**ORDINANCE NO. 2018 - 4973**

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE FROM B-1 TO B-2 CERTAIN PROPERTY LOCATED WITHIN THE CITY LIMITS OF THE CITY OF PELL CITY, ALABAMA**

**WHEREAS,** Vintage Resources Inc., the owner of the hereinafter described real estate situated in Pell City, St. Clair County, Alabama, did file with the Clerk of the City of Pell City, Alabama, a written petition duly signed by Vintage Resources Inc., requesting that said described property located within the corporate limits of the City of Pell City be rezoned from B-1 (Neighborhood Business District) to B-2 (General Business District) under the provisions of section 11-52-70, *et seq*, *Code of Alabama,* 1975, as amended; and

**WHEREAS,** said petition did have attached thereto an accurate description of said territory proposed to be rezoned, together with a map of said property, all as is required under the provisions of said section 11-52-70, *et seq*; and

**WHEREAS,** the City Council of the City of Pell City has heretofore given notice of and convened a public hearing on September 10, 2018 pertaining to said rezoning; and has examined the aforesaid petition and exhibits attached thereto and finds that the said described lands are located within the corporate limits of the City of Pell City.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, as follows:**

**Section 1.** The petition of Vintage Resources Inc., the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from B-1 to B-2 be and the same is hereby approved, to-wit:

A parcel in the Northwest Quarter of the Northwest Quarter of Section 31, Township 16 South, Range 4 East in St. Clair County, Alabama and being more particularly described as follows: Commence at an existing 2 ½” capped pipe at the intersection of the South line of said Quarter-Quarter Section and the West right-of-way of Comer Avenue (60’ right-of-way), thence North 89º 13’ 00” West along the South line of said Quarter-Quarter Section for 50.00 feet to an existing 5/8” rebar at the Point of Beginning. Thence North 89º 29’ 20” West along said South line for 258.32 feet to an existing ¾” pipe, thence North 89º 51’ 20” West along said South line for 54.37 feet to a 5/8” rebar set, thence North 84º 45’ 10” West for 304.83 feet to an existing ¾” pipe, thence North 86º 49’ 05” West for 371.71 feet to a 5/8” rebar set on the East right-of-way of Bunt Drive (30’ right-of-way) thence North 02º 33’ 10” West along said East right-of-way for 262.91 feet to an existing 5/8” rebar, (leaving right-of-way) run North 86º 54’ 35” East for 86.36 feet to an existing ½” rebar, thence North 88º 49’ 55” East for 139.67 feet to an existing 3/8” pipe, thence North 19º 59’ 10” East for 21.25 feet to an existing 1” pipe, thence South 56º 25’ 50” East for 267.16 feet to an existing ½” square rod, thence South 24º 02’ 30” West for 40.88 feet to a 5/8” rebar set, thence South 68º 31’ 30” East for 209.81 feet to an existing ¾” solid iron, thence North 24º 05’ 10” East for 209.97 feet to an existing ½” rebar on the South right-of-way of Dr. John Haynes Drive (80’ right-of-way), thence South 68º 28’ 10” East along said South right-of-way for 182.43 feet to an existing ¾” pipe, thence South 68º 35’ 10” East along said South right-of-way for 243.88 feet to a 5/8” rebar set at the P.C. of a right-of-way curve to the right (Radius = 17.81’, Delta = 109º 03’ 35”, Chord = South 14º 03’ 25” East, 29.01 feet), thence run in a Southeasterly direction along the arc of said curve for 33.91 feet to a 5/8” rebar set on the Northwesterly right-of-way of Comer Avenue, thence South 40º 28’ 20” West along said right-of-way for 64.92 feet to an existing 5/8” rebar, thence (leaving right-of-way) run North 89º 26’ 15” West for 50.00 feet to an existing 5/8” rebar, thence South 40º 42’ 55” West for 50.00 feet to the Point of Beginning. The above containing 5.02 acres.

 **Section 2.** The Zoning District Map of the City of Pell City shall be amended by rezoning the aforesaid described parcel of land from B-1 to B-2.

**Section 3.** This Ordinance shall become effective upon approval, passage and publication as required by law.

 **ADOPTED AND APPROVED** this 24th day of September, 2018.

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James McGowan - Council President

ATTEST:

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Penny Isbell - City Clerk

 **APPROVED** this­­ 24th day of September, 2018.

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William T. Pruitt, IV – Mayor

ATTEST:

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Penny Isbell, City Clerk

I, Penny Isbell, Clerk of the City of Pell City, Alabama, do hereby certify that the above Ordinance was duly adopted by the City Council at a regular meeting of the council held on the 24th day of September, 2018 and that same has been advertised in accordance with law by publication of same in the *St. Clair News Aegis* on the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2018.

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Penny Isbell - City Clerk