 TREVELLICK N OF CAR LINE
75	29-06-4-25-14.000-RR	4216 AVE T 35208	LOT 13 BLK 1 CENTRAL PARK HGLDS
76	29-06-4-26-18.000-RR	4129 COURT S 35208	LOT 35 BLK 2 CENTRAL PARK HGLDS
78	29-07-4-26-06.000-RR	1543 52ND ST 35208	LOT 2 BLK 1 CHURCHS ADD T CENTRAL PARK
79	29-08-2-25-02.000-RR	2033 48TH PL 35208	LOT 8 BLK 7 SOUTH PARK ALSO THE SW 10 FT OF LOT 9 BLK 7 3/44 DESC AS FOL BEG AT THE NW COR OF LOT 9 BLK 7 TH NE 10 SECTION 08 TOWNSHIP 18S RANGE 3W MAP BOOK 0003 MAP PAGE 0044
80	30-25-1-14-01.000-RR	5001 CRAIG AVE SW 35221	LOT 8 BLK 7 HILLMAN
83	22-20-1-01-21.000-RR	808 HOUSTON PL 35214	POB 85S FT N OF NW INTER WILLIAMS AVE & GARNER ST TH N 335 FT ALG GARNER ST TH W 125S FT TO DITCH SLY WITH DITCH CONTINUED
84	29-06-4-19-13.000-RR	1608 34TH ST 35208	LOT 15 BLK 15 BHAM-ENSLEY
85	23-21-2-14-34.001-RR	954 53RD ST N 35212	LOT 3 BLK 1 NANCY A WOOD
86	23-21-2-14-36.000-RR	958 53RD ST N 35212	LOT 5 BLK 1 NANCY A WOOD
87	30-02-2-02-012.000-RR	4824 7TH AVE 35224	LOT 14 BLK 1 OAKMONT SUR
88	29-05-1-24-08.000-RR	2545 29TH ST W 35208	LOT 11 BLK 6 FAIRVIEW PARK
89	23-03-2-01-12.000-RR	1400 LINE ST 35217	LOT 14 BLK 1 WOODLAND ADD TO AIRPORT ESTS
90	23-03-2-01-01.000-RR	1401 NORTHWOOD ST 35217	LOT 1 BLK 1 WOODLAND ADD TO AIRPORT ESTS
91	13-12-1-04-01.000-RR	401 WESTCHESTER VALLEY DR 35215	BK 1ST SEC 13-12-2 BLOCK: 8 LOT: 11
92	23-10-4-03-12.000-RR	8016 5TH AV N 35206	LOT 5 BLK 12-E EAST LAKE LD COS 1ST ADD TO EAST LAKE
93	23-10-4-06-10.000-RR	7900 6TH AVE N 35206	LOT 1 BLK 11-F EAST LAKE
94	23-10-4-19-09.000-RR	7604 5TH AV N 35206	LOT 2 BLK 8-E EAST LAKE EXC NW 66.5 FT

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95	23-10-4-19-01.000-RR	526 OPORTO MADRID BLVD N 35206	PART LOT 10 BLK 8-E EASTLAKE LD COS 1ST ADD TO EAS
96	23-10-4-19-13.000-RR	7620 5TH AVENUE NORTH 35206	LOT 6 BLK 8-E EAST LAKE 1ST ADD
97	23-10-4-19-10.000-RR	7608 5TH AVE N 35206	LOT 3 BLK 8-E EAST LAKE
98	23-11-2-08-12.000-RR	8504 3RD AVE N 35206	SE 150 FT OF LOT 3 BLK 17-C EAST LAKE LAND COS FIRST ADDITION TO EAST LAKE
99	23-11-2-08-13.000-RR	8508 3RD AVE N 35206	LOT 4 BLK 17-C EAST LAKE LAND COS FIRST ADDITION TO EAST
100	23-21-1-23-02.000-RR	6035 1ST AVENUE SOUTH 35212	SW 50.5 FT LOTS 1 & 2 & ALL OF LOTS 3 HOPSON PLACE
101	23-21-2-14-35.000-RR	956 53RD ST N 35212	LOT 4 BLK 1 NANCY A WOOD WOODLAWN
102	23-21-1-22-02.000-RR	101 61ST ST S 35212	LOT 18 HOPSON PL
103	23-21-2-14-39.000-RR	964 53RD ST N 35212	LOT 8 BLK 1 NANCY A WOOD
105	29-09-2-13-06.000-RR	1644 TUSCALOOSA AVE 35211	LOT 5 BLK 1 WEST END PLACE
106	29-09-2-10-07.000-RR	533 17TH ST SW 35211	LOT 2 CHENEYS ADD TO WEST END
107	29-08-1-26-13.000-RR	1894 PRINCETON AVE 35211	LOT 1 BLK 1 RUSSELLS HIGH SCHOOL ADD TO WEST END
108	29-08-1-28-12.000-RR	544 21ST ST SW 35211	N 22.5 FT LOT 4 & S 60 FT LOT 3 BLK 1 OAKMOOR ESTATES
111	22-22-4-01-08.000-RR	2310 11TH PL N 35204	LOT 4 BLK 5 MUNGER RLTY COS 1ST ADD TO ACIPCO
112	23-21-1-22-04.000-RR	109 61ST ST S 35212	LOT 16 HOPSON PL
113	23-21-1-10-06.000-RR	133 60TH ST N 35212	S 19-1/2 FT LOT 1 AND N 27 FT OF LOT 2 EDWIN FULTON JR ADD TO WOODLAWN
114	23-21-1-10-05.000-RR	137 60TH ST N 35212	NW 53.5 FT OF LOT 1 EDWIN FULTON JR ADD TO WOODLAW
115	23-21-1-22-05.000-RR	113 61ST STREET S 35212	LOT 15 HOPSON PLACE
116	23-21-1-10-16.000-RR	118 61ST ST N 35212	LOT 8 EDWIN FULTON JR ADD TO WOODLAWN
117	23-21-1-19-14.000-RR	5936 1ST AVE S 35212	P O B 85 FT S SW OF NW INTER 60TH ST S & 1ST AVE S
118	22-31-4-34-27.000-RR	1812 19TH ST 35218	LOT 50 BLK 1 ENSLEY RLTY COS ADD TO ENSLEY
119	22-31-4-34-28.000-RR	1818 19TH ST 35218	LOT 51 BLK 1 ENSLEY RLTY COS ADD TO ENSLEY
120	30-16-4-08-10.000-RR	1318 EDWARDS ST 35061	LOT 12 DOLOMITE VILLAGE 4TH ADD
121	29-09-2-20-04.000-RR	1649 LEE AVE 35211	LOT 11 BLK 64 WEST END
122	29-09-2-11-12.000-RR	524 FRANCES ST 35211	LOT 7 BLK 4 WEST END PLACE
123	29-09-2-23-15.000-RR	1720 PRINCETON AVE 35211	LOT 15 BLK 68 WEST END
124	29-08-1-22-17.000-RR	1920 PRINCETON CT SW 35211	LOT 17 BLK 3 OAKWOOD ESTATES
126	29-02-2-21-03.000-RR	209 POWELL AVE 35205	LOTS 16 & 17 M B SWANSON SUR
128	29-02-2-22-07.000-RR	45 3RD ST ST 35205	N 1/2 LOT 4 W P WEIR SUR
129	29-02-2-18-10.000-RR	9 3RD ST S 35205	LOT 21 HAMILTON COPELAND & FEAGIN SUR SHADYDALE
130	29-02-2-21-27.000-RR	202 KAPPA AVE 35205	E 1/2 OF LOT 7 M B SWANSON SUR
131	29-02-2-20-08.000-RR	120 POWELL AVE 35205	LOT 4 MARY SADLERS ADD TO BHAM

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132	22-26-2-32-16.000-RR	504 15TH AVE N 35204	POB 100S FT E OF THE NE INTER OF 5TH ST N & 15TH A
133	22-26-2-32-17.000-RR	506 15TH AVE N 35204	P O B 160S FT E OF THE N E INTER OF 5 TH ST N & 15TH AVE N TH E 50S FT ALG AVE TH N 150S FT TO ALLEY TH W 50S FT TH S
134	22-26-2-40-01.000-RR	505 15TH AVE N 35204	P O B 146 FT E OF THE S E INTER OF 5TH ST N & 15TH AVE N TH E 55S FT ALG AVE TO I-65 TH SW LY 166S FT ALG I-65 TH W
135	22-22-4-19-10.000-RR	1204 21ST AVE N 35204	LOT 10 BLK 377 NO BHAM 4TH ADD ADD
138	22-26-2-36-15.000-RR	1500 4TH ST N 35204	LOT 5 BROWNLIE REALTY COS S/D BLK 12 HUDSON EST
141	22-26-2-36-18.000-RR	1508 4TH ST N 35204	LOT 2 BROWNLIE REALTY COS S/D BLK 12 HUDSON EST
142	22-26-2-21-03.000-RR	1703 5TH ST N 35204	COMM AT SE INT VILLAGE ST & 5TH ST N THENCE S 30 F
143	22-26-2-21-02.000-RR	1711 5TH ST N 35204	LOTS 1 THRU 7 BLK D R P MCDAVID LESS RD RW
144	22-26-2-29-09.000-RR-01	1614 5TH ST N 35204	LOT 7 & S 15 FT OF LOT 8 BLK E TARRANT & MCMILLAN ADD TO BHAM
145	22-26-2-29-09.001-RR	1616 5TH ST N 35204	LOT 9 & N 15 FT OF LOT 8 BLK 3 TARRANT & MCMILLAN ADD TO BHAM
146	22-26-2-25-16.000-RR	1616 5TH ST N 35204	LOT 1 BLK 2 TARRANT & MCMILLIAN ADD TO BHAM R 3
147	22-26-2-25-17.000-RR	1620 5TH ST N 35204	LOTS 2+3 BLK 2 TARRANT & MCMILLAN ADD TO BHAM
148	22-26-2-25-18.000-RR	1624 5TH ST N 35204	LOTS 4 & 5 BLK 2 TARRANT & MCMILLAN ADD TO BHAM
149	29-09-3-19-06.000-RR	1721 BOISE AVE SW 35211	LOT 2 THE ELMS FIRT ADD
150	23-03-1-03-13.000-RR	9424 8TH AVE N 35217	LOT 9 BLK 10 PENFIELD PARK
151	23-03-1-03-14.000-RR	9428 8TH AVE N 35217	LOT 10 BLK 10 PENFIELD PARK
152	23-03-2-07-80.000-RR	1408 92ND ST N 35206	LOTS 2 & 3 BLK 2 AIRPORT ESTS 3RD ADD
153	23-20-4-09-12.000-RR	813 47TH ST N 35212	LOT 59 PHILLIPS ADD TO BHAM
154	29-16-2-21-07.000-RR	1645 ROBERTS ST SW 35211	LOT 17 BLK 3 ROLLING HILLS 1ST ADD
155	23-20-4-05-38.000-RR	812 47TH ST N 35212	LOT 27 PHILLIPS ADD TO BHAM
157	23-20-4-09-15.000-RR	801 47TH ST N 35215	LOT 63 PHILLIPS ADD TO BHAM
160	23-21-1-23-04.000-RR	6015 1ST AVENUE SOUTH 35212	POB NE COR LOT 1 BLK B MRS M M GILLESPIE SUR 3/40 TH NE 274.2
162	23-21-1-23-03.000-RR	6031 1ST AVENUE SOUTH 35212	POB 125.5 FT SW OF SW INTER 1ST AVE S & 61ST ST S
163	22-26-2-21-09.000-RR	1647 5TH ST N 35204	LOT 12 BLK 2 LEONARD HALLS SUR
164	29-20-1-10-23.000-RR	2304 18TH PL SW 35211	LOT 32 ISHKOODA HIGHLANDS 30/45
165	29-20-1-10-23.001-RR	2308 18TH PL SW 35211	LOT 31 ISHKOODA HIGHLANDS 30/45
166	29-17-4-08-09.001-RR	1508 20TH PL SW 35211	N 1/2 OF LOT 9 BLK 5 SILVER LAKE LAND COS ADD TO COLLEGE
167	23-12-1-05-07.000-RR	420 CONOVER DR 35206	LOT 15 BLK 11 OAKVILLE
168	23-01-3-01-03.000-RR	411 CUMBERLANDDR 35206	LOT C RESUR OF LOTS 47+48 & PT LOT 49 1ST ADD TO ROEBUCK SPRINGS
169	22-15-3-06-01.000-RR	561 38TH AVE W 35207	LOTS 14 & 15 BLK 2 ACIPCOUILLE
171	22-15-3-06-08.001-RR	562 37TH AVE W 35207	LOT 6-A RESUR OF MIDTOWN LOTS 6 THRU 8 BLK 3 76/44
172	29-19-1-10-05.001-RR	3517 ELLIS AVE SW 35221	LOT 11 D R HARMONS ADD TO POWDERLY 53/10

