

**ORDINANCE NO. 2010-08-16-01**

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

Whereas, on the 6<sup>th</sup> day of July 2010, Cheaha Regional Mental Health Center, being the property owner(s) of all the following described real property located on Patty Lane, Ashland, Alabama, to-wit:

Commencing at a railroad spike in the center of a paved public road accepted as the SE corner of Section 24, Township 20 South, Range 07 East, Huntsville Meridian, Clay County, Alabama; thence North 00 degrees 05 minutes 27 seconds West a distance of 1506.35 feet to an iron pin set on the West right-of way line of a paved public road known as Patty Lane and the NE corner of the parcel and The Point of Beginning; thence South 87 degrees 33 minutes 07 seconds West a distance of 2304.19 feet to an iron pin set under an existing and long standing property line fence and the NW parcel corner; thence along said long standing property line fence according to the following courses: thence South 17 degrees 07 minutes 39 seconds West a distance of 553.55 feet to a point; thence South 82 degrees 59 minutes 54 seconds West a distance of 189.52 feet to a point; thence South 01 degrees 42 minutes 00 seconds East a distance of 267.60 feet to a point and the SW parcel corner; thence North 89 degrees 16 minutes 03 seconds East continuing along said fence a distance of 2569.89 feet to a point and the SE parcel corner; thence North 00 degrees 08 minutes 24 seconds East a distance of 398.54 feet to a point; thence South 85 degrees 14 minutes 06 seconds East a distance of 84.59 feet to a point on the West Right-of-Way line of previously mentioned paved public road; Thence North 01 degrees 07 minutes 24 seconds West a distance of 493.74 feet along said Right-of-Way line to the Point of Beginning; Containing 47.52 acres and lying in the SE 1/4 of Section 24 as referenced above.

Whereas, said Petitioner did submit an application for rezoning with the Industrial Development Authority of the City of Ashland on July 6, 2010. 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 on July 22, 2010 at 3:00 P.M. in the Ashland City Hall Auditorium. 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 August 12, 2010 at 3:00 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-1 District to R-2 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 regularly scheduled council meeting on August 16, 2010, proposed Ordinance No. 2010-08-16-01 was presented for a first reading and was placed on the upcoming council agenda for September 7, 2010.

Whereas, at a regularly scheduled council meeting held on September 7, 2010, the Ashland City Council being the governing body of the city, did determine that it is the public's interest that said recommendation of the Industrial Development Authority of the City of Ashland be accepted. Upon roll call vote Ordinance No. 2010-08-16-01 was unanimously approved to rezone the above-mentioned property from R-1 District to R-2 District.

Now, Therefore, Be It Ordained that Ordinance No. 2010-08-16-01 was approved and adopted on this the 7<sup>th</sup> day of September 2010, amending the zoning regulations of the above-mentioned property from R-1 District to R-2 District.

\_\_\_\_\_  
Mayor

Attest: \_\_\_\_\_