

ORDINANCE NO. 1965

AN ORDINANCE DECLARING AND DEEMING CERTAIN MUNICIPAL PROPERTY SURPLUS AND NOT NEEDED FOR PUBLIC PURPOSES AND AUTHORIZING THE CONVEYANCE THEREOF TO THE TALLADEGA REDEVELOPMENT AUTHORITY.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF TALLADEGA, ALABAMA, AS FOLLOWS:

SECTION I: That pursuant to the statutory authorization and requirements of Ala. Code 1975 §11-47-21, as amended, the following described real property, which is owned by the City of Talladega, Alabama, is deemed not needed or required for any public or municipal functions or purposes and is declared surplus;

SECTION II: That The Talladega Redevelopment Authority was formed for the public purpose to revitalize and redevelop any business district within the project development area of the City;

SECTION III: That the properties to be vacated are located within the project development area of The Talladega Redevelopment Authority and the City will be better served by vacating and conveying the properties to The Talladega Redevelopment Authority for the purpose of revitalizing and redeveloping the downtown business district;

SECTION IV: That the following described properties are declared vacated and no longer needed for municipal purposes, to wit:

Tract I (Woodard Bldg.)

A lot or parcel of land, with the building located thereon, in the City of Talladega, Alabama, facing on the North side of the Public Square 22 feet East of the Northeast intersection of Court Street and North Street and running thence East along the North side of North Street a distance of 66 feet to the property conveyed by Annie L. Johnson to Martin Theaters by deed recorded in the office of the Judge of Probate of Talladega County, Alabama in Deed Records Volume 109 at page 323; thence North along the line of said Martin Theater's property to an alley; thence West along the South side of said alley a distance of 66 feet to a point 22 feet East of Court Street; thence South to the **POINT OF BEGINNING**, said property being bounded on the South by the Public Square, on the East by the property heretofore known as Martin Theater's property, on the North by an alley and on the West by property known as the Nance Building, formerly owned by Nina B. O'Donovan, the property herein conveyed occupied by Kenwin Shop and

Fairway TV Rental, as tenants, on June 22, 1984, being the date of that deed from Marion D. Deese to Jimmy E. Woodard and wife Geraldine S. Woodard.

There is also hereby conveyed all rights owned by Grantor as an incident to the title to the property in deeds recorded in the office of the Judge of Probate of Talladega County, Alabama, in Deed Book 95 at page 179, Deed Book 113 at page 243; and Deed Book 109 at page 419; but subject to all rights in and to the hereinabove described property owned by owners of property to the East and West of the hereinabove described property, either by reservation or conveyances in said three deeds immediately hereinabove specifically referred to. Said property is also conveyed subject to rights of adjoining property owners in and to the walls of the buildings located upon the hereinabove described property.

Tract II (AJ's Bldg.)

The building and lot fronting on the West side of the Courthouse Square in the City of Talladega, Alabama, formerly known as the F.W. Woolworth building, which is bounded on the East by Court Street, on the South by building formerly known as the Stone Drug Company, on the West by an alley, and on the North by property formerly occupied by F.J. Elmore Store and is formerly owned by Tom Richardson. Said property herein conveyed is 61 feet by 100 feet and is the same property inherited under the will of John W. Coleman filed for probate in the Probate Office of Talladega County, Alabama.

The address of the property is 113 West Court Street, Talladega, AL 35160.

Tract III (Hubbard-Knight Bldg.)

That certain lot in the City of Talladega, Alabama, with buildings located thereon, which is bounded on the South by the North line of Battle Street; on the West by the East line of East Street; on the North by property previously owned by Maria Whitson, Carson's Whitson, Sarah T. Whitson, James Pinckney Whitson, Mrs. Pinckney W. Ellis, June Rice Woodward and Emery Woodward and previously occupied by Wright Drug Company; and on the East by an alley, said lot fronting 44 feet, more or less, on the east side of East Street and extending in depth 120 feet, more or less, to said alley on the East; being the lot on which is located two brick store buildings previously occupied by Monroe Brothers grocery store and Ponder Hardware Company; together with all right, title and interest of every kind and nature and to all whatever extent owned by parties hereto in and to the North Wall of the buildings located upon said property, saving and excepting however an undivided one half interest in the North Wall of said brick store building which is owned by the owners of the property abutting said lot on the North. This deed also conveys any and all interest in the alley behind the said building and in the sidewalk immediately south of the said building. It is the intention of the parties hereto to describe and convey herein that certain property, together with all rights, tenements, hereditaments and appurtenances thereunto belonging which was described in that certain deed from M. L. McMillan et al., to J. H. Hicks, which deed is dated May 27, 1914 and recorded in the Office of the Judge of Probate of Talladega County, Alabama in Deed Book 71, page 223.

