

**ORDINANCE NO. 2024 - 6098**

**AN ORDINANCE AMENDING ORDINANCE NO. 79-516 TO REZONE  
FROM B-2 TO R-1 CERTAIN PROPERTY LOCATED AT ON WOLF  
CREEK ROAD NORTH WITHIN THE CITY LIMITS OF THE CITY  
OF PELL CITY, ALABAMA**

**WHEREAS**, Wayne Smith on behalf of Coosa Valley Land Company, 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 Wayne Smith on behalf of Coosa Valley Land Company, requesting that said described property located within the corporate limits of the City of Pell City be rezoned from B-2 (General Business District) to R-1 (Low Density Residential) 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 August 12, 2024 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 Wayne Smith on behalf of Coosa Valley Land Company, the owner of the following described lands situated in the City of Pell City, Alabama, requesting that the same be rezoned from B-2 (General Business District) to R-1 (Low Density Residential) be and the same is hereby approved, to-wit:

ALL THAT PART OF THE SE ¼ OF SW ¼ LYING N AND W OF WOLF CREEK  
ROAD NORTH IN SECTION 26, TOWNSHIP 16 SOUTH, RANGE 3 EAST, ST  
CLAIR COUNTY ALABAMA

This description has been prepared without the benefit of a survey and is intended to describe all of the property located on Wolf Creek Road North (Parcel ID: 23-07-26-0-001-049.001).

**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-2 to R-1.

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

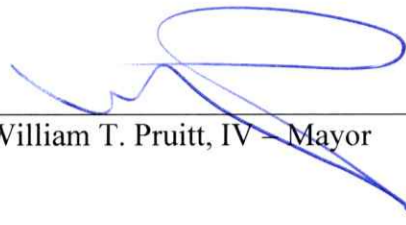
**ADOPTED AND APPROVED** this 12<sup>th</sup> day of August 2024.

  
\_\_\_\_\_  
W. Judge Alverson, Council President

ATTEST:

  
\_\_\_\_\_  
Sheree D. Pruitt - City Clerk

**APPROVED** this 27<sup>th</sup> day of March 2023.



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William T. Pruitt, IV - Mayor

ATTEST:



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Sheree D. Pruitt, City Clerk

**CERTIFICATION**

I, Sheree D. Pruitt, Clerk of the City of Pell City, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Pell City at a regular meeting held on the 12<sup>th</sup> day of August, 2024, and that the same has been published by posting in accordance with §11-45-8, Ala. Code 1975, by posting a copy of the Ordinance in three public places within the municipality, one of which was the Mayor's office in the City, on this the 13<sup>th</sup> day of August 2024. I further certify and confirm that the City shall take reasonable steps to maintain the posting for not less than 30 days. In addition, the City shall include a copy of this Ordinance on its website for 30 days.



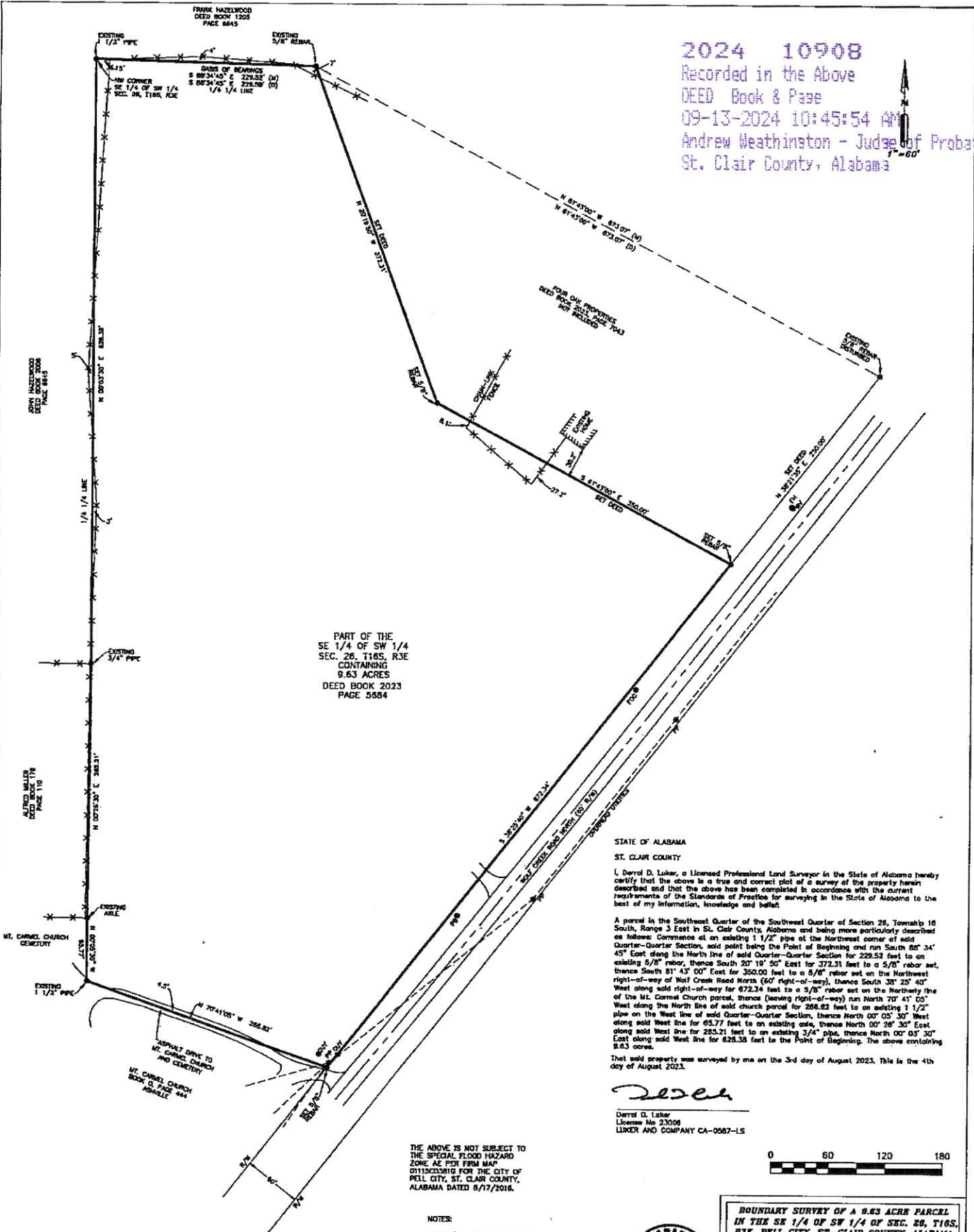
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City Clerk