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174	29-19-3-12-02.000-RR-02	3709 HICKORY AVE SW 35221	LOT 35 BLK 2 TREVELLICK PB 3 PG 45
175	29-16-2-10-01.000-RR	1600 16TH WAY SW 35211	LOT 31 SUNNYBROOK 1ST ADD 55/90
179	23-21-1-10-21.000-RR	138 61ST ST N 35212	LOT 6 BLK 5 L V ROSSER
180	23-21-1-10-15.000-RR	112 61ST ST N 35212	LOT 7 EDWIN FULTON JR ADD TO WOODLAWN
185	22-33-3-02-08.000-RR	1616 8TH CT W 35208	LOT 8 & W 1/2 LOT 9 BLK 4 RIDGEWOOD PARK 1ST ADD
186	22-30-4-39-05.000-RR	709 AVENUE F 35214	LOTS 5 & 6 BLK 7-F ENSLEY LAND COMPANYS 3RD ADD TO ENSLEY
187	22-31-4-07-03.000-RR	1309 AVENUE L 35218	LOT 5 & E 8-1/3 FT LOT 6 BLK 13-L ENSLEY LAND COMPANYS SECOND ADDITION TO ENSLEY
188	22-31-4-07-04.000-RR	1311 AVENUE L 35218	SW 16.67 FT OF LOT 6 AND NE 16.67 FT OF LOT 7 BLK 13-L ENSLEY LAND COMPANYS SECOND ADDITION TO ENSLEY
189	22-31-3-17-02.000-RR	1815 AVENUE E 35218	LOT 8 & NE 15.4 FT LOT 9 BLK 18-E ENSLEY
190	30-02-1-08-10.000-RR	4624 7TH AVE 35224	LOT 10 BLK 5 RESUR OF ADLER WEAVER
191	21-35-3-15-08.000-RR	428 LEXINGTON ST 35224	LOTS 9 & 10 BLK 10 HOBSON 4/103
192	30-35-2-17-20.000-RR	6129 VICTORY DR 35228	LOTS 6 & 7 BL 3 HUDSON GARDENS
194	12-31-3-06-19.000-RR	920 HILLCREST AVE 35235	E 67.7 FT LOT 15 HUFFMAN HIGHLANDS
196	22-14-4-33-05.000-RR	2505 32ND AVE N 35207	LOT 7 BLK 164 NO BHAM
197	22-23-2-04-07.000-RR	2523 21ST ST N 35234	S 107.5 FT LOTS 15 & 16 BLK 288 NORTH BHAM
198	29-30-2-36-03.000-RR	3707 WILLARD AVE SW 35221	LOT 17 BL 2 GRASSELLI SO HGLDS
199	29-30-2-36-05.000-RR	3721 WILLARD AVE SW 35221	LOT 15 BL 2 GRASSELLI SO HGLDS
200	29-30-2-36-11.000-RR	3921 WILLARD AVE SW 35221	LOT 6 BL 2 GRASSELLI S HGLDS
202	29-30-1-14-18.000-RR	3310 GRASSELLI AVE SW 35211	LOT 22 BL 1 TARPLEYS 1ST ADD
205	22-32-2-12-05.000-RR	2117 10TH PL 35214	LOT 8 BLK 8 HUEY LAND CO
206	23-20-3-14-03.000-RR	885 44TH ST N 35212	LOT 3 BLK 9 KINGSTON
208	22-32-3-17-25.000-RR	1704 AVENUE T 35218	LOTS 9 & 10 BLK 15 TUXEDO PARK
209	22-29-3-01-12.000-RR	1304 5TH PL 35214	LOT 23 BLK 1 TUXEDO HTS
210	22-31-4-28-01.000-RR	1601 AVENUE H 35218	LOTS 1 & 2 BLK 16-H ENSLEY
211	22-32-4-22-02.000-RR	2807 17TH ST 35208	LOT 3 BLOCK 16 SHADYSIDE
213	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
214	23-20-2-04-06.000-RR	1317 44TH PL N 35212	LOT 13 BLK 1 J M GIBSON
216	23-28-2-35-09.000-RR	4716 4TH AVE S 35222	WEST 1/2 OF LOT 14 BLK 29 EAST AVONDALE
217	23-29-3-01-19.000-RR	4236 2ND AVE S 35222	E 1/2 LOT 13 BLK 3 AVONDALE
218	23-29-2-20-12.000-RR	4280 2ND AVE S 35222	BEG AT A POINT ON TH NWLY LINE OF 2ND AVE SO (AVE B) WHICH IS 150 FT SWLY OF THE SWLY LINE OF HANLINS ALLEY NOW A PT OF CONTINUED
222	23-28-3-02-121.002-RR	813 47TH WAY S 35222	LOT 2 BLK 5 J R PHILLIPS SUR
226	29-20-1-14-10.000-RR	1800 ELECTRA DR SW 35211	LOT 133 FLEETWOOD 1ST SECT 60/97

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227	29-16-4-33-03.000-RR	1605 PINE AVE SW 35211	LOT 23 BLK 2 PLAT A ISHKOODA
228	30-02-1-46-10.000-RR	1020 ERIE ST 35224	N 75 FT OF LOTS 7 THRU 9 BLK 22 PRATT LAND & IMPROVEMENT CO
229	29-17-3-14-22.000-RR	2908 SNAVELY AVE SW 35211	LOT 4 W K GRIMES S/D BLK 3 GEORGE W SMITH SURVEY
230	29-03-3-19-11.000-RR	908 MCMILLON AVE SW 35211	LOT 67 SILVER MEADE
231	29-03-3-21-03.000-RR	904 10TH ST SW 35211	S 50 FT OF N 112.5 FT OF LOTS 76 & 77 SILVER MEADE
232	29-08-4-18-04.000-RR	1013 21ST ST SW 35211	S 57.92 FT OF LOT 9 BLK 4 MAPLEHURST 1ST ADD
233	29-04-4-19-02.000-RR	1105 MCMILLON AVE SW 35211	LOT 2 BLK 1 WEST END LAND & IMPROVEMENT CO SILVER MEADE
234	23-21-4-17-38.000-RR	516 60TH ST S 35212	P O B 185 S FT S S OF SW INTER 5TH AVE S & 60TH ST S TH S 59 S FT SW 121.1 FT NLY 50 FT NE 130 FT TO P O B PT OF LOTS 1
238	29-04-3-01-01.000-RR	100 12TH ST SW 35204	LOT 1 CHICHESTER & MCDAVIDS RICKWOOD SURVEY
239	22-15-3-12-03.000-RR	421 37TH TER W 35207	LOT 1 BLK 6 A J HOOPERS SUB
240	22-15-3-07-02.000-RR	505 38TH AVE W 35207	LOT 2 BLK 1 A J HOOPER SUB
241	22-15-3-06-11.000-RR	540 37TH AVE W 35207	MID TOWN BLOCK: 3 LOT: 11 & 12
242	22-15-3-08-14.000-RR	460 37TH TER W 35207	LOT 20 BLK 2 A J HOOPER SUB
243	22-20-3-35-15.000-RR	120 MAPLE AVE 35214	N 50 FT OF LOT 1 MAP SHOWING PROPERTY OF JAMES S GOULD
245	22-20-4-28-07.000-RR	120 ELM AVE 35214	LOTS 5-6 BLK 1 MACKVILLE
246	22-20-4-29-01.000-RR	220 OLD JASPER RD 35214	P O B S E INTER OF ELM AVE & BEALL ST TH S 128 FT ALG ELM AVE TO ALLEY TH E 189.6D FT- 175S FT TH N 105S FT TO OLD
252	22-15-3-08-04.000-RR	473 38TH AVE W 35207	LOTS 4 & 5 BLK 2 A J HOOPER SUB
253	22-15-3-07-05.000-RR	525 38TH AVE W 35207	LOTS 5 6 & 7 BLK 1 A J HOOPER SUB
254	22-15-3-07-06.000-RR	537 38TH AVE W 35207	LOTS 8 & 9 & 10 BLK 1 A J HOOPER
258	22-33-3-05-33.000-RR	808 15TH ST W 35208	N 1/2 LOT 2 & ALL LOT 3 BLK 29 HGHLD LAKE LD CO RESUR OF BLKS 28 29 & PT OF 27 BUSH HILLS
259	22-32-4-27-08.000-RR	2800 20TH ST W 35208	LOT 32 BLK 5 OWENTON ENSLEY HGLDS
260	12-07-2-06-02.000-RR	205 WESTCHESTER DR 35215	LOT 10 CENTERPOINT MEDICAL CENTER & PLANNED RESIDENTIAL PARK 3RD SECTOR
261	13-23-4-00-149.000-RR	808 AUGUST DR 35215	LOT 3 BLK 16 MARLIN SPRINGS ESTATES 132/43
262	23-03-2-07-51.000-RR	1400 90TH PL N 35206	LOT 9 BLK 2 NORTH VIEW GARDENS SUR
263	23-03-2-07-84.000-RR	9201 14TH AVE N 35206	LOT 3 BLK 1 AIRPORT ESTS 3RD ADD
264	23-03-2-07-83.000-RR	9205 14TH AVE N 35206	LOT 2 BLK 1 AIRPORT ESTS 3RD ADD
265	23-03-2-07-82.000-RR	9209 14TH AVE N 35206	LOT 1 BLK 1 AIRPORT ESTS 3RD ADD
267	29-04-3-15-02.000-RR	204 MONROE AVE 35211	LOT 9 BLK 39 THARPE PLACE
268	22-34-2-29-07.000-RR	814 4TH ST W 35204	N 50 FT OF LOTS 1 & 2 BLK 2 J N MILLER
270	22-34-2-20-05.000-RR	879 6TH ST W 35204	LOT 17 BLK 4 COLLEGE HILLS
271	22-34-1-31-09.000-RR	20 8TH AVE W 35204	LOT 11 BLK 35 SMITHFIELD (NORTH)
272	22-34-2-24-06.000-RR	915 4TH ST W 35204	N 47 FT OF LOTS 9 & 10 BLK 60 MAP OF SMITHFIELD (NORTH)

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273	22-34-2-07-10.000-RR	714 9TH CT W 35204	LOT 8 BLK 6 UNIVERSITY HGTS HEIGHTS
274	22-33-1-12-02.000-RR	731 9TH CT W 35204	LOT 6 BLK 10 COLLEGE HGLDS SUR OF COLLEGE HGLDS
275	22-34-2-17-07.000-RR	900 7TH ST W 35204	LOT 1 BLK 4 MAP OF UNIVERSITY HEIGHTS
277	29-08-1-28-06.000-RR	2114 FULTON AVE SW 35211	LOT 14 BLK 3 WEST HAVEN
278	29-04-2-39-12.000-RR	1400 LOMB AVE 35204	LOTS 5 & 6 BLK 2 SURVEY OF COMPTON RISING
280	22-34-3-34-06.000-RR	427 4TH AVE W 35204	LOT 11 BLK 8 MRS R N GREENE S SUR OF EARLE PLACE
281	29-16-4-31-24.000-RR	1557 MATT LEONARD DR SW 35211	LOT 4 BLK 10 PLAT A – ISHKOODA
283	22-31-3-43-08.000-RR	920 22ND ST 35218	SE 91 FT OF LOTS 13 & 14 BLK 21-I ENSLEY LAND COS 5TH ADD TO ENSLEY
285	21-36-4-12-03.000-RR	314 25TH ST 35218	NW 63 FT OF LOTS 13 & 14 BLK 24-C IN SUR OF ENSLEY
286	21-36-4-17-03.000-RR	2515 AVENUE C 35218	LOTS 5 & 6 BLK 25-C ENSLEY ALSO LOT 4-A ENSLEY 1ST ADD RESUR OF LOTS 3 & 4 BLK 25-C & VAC ALLEY
288	29-02-3-12-09.000-RR	200 4TH AVE S 35205	LOT 9 BLK 19 WALKER LAND COS ADD TO BHAM ALSO S 1/2 OF
289	29-02-3-21-06.000-RR	209 5TH AVE S 35205	W 1/2 OF LOT 6 BLK 33 WALKER LAND COS ADD TO BHAM
293	29-02-3-14-06.000-RR	52 4TH AVE S 35205S	162 S FT OF LOT 5 BLK 5 HAGOODS SUB OF WALKER LAND COS ADD TO BHAM
297	29-20-1-13-29.000-RR	2404 TEMPEST DR SW 35211	LOT 88 FLEETWOOD 1ST SECTOR 60/97
299	22-32-2-10-22.000-RR	2008 10TH PL 35214	W 1/2 OF LOT 22 BLK 6 HUEY LAND CO
300	22-31-4-05-06.001-RR	1009 14TH ST 35218	LOT A BLK 13-J NSI RESURVEY OF LOTS 9 & 10 BLK 13-J OF JOHN CORRETTE SUB PB 180 PG 33
301	22-31-3-43-07.000-RR	912 22ND ST 35218	W 39 FT LOTS 13 & 14 BLK 21-I ENSLEY LAND COS 5TH ADD TO ENSLEY
303	29-17-3-27-01.000-RR	2901 DOWELL AVE SW 35211	LOT 1 BLK 9 ORIGINAL TRACT OF PLEASANT VALLEY LAND & MFG CO
304	29-17-3-29-09.000-RR	2728 DOWELL COURT SW 35211	LOT 9 BLK 11 ORIGINAL TRACT OF PLEASANT VALLEY LAND & MFG CO
305	29-19-3-21-05.000-RR	3916 ELLIS AVE SW 35211	LOT 8 BLK 18 PARK PLACE
307	29-17-3-17-03.000-RR	2809 SNAVELY AVE SW 35211	LOT 3 BLK 3 ORIGINAL TRACT OF PLEASANT VALLEY LAND & MFG CO
308	29-08-4-18-11.000-RR	929 21ST ST SW 35211	S 9 FT OF LOT 1 & N 44 FT OF LOT 2 BLK 4 MAPLEHURST 1ST ADD
309	29-09-1-08-11.000-RR	1316 STINER AVE 35211	S 105 FT LOT 5 BLK 6 WEST END
311	29-04-4-18-19.000-RR	1120 MCMILLON AVENUE SW 35211	LOT 19 BLK 2 WEST END LAND & IMPROVEMENT CO
315	29-04-4-27-03.000-RR	1220 MONROE AVE 35211	LOT 6 BLK 39 THARPE PLACE
316	29-04-3-15-01.000-RR	201 MONROE AVE 35211	LOTS 7 & 8 BLK 39 THARPE PLACE
317	29-04-3-15-03.000-RR	206 MONROE AVE 35211	LOTS 10 & 11 BLK 39 THARPE PLACE
318	29-09-1-04-04.000-RR	1229 STEINER AVE 35211	LOT 16 BLK 4 WEST END
319	29-04-4-20-04.000-RR	820 12TH ST SW 35211	P O B 40 FT SE OF SE INTER OF STEINER AVE & SW 12T
320	29-16-4-30-01.000-RR	1601 MATT LEONARD DR SW 35211	LOT 24 BLK 9 PLAT A – ISHKOODA

