

**RESOLUTION NO. 2020 – 5273**

**A RESOLUTION AUTHORIZING THE COMMENCEMENT OF  
CONDEMNATION PROCEEDINGS IN SUPPORT OF THE HARRISBURG AND  
WHITESVILLE GRAVITY SEWER PROJECT IN THE  
CITY OF PELL CITY, ALABAMA**

**WHEREAS**, the City Council of the City of Pell City has determined that it is wise, prudent, and in the best interests of the citizens of Pell City to make certain improvements to the Harrisburg and Whitesville Gravity Sewer to serve the residents in the Fox Hollow Subdivision of Pell City, which improvements are detailed in the plans for the proposed project attached hereto as Exhibit A and incorporated herein by reference (“the Gravity Sewer Improvements”); and,

**WHEREAS**, the Gravity Sewer Improvements will be beneficial to the various households located in the Fox Hollow Subdivision; and,

**WHEREAS**, in order to complete the Gravity Sewer Improvements, the City is required to acquire additional rights-of-way over and along property on Whitesville Road; and,

**WHEREAS**, the City Council has determined that it is wise, prudent, and in the best interests of the citizens of Pell City to authorize the Mayor, the City Manager, and the City Attorney to negotiate with owners of said property on Whitesville Road to acquire the necessary rights-of-way to complete the Gravity Sewer Improvements, or in the alternative, to initiate condemnation proceedings to acquire the necessary rights-of-way to complete the Gravity Sewer Improvements in accordance with the laws of the State of Alabama.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pell City, Alabama, as follows:

1. That the Mayor, the City Manager, and the City Attorney are authorized to negotiate with owners of property on Whitesville Road to acquire the necessary rights-of-way to complete the Gravity Sewer Improvements.
2. That the Mayor, the City Manager, and the City Attorney are authorized to initiate condemnation proceedings in accordance with the laws of the State of Alabama to acquire the necessary rights-of-way to complete the Gravity Sewer Improvements, if such action should become necessary.
3. That any and all actions taken by the Mayor, the City Manager, and the City Attorney, as contemplated by this Resolution, shall be conducted in full compliance with the laws and statutes of the State of Alabama pertaining to the acquisition of property by condemnation by municipalities within the State.

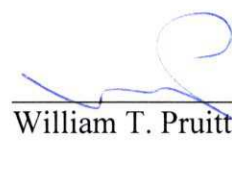
**ADOPTED AND APPROVED** this the 24<sup>th</sup> day of February, 2020.

  
James McGowan - Council President

ATTEST:

  
Penny Isbell - City Clerk

**APPROVED** this 24<sup>th</sup> day of February, 2020.



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William T. Pruitt, IV - Mayor

ATTEST:



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Penny Isbell - City Clerk