Book/Pgs: 2024/10906  
Term/Cashier: S PROB-21-10713 / nkay  
Tran: 16187.389828.533399  
Fees Posted: 09-13-2024 10:46:21

CER Certification Fee	3.00
MHF Mental Health Fee	6.50
PJF Special Index Fee	5.50
REC Recording Fee	9.00
Total Fees:	\$ 24.00

2024 10908  
 Recorded in the Above  
 DEED Book & Page  
 09-13-2024 10:45:54 AM  
 Andrew Weathinston - Judge of Probate  
 St. Clair County, Alabama



PART OF THE  
 SE 1/4 OF SW 1/4  
 SEC. 26, T18S, R3E  
 CONTAINING  
 9.63 ACRES  
 DEED BOOK 2023  
 PAGE 5584

STATE OF ALABAMA  
 ST. CLAIR COUNTY

I, Derrol D. Luker, a licensed Professional Land Surveyor in the State of Alabama hereby certify that the above is a true and correct plot of a survey of the property herein described and that the above has been completed in accordance with the current requirements of the Standards of Practice for surveying in the State of Alabama to the best of my information, knowledge and belief.

A parcel in the Southwest Quarter of the Southwest Quarter of Section 26, Township 18 South, Range 3 East in St. Clair County, Alabama and being more particularly described as follows: Commence at an existing 1 1/2\"/>

That said property was surveyed by me on the 3rd day of August 2023. This is the 4th day of August 2023.

*Derrol D. Luker*  
 Derrol D. Luker  
 License No 23008  
 LUKER AND COMPANY CA-0567-LS

THE ABOVE IS NOT SUBJECT TO THE SPECIAL FLOOD HAZARD ZONE AC PER FIRM MAP 01150003016 FOR THE CITY OF PELL CITY, ST. CLAIR COUNTY, ALABAMA DATED 8/17/2016.

- NOTES:
1. R/W = RIGHT-OF-WAY
  2. (M) = MEASURED
  3. (D) = DEED
  4. WM = WATER METER
  5. PB = PHONE JUNCTION BOX
  6. PP = POWER POLE
  7. AC = AIR CONDITIONER
  8. FOC = FIBER OPTIC CABLE MARKER
  9. FH = FIRE HYDRANT
  10. WV = WATER VALVE

SOUTH LINE OF SUBJECT PARCEL BASED ON A 1922 SURVEY BY HAROLD SMITHSON AND A 1981 SURVEY BY DERROL D. LUKER OF MT. CARMEL CHURCH AND CEMETERY.



BOUNDARY SURVEY OF A 9.63 ACRE PARCEL IN THE SE 1/4 OF SW 1/4 OF SEC. 26, T18S, R3E, PELL CITY, ST. CLAIR COUNTY, ALABAMA		
DRAWN	DATE	LUKER AND COMPANY LAND SURVEYING
	8/4/2023	DERROL D. LUKER
REVISIONS		P.O. BOX 305 PELL CITY, AL 35125 (205) 338-2483
SCALE	lukerandco@gmail.com	
1"=60'		