The address of property is: 126 Court Square East, Talladega, AL 35160.

Tract IV Parcel 1 (Old City Hall Bldg.)

A lot fronting 28.5 feet on Battle Street in the Town of Talladega, Talladega County, Alabama, said lot being described as follows:

From the point of intersection of the North boundary of Battle Street with the West boundary of Court Street proceed West along the South boundary of said Battle Street a distance of 190.2 feet to the point of

beginning of herein described Parcel No. 1; thence continue West along the South boundary of said Battle Street a distance of 28.5 feet; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed South a distance of 90.42 feet; thence turn an angle of 89 degrees 41 minutes 12 seconds left and proceed East a distance of 28.5 feet; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed North a distance of 90.42 feet to the point of beginning of herein described lot.

And also an interest in and to the East wall of the buildings situated on Parcel No. 1 of the lot hereinabove described, whether such wall is situated on the lot hereinabove described, or wholly or partly on the adjoining lot.

The above-described Lot or Parcel No.1 being subject to an easement of a stairway at the Northwest corner of the said Parcel No.1 for access to the second floor of the building located on Parcel No.2, as hereinafter described:

From the intersection of the West boundary of Court Street with the South boundary of Battle Street proceed West along the South boundary of Battle Street a distance of 211.5 feet to the point of beginning of herein described stairway easement; thence proceed South along the East wall of said existing stairway a distance of 30.55 feet to the South end of the landing or wall of said stairway; thence proceed West along the South wall of said stairway a distance of 7.8 feet; thence proceed North 6.2 feet; thence proceed East 1.0 feet; thence proceed North along the West wall of said existing stairway a distance of 24.35 feet, or to the south right-of-way boundary of Battle Street; thence proceed East along the south boundary of said Battle Street a distance of 6.8 feet to the point of beginning of herein described easement.

Subject to any party wall rights on the East side and West side of the buildings located on the property above described.

And also, an easement for ingress and egress over and across the following described property from Short Street to that Parcel No.1 shown on the attached plat, the said easement being more particularly described as follows:

From the intersection of the West boundary of Court Street with the South boundary of Battle Street proceed West along the South boundary of Battle Street a distance of 190.2 feet to a point; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed South for a distance of 90.42 feet to a point, the said point being the point of beginning of the easement herein described; thence turn an angle of 90 degrees 18 minutes 48 seconds to the right and proceed along the South boundary of that Parcel No. 1 as shown on the attached plat 15 feet to a point; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed South along the line 15 feet West of and Parallel to an extension of a prolongation of a line from the point of beginning to Short Street 43.58. feet, more or less, to a point on the north line of Short Street; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed East a distance of 15 feet to a point, the said point being the point of intersection of the North line of Short Street and the prolongation of a line extended in a Southerly direction from the point of beginning to Short Street.; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed North to the point of beginning along a line that is a prolongation in a southerly direction from the point of beginning to Short Street, the said easement described herein being represented by that cross-hatched area on Parcel No.3 as shown on the plat of Billy R. Martin, the same being located upon and being an encumbrance upon Parcel No .3.

The above-described Parcel No.1 being the same property and contained within that property described by that certain deed of record in the office of the Judge of Probate of Talladega County, Alabama, recorded in Deed Book 333 at page 389.