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323	29-21-2-01-07.000-RR	1640 MATT LEONARD DR 35211	LOT 1 BLK 13 PLAT A ISHKOODA
324	29-04-3-03-01.000-RR	7 15TH ST SW 35204	POB INTER OF E LINE 15TH ST W THE NW R/W OF SCL RR TH NE 00 FT S ALONG RR R/W TH W 455 FT S TO 15TH ST W TH S 240 FT CONTINUED SECTION 04 TOWNSHIP 18S RANGE 3W
328	22-34-4-05-04.000-RR	17 8TH AVE W 35204	E 33-1/3 FT OF LOT 5 BLK 1 MAP OF SMITHFIELD (SOUTH)
329	29-11-2-15-08.000-RR	1742 CENTER PL S 35205	LOT 8 BLK 4 LOCASCIO & CATANZANO SUB
331	29-17-4-08-18.000-RR	2024 POWDERLY AVE SW 35211	LOT 3 BLK 3 NABERS LD CO 3RD ADD
332	23-29-2-14-18.000-RR	4208 MORRIS AVE 35222	P O B 815 FT S SW OF W INTER MORRIS AVE & 43RD ST N TH SW 89.7 FT ALG MORRIS AVE TH NW 37 FT S TH NE 89.7 FT TH SE
333	22-35-2-16-06.000-RR	309 10TH CT N 35204	LOT 6 BLK 11 MAP OF SMITHFIELD (NORTH)
334	13-35-1-11-59.000-RR	261 MCCORMICK AV 35215	LOT 16 BLK 4 MEADOWDALE ESTS 40/97
335	23-15-2-01-47.000-RR	4105 66TH ST N 35206	LOT 38 DELMAR TERRACE
337	23-31-1-35-09.000-RR	3122 6TH AVE S 35233	S 1/2 LOTS 19 & 20 BLK 472 BHAM
338	23-31-3-02-01.000-RR	2819 6TH AVE S 35233	SE 80 FT OF LOTS 15 & 16 BLK 413 BHAM
339	23-31-2-13-04.000-RR	517 28TH ST S 35233	LOTS 13 & 14 & N 20 FT OF LOTS 15 & 16 BLK 413 BHAM
340	23-21-2-14-17.000-RR	977 52ND PL N 35212	LOT 14 F O SHERRODS ADTN TO WOODLAWN
341	23-21-2-14-18.000-RR	975 52ND PL N 35212	LOT 13 F O SHERRODS ADD TO WOODLAWN
342	23-21-3-05-16.000-RR	928 52ND PL N 35212	LOT 15 & N 1/2 LOT 14 W H WILDERS SUB
343	23-21-3-04-10.000-RR	905 52ND PL N 35212	LOTS 32 & 33 E S GILLETTE LESS PT FOR ALLEY
344	23-21-3-05-12.000-RR	5212 9TH AVE N 35212	LOT 20 W H WILDERS SUB OF BLK 3 FORSYTHE ESTS
346	29-03-4-26-06.000-RR	507 CENTER ST S 35205	LOT 30 BLK 1 LUCY E SMITH SUB OF BLK 7 WALKER LAND CO ADD TO BHAM
349	23-31-2-14-02.001-RR	0 N/A 35000	LOTS 11 THRU 15 BLK 414 CITY OF BHAM ELYTON LAND COMP
352	22-23-4-21-08.000-RR	2304 20TH AVE N 35234	NE 45 FT OF LOT 2302 & SW 35 FT OF LOT 2304 M A MAY SUR
353	13-25-1-08-23.000-RR	1103 WOODSLEE ST 35215	LOT 3 BERKELEY HILLS
354	13-25-1-16-24.000-RR	544 ORCHID RD 35215	LOT 24 BLK 17 ROEBUCK GARDEN ESTS
355	13-25-1-16-14.000-RR	504 ORCHID RD 35215	LOT 14 BLK 17 ROEBUCK GARDEN ESTS
356	13-25-1-21-16.000-RR	1180 DOGWOOD LN 35215	LOT 19 BLK 15 ROEBUCK GARDEN ESTS
358	13-25-4-02-14.000-RR	1121 CARNATION DR 35215	LOT 16 BLK 12 ROEBUCK GARDEN ESTS 2ND SECTOR
359	13-25-4-03-23.000-RR	1150 CARNATION DR 35215	LOT 36 BLK 13 ROEBUCK GARDEN ESTS 2ND SEC
360	29-06-1-06-02.000-RR	1504 PIKE RD 35218	LOT 4 BLK 2 JOHN A BURGIN 2ND ADD TO ENSLEY
361	29-06-1-06-01.000-RR	1500 PIKE RD 35218	LOT 3 BLK 2 JOHN A BURGIN 2ND ADD TO ENSLEY
363	29-06-4-08-01.000-RR	1847 30TH ST 35208	LOT 1 BLK 4 BHAM-ENSLEY
365	29-02-3-23-05.000-RR	33 5TH AVE S 35205	LOT 15 BLK 1 LUCY E SMITHS SUB BLK 7 WALKER LAND CO ADD TO BHAM
367	29-06-4-23-23.000-RR	1748 WARRIOR RD 35208	E 1/2 OF LOT 23 BLK 11 BHAM ENSLEY
368	29-06-4-21-13.000-RR	1504 35TH ST 35208	LOT 15 BLK 25 BHAM ENSLEY

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369	29-05-2-02-15.000-RR	2356 22ND ST 35208	LOT 3 BLK 1 THE HGLDS
370	29-18-3-15-45.000-RR	917 DANIEL DR 35228	LOT 32 BRICKWOOD HOMES 2ND SECTOR
371	29-18-3-15-47.000-RR	925 DANIEL DR 35228	LOT 1 WEST PARK ESTATES 5TH SECTOR PARCEL A
372	29-19-2-05-07.000-RR	1129 RAYFIELD DR 35228	LOT 14 BLK 9 MIDFIELD PARK 6TH ADD
373	29-18-1-02-22.000-RR	6001 COURT Q 35228	LOT 2 BLK 6 PARK COURTS 1ST SECTOR
374	30-02-1-47-02.000-RR	4205 10TH AVE 35224	LOT 5 BLK 21 PRATT LAND & IMPROVEMENT CO
376	30-02-1-02-12.000-RR	4218 5TH CT 35224	BEGIN AT THE S W COR OF LOT SAID PT BEING ON THE N R/W OF 5TH CT 285 FT S E OF THE N INTER OF HURON ST & 5TH CT CONTINUED SECTION 02 TOWNSHIP 18S RANGE
377	29-05-3-07-09.000-RR	2925 AVE S 35208	LOT 3 BLK 1 HELENA HEIGHTS
378	29-05-2-18-19.000-RR	2036 26TH ST W 35218	LOT 20 BLK 8 ENSLEY HGLDS FRGTG 72.1 FT ON N SIDE OF 26TH PLACE & EXTENDING N ALONG S SIDE 22ND AVE TO ALLEY SECTION 05 TOWNSHIP 18S RANGE 3W
379	23-15-3-20-28.000-RR	220 68TH ST N 35206	LOT 48 FULLERS SUB BLK 12-G
380	13-25-2-02-06.000-RR	1229 ROSE LYNN LN 35215	LOT 50 LYNN ACRES SECT 25 TWSP 16S RANGE 2W
381	13-35-4-15-04.000-RR	124 ROSEBUD RD 35215	LOT 6 BLK 3 RED LANE PARK 2ND SECTOR
382	13-35-4-15-06.000-RR	9608 RED LANE DR 35215	LOT 4 BLK 3 RED LANE PARK 2ND SECTOR
383	13-35-1-01-112.000-RR	951 HICKORY CIR 35215	LOT 17 RIDGEVIEW
384	13-36-2-02-03.000-RR	812 NELSON DR 35215	LOT 4 CLIFTON L FOWLERS ADD TO HUFFMAN
385	23-11-3-17-01.000-RR	100 81ST ST S 35206	NW 55 FT OF LOTS 14+15+16 BLK 123 R W BECK SUR
387	23-11-3-08-24.000-RR	8136 2ND AVE S 35206	LOT 10 BLK 133 EAST LAKE
390	29-17-4-14-11.000-RR	2205 FRANCIS AVE SW 35211	LOT 79 NABERS LD CO 2ND ADD TO COLLEGE PARK
391	29-17-4-13-35.000-RR	2112 FRANCIS AVE SW 35211	LOT 30 BLK 1 NABERS LD CO 3RD ADD TO COLLEGE PARK
392	23-15-2-24-07.000-RR	6812 5TH TER N 35206	LOT 21 BLK 2 WAHOUMA PARK
395	23-15-2-20-20.000-RR	220 72ND ST N 35206	N 50 FT OF S 100 FT LOTS 10+11+12 BLK 3-B EAST LAKE
397	29-20-1-12-05.000-RR	2430 NABORS RD SW 35211	POB SW COR OF TH NE 1/4 SEC 20 TP 18 S R 3W TH E 642 FT ALG S/L OF TH NE 1/4 TO NABORS RD TH N 330 FT ALG NABORS RD TH W CONTINUED
398	29-06-4-09-07.000-RR	1811 31ST ST 35208	LOT 7 BLK 3 BHAM ENSLEY
399	29-06-4-18-11.000-RR	3301 AVENUE Q 35208	N 50 FT OF LOTS 10 THRU 12 BLK 10 BHAM-ENSLEY
401	29-18-3-12-11.000-RR	1228 BRIGHTON RD 35228	PT OF LOT 3 GREEN ACRES 3RD ADD 78/99 & TRACT DESC AS FOLS BEG NW COR OF LOT 3 TH E 164.2 FT TH SW 209.2 FT TH SE 157.3
402	29-18-3-12-10.000-RR	1216 BRIGHTON RD 35228	PT OF LOT 3 GREEN ACRES 3RD ADD 78/99 & TRACT ALL BEING DESC AS: COM NW COR SD LOT 3 TH S 212.1 FT TO POB TH ELY
403	30-02-1-41-05.000-RR	920 INDIANA ST 35224	S 100 FT OF LOTS 14 THRU 16 & 5 FT OF S 100
404	30-02-1-31-03.000-RR	4313 8TH AVE 35224	LOT 3 BLK 12 PRATT LAND & IMPROVEMENT CO
405	30-02-1-51-01.000-RR	4601 10TH AVE 35224	LOT 1 BLK 17 RESUR OF BLKS 13 14 17 & 18
407	29-05-2-31-04.000-RR	2808 ENSLEY AVE 35218	LOT 3 H J KRIBS RESUR OF BLK 1 MCWILLIAMS ADD TO ENSLEY
408	29-07-2-42-02.000-RR	1437 47TH ST 35209	LOT 2 BLK 22 MARTINS ADD TO BHAM-ENSLEY

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409	29-02-3-31-07.000-RR	609 OMEGA ST 35205	LOT 7 BLK 2 TIDDLESVILLE HGTS HEIGHTS
410	29-02-3-31-11.000-RR	621 OMEGA ST 35205	LOT 10 BLK 2 TIDDLESVILLE HGTS HEIGHTS
413	23-21-4-02-17.000-RR	220 59TH ST S 35212	P O B 20 FT NW OF INTER SW LINE 59TH ST S & N LINE
414	23-21-4-02-16.000-RR	224 59TH ST S 35212	P O B 20 FT S SE OF INTER N LINE SE 1/4 SEC 21 T17S R2W & SW LINE 59TH ST S TH SE-50 S FT SW-148 S FT NW-56 S FT NE-CONTINUED
415	23-11-3-03-01.000-RR	8245 2ND AVE S 35206	NW 115 FT OF LOT 13 & NW 115 FT OF NE 25 FT OF LOT
416	29-20-1-05-16.000-RR	2143 24TH ST SW 35211	LOT 8 NABERS 1ST ADD TO COLLEGE PARK 12/29
417	29-07-2-41-03.000-RR	1421 47TH ST 35208	E 14.3 FT OF LOT 7 & W 40.7 FT OF LOT 6 BLK 22 BELVIEW HEIGHTS 1ST ADD
418	29-07-2-14-03.000-RR	4307 COURT J 35208	LOTS 16 & 17 BLK 17 TERRACE SECT OF 1ST ADD TO FAIRFIELD
419	29-07-3-39-06.000-RR	5421 COURT J 35208	LOT 12 BLK 26 MONTE SANO
420	30-12-4-04-15.000-RR	Next to 5220 COURT H 35208	LOT 2 BLK 9 MONTE SANO SURVEY

RESOLUTION NO. 1605-09

Be It Resolved by the Council of the City of Birmingham that the agreement with Harris & Associates, Architects-Planners LLC, Birmingham, AL, for fiscal year ending June 30, 2010, in an amount not to exceed \$75,000.00, to provide architectural and engineering service for design, construction documents, bidding and construction administration to convert the partially constructed 6,600 sq. ft. main floor and the 6,300 sq. ft. basement space of the former Knights of Columbus Lodge in Oxmoor Valley into a neighborhood community center, be and the same hereby is approved, and;

Be It Further Resolved that the Mayor is hereby authorized to execute the agreement on behalf of the City.

RESOLUTION NO. 1606-09

Be It Resolved by the Council of the City of Birmingham that the contract with J J's Freedom Center, Inc., Birmingham, AL, for fiscal year ending June 30, 2010, in an amount not to exceed \$20,000.00, to provide adult education and programs for older citizens; after school and summer programs as a comprehensive educational enhancement initiative; help redirect children toward positive ideas and goals for themselves, their families, and the community; and extracurricular activities, be and the same hereby is approved, and;

Be It Further Resolved that the Mayor is hereby authorized to execute the contract on behalf of the City.

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RESOLUTION NO. 1607-09

BE IT RESOLVED that the Council of the City of Birmingham hereby appoints Victoria Nichols as a Consultant to the Office of Councilor Valerie Abbott, District 3. The scope of duties includes addressing concerns of residents within District 3 from October 27, 2009 through January 27, 2010 for an amount not to exceed \$11,200.00 (Eleven Thousand Two Hundred Dollars and No/100).

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute the appointment letter.

RESOLUTION NO. 1608-09

WHEREAS, the City of Birmingham, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on State Route 269 within the City Limits of Birmingham, in accordance with plans prepared by the Alabama Department of Transportation and designated as **Project No: BRF-0269 (500) Bridge Replacement and Approaches on SR-269 over Birmingham Southern Railroad.**

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of Birmingham that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not

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at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A

Please refer to: Project Notes and Traffic Control Notes (Sheets 2M – 2N)

Please refer to: Sequence of Construction and Traffic Control Plans (Sheets 37 -44B)

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

RESOLUTION NO. 1609-09

WHEREAS, the City of Birmingham, Alabama (hereinafter at times referred to as City) is desirous of having certain improvements made on State Route 269 within the City Limits of Birmingham, in accordance with plans prepared by the Alabama Department of Transportation and designated as **Project No: HES-CN09 () Safety Improvements at 14 Locations – Including Signing, Striping, Pavement Markers, Delineators and Guardrail.**

WHEREAS, The Alabama Department of Transportation is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

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WHEREAS, The Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements of the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of Birmingham that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, draining, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are more specifically stated as follows:

N/A See Site # 4 & 14 **(Sheets 5 & 12)**

Please refer to: Project Notes and Traffic Control Notes **(Sheets 2A & 2D – 2E)**

Please refer to: Sequence of Construction and Traffic Control Details **(Sheets 13 -16D)**

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control

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devices and signs installed during construction, and those installed after completion of this project shall be in accordance with the latest edition of the national Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and of the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

RESOLUTION NO. 1610-09

WHEREAS, the Council is periodically called upon to support public events that are organized and coordinated by local organizations for the purpose of projecting a positive image and goodwill in the City; establishing rapport with the public and core constituents; gathering knowledge about community interests and issues; as well as showing appreciation to those participants who benefit from various projects and programs; and

WHEREAS, recently, the Council received an invitation from Project Hopewell, Inc., that is presenting The Chocolate Nutcracker, a musical stage production, that is being held Friday, November 13, 2009 at the Boutwell Municipal Auditorium serves a public purpose; and

WHEREAS, the Council has reviewed and considered relevant factors concerning this event and has determined that it serves a public purpose; and

WHEREAS, the Council finds that participation and representation at this worthy event is in the best interest of its citizens; and

BE IT RESOLVED that the Council of the City of Birmingham finds that the above-mentioned and similar events are determined to be public purposes that promote goodwill and serve a public purpose. Therefore, we request that City of Birmingham funds be used to pay for this event.

ADOPTED this Twenty-Seventh Day of October, Two Thousand and Nine.

