

Council Member _____ introduced the following Resolution, which was seconded by Council Member _____.



RESOLUTION 042224-C

A RESOLUTION APPROVING A PETITION FOR AUTHORITY TO INCORPORATE AN IMPROVEMENT DISTRICT IN THE CITY OF ALABASTER, ALABAMA UNDER THE PROVISIONS OF CHAPTER 99A OF TITLE 11 OF THE CODE OF ALABAMA 1975, AS AMENDED, AND AUTHORIZING THE PERSONS FILING SAID PETITION TO PROCEED TO FORM SUCH PUBLIC CORPORATION

Whereas, a petition was filed with the City Council (the “Council”) of the City of Alabaster (the “City”) requesting authority to incorporate and organize a public corporation to be known as “District 31 Improvement District” (the “District”) under the provisions of Chapter 99A of Title 11 of the Code of Alabama 1975, as amended (the “Act”), which Petition is attached as Exhibit A hereto (the “Petition”); and

Whereas, the Petition provides that it was signed by the owners of all of the land proposed to be included within the District (all such owners, the “Petitioners”), and was submitted to the Council by Keith Owens, Brad Price, and Gary Parkes (collectively, the “Agents”), who in the Petition are described as having been designated to act as agents in representing the Petitioners before the City; and

Whereas, the Petition provides that it was signed by the owners of the land proposed to be included within the District, and the Agents submitted to the City along with the Petition a certification, dated April __, 2024 (the “Ownership Certificate”), from Michael T. Atchison, Esquire, in his capacity as title attorney, certifying that the Petitioners are the sole owners of all land requested in the Petition to be included within the District; and, further, based upon such information and the City’s review of the Petition the City confirms that the Petitioners own all of the land proposed to be included within the District; and

Whereas, in the Petition the Council is asked to appoint Keith Owens, Brad Price, and Gary Parkes to the District’s initial Board of Directors.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL, as follows, based upon the Ownership Certificate,

Section 1. That it is expedient that the District be formed.

Section 2. That the Petitioners are authorized by the Council to proceed to form the District by filing for record articles of incorporation in accordance with the provisions of Section 11-99A-4 of the Act and to attach thereto a copy of this resolution.

Section 3. That the Council hereby appoints the following three persons as the initial Board of Directors of the District to serve immediately upon the filing for record the certification of incorporation for the District, as follows:

Name	End of Term of Office
Keith Owens	April 22, 2030
Brad Price	April 22, 2029
Gary Parkes	April 22, 2028

Section 4. All appointments made by this Resolution are subject to the terms and conditions contained in the Act.

	Y / N		Y / N
Sophie Martin	_____	Jamie Cole	_____
Rick Ellis	_____	Zach Zahariadis	_____
Stacy Rakestraw	_____	Kerri Pate	_____
Greg Farrell	_____		

PASSED, ADOPTED, AND APPROVED THIS 22ND DAY OF APRIL 2024.

ATTEST:

CITY OF ALABASTER

J. Mark Frey, City Clerk

Sophie Martin, Council President

APPROVED

Scott Brakefield, Mayor

APPENDIX I
FORM OF DEVELOPMENT AGREEMENT

APPENDIX II
FORM OF LIMITED OBLIGATION WARRANT