

ORDINANCE NO. 2010-03-01-01

**ORDINANCE AMENDING ZONING TO CERTAIN PROPERTY IN THE CITY LIMITS
OF ASHLAND, ALABAMA**

Whereas, on the 7th day of December 2009, Jimmy Odum, being the property owner of all of the following described real property located on Alabama Highway 77 North, Ashland, Alabama, to-wit:

A lot or parcel of land in the Town of Ashland, Alabama, more particularly described as follows: Beginning at the southwest corner of Walt Benson's Lot on the north side of the Ashland-Talladega Highway, thence north 210 feet along the said Walt Benson Lot thence in a straight line 145 feet, more or less, west of the branch, thence in a southwesterly direction along said branch 282 feet, more or less, to the Ashland-Talladega Highway at a point of the intersection of said branch with said Highway, said branch being the line on this side, thence in a easterly direction along said Ashland-Talladega Highway 273 feet, more or less, to the point of beginning, situated in Clay County, Alabama.

LESS AND EXCEPT: A lot or parcel of land in the Town of Ashland, Alabama, more particularly described as follows: Beginning at a point on the north side of Alabama Highway 77, also called Ashland-Talladega Highway, on the east side of a branch at the southwest corner of the real estate of said Lodge, and at a corner of the lands of K.V. Chappell, thence east along the north line of said Highway 171 feet to an iron stake, thence north 239 feet along other lands of said Lodge to an iron stake on the line of lands of B.W. Collier, thence west along the line of land of said B.W. Collier 43 feet to the above named ditch and at the line of lands of K.V. Chappell, thence in a slightly southwesterly direction along said ditch, and the line of lands of said K.V. Chappell, 282 feet to the point of beginning, situated in Clay County, Alabama.

PRIOR DEED REFERENCE: Deed Book 25 at Page 400

LESS AND EXCEPT: Commencing at the northwest corner of the SW 1/4 of NE 1/4, Section 19, Township 20 South, Range 8 East; thence southerly along the west line of said SW 1/4 of NE 1/4 a distance of 970 feet, more or less, to a point that is 70 feet northerly of and at right angles to the centerline of Project No. S-1407 (103); thence easterly along a curve to the right (concave southerly) having a radius of 22,988.31 feet parallel to the centerline of said project a distance of 83 feet, more or less, to a point that is 70 feet northerly of and at right angles to the centerline of said project at Station 79+40.39 said point also being 70 feet northerly of and at right angles to the centerline of Alabama Highway No. 77 at Station 94+47.05; thence S 88 Degrees 24 minutes 53 seconds East, parallel to the centerline of said highway a distance of 171 feet, more or less, to the west line of the property herein to be conveyed and the point of beginning; thence continue S 88 degrees 24 minutes 53 seconds East, parallel to the centerline of said highway a distance of 100 feet, more or less, to the east property line; thence southerly along said east property line a distance of 36 feet, more or less, to the present north right of way line of said highway; thence westerly along said present north right of way property line a distance of 100 feet, more or less, to the west property line; thence northerly along said west property line a distance of 36 feet, more or less, to the point of beginning.

PRIOR DEED REFERENCE: Deed Book 62 at Page 89

Whereas, said Petitioner did submit an application for rezoning with the Industrial Development Authority of the City of Ashland on December 7, 2009. This application contained a reason for request, site plan, tax map of property, filing fee and addresses for each property owner adjacent to the property under discussion.

Whereas, the Industrial Development Authority of the City of Ashland did meet

with said Petitioner(s) on January 28, 2010. After discussion, the Authority deemed it feasible to hold a Public Hearing on said request.

Whereas, the Industrial Development Authority of the City of Ashland held a Public Hearing on said rezoning on February 15, 2010 at 3:30 P.M. in the Ashland City Hall auditorium and upon a unanimous vote submitted a recommendation to the Ashland City Council that the above-mentioned property be rezoned from R-MH District to B-1 District

Whereas, whenever the public necessity, convenience, general welfare or good zoning practices warrants such action, the City Council, by favorable of a majority of the members, may amend the regulation or zoning district boundaries.

Whereas, at a regular meeting held on March 1, 2010, the Ashland City Council being the governing body of the city, did determine that it is in the public's interest that said recommendation of the Ashland Zoning Board be accepted. Upon roll call vote Ordinance No. 2010-03-01-01 was considered at its first reading. Upon unanimous vote the Council elected to rezone the above-mentioned property from R-MH District to B-1 District.

Now, Therefore, Be It Ordained that Ordinance No. 2010-03-01-01 was approved and adopted on this the 1st day of March 2010, amending the zoning regulations of the above-mentioned property from R-MH District to B-1 District.

Mayor

Attest:_____