RESOLUTION NO. 1611-09

WHEREAS, the Council is periodically called upon to support public events that are organized and coordinated by local organizations for the purpose of projecting a positive image

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and goodwill in the City; establishing rapport with the public and core constituents; gathering knowledge about community interests and issues; as well as showing appreciation to those participants who benefit from various projects and programs; and

WHEREAS, recently, the Council received an invitation from, Our Lady of Fatima School that their Annual Prayer Breakfast supporting academic programs is being held, Saturday, November 7, 2009, at Our Lady of Fatima Parish Life Center, serves a public purpose; and

WHEREAS, the Council has reviewed and considered relevant factors concerning this event and has determined that it serves a public purpose; and

WHEREAS, the Council finds that participation and representation at this worthy event is in the best interest of its citizens; and

BE IT RESOLVED that the Council of the City of Birmingham finds that the above-mentioned and similar events are determined to be public purposes that promote goodwill and serve a public purpose. Therefore, we request that City of Birmingham funds be used to pay for this event.

ADOPTED this Twenty Seventh Day of October, Two Thousand and Nine.

RESOLUTION NO. 1612-09

WHEREAS, the Council is periodically called upon to support public events that are organized and coordinated by local organizations for the purpose of projecting a positive image and goodwill in the City; establishing rapport with the public and core constituents; gathering knowledge about community interests and issues; as well as showing appreciation to those participants who benefit from various projects and programs; and

WHEREAS, recently, the Council received an invitation from, Our Lady of Fatima School that their Annual Prayer Breakfast supporting academic programs is being held, Saturday, November 7, 2009, at Our Lady of Fatima Parish Life Center, serves a public purpose; and

WHEREAS, the Council has reviewed and considered relevant factors concerning this event and has determined that it serves a public purpose; and

WHEREAS, the Council finds that participation and representation at this worthy event is in the best interest of its citizens; and

BE IT RESOLVED that the Council of the City of Birmingham finds that the above-mentioned and similar events are determined to be public purposes that promote goodwill and serve a public purpose. Therefore, we request that City of Birmingham funds be used to pay for

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this event.

ADOPTED this Twenty Seventh Day of October, Two Thousand and Nine.

RESOLUTION NO. 1613-09

BE IT RESOLVED by the Council of the City of Birmingham that Resolution No. 1480-09, adopted by the Council September 29, 2009, which assessed properties throughout the City for the abatement of noxious or dangerous weeds, be and hereby is amended to withdraw the following properties due to the lots now belonging to the City of Birmingham:

#55	\$666.85	1613 11TH AVE N 22-26-4-17-01.000-RR -----Account No. 90552
#503	\$497.25	8511 4 th AVE N 23-11-2-08-04.000-RR ---Account No. 90670
#375	\$1,038.45	8527 5 th AVE N 23-02-3-23-04.000-RR ---Account No. 90697

RESOLUTION NO. 1614-09

BE IT RESOLVED by the Council of the City of Birmingham that proper notice having been given to

Jerry O Batley (Assessed Owner)

the person or persons, firm, association or corporation last assessing the below described property for state taxes,

5305 Division Avenue & Garage

in the City of Birmingham, more particularly described as:

LOT 21 BLK 2 IN GIBSON & WHITE SURVEY AS RECORDED IN MAP BOOK 0004, MAP PAGE 0083 IN THE OFFICE OF THE JUDGE OF PROBATE OF JEFFERSON COUNTY, ALABAMA (23-21-3-19-20). LOT SIZE 50' X 130'

is unsafe to the extent that it is a public nuisance.

BE IT FURTHER RESOLVED by said Council that upon holding such hearing, it is hereby determined by the Council of the City of Birmingham that the building or structure herein described is unsafe to the extent that it is a public nuisance and the Director of Planning, Engineering and Permits is hereby directed to cause such building or structure to be demolished.

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RESOLUTION NO. 1615-09

WHEREAS, the Council of the City of Birmingham, on the **31st of March, 2009**, by Resolution No. **496-09**, determined that the building(s) or structure(s) located at **504 Lexington Street Wylam & Garage**, in the City of Birmingham is unsafe and a public nuisance and directed its demolition; and,

WHEREAS, the owner or agent of said property, **Quattro Properties LLC**, 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,

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 **Quattro Properties LLC** to conduct necessary and required repairs at **504 Lexington Street Wylam & Garage**, and that the demolition directed pursuant to Resolution No. **496-09** 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. **496-09** shall proceed.

RESOLUTION NO. 1616-09

WHEREAS, the Council of the City of Birmingham, on the **22nd of April, 2008**, by Resolution No. **449-08**, determined that the building(s) or structure(s) located at **4249 Inglenook Street**, in the City of Birmingham is unsafe and a public nuisance and directed its demolition; and,

WHEREAS, the owner or agent of said property, **Allen Tucker**, 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,

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NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that a permit may be issued to **Allen Tucker** to conduct necessary and required repairs at **4249 Inglenook Street**, and that the demolition directed pursuant to Resolution No. **449-08** 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. **449-08** shall proceed.

RESOLUTION NO. 1617-09

BE IT RESOLVED by the City Council of the City of Birmingham that the bid for and the purchase of office supplies as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year, renewable annually for a second and third year subject to the availability of funds and month to month thereafter, from Church and Stagg Office Supplies, Birmingham, Alabama, be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1618-09

BE IT RESOLVED by the City Council of the City of Birmingham that the bid for and the purchase of inspecting and testing fire protection systems and fire alarm systems as needed at the unit prices on file in the office of the Purchasing Agent for a period of one (1) year, renewable annually for a second and third year subject to the availability of funds, and month to month thereafter, from Cole Equipment, Inc, Pelham, Alabama, for the Public Works Department, be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1619-09

BE IT RESOLVED by the City Council of the City of Birmingham that the bid for and the purchase of contract nurse service at the unit prices on file in the office of the Purchasing Agent for a period of three (3) years and month to month thereafter from General Healthcare Resources, Birmingham, AL, for the Police Department, be and the same hereby is accepted and approved, this being the lowest bid submitted.

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

RESOLUTIN NO. 1620-09

Be it resolved by the City Council of the City of Birmingham that the bid for and the purchase of HVAC package units at the unit prices on file in the office of the Purchasing Agent for

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a period of one (1) year and month to month thereafter from Trane, Birmingham, AL, for the Department of Public Works, be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1621-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of dumpster service garbage collection as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Allied Waste Services, Birmingham, AL for the City of Birmingham be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1622-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Agri-AFC, LLC, Montgomery, AL, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted meeting specifications.

RESOLUTION NO. 1623-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from DeAngelo Brothers, Inc., Hazelton, PA, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1624-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Humphries Turf Supply, Joppa, AL, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1625-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing

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Agent for a period of one (1) year and month to month thereafter from Lesco, Inc., Cleveland, OH, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted.

RESOLUTION NO. 1626-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Red River Specialties, Inc., Alabaster, AL, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted meeting specifications.

RESOLUTION NO. 1627-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Summit Helicopters, Inc., Cloverdale, VA, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted meeting specifications.

RESOLUTION NO. 1628-09

BE IT RESOLVED by the Council of the City of Birmingham that the bid for and the purchase of herbicide chemicals as needed at unit prices on file in the office of the Purchasing Agent for a period of one (1) year and month to month thereafter from Universal Seed & Supply, Birmingham, AL, for the Public Works Department be and the same hereby is accepted and approved, this being the lowest bid submitted meeting specifications and being no more than 3% greater than that of the low bidder who has no place of business the corporate city limits of Birmingham.

RESOLUTION NO. 1629-09

BE IT RESOLVED by the Council of the City of Birmingham, Alabama that the Director of Finance be and hereby is authorized to pay the amount of Four Hundred and No/100 Dollars (\$400.00) from fund 102, Project No. PEP102CP 002361, to the Estate of Mafalda T. Long for conveying to the City of Birmingham temporary construction easement upon the hereinafter described parcel of property within said City in Jefferson County, and said property being described as follows:

Temporary Construction Easement

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Part of Lots 7, 8 and 9, in Block 54, according to the Map and Survey of Birmingham-Ensley Land and Improvement Company, as recorded in Map Book, 1, Page 245, in the Office of the Judge of Probate of Jefferson County, Alabama being more particularly described as follows:

Commence at the southeast corner of the intersection of Cullman Avenue and 30th Street, West and run easterly along the southerly right of way line of said Cullman Avenue for a distance of 143.6 feet, more or less, to the point of beginning; thence continue easterly along the last described course for 8.7 feet, more or less, to the southeast corner of the intersection of 30th Street, West and 3rd Avenue, West (formerly Bessemer Road); thence angle right and run southwesterly along the northwesterly right of way line of said 3rd Avenue, West (formerly Bessemer Road) for 139.4 feet, more or less, to the point of beginning of a curve to the right said curve having a radius of 75.0 feet and a central angle of 42°37'40"; thence continue southwesterly and westerly along the arc of said curve for 28.0 feet, more or less, thence angle right and run northeasterly and parallel with the northwesterly right of way line of said 3rd Avenue West (formerly Bessemer Road) for 157.5 feet, more or less, to the point of beginning.

Said Above described parcel being the southeasterly 8 feet of that certain tract of land described by deed recorded in Real 2892, on Page 220, dated December 31, 1985, in the Office of the Judge of Probate of Jefferson County, Alabama.

RESOLUTION NO. 1630-09

BE IT RESOLVED by the Council of the City of Birmingham, Alabama that the Director of Finance be and hereby is authorized to pay the amount of Four Hundred Fifty and No/100 Dollars (\$450.00) from fund 102, Project No. PEP102CP 002361, to Frances E. Stevens and Gregory L. Stevens for conveying to the City of Birmingham street right of way and temporary construction easement upon the hereinafter described parcel of property within said City in Jefferson County, and said property being described as follows:

Street Right of Way

Part of Lot 3, in Block 52, according to the Map and Survey of Birmingham-Ensley Land and Improvement Company, as recorded in Map Book 1, Page 245, in the Office of the Judge of Probate of Jefferson County, Alabama, being more particularly described as follows:

Commence at the point of intersection of the northeasterly line of Lomb Avenue (formerly Lomb Boulevard) with the northwesterly line of 3rd Avenue, West (formerly Bessemer Boulevard), as presently constructed, and run northwesterly along said northeasterly line of said Lomb Avenue (formerly Lomb Boulevard) for a distance of 46.9 feet, more or less, to the point of beginning; thence continue northwesterly along the last described course for 6.0 feet, more or less, to the point of intersection of the southeasterly line of Warrior Road with said northeasterly line of Lomb Avenue (formerly Lomb Boulevard); thence angle right and run northeasterly along said southeasterly line of Warrior Road for 4.0 feet, more or less, to the point of intersection of the southerly line of 31st Street, West, with said southeasterly line of said Warrior Road; thence angle

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right and run easterly along said southerly line of said 31st Street, West for 10.0 feet, more or less; thence angle right and run southwesterly for 11.17 feet, more or less, to the point of beginning.

Said above described parcel being a part of that certain tract of land described by deed recorded in Real Volume 200110, on Page 4665, dated August 15, 2001, in the Office of the Judge of Probate of Jefferson County, Alabama.

Temporary Construction Easement

Part of Lot 3, in Block 52, according to the Map and Survey of Birmingham-Ensley Land and Improvement Company, as recorded in Map Book 1, Page 245, in the Office of the Judge of Probate of Jefferson County, Alabama, being more particularly described as follows:

Began at the point of intersection of the northwesterly line of 3rd Avenue, West (formerly Bessemer Boulevard) as presently constructed, with the northeasterly line of Lomb Avenue (formerly Lomb Boulevard) and run northeasterly along said northwesterly line of said 3rd Avenue, West (formerly Bessemer Boulevard) as presently constructed for a distance of 60.21 feet, more or less, to the point of intersection of the southerly line of 31st Street West with said northwesterly line of said 3rd Avenue, West (formerly Bessemer Boulevard) as presently constructed; thence angle left and run westerly along said southerly line of said 31st Street, West for 4.27 feet, more or less; thence angle left and run southwesterly and parallel with said northwesterly line of said 3rd Avenue West (formerly Bessemer Boulevard) as presently constructed for 57.17 feet, more or less, to a point on the northeasterly line of said Lomb Avenue (formerly Lomb Boulevard); thence angle left and run southeasterly for 3.0 feet, more or less, to the point of beginning.

Said above described parcel being the southeasterly 3.0 feet of that certain tract of land described by deed recorded in Real Volume 200110, on Page 4665, dated August 15, 2001, in the Office of the Judge of Probate of Jefferson County, Alabama.

RESOLUTION NO. 1631-09

BE IT RESOLVED by the Council of the City of Birmingham that the Director of Finance be and is hereby authorized to make the following refunds:

SALES TAX

ID# 157723 HIBBETT SPORTING GOODS INC
C/O EMS TAX SERVICES INC
STE 512
11785 NORTHFALL LANE
ALPHARETTA, GA 30009

\$15,588.93

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BUSINESS LICENSE

ID# 181801	GIRKIN, CHRISTOPHER A MD 700 18 TH ST S STE 406 BIRMINGHAM, AL 35233	\$7,303.80
ID# 200085	MILITARY PRODUCE GROUP LLC STE 250 200 GOLDEN OAK CT VIRGINIA BEACH, VA 23452	\$72,519.67
	<i>TOTAL</i>	<i>\$95,412.40</i>

RESOLUTION NO. 1632-09

BE IT RESOLVED by the Council of the City of Birmingham that fire hydrants be and the same are hereby ordered installed at the following location:

1. Walnut Avenue approximately 300' East of Gravelle Lane

And that the chief of the Birmingham Fire and Rescue Service Department or his Designee be authorized to make request for such installations and to execute installation agreements and agreements for the reimbursement of installation expenses incurred by the City.

RESOLUTION NO. 1633-09

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:

David Allen, Network Administrator, Police Department, Gulf Shores, AL, \$599.15, September 21 – 24, 2009, to attend Alabama Criminal Justice Information Center User Conference.

David Miller, Police Sergeant, Police Department, Gulf Shores, AL, \$556.00, September 21 – 24, 2009, to attend Alabama Criminal Justice Information Center Users Conference.

Tammie Rowel, Court Clerk, Municipal Court, Montgomery, AL, \$212.12, August 20 – 21, 2009, to attend 2009 Municipal Magistrates Certification Program Part 4-B.

Dedra Peoples, Court Clerk, Municipal Court, Montgomery, AL, \$155.74, August 20 – 21, 2009, to attend 2009 Municipal Magistrates Orientation Part 4-B.

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Ellison Beggs, Police Captain, Police Department, Gulf Shores, AL, \$538.90, September 21 – 24, 2009, to attend Alabama Criminal Justice Information Center Seminar.

Hariett Curry, Administrative Assistant, Municipal Court, Montgomery, AL, \$177.12, August 26 – 27, 2009, 2009 Municipal Magistrates Orientation Part 5-B.

RESOLUTION NO. 1634-09

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

Rachelle Christion, Senior Accountant, Municipal Court, Orange Beach, AL, November 3 – 6, 2009, to attend Court Referral/Community Corrections Joint Conference and Annual In-service.

Sandra Jones, Grants Management Coordinator, Community Development, West Palm Beach, FL, \$1,441.44, November 8 – 12, 2009, to attend Community Development Block Grant Basic Course: Training for Practitioners.