Parcel No. 1 hereinabove is subject to an. easement for ingress and egress over and across the following described property from Short Street to the rear door of that Parcel No. 2 shown on the attached plat, the same easement being more particularly described as follows:

From the intersection of the West boundary of Court Street with the South boundary of Battle Street proceed west along the South boundary of Battle Street a distance of 190.2 feet to a point; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed south along the east line of that lot shown on the attached plat as Parcel No.1 to the Southeast corner of the building located on said Parcel No.1, the said point being the point of beginning of the easement herein described; thence turn an angle of 90 degrees 18 minutes 48 seconds right and proceed along the South boundary of said building approximately 21 feet to a point; thence turn an angle of 89 degrees 41 minutes 12 seconds right and proceed North a distance of approximately 80 feet, more or less to a point; thence turn an angle of 89 degrees 41 minutes 12 seconds left and proceed west approximately 18 feet, more or less, to a point, the said point being on the East line of the property first hereinabove described; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed South along the East line of the property first hereinabove described approximately 17-1/2 feet to a point; thence turn an angle of 89 degrees 41 minutes 12 seconds left and proceed East approximately a distance of 13-1/2 feet, more or less, to a point; the said point being 15 feet west of a prolongation in a southerly direction of the extension of a line from the point of beginning to Short Street; thence turn an angle of 89 degrees 41 minutes 12 seconds right and proceed South along a line 15 feet West of and parallel to an extension of a prolongation of a line from the point of beginning to Short Street 43.58 feet, more or less, to a point on the North line of Short Street; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed East a distance of 15 feet to a point, the said point being the point of intersection of the north line of Short Street and the prolongation of a line extended in a southerly direction from the point of beginning to Short Street; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed north to the point of beginning along a line that is a prolongation in a southerly direction from the point of beginning to Short Street, the said easement described herein being represented by that crosshatched area as shown on the plat of Billy R. Martin, the same being located upon and being an encumbrance upon Parcel No. 1 and Parcel No. 3 as shown on the attached exhibit.

The address of Parcel 1 is: 218 W. Battle St., Talladega, AL 35160

Tract IV Parcel 2 (Old City Hall Bldg.)

A lot fronting 21 feet on Battle Street in the town of Talladega, Talladega County, Alabama and being more particularly described as follows: from a point of intersection on the West boundary of Court Street with the South boundary of Battle Street proceed West along the South boundary of said Battle Street a distance of 218.7 feet to the point of beginning of herein described parcel; thence continue along said course (S. Boundary Battle St.) a distance of 21.0 feet; thence turn 90 degrees 18 minutes 48 seconds left and proceed South a distance of 90.42 feet; thence turn 89 degrees 41 minutes 12 seconds left and proceed East a distance of 21.0 feet; thence turn an angle of 90 degrees 18 minutes 48 seconds left and proceed North a distance of 90.42 feet to the point of beginning of herein described parcel.

ALSO, an easement for the use of an existing stairway for access to the second floor of the building located on Parcel No. 2, said stairway easement being more particularly described as follows; From the intersection of the West boundary of Court Street with the South boundary of Battle Street proceed west along the south boundary of Battle Street a distance of 211.5 feet to the point of beginning of herein described stairway easement; thence proceed south along the east wall of said existing stairway a distance of 30.55 feet to the south end of the landing or wall of said stairway; thence proceed west along the south wall of said stairway a distance of 7.8 feet; thence proceed North 6.2 feet; thence proceed East 1.0 feet;

thence proceed North along the West wall of said existing stairway a distance of 24.35 feet,, or to the south right-of-way boundary of Battle Street; thence proceed East along the south Boundary of said Battle Street a distance of 6.8 feet to the point of beginning of herein described easement.

The address of Parcel 2 is: 222 W. Battle St., Talladega, AL 35160.

SECTION V: That a part of Tract I (Woodward Bldg.) 121 N. Court Square is subject to a lease with Tina Turner d.b.a. T.B. Turner Interior Design dated August 26, 2025; and that lease will be assigned to The Talladega Redevelopment Authority.

SECTION VI: That upon adoption of this Ordinance the City Manager is hereby, authorized and directed to execute and deliver a deed of conveyance, attested by the City Clerk, as a donation from the City of Talladega to The Talladega Redevelopment Authority; and the City Manager is hereby authorized and directed to execute and deliver an assignment of that Commercial Lease with Tina Turner d.b.a. T.B. Turner Interior Design dated August 26, 2025 for 121 N. Court Square, attested by the City Clerk, to The Talladega Redevelopment Authority

SECTION VII: This ordinance shall take effect immediately upon its passage and publication as provided by law.

Council President Sims
Councilman Steve Dickerson
Council Member Vickey R. Hall
Council Member Betty C. Spratlin
Councilman Shane Denney
Interim City Manager Danny Warwick

Attest: Joanna Medlen, City Clerk