Kathy Perdue, Community Resource Representative, Community Development, West Palm Beach, FL, \$1,380.44, November 8 – 12, 2009, to attend Community Block Grant Basic Course: Training for Practitioners.

Walter R. Valentine, III, Senior Housing Rehab Specialist, Community Development, Atlanta, GA, \$783.96, February 1 – 4, 2009, to attend HUD Environmental Training.

Jerry Williams, Police Officer, Police Department, Orlando, FL, \$.00, October 11 – 12, 2009, to give deposition.

RESOLUTION NO. 1635-09

BE IT RESOLVED by the Council of the City of Birmingham, that the application submitted by Lakeview Entertainment Group, Inc. to the City of Birmingham, Alabama, dated October 26, 2009, for a Special Events License 140 to be used at Nightmare on 29th Street, October 31, 2009 on 29th Street South, Birmingham, be and the same is hereby approved and recommended for grant by the Alabama Alcoholic Beverage Control Board.

ORDINANCE NO. 09-155

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

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BE IT ORDAINED by the Council of the City of Birmingham that the budget for the General Fund Budget for the fiscal year ending June 30, 2010, be and the same is hereby amended as follows:

<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund 125- 2002 Bond Fund(352 Public Facilities)</u>	
<u>Revenue</u>	
Fund Balance	\$ 87,056.00
<u>Appropriation</u>	
PEP125CP 002799 City Hall Security	\$ 87,056.00

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$87,056.00.

Respectfully,
Larry P. Langford/s/
Larry P. Langford
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the Capital Fund Budget of the City of Birmingham \$87,056.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$87,056.00 provided for in the proposed ordinance.

Respectfully,
Steve Sayler/s/
Steve Sayler
Director of Finance

RESOLUTION NO. 1636-09

WHEREAS, the Council is periodically called upon to support public events that are organized and coordinated by local organizations for the purpose of projecting a positive image and goodwill in the City; establishing rapport with the public and core constituents; gathering knowledge about community interests and issues; as well as showing appreciation to those participants who benefit from various projects and programs; and

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WHEREAS, recently, the Council received a request from the Birmingham Police Department for their Annual Halloween Observance that is held at precincts throughout the City of Birmingham is a valuable and worthy event; and

WHEREAS, the Council has reviewed and considered relevant factors concerning this event and has determined that it serves a public purpose; and

WHEREAS, the Council finds that participation and representation at this worthy event is in the best interest of its citizens; and

BE IT RESOLVED that the Council of the City of Birmingham finds that the above-mentioned and similar events are determined to be public purposes that promote goodwill and serve a public purpose. Therefore, we request that City of Birmingham funds in an amount not to exceed \$4,000.00 be used to pay for this event.

ADOPTED this Twenty-Seventh day of October, Two Thousand and Nine.

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 Parker moved their adoption which motion was seconded by Councilmember Abbott, and upon the roll being called, the vote was as follows:

Councilmember Smitherman absented herself.

Ayes: Hoyt, Parker, Royal, Austin, Roberson, Abbott

Nays: None

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

Councilmember Smitherman returned and took her seat as a Councilmember.

Councilmember Montgomery returned and took his seat as a Councilmember.

Councilmember Smitherman made a motion which was seconded by Councilmember Austin on to lay "An Ordinance "TO AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM" (Case No. ZAC2009-00067) to change zone district boundaries from CR-5 Contingency Multiple Dwelling District to B-2 General Business District, filed by Robert McKenna, applicant and owner, for property located at 2908 Highland Avenue, situated in the SE¼ of Section 31, Township 17 South, Range 2 West, Birmingham, and the hearing of all interested parties" on the table, and upon the roll being called the vote was as follows:

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Ayes: Abbott, Austin, Hoyt, Montgomery, Parker, Roberson, Royal, Smitherman
Nays:

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

The Council Recessed at 11:25 o'clock a.m., and reconvened at 12:11 o'clock p.m.

Present on Roll Call:	Council President	Smitherman
		Abbott
		Hoyt
		Montgomery
		Parker
		Roberson
		Royal
		Smitherman

The following ordinance was introduced by Councilmember Smitherman:

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: CR-5, CONTINGENCY MULTIPLE DWELLING DISTRICT
TO: B-2, GENERAL BUSINESS DISTRICT

Located at 2908 Highland Avenue, and situated in the SE¼ of Section 31, Township 17-S, Range 2-West (35205), being more particularly described as follows:

LOT 3 BLK 882 BHAM RLTY CO ADD NO 2

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

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

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Ayes: Hoyt, Austin, Roberson

Nays: Abbott, Montgomery, Parker, Royal, Smitherman

The vote was then announced by the Deputy City Clerk, whereupon the Presiding Officer declared the ordinance NOT adopted.

Councilmember Roberson absented himself.

The following resolution was introduced by Councilmember Abbott:

RESOLUTION NO. 1637-09

BE IT RESOLVED by the Council of the City of Birmingham, that the application submitted by Finn Phi Truong to the City of Birmingham, Alabama for an Off Premise Retail Beer and Table Wine License to be used at F T Food Shop, 2735 Bessemer Road, Birmingham, be and the same is hereby approved and recommended for grant by the Alabama Alcoholic Beverage Control Board.

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

Ayes: Abbott, Austin, Abbott, Montgomery, Parker, Royal, Smitherman

Nays: Hoyt

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

Councilmember Roberson returned and took her seat as a Councilmember.

Councilmember Smitherman made a motion which was seconded by Councilmember Royal, that Resolutions #1577-09 and #1578-09 be rescinded and upon the roll being called the vote was as follows:

Ayes: Abbott, Austin, Duncan, Hoyt, Montgomery, Roberson, Royal, Smitherman

Nays: Parker

The vote was then announced by the Deputy City Clerk, whereupon the Presiding Officer declared the motion NOT due to not receiving unanimous consent.

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The following resolution was introduced by Councilmember Smitherman:

RESOLUTION NO. 1638-09

BE IT RESOLVED by the Council of the City of Birmingham that the Director of Finance be and hereby is authorized to pay the Birmingham-Jefferson Civic Center Authority \$81,245.45 as reimbursement for Invoice No. 963633 in the amount of \$35,754.84 dated October 1, 2009 and Invoice No. 963749 dated October 22, 2009 in the amount of \$45,490.61, as part of the Birmingham Jefferson Civic Center expansion project in accordance with the agreement between the Authority and the City.

Councilmember Abbott made a motion to refer the item to the Committee of the Whole which motion failed due to the lack of second.

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

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

Ayes: Austin, Hoyt, Roberson, Royal, Smitherman

Nays: Abbott, Montgomery, Parker

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

Councilmember Montgomery absented himself.

The following ordinance was taken up off the table and introduced by Councilmember Abbott:

RESOLUTION NO. 1639-09

WHEREAS, the Council of the City of Birmingham has determined that the Magic City Classic furthers a "Public Purpose"; and

WHEREAS, including school age children in the Magic City Classic will provide the youth with an appreciation of the events, engage young people in the activities and programs, including intergenerational activities; and

WHEREAS, the economic impact the City receives from hosting the Magic City Classic is significant.

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THEREFORE, BE IT RESOLVED, by the Council of the City of Birmingham that the Mayor be and is hereby authorized to execute on behalf of the City of Birmingham an agreement with Alabama Sports Foundation, Inc. (ASF), Alabama State University (ASU), Alabama Agricultural and Mechanical University (AAMU), and the Birmingham Park and Recreation Board, substantially in the form on file in the City Clerk's office, to provide that the "Magic City Classic" football games shall be held at the historic Legion Field beginning in 2009 and continuing for the next five (5) years through the 2013 football season. The Council for the City of Birmingham is authorized to purchase up to Twenty Thousand and 00/100 (\$20,000) Dollars of Magic City Classic football tickets. Said tickets are to be divided equally between the Mayor and the City Council to be distributed to youth throughout the City.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, Smitherman
Nays:

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

The following ordinance was introduced by Councilmember Smitherman:

ORDINANCE NO. 09-156

**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 Budget for the fiscal year ending June 30, 2010, be and the same is hereby amended as follows:

		<u>Amount</u>
		<u>Increase/Decrease</u>
<u>Title of Appropriation</u>		
<u>Fund 001 General Fund</u>		
<u>Revenue</u>		
_____	Fund Balance	\$ <u>554,104.00</u>
<u>Appropriation</u>		
<u>Planning, Engineering and Permits</u>		
<u>527-014</u>	Professional Fees-Consulting Fees	\$ <u>554,104.00</u>

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Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$554,104.00.

Respectfully,
Larry P. Langford/s/
Larry P. Langford
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the General Fund Budget of the City of Birmingham \$554,104.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$554,104.00 provided for in the proposed ordinance.

Respectfully,
Steve Sayler/s/
Steve Sayler
Director of Finance

The ordinance was read by the Deputy City Clerk, and unanimous consent for its immediate consideration being granted, Councilmember Smitherman moved its adoption which motion was seconded by Councilmember Montgomery, and upon the roll being called the vote was as follows:

Ayes: Abbott, Austin, Hoyt, Montgomery, Roberson, Royal, Smitherman

Nays: None

Abstain: Parker

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 Roberson:

RESOLUTION NO. 1640-09

WHEREAS, for Malcolm Pirnie, Inc. ("MPI") has been assisting the City with the development and implementation of its Storm Water Management Program (hereinafter "SWMP"), in accordance with the federal Clean Water Act and related federal and state laws and regulations; and

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WHEREAS, the City desires MPI's continued assistance with the implementation and refinement of the SWMP;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham that the Mayor, on behalf of the City, is authorized to enter into a one-year agreement with Malcolm Pirnie, Inc. in an amount not to exceed \$554,104.00 (Five Hundred Fifty-Four Thousand One Hundred Four Dollars) to: 1) continue to assist the City with the implementation and refinement of its SWMP; 2) work with the Alabama Department of Environmental Management ("ADEM") and the federal Environmental Protection Agency ("EPA") to develop protocols for storm water management within the City; 3) assist the City with the development, implementation and enforcement of any new regulations required by ADEM or EPA; 4) continue to train designated City employees on water quality monitoring; 5) provide all water quality monitoring necessary to meet the requirements, as determined by ADEM, of the City's NPDES permit; 6) provide all water quality monitoring equipment, supplies, and services for data collection, analysis, reporting, and for any other water quality monitoring related purpose necessary to meet the requirements, as determined by ADEM, of the City's NPDES permit; 7) prepare an annual storm water management report to be submitted to ADEM; and 8) continue to provide public storm water education services.

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

Ayes: Austin, Hoyt, Roberson, Royal, Smitherman

Nays: Abbott

Abstained: Parker

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

The following ordinance was introduced by Councilmember Roberson:

ORDINANCE NO. 09-157

**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 Budget for the fiscal year ending June 30, 2010, be and the same is hereby amended as follows:

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	<u>Title of Appropriation</u>	<u>Amount Increase/Decrease</u>
<u>Fund 001 General Fund</u>		
<u>Revenue</u>		
<hr/>	Fund Balance	<u>\$ 233,000.00</u>
<u>Appropriation</u>		
<u>Municipal Court</u>		
<hr/>	Professional Services - Indigent Defense (Fair Trial Tax)	<u>\$ 233,000.00</u>

Recommendation by the Mayor:

I recommend the above appropriation in the amount of \$233,000.00.

Respectfully,
Larry P. Langford/s/
Larry P. Langford
Mayor

Certification of the Director of Finance:

I hereby certify that there is available in the General Fund Budget of the City of Birmingham \$233,000.00 unencumbered and unappropriated, sufficient to meet the additional appropriation of \$233,000.00 provided for in the proposed ordinance.

Respectfully,
Steve Sayler/s/
Steve Sayler
Director of Finance

The ordinance was read by the Deputy City Clerk, and unanimous consent for its immediate consideration being granted, Councilmember Roberson moved its adoption which motion was seconded by Councilmember Hoyt, and upon the roll being called the vote was as follows:

Ayes: Abbott, Austin, Hoyt, Montgomery, Parker, Roberson, Royal, Smitherman
Nays: None

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

Councilmember Montgomery absented himself did not return.

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The following ordinance was introduced by Councilmember Abbott:

ORDINANCE NO. 09-158

BE IT ORDAINED that the Council of the City of Birmingham hereby repeals Ordinance 09-78 adopted June 2, 2009 regarding Title 12, Chapter 3.5 “Bingo”.

ADOPTED this Twentieth day of October, Two Thousand and Nine.

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

Ayes: Abbott, Hoyt, Parker, Royal, Smitherman

Nays: None

Abstained: Austin, Roberson

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 Abbott:

ORDINANCE NO. 09-159

BE IT ORDAINED that the council of the City of Birmingham hereby reinstates Title 12, Chapter 3.5 “Bingo” of the General Code of the City of Birmingham, 1980 which was repealed June 2, 2009.

ADOPTED this Twentieth day of October, Two Thousand and Nine

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

Ayes: Abbott, Hoyt, Parker, Royal, Smitherman

Nays: None

Abstained: Austin, Roberson

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

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The following ordinance was introduced by Councilmember Parker:

ORDINANCE NO. 09-160

BE IT ORDAINED by the Council of the City of Birmingham that the Mayor be and is hereby authorized to execute to execute an easement agreement, in substantially the same form as on file with the City Clerk, under which the City will grant to BellSouth Telecommunications, Inc., d/b/a AT&T Systems an easement for the construction, operation, and maintenance of communications systems and facilities upon a portion of the Lawson Field property located at 5501 Oporto-Madrid Boulevard as more particularly described in the easement agreement.

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

Ayes: Austin, Hoyt, Parker, Roberson, Royal, Smitherman

Nays: None

Abstained: Abbott

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 Hoyt:

RESOLUTION NO. 1641-09

BE IT RESOLVED that the Council hereby requests that the Mayor authorize the Department of Traffic and Engineering to erect a street sign in honor of Ms. Rebecca Marable on Grasselli Boulevard beginning at 46th Street Southwest and ending at Park Avenue Southwest in the Grasselli Heights Neighborhood.

ADOPTED this Twenty Seventh day of October, Two Thousand and Nine.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, Smitherman

Nays: None

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

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The following resolution was introduced by Councilmember Abbott:

RESOLUTION NO. 1642-09

BE IT RESOLVED that the council hereby request that the Mayor authorize the Department of Traffic and Engineering to erect a street sign in honor of Dr. Mable Anderson on Avenue I beginning at 17th Street Ensley and ending at 12th Street Ensley in the Ensley Neighborhood.

ADOPTED this Twenty Seventh day of October, Two Thousand and Nine.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, 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 Abbott:

RESOLUTION NO. 1643-09

BE IT RESOLVED that the council hereby request that the Mayor authorize the Department of Traffic and Engineering to erect a street sign in memory of Bishop Jack McConnico on Church Street between Tin Mill Road and Central Ave in the Dolomite Neighborhood.

ADOPTED this Twenty Seventh day of October, Two Thousand and Nine.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, Smitherman

Nays: None

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

Councilmember Smitherman made a motion to reconsider "A Resolution requesting that District One Discretionary Funds be appropriated to **Birmingham Board of Education** –

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Huffman High School, \$500.00; East Thomas Community Sports Association, \$2,000.00; and Birmingham Boston Terrier Rescue, \$2,500.00, in an amount not to exceed \$5,000.00.” which motion was seconded by Councilmember Austin and adopted.

The following resolution was introduced by Councilmember Smitherman:

RESOLUTION NO. 1644-09

BE IT RESOLVED that the Council of the City of Birmingham hereby requests that District One Discretionary Funds in an amount not to exceed \$5,000.00 be appropriated to the following organizations:

Birmingham Board of Education - Huffman High School	\$ 500.00
East Thomas Community Sports Association	\$2,000.00
Birmingham Boston Terrier Rescue	\$2,500.00

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

Ayes: Austin, Hoyt, Roberson, Royal, Smitherman

Nays: None

Abstained: Abbott

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

Councilmember Parker returned and took her seat as a Councilmember.

The following resolution was introduced by Councilmember Royal:

RESOLUTION NO 1645-09

BE IT RESOLVED by the Council of the City of Birmingham that payment to Birmingham Jefferson County Animal Control, Birmingham, AL, in the amount of \$63,389.02 per month to extend the current animal control services contract on a month to month basis beginning November 1, 2009 through November 30, 2009.

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

Ayes: Abbott, Austin, Hoyt, Roberson, Royal, Smitherman

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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. SUB 2009-00007
RESOLUTION NO. 1646-09

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 beginning on or before Thursday, November 5th, 2009 for four consecutive weeks in the City of Birmingham, a notice in words and figures as follows:

VACATION 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, December 1st, 2009, commencing at 9:30 a.m. said Council, will hold a public hearing upon a proposal that it, the said Council, adopt a resolution in words and figures substantially as follows:

Case No. SUB 2009-00007
RESOLUTION NO. _____

WHEREAS, there has been exhibited to this Council a duly acknowledged Declaration of Vacation executed by TECO, Inc. (Bill Arnwine, President), being the owner, and the reading in part as follows:

KNOW ALL MEN BY THESE PRESENT, that the undersigned, TECO, Inc. (Bill Arnwine, President), owner of all lands abutting the portion of public way or ways hereinafter declared vacated, do hereby declare vacated and divested out of the public the portion or portions of unopened public way or ways described as follows, to-wit:

Unimproved part of 17th Street, located between 22nd Street North and 21st Street North described as follows:

Begin at the NE Corner of Block 373, according to the Resurvey of North Birmingham Land Company's Survey as recorded in Map Book 53, Page 09, in the Probate Office of Jefferson County, Alabama; thence Northeasterly along the east right of way of 22nd Avenue North for a distance of 60.0 feet; thence 89°55' right along the right of way for 17th Street for a distance of 300.24 feet to a point on the right of way of 21st Avenue North; thence 89°54' right and along said right of way for a distance of 60.0 feet; thence 89°54' right and along the boundary of said Block 373 for a distance of 300.22 feet and the Point of beginning. Said Parcel contains 18,013.7 square

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feet or 0.414 acres more or less.

Unimproved alley way located within Block 372 of said North Birmingham Land Company's Survey described as follows:

Commence at the NE Corner of Block 373, according to the Resurvey of North Birmingham Land Company's Survey as recorded in Map Book 53, Page 09, in the Probate Office of Jefferson County, Alabama; thence Northeasterly along the east right of way of 22nd Avenue North for a distance of 60.0 feet; thence 89°55' right along the right of way for 17th Street for a distance of 140.75 feet the point of beginning; Thence left 89°55' for a distance of 399.96' to a point on the right of way of 18th Street North; thence 90°0' right and along said right of way for 20.0 feet; thence 90°0' right and run 399.96 feet; thence 89°55' right and run 20.0 feet to the point of beginning. Said Parcel contains 7,999.2 square feet or 0.184 acres more or less.

The vacation hereinabove declared shall be subject to such conditions and reservations for the benefit of the owners or operators of public utilities or installations in said way or ways as the governing body of the City of Birmingham may see fit to specify in a resolution of assent. The said owner does further declare that after the vacation hereinabove declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes, and,

WHEREAS, it has been made to appear to this Council that said declarant is the owner of all the land abutting on the portion or portions of public way or ways declared vacated by said Declaration of Vacation and that after the vacation of the said portion or portions of said public way or ways convenient means of ingress and egress to and from their property will be afforded to all other property owners by the remaining public grounds dedicated to the public for public way purposes; and

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

1. After hearing all parties and considering all information presented, the assent of this Council be, and hereby is given and granted to the vacation of the portion, or portions, of public way or ways declared vacated in the above quoted Declaration of Vacation, subject to the conditions and reservations hereinafter set out, and further, this Council finds that all other property owners will have convenient means of ingress and egress to and from their property by the remaining public grounds dedicated to the public for public way purposes and that it is in the best interest of the public that the above described public way or ways or portions thereof be vacated.

2. That the foregoing assent be and is hereby given upon condition that any entity, including the City of Birmingham, which may now own or rightfully maintain any public utility, facility, line or installation, including any open or closed storm or sanitary sewer, in any portion of any public way hereinabove mentioned, shall have a right and easement to continue to maintain

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same in its present location therein and to repair, cleanse, improve and reconstruct the same and to have convenient storm water drainage and sanitary sewer means thereto and there from for said purposes, and that there be and is hereby reserved and excluded from the said foregoing assent any assent of this Council to the vacation, annulment or impairment of the right, easement or privilege of any such entity to continue to own, maintain, repair, cleanse, improve, reconstruct and have convenient means of ingress and egress to and from such utility, facility, line or installation.

3. The foregoing provisions for maintenance and for ingress and egress shall mean, among other things and without limitation, that in case any building or edifice shall be constructed or placed in any portion of any of said vacated ways, it shall be constructed, placed or arranged therein so as to avoid damage to any presently existing concealed or unconcealed or patent or latent public utility, facility, line or installation in any such public way and so as to afford ways and means of ingress and egress to and from such utility, facility, line or installation for purpose of reconstruction, repair, cleansing or improvement of service of same, substantially equal to and as convenient as presently existing ways and means of ingress and egress thereto and therefrom such purposes, or such as shall be approved in writing by the owner or operator of such utility, facility, line or installation.

4. This resolution shall be effective only upon the payment of the right-of-way fee within sixty (60) days of the date of this resolution, the recording in the Office of the Judge of Probate of Jefferson County, Alabama, of a map or plat approved by the City Engineer and the Birmingham Planning Commission showing the vacated portion or portions of public way or ways as described above and the boundary lines of the abutting property resulting from the vacation, and notice of the governing body's action being published once in a newspaper in the county no later than 14 days after its adoption.

BE IT FURTHER RESOLVED that under the provisions of Act 785 of 1982 the right-of-way vacation fee has been set at \$11,965.93.

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, Austin, Hoyt, Parker, Roberson, Royal, 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 Abbott:

Case No. SUB 2009-00051
RESOLUTION NO. 1647-09

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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 beginning on or before Thursday, November 5th, 2009 for four consecutive weeks in the City of Birmingham, a notice in words and figures as follows:

VACATION 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, December 1st, 2009, commencing at 9:30 a.m. said Council, will hold a public hearing upon a proposal that it, the said Council, adopt a resolution in words and figures substantially as follows:

Case No. SUB 2009-00051

RESOLUTION NO. _____

WHEREAS, there has been exhibited to this Council a duly acknowledged Declaration of Vacation executed by Sherry Tobia, being the owner, and the reading in part as follows:

KNOW ALL MEN BY THESE PRESENT, that the undersigned, Sherry Tobia, owner of all lands abutting the portion of public way or ways hereinafter declared vacated, do hereby declare vacated and divested out of the public the portion or portions of unopened public way or ways described as follows, to-wit:

A 20 foot wide alley located in Block 169 according to the Present Plan and Survey of the City of Birmingham, as made by the Elyton Land Company, situated in Jefferson County, Alabama more particularly described as follows: From the Northwest Corner of said Block 169, also being the Northwest Corner of Lot 10 run Southeasterly along the Westerly line of said Lot 10 a distance of 190.02 feet to the Point of Beginning; thence continue in a straight line a distance of 20.00 feet; thence left 90°01'05" a distance of 400.09 feet; thence left 89°56'48" a distance of 20.00 feet; thence left 90°03'12" a distance of 400.11 feet to the Point of Beginning of said alley. Said alley contains 8,002 square feet or 0.18 acres more or less.

The vacation hereinabove declared shall be subject to such conditions and reservations for the benefit of the owners or operators of public utilities or installations in said way or ways as the governing body of the City of Birmingham may see fit to specify in a resolution of assent. The said owner does further declare that after the vacation hereinabove declared, convenient means of ingress and egress to and from their respective properties will be afforded to all other property owners by the remaining public ways dedicated to the public for public way purposes, and,

WHEREAS, it has been made to appear to this Council that said declarant is the owner of all the land abutting on the portion or portions of public way or ways declared vacated by said Declaration of Vacation and that after the vacation of the said portion or portions of said public way or ways convenient means of ingress and egress to and from their property will be afforded to

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all other property owners by the remaining public grounds dedicated to the public for public way purposes; and

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

1. After hearing all parties and considering all information presented, the assent of this Council be, and hereby is given and granted to the vacation of the portion, or portions, of public way or ways declared vacated in the above quoted Declaration of Vacation, subject to the conditions and reservations hereinafter set out, and further, this Council finds that all other property owners will have convenient means of ingress and egress to and from their property by the remaining public grounds dedicated to the public for public way purposes and that it is in the best interest of the public that the above described public way or ways or portions thereof be vacated.

2. That the foregoing assent be and is hereby given upon condition that any entity, including the City of Birmingham, which may now own or rightfully maintain any public utility, facility, line or installation, including any open or closed storm or sanitary sewer, in any portion of any public way hereinabove mentioned, shall have a right and easement to continue to maintain same in its present location therein and to repair, cleanse, improve and reconstruct the same and to have convenient storm water drainage and sanitary sewer means thereto and there from for said purposes, and that there be and is hereby reserved and excluded from the said foregoing assent any assent of this Council to the vacation, annulment or impairment of the right, easement or privilege of any such entity to continue to own, maintain, repair, cleanse, improve, reconstruct and have convenient means of ingress and egress to and from such utility, facility, line or installation.

3. The foregoing provisions for maintenance and for ingress and egress shall mean, among other things and without limitation, that in case any building or edifice shall be constructed or placed in any portion of any of said vacated ways, it shall be constructed, placed or arranged therein so as to avoid damage to any presently existing concealed or unconcealed or patent or latent public utility, facility, line or installation in any such public way and so as to afford ways and means of ingress and egress to and from such utility, facility, line or installation for purpose of reconstruction, repair, cleansing or improvement of service of same, substantially equal to and as convenient as presently existing ways and means of ingress and egress thereto and therefrom such purposes, or such as shall be approved in writing by the owner or operator of such utility, facility, line or installation.

4. This resolution shall be effective only upon the payment of the right-of-way fee within sixty (60) days of the date of this resolution, the recording in the Office of the Judge of Probate of Jefferson County, Alabama, of a map or plat approved by the City Engineer and the Birmingham Planning Commission showing the vacated portion or portions of public way or ways as described above and the boundary lines of the abutting property resulting from the vacation, and notice of the governing body's action being published once in a newspaper in the county no later than 14 days after its adoption.

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BE IT FURTHER RESOLVED that under the provisions of Act 785 of 1982 the right-of-way vacation fee has been set at \$44,891.22.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, Smitherman

Nays: None

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

Councilmember Austin made a motion which was seconded by Councilmember Hoyt, and adopted, to reconsider Agenda Item No. 3 and Agenda Item No. 4, "A Resolution relative to the application of Monica E. Lewis for a Lounge Retail Liquor Class I License to be used at **Mel's Lounge**, 6420 Georgia Road, Birmingham, and the **hearing** of all interested parties" and "A Resolution relative to the application of Monica E. Lewis for Mel's Lounge for a Division I Dance Permit to be used at **Mel's Lounge**, 6420 Georgia Road, Birmingham, and the **hearing** of all interested parties.

Please that these items after reconsideration were deferred for one (1) week until November 3, 2009.

The following resolution was introduced by Councilmember Royal:

RESOLUTION NO. 1648-09

WHEREAS, the Birmingham City Council is pleased to join with the alumni, current students and staff to celebrate the Fiftieth Anniversary of **George Washington Carver High School**; and

WHEREAS, **George Washington Carver High School** was founded fifty years ago in the spring of 1959 and named after the great scientist, Dr. George Washington Carver; and

WHEREAS, the first campus for **George Washington Carver High School** was a one story building, constructed on a twenty-five acre site in the northern area of the city. The school consisted of twenty-one classrooms, a gymnasium, a lunchroom, a conference room, offices, a library and men's and women's restroom facilities; and

WHEREAS, the first principal of **George Washington Carver High School** was Mr. James S. Goodson, the original staff consisted of twenty-nine teachers and one registrar; and

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WHEREAS, once opened, **George Washington Carver High School** was home to students from Dudley, Finley, Hudson, Lewis, Riggins, and Shields Elementary Schools, as well as transfers from Parker and Ullman High Schools. Initial enrollment was six hundred and forty-four students, making it the fourth largest school for African-Americans in the City of Birmingham; and

WHEREAS, in the year two thousand, a brand new **George Washington Carver High School** opened its doors at an estimated cost of one point two million dollars, making it the most expensive and well equipped school ever built in the City of Birmingham; and

WHEREAS, the new **George Washington Carver High School** sits five stories high, it consists of two buildings connected by a beautiful courtyard, a combination of eleven math and science labs, hundreds of classrooms, several media centers and a state of the art competition gymnasium; and

WHEREAS, the current principal of **George Washington Carver High School** is Mr. Darrell Hudson; he is in charge of leading sixty-three teachers and responsible for approximately twelve hundred students.

NOW, THEREFORE, BE IT RESOLVED that the Birmingham City Council, with the Mayor concurring, does hereby issue this resolution in honor and recognition of the Fiftieth Anniversary of **George Washington Carver High School**.

PRESENTED this Twenty-Third day of October, Two Thousand and Nine at the recommendation of Councillor Roderick V. Royal, M.P.A.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Royal 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, Austin, Hoyt, Parker, Roberson, Royal, 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 Royal 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, Austin, Hoyt, Montgomery, Parker, Roberson, Royal, Smitherman
Nays: None

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

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The following resolution was introduced by Councilmember Abbott:

RESOLUTION NO. 1649-09

WHEREAS, the Council of the City of Birmingham acknowledges the many contributions and positive impact that *Mr. John Welch* has made to our city and, in particular, to the Five Points South Neighborhood. John serves as the Vice-President of Operations of Dreamland Holding Company and has played an integral role in building Dreamland from a cozy neighborhood joint to a regional power with eight locations in Alabama and Georgia. During all the changes, he has remained committed to preserve the original character, integrity, and folksy roots of the original restaurant in Tuscaloosa; and

WHEREAS, born in Dallas, Texas and raised in Birmingham, John was chosen to oversee the Dreamland opening in Birmingham in 1993. He served an initial apprenticeship at the pit with John “Big Daddy” Bishop and his wife, Lily, at the legendary rib shack in Jerusalem Heights, while customers gawked at the “skinny white boy” tending slabs at Big Daddy’s side. The Bishops embraced him as family and, knowing the family had reservations about the Birmingham opening, he made a promise that has always served as his guide: *“I told Mr. Bishop that everything we do will be with the utmost respect for what your family has built. You will be proud of every decision we make;”* and

WHEREAS, staying true to Dreamland’s roots guided the decision to come to the Southside location. The original Dreamland is, and has always been, a neighborhood hub. *“One of the reasons we loved this location was the chance to be part of a neighborhood,”* says John. The friendly atmosphere of the restaurant helps make his point. “Neighbors look out for each other and take an interest in each other’s lives. It’s more than doing business here; it’s about being a part of something bigger than just us;” and

WHEREAS, John is dedicated to his trade and the Dreamland family. *“Our people are what make us successful”*, he says. “Certainly, we have an excellent product and we work hard to consistently exceed the standards of excellence the Bishops set fifty years ago. We treat people the way we want to be treated ourselves. We’re glad to see them when they come in our door and we show them our appreciation with a full heart during their whole visit;” and

WHEREAS, the opening of this legendary restaurant brought a legion of dedicated fans to the City of Birmingham and served as a catalyst for the City and the Five Points South Neighborhood to revitalize nearby Phelan Park. Dreamland’s continued presence and attention to the park and the surrounding neighborhood helps to keep the area clean, safe, and attractive. A business venture for Dreamland resulted in a helping hand for an entire community.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham, with Mayor Larry P. Langford concurring, that we hereby salute and thank **MR. JOHN WELCH** for his outstanding service and untiring commitment to the City of Birmingham, the Five Points South Neighborhood, and Dreamland.

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PRESENTED this Twenty-Second day of October, Two Thousand and Nine at the recommendation of Council President Pro-Tempore Valerie A. Abbott.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, 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 Abbott 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, Austin, Hoyt, Parker, Roberson, Royal, Smitherman
Nays: None

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

The following resolution was introduced by Councilmember Abbott:

RESOLUTION NO. 1650-09

WHEREAS, the Council of the City of Birmingham is deeply saddened by the transition of **Mr. Dock Jackson, Jr.**, who departed this life on October 13, 2009. Mr. Jackson was the beloved brother of our Oak Ridge Park neighbor, Mrs. Hester Bell. His presence will be greatly missed by his wife, Mrs. Ruth Lee Jackson; eleven children, four sisters Mrs. Hester Bell, Mrs. Cora Lee Johnson, Mrs. Mary Carter, and Mrs. Lucy Robinson as well as many friends; and

WHEREAS, Mr. Jackson was born September 7, 1926 in Coatopa, Alabama but left at an early age and lived in Kenosha, Wisconsin. After retirement, he returned home to his Coatopa, Alabama roots; and

WHEREAS, Dock honorably served his country during World War II. His hobby was hunting and enjoying the outdoors. He possessed an outgoing personality and friendly demeanor. Dock literally never met a stranger; and

WHEREAS, his faith was important to him and he lived his life in accordance with Psalms 27:1 *“Jehovah is my light and my salvation, of whom shall I be in fear. Jehovah is the stronghold of my life, of whom shall I be in dread?”* and

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WHEREAS, Mr. Dock Jackson, Jr. was a truly loving and inspiring person for his family whose life of service speaks for itself.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham, with Mayor Larry P. Langford concurring, that we celebrate his Home Going, even though those persons left behind will miss his kindness, warm smile, and beautiful spirit. To live in the hearts of those we love is to never die, and so the long and well-spent life of **MR. DOCK JACKSON, JR.** will remain an inspiration to all who knew him.

PRESENTED the Twenty-Fourth day of October, Two Thousand and Nine at the recommendation of Council President Pro-Tempore Valerie A. Abbott.

The resolution was read by the Deputy City Clerk, whereupon Councilmember Abbott 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, Austin, Hoyt, Parker, Roberson, Royal, 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 Abbott 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, Austin, Hoyt, Parker, Roberson, Royal, Smitherman
Nays: None

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

The following resolution was introduced by Councilmember Abbott:

RESOLUTION NO. 1651-09

WHEREAS, Charles Dickens penned that "*it was the best of times; it was the worst of times.*" The year was 1939. The United States was experiencing a decade of the Great Depression; however, Jim and Beatrice Moore welcomed with joy the birth of their daughter, Marian. She and her four younger siblings were reared in the admonition of the Lord. Strange as it was being the eldest, Marian is affectionately called Baby Sistah; and

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WHEREAS, Marian attended the Birmingham School System and Immaculata High School. Later in life, she met and married the late Curley Haslem, Jr. As a mother of four, she possessed and learned many talents and hobbies, which includes sewing, crochet, cosmetology, playing pinochle, calligraphy, and even belly dancing to name a few; and

WHEREAS, she was a serious disciplinarian, "*The very idea!*" she would say whenever her children got out of line. Everyone knew someone was in serious trouble whenever she called Nay, La, Peaches and Charles by their full names. Marian believes in doing it right from the start, thus at anything less she would utter her noted words, "*Not paying attention!*" She was a vital member of a social and savings club of classy women known as the "Benevolenes"; and

WHEREAS, as a retiree of South Central Bell, Marian still offers her service at the Children's Health Systems of Birmingham. Her passion for sewing, recognizing that it is a God-given talent, can be seen through the stitches of her labor of love with the Baby Love Organization; and

WHEREAS, Marian is known for her variety of blooming flowers in the Brown Springs Community. Being a lady who doesn't squirm at trying something new, she tried her hand at gardening, and it was also a hit. She is a member of St. James Missionary Baptist Church, Eastlake. Marian is the epitome of a strong woman graced with a tower of wisdom. Her characteristics cannot always be seen with the human eye, but they can be felt deep within the heart.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Birmingham, with Mayor Larry P. Langford concurring, that we, joined by her loving family, wish for you.....Mama, Grandmamma, Baby Sistah, Marian, Hannah, Auntie, Mama Haslem....a wonderful *Happy 70th Birthday* as you embark upon this grand scope of life.

PRESENTED to *MRS. MARIAN MOORE HASLEM* on the Twenty-First day of November, Two Thousand and Nine at the recommendation of Councilor Valerie A. Abbott.

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

Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, 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 Abbott made a motion that said resolution be adopted, which motion was seconded by Councilmember Hoyt, and upon the roll being called, the vote was as follows:

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Ayes: Abbott, Austin, Hoyt, Parker, Roberson, Royal, Smitherman
Nays: None

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

THE FOLLOWING MATTERS WERE DEFERRED:

Councilmember Montgomery made a motion which was seconded by Councilmember Parker and adopted that, "A Resolution relative to the application of Monica E. Lewis for a Lounge Retail Liquor Class I License to be used at **Mel's Lounge**, 6420 Georgia Road, Birmingham, and the **hearing** of all interested parties," be deferred to the regular meeting Tuesday, November 3, 2009, at 9:30 o'clock a.m.

Councilmember Montgomery made a motion which was seconded by Councilmember Parker and adopted that, "A Resolution relative to the application of Monica E. Lewis for Mel's Lounge for a Division I Dance Permit to be used at **Mel's Lounge**, 6420 Georgia Road, Birmingham, and the **hearing** of all interested parties," be deferred to the regular meeting Tuesday, November 3, 2009, at 9:30 o'clock a.m.

Councilmember Smitherman made a motion which was seconded by Councilmember Royal and adopted that, "A Resolution relative to the application of Walker LLC for a Special Retail License 160 to be used **The Birmingham Cultural Art Center**, 424 – 16th Street North, 1st Floor, Birmingham, and the **hearing** of all interested parties," be deferred to the regular meeting Tuesday, November 3, 2009, at 9:30 o'clock a.m.

Councilmember Smitherman made a motion which was seconded by Councilmember Royal and adopted that, "A Resolution relative to the application of Richard A. Walker for a Division I Dance Permit to be used **The Birmingham Cultural Art Center**, 424 – 16th Street North, 1st Floor, Birmingham, and the **hearing** of all interested parties," be deferred to the regular meeting Tuesday, November 3, 2009, at 9:30 o'clock a.m.

Councilmember Royal made a motion which was seconded by Councilmember Montgomery and adopted that, "A Resolution revoking the Certificates of Public Necessity and Convenience issued to Worcy Crawford, d/b/a **Crawford and Sons**, 4301 Crawford Drive, Birmingham, to operate a bus service, for failure to file the required liability insurance, and the **hearing** of all interested parties," be deferred to the regular meeting Tuesday, November 10, 2009, at 9:30 o'clock a.m.

THE FOLLOWING MATTER WAS INTRODUCED, READ, AND DEFERRED:

Councilmember Smitherman made a motion which was seconded by Councilmember Parker and adopted that, "An Ordinance "TO FURTHER AMEND THE CAPITAL FUND

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BUDGET” by transferring \$2,641,944.12 from Railroad Reservation Park, Neighborhood Allocation Fund and appropriating \$2,641,944.12 to Railroad Reservation Park – Capital Improvement Fund,” be deferred to the regular meeting Tuesday, November 3, 2009, at 9:30 o’clock a.m.

ALL OTHER MATTERS WENT OVER

Upon motion by the Presiding Officer, the Council adjourned at 3:45 o’clock p.m.

Approved: March 9, 2010.

Carole Smitherman /s/
PRESIDENT OF THE COUNCIL

Carole Smitherman /s/
Printed Name

Lee Frazier /s/
DEPUTY CITY CLERK

Lee Frazier /s/
Printed Name

APPROVED AS TO FORM:

Thomas Bentley III /s/
CHIEF ASSISTANT CITY ATTORNEY

Thomas Bentley III /s/
Printed Name

NOTE: The following matters were withdrawn:

A Resolution relative to the application of **Community Network Associates, Inc.** for a Class II Bingo Permit to be used at 1157 Bankhead Highway, Birmingham, and the **hearing** of all interested parties.

Those properties declared by Resolution No. 1455-09 on September 22, 2009 to be noxious and dangerous, whereon said weeds have been abated:

- | | | | |
|---|----------------------|------------------------|--------------------------|
| 2 | 29-19-3-39-01.000-RR | 3901 PARK AVE SW 35221 | LOT 15 BLK 29 PARK PLACE |
| 4 | 30-01-2-01-06.000-RR | 619 ATTALLA ST 35224 | LOT 12 BLK 4 WYLAM HILLS |

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5	22-33-4-06-02-002-RR	911 8TH AVE W 35204	LOT 4 BLK 9 OWENTON
6	29-16-4-32-06.000-RR	1533 PINE AVE SW 35211	LOT 3 BLK 1 PLAT A ISHKOODA
8	22-33-4-06-02.000-RR	905 8TH AVE W 35204	LOT 3 BLK 9 OWENTON
9	23-22-1-08-05.000-RR	6812 66TH ST S 35212	LOT 5 BLK 25 GATE CITY
10	29-02-3-41-03.000-RR	200 16TH AVE S 35205	LOT 1 BLK 3 ACE RLTY COS 1ST ADD TO BHAM
25	29-09-3-19-52.000-RR	1400 17TH PL SW 35211	LOT 1 BLK 10 BEVERLY PLACE
26	23-20-1-10-21.000-RR	4720 12TH AVE N 35212	LOT 10 BLK 3 WHALEYS ADD TO BHAM
30	29-19-2-07-12.000-RR	3536 JEFFERSON AVE SW 35221	LOT 10 BLK 8 PARK PLACE SEC 19 TP 18 R 3
31	29-19-2-07-13.000-RR	3528 JEFFERSON AVE SW 35221	LOT 12 BLK 8 PARK PLACE SEC 19 TP 18 R 3
42	22-31-4-20-15.000-RR	1506 AVENUE I 35218	LOT 21 BLK 15-H ENSLEY
44	29-02-3-26-09.000-RR	16 16TH AVE S 35205	LOT 9 BLK 3 N B SMITH ADD TO BHAM
45	23-20-1-15-36.000-RR	1028 48TH ST N 35212	LOTS 19 & 20 R A GILBERT TRUSTEE
46	23-22-2-11-10.000-RR	6514 2ND AVE S 35212	LOT 4 BLK 3-D EAST WOODLAWN
47	23-22-2-11-09.000-RR	6508 2ND AVE S 35212	LOT 3 BLK 3-D EAST WOODLAWN
49	29-05-2-24-04.000-RR	2337 28TH ST W 35208	LOT 5 BLK 67 BHAM ENSLEY
53	30-16-4-14-14.000-RR	3543 2ND ST 35061	LOT 15 & S 1/2 16 BL 2 SYX MOXLEY ADD TO DOLOMITE
54	30-16-4-14-13.000-RR	1432 HOLLYWOOD LN 35061	LOT 14+N 1/2 16 BLK 2 SYX MOXLEY ADD TO DOLOMITE
62	30-02-2-09-05.000-RR	809 RICHMOND ST 35224	LOT 3 BLK 3 TENN LD COS 6TH ADD TO WYLAM
64	29-06-2-18-12.000-RR	2500 AVENUE J 35218	LOTS 23 & 24 & NE 3-1/2 FT LOT 22 BLK 25-1 ENSLEY LD CO 5TH ADD TO ENSLEY
69	22-15-3-19-03.000-RR	3640 4TH ST W 35207	LOT 4 BLK 1 HOOPER CITY HIGHLANDS 1ST SECT
70	22-15-3-19-02.000-RR	3642 4TH ST W 35207	LOT 3 BLK 1 HOOPER CITY HIGHLANDS FIRST SECTOR
77	29-07-4-17-15.000-RR	1612 52ND ST 35208	LOT 3 I M FOWLER RESUR OF LOTS 13 THRU 15 BLK 32 MARTINS ADD BHAM ENSLEY
81	30-25-2-18-01.000-RR	5028 CRAIG AVE 35221	LOT 1 BL 4 HILLMAN
82	30-25-2-18-02.000-RR	5024 CRAIG AVE SW 35221	LOT 2 BL 4 HILLMAN
104	30-16-4-08-07.000-RR	1348 EDWARDS ST 35061	LOT 15 DOLOMITE VILLAGE 4TH ADD
109	29-08-1-22-16.000-RR	1924 PRINCETON CT SW 35211	LOT 16 BLK 3 OAKWOOD ESTATES
110	22-22-1-10-04.000-RR	1700 32ND AVE N 35207	LOT 12 & W 1/2 LOT 11 BLK 152 NO BHAM
125	29-02-2-20-07.000-RR	112 POWELL AVE 35207	LOT 5 MARY SADLER SUR
127	29-02-2-20-13.000-RR	212 POWELL AVE S 35205	60 FT OF LOTS 22 & 23 SWANSON SUR
136	22-27-4-41-01.000-RR	301 12TH AVE N 35204	LOTS 7 & 8 BLK 2 NEW ZEALAND SUB ALSO BEING AT INTER OF N W COR SD LOT 8 & N 12TH AVE TH W 108S FT TO RR R/W TH S E CONTINUED
137	22-27-4-29-07.000-RR	1201 3RD ST N 35204	LOTS 1 & 2 BLK 3 MAP OF NEW ZEALAND

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139	22-26-2-36-16.000-RR	1502 4TH ST N 35204	LOT 4 BROWNLIE REALTY COS S/D BLK 12 HUDSON EST
140	22-26-2-36-17.000-RR	1506 4TH ST N 35204	LOT 3 BROWNLIE REALTY COS S/D BLK 12 HUDSON ES
156	23-20-4-09-14.000-RR	805 47TH ST N 35212	LOT 61 & 62 PHILLIPS ADD TO BHAM
158	23-16-4-01-12.000-RR	6308 4TH CT N 35212	LOT 3 BLK 2 PINE GROVE
159	23-16-4-01-11.000-RR	6304 4TH CT N 35212	LOT 2 BLK 2 PINE GROVE
161	23-16-4-01-14.000-RR	6316 4TH CT N 35212	POB INTER OF S/L OF L&N RR & W /L OF I-59 TH SW 130 FT ALG I-59 TH NW 147 FT TH NE 7 FT E 160 FT ALG RR R/W TO POB LYING
170	22-15-3-17-03.000-RR	437 37TH CT W 35207	LOT 9 BLK 12 A J HOOPERS 2ND ADD
173	29-19-3-15-09.000-RR	3637 LAUREL AVE SW 35221	LOT 10 BLK 3 PLAT OF CENTRAL TRACT OF THE PLEASANT VALLEY LAND AND MANUFACTURING COMPANY
176	29-09-3-20-14.000-RR	1413 17TH PL SW 35211	LOT 21 BLK 8 BEVERLY PL
177	23-21-3-02-10.000-RR	127 54TH ST 35212	PT OF 7 & 8 WOODLAWN REALTY CO 2ND ADD TO WOODLAWN 5/50 DESC AS FOLS: BEG SW COR OF LOT 8 TH N 85 FT TH NE 144.5 FT TH S CONTINUED
178	23-21-1-07-08.000-RR	200 60TH ST N 35212	LOT 23 COPELAND AND STONE SUR ADD TO WOODLAWN
181	30-02-4-09-12.000-RR	1300 FRISCO ST 35224	LOTS 1 & 2 BLK 6 ANDREW BURGINS ADD TO WYLAM
182	29-04-2-12-06.000-RR	1217 4TH AVE W 35204	LOT 12 BLK 27 COMPTON RISING
183	22-33-4-20-03.000-RR	1105 4TH TER W 35204	LOT 10 BLK 15 HIGHLAND LAKE LD CO RESUR BLKS 11 & 14 & 15
184	22-33-3-22-15.000-RR	440 12TH ST W 35208	S 1/2 LOTS 8 & 9 BLK 30 COMPTON RISING
193	29-04-1-07-06.000-RR	1025 4TH AVE 35204	LOTS 2 THRU 7 BLK 12 HIGHLAND LAKE LD CO RESUR OF BLKS 12 & 13 & 16
195	22-15-4-27-12.000-RR	1616 34TH AVE N 35207	LOT 17 BLK 113 NO BHAM LD COS ADD #5
201	29-30-2-36-14.000-RR	3928 WILLARD AVE SW 35221	LOTS 1 & 2 BLK 2 GRASSELLI SOUTH HGLDS
203	29-30-1-19-03.000-RR	3315 GRASSELLI AVE SW 35221	LOT 5 BL 8 TARPLEY
204	29-30-1-22-01.000-RR	3209 NUMBER 10 CIR 35211	LOT 8 BLK 3 WENONAH SUB PLAT C
207	22-31-4-37-05.000-RR	1633 19TH ST 35218	LOT 1 BLK 3 ENSLEY RLTY COS ADD TO ENSLEY
212	23-20-2-11-07.000-RR	4321 11TH CT N 35212	LOT 14 BLK 4 KING LD & IMP COS 2ND ADD TO KINGSTON
215	23-28-2-29-11.000-RR	4802 5TH AVE S 35222	LOT 11 BLK 28 EAST AVONDALE
219	23-28-3-10-02.000-RR	809 47TH ST S 35222	LOTS 2 THRU 6 BLK 3 JR PHILLIPS SUR 5/67
220	23-28-3-02-109.000-RR	825 47TH PL S 35222	LOT 7 BLK 4 J R PHILLIPS
221	23-28-3-02-103.000-RR	NEXT TO 805 47TH PL S 35222	LOT 1 BLK 4 J R PHILLIPS SUR
223	29-11-2-07-19.000-RR	14 17TH CT S 35205	LOT 29 BLOCK 4 BENJAMINS ADD TO BIRMINGHAM
224	22-15-3-19-01.000-RR	3644 4TH ST W 35207	LOTS 1 & 2 BLK 1 HOOPER CITY HIGHLANDS 1ST SECTOR
225	29-20-1-17-06.000-RR	1813 ELECTRA DR SW 35211	LOT 6 FLEETWOOD 1ST SECT 60/97
235	23-21-4-14-01.000-RR	505 55TH PL S 35212	N 50 FT LOT 35 & ALL LOT 36 BLK 1 WOODLAWN RLTY CO

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236	23-21-4-14-02.000-RR	509 55TH PL S 35212	NLY 45 FT LOT 34 & SLY 5 FT LOT 35 BLK 1 WOODLAWN RLTY COS 6TH ADD
237	23-21-4-26-08.001-RR	617 58TH ST S 35212	LOT 6 BLK 8 WOODLAWN RLTY COS 4TH ADD 7/96
244	22-20-4-24-01.000-RR	292 MILES AVE 35214	P O B S W INTER OF BEALL ST & MILES AVE TH W 220S FT ALG BEALL ST TO MILDRED AVE TH S 88S FT ALG AVE TH E 220S FT TO
247	22-20-3-21-04.000-RR	923 HIBERNIAN ST 35214	LOT 4 BLK 2 TENN LD COS 5TH ADD TO PRATT CITY
248	22-20-3-18-04.000-RR	908 TRIBLY ST 35214	LOTS 1 THRU 3 BLK E NORTH HIGHLANDS ADD TO PRATT CITY
249	22-20-3-16-02.000-RR	1029 LAFAYETTE ST 35214	LOTS 20 & 21 BLK D NORTH HIGHLANDS ADD TO PRATT CITY
250	23-22-1-28-05.000-RR	7316 GEORGIA RD 35212	LOT 4 BLK 12 GATE CITY
251	23-22-2-21-09.000-RR	471 ANTWERP AV 35212	LOT 25-A RESUR OF LOTS 24 THRU 26 BLK 8 WOODLAWN HEIGHTS 81/51
255	22-33-4-05-02.000-RR	833 8TH AVE W 35204	LOT 10 BLK 8 OWENTON
256	22-33-4-06-02.001-RR	915 8TH AVE W 35204	LOT 5 BLK 9 OWENTON
257	22-33-4-06-03.000-RR	919 8TH AVE W 35204	LOT 6 BLK 9 OWENTON
266	29-17-3-22-14.000-RR	2533 DAWSON AVE 35211	LOT 110 COLLEGE PARK RESUB
269	22-34-2-29-06.000-RR	812 4TH ST W 35204S	50 FT OF N 100 FT OF LOTS 1 & 2 BLK 2 J N MILLER
276	29-08-2-39-04.000-RR	2220 FULTON AVE SW 35211	LOT 5 BLK 3 WEST HAVEN
279	29-04-3-04-01.000-RR	11 15TH ST SW 35204	POB INTER OF E/L OF 16TH ST W & NW R/W OF RR TH
282	29-17-3-22-10.000-RR	2513 DAWSON AVESW 35211	LOTS 105 & 106 COLLEGE PARK RESUB
284	22-31-3-54-08.000-RR	817 22ND ST 35218	POB 50 FT NW OF SW INTER 22ND ST & AVE I TH NW 5
287	29-15-2-02-04.000-RR	1517 12TH ST SW 35211	POB 125 FT(S) S OF THE E INTER OF MASON AVE & 12TH ST SW TH S 00 FT(S) ALONG ST TH E 150 FT (S) TO ALLEY TH N 100 FT W
290	29-02-3-21-05.000-RR	211 5TH AVE S 35205	E 1/2 LOT 6 BLK 33 WALKER LAND COS ADD TO BHAM
291	29-02-3-21-04.000-RR	215 5TH AVE S 35205	LOT 5 BLK 33 WALKER LAND COS ADD TO BHAM
292	29-02-3-17-17.000-RR	208 5TH AVE S 35205	E 1/2 LOT 11 & W 5 FT LOT 12 BLK 31 WALKER LAND COS ADD TO BHAM
294	29-02-4-21-13.000-RR	620 10TH AVE S 35205	LOT 14 BLK 8 BHAM RLTY CO 8TH ADD
295	23-20-3-03-13.000-RR	928 44TH ST N 35212	E 100 FT LOT 19 BLK 3 KINGSTON
296	29-17-3-25-07.006-RR	2912 DOWELL AVE SW 35211	LOT 13 BLK 7 ORIGINAL TRACT OF PLEASANT VALLEY
298	13-23-4-00-161.000-RR	1504 AUGUST CIR 35215	LOT 10 BLK 17 MARLIN SPRINGS ESTATES 132/43
302	29-20-1-17-05.000-RR	1809 ELECTRA DR SW 35211	LOT 5 FLEETWOOD 1ST SECTOR 60/97
306	29-19-3-28-05.000-RR	3921 ELLIS AVE SW 35221	LOT 5 BLK 23 PARK PLACE
310	29-04-4-18-22.000-RR	1108 MCMILLON AVE SW 35211	THE W 42-1/2 FT OF THE S 70 F OF LOT 22 BLK 2 WES
312	29-04-4-18-16.000-RR	1136 MCMILLON AVE SW 35211	LOT 15 BLK 2 WEST END LAND & IMPROVEMENT CO
313	29-04-4-18-14.000-RR	825 12TH ST SW 35211	WESTEND LD & IMP CO BLOCK: 2 LOT: 13
314	29-04-4-18-13.000-RR	821 12TH ST SW 35211	S 31.7 OF N 95 FT OF LOTS 13 & 14 & 26 BLK 2 WEST

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321	29-21-2-05-16.000-RR	1656 MATT LEONARD DR 35211	LOT 1 BLK 14 PLAT A ISHKOODA
322	29-01-2-12-10.000-RR	316 14TH ST S 35233	LOT 20 BLK 154 BHAM
325	29-04-2-46-04.003-RR	SIDE IF 7 15TH ST W 35000	LOT 3 DIGIORGIOS RESURVEY PB 209 PG 93
326	29-04-3-19-09.000-RR	1641 WOODLAND AVE SW 35211	N 130 FT OF LOT 11 BLK 44 WEST END LAND & IMP CO
327	22-34-3-18-03.000-RR	715 8TH AVE W 35204	LOT 4 BLK 7 R W OWENS ADD TO BHAM
330	29-16-4-28-07.000-RR	1620 MAPLE AVE SW 35211	LOT 5 BLK 32 PLAT A ISHKOODA SUB
336	22-35-4-16-01.000-RR	1229 1ST AVE S 35203	P O B INTER OF S LY LINE 1ST AVE S & W LY LINE
345	23-21-3-06-17.000-RR	5116 9TH AVE N 35212	W 6-1/2 FT LOT 2 & ALL LOT 3 MAUCLINE SUR BLK 4 FORSYTHE ESTATES
347	29-02-2-26-03.000-RR	331 IOTA AVE 35205	P O B 204 S FT W OF SW INTER IOTA AVE & OMEGA ST TH W 49 S FT ALG IOTA AVE TH S 135 S FT TO ALLEY TH E 48 S FT TH N
348	29-02-3-17-02.000-RR	229 4TH AVE S 35205	LOT 2 BLK 31 WALKER LAND COS ADD TO BHAM
350	29-20-3-14-05.000-RR	2619 FAIRBANKS AVE SW 35211	LOTS 5 & 6 BLK 5 INDUSTRIAL CENTER
351	29-30-1-25-04.000-RR	3236 WILSON RD 35221	LOTS 15 & 16 & 17 BLK 10 TARPLEY 5/74 EXC PART TO H/W
357	13-25-4-05-14.000-RR	1128 DOGWOOD LN 35215	LOT 6 BLK 15 ROEBUCK GARDEN ESTS
362	29-06-3-17-07.000-RR	1415 30TH ST 35218	LOT 4 BLK 4 SO HGHLDS OF ENSLEY
364	30-02-2-02-17.000-RR	620 LEXINGTON ST 35224	LOT 20 BLK 1 OAKMONT SUR
366	29-06-4-16-01.000-RR	3200 AVENUE S 35208	LOT A BLK 2 FIDELITY INV CO RESUR OF PT OF BLKS 1-2 & O
375	30-25-4-06-12.000-RR	804 HAMPTON RD 35221	LOT 19 BLK 7 COLONY ESTATES 1ST SECTOR
386	23-11-3-08-28.000-RR	8156 2ND AVE S 35206	LOT 15 BLK 133 EAST LAKE
388	29-17-4-14-18.002-RR	1713 24TH ST SW 35211	LOTS 70 & 71 NABERS LAND COS 2ND ADD TO COLLEGE PARK 12/91
389	29-17-4-14-18.000-RR	1721 24TH ST SW 35211	LOT 72 NABORS LD COS 2ND ADD TO COLLEGE PARK
393	23-15-3-01-14.000-RR	119 69TH PL N 35206	LOT 2 BLK 2 C J & W R SHARP
394	23-15-3-01-15.000-RR	6912 1ST AVE N 35206	LOT 1 BLK 2 C J & W R SHARP
396	29-29-2-02-01.000-RR	2901 WENONAH DRIVE 35221	LOT 10 BLK 3 WEST GOLDWIRE ESTATES
400	29-19-2-05-09.000-RR	1201 RAYFIELD DR 35228	LOT 12 BLK 9 MIDFIELD PARK 6TH ADD
406	29-06-1-36-04.000-RR	1828 29TH ST 35218	LOT 13 BLK 51 ENSLEY HGLDS
411	29-21-2-07-05.000-RR	1641 MATT LEONARD 1 DR 35211	LOT 14 BLK 9 PLAT A ISHKOODA
412	29-20-1-05-12.000-RR	2125 24TH ST SW 35211	LOT 4 NABORS 1ST ADD TO COLLEGE PARK