

RESOLUTION NO. 2022-1714

AUTHORIZING ACQUISITION AND TRANSFER OF PROPERTY FOR PUBLIC ROAD PURPOSES

WHEREAS, the Mayor and City Council of the City of Boaz have become aware that portions of a public road, to wit, Fuller Road, are not physically located in the platted road; and

WHEREAS, the adjoining landowners and the Mayor and City Council of the City of Boaz wish to deed amongst themselves various small portions of real property so as to insure that the physical location of the road and the platted road are consistent; and

WHEREAS the adjacent property owners have executed deeds to effectuate this purpose with various tracts being received by the City of Boaz and various tracts being transferred to the City of Boaz as set forth on the survey dated March 18, 2022 attached hereto and incorporated herein by reference; and

WHEREAS, the Mayor and City Council for the City of Boaz, for the public purposes of correcting Fuller Road which is a platted public road so as to match the physical location of said road, wish to accept certain deeds from the adjacent landowners and to deed and transfer certain property to the adjoining landowners to accomplish this purpose.

THEREFORE, NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Boaz, Alabama as follows:

1. Public Purpose. That the herein described property being transferred is not needed for public or municipal purposes. The property herein described being received is needed for public municipal purposes.

2. Transferred Property. The interest of the City of Boaz, Alabama in and to the hereinafter described real property shall be transferred as follows and that the Mayor, is hereby authorized to execute and deliver the deed of the City conveying all of the City's right, title and interest in and to said property:

Tract 2 From Boaz to Patel

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office and run South $00^{\circ}23'12''$ East along the West line of said Lot 4 for a distance of 230.45 feet to the Southwest corner of Lot 4; thence run North $50^{\circ}26'26''$ East along the chord of a curve to the left having a radius = 107.40 feet and a delta = $14^{\circ}31'59''$ for a distance of 27.24 feet measured along the arc of said curve to the point of beginning. From said point of beginning run North $67^{\circ}25'50''$ East along a curve to the right having a radius = 174.98 feet a delta = $47^{\circ}51'55''$ for a distance of 146.18 feet measured along the arc of said curve; thence run North $87^{\circ}11'50''$ East and along a curve to the left having a radius = 132.40 feet, and a delta = $08^{\circ}19'56''$ for a distance of 19.25 feet measured along the arc of said curve; thence run South $70^{\circ}05'21''$ West for a distance of 133.70 feet; thence run South $68^{\circ}05'16''$ West and along a curve to the left having a radius = 379.64 feet, a delta = $04^{\circ}00'11''$, for a distance of 26.52 feet measured along the arc of said curve to the point of beginning.

Said parcel of land being a portion of the platted right-of-way for Fuller Road, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, in the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.042 acres (1828 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

Tract 6 From Boaz to Brennan King

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South $00^{\circ}23'12''$ East for a distance of 251.08 feet; thence run South $17^{\circ}47'43''$ East for a distance of 31.78 feet to the point of beginning. From said point of beginning continue South $17^{\circ}47'43''$ East for a distance of 10.67 feet; thence run North $56^{\circ}19'25''$ East and along a curve to the left having a radius = 167.40 feet, a delta = $17^{\circ}32'48''$ for a distance of 51.27 feet measured along the arc of said curve; thence run South $65^{\circ}29'59''$ West and along a curve to the left having a radius = 319.64 and a delta = $04^{\circ}56'06''$ for a distance of 27.53 feet measured along the arc of said curve; thence run South $71^{\circ}57'30''$ West along the chord of a curve to the right having a radius = 70.19 feet, a delta = $17^{\circ}51'09''$ for a distance of 21.87 feet measured along the arc of said curve to the point of beginning.

Said parcel of land being a portion of the platted right-of-way for Fuller Road, Fuller Estates, Phase One, as recorded in Plat Book 7, Page 277, in the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.007

acres (288 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

3. Property Received. The interest of the following landowners in and to the hereinafter described property shall be received by the City of Boaz and that the Mayor is hereby authorized to execute and deliver any document receiving the right, title and interest in and to said property:

Tract 1- From Patel to Boaz

City of Boaz
Marshall County, Alabama

Commence at the Northeast corner of Lot 6, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South $09^{\circ}15'23''$ East along the western right-of-way line of Fuller Road, for a distance of 179.23 feet to the point of beginning. From said point of beginning continue South $09^{\circ}15'23''$ East for a distance of 7.73 feet; thence run South $15^{\circ}41'07''$ West along a curve to the right having a radius = 70.00 feet; a delta = $49^{\circ}53'01''$ for a distance of 60.94 feet measured along the arc of said curve; thence run South $40^{\circ}37'38''$ West for a distance of 114.67 feet, thence run South $53^{\circ}34'24''$ West along the chord of a curve to the right having a radius = 220.00 feet, a delta = $25^{\circ}53'33''$ for a distance of 99.42 feet measured along the arc of said curve; thence run South $74^{\circ}46'31''$ West along the chord of a curve to the right having a radius = 132.40 feet, a delta = $16^{\circ}30'41''$ for a distance of 38.16 feet measured along the arc of said curve; thence run North $70^{\circ}05'21''$ East for a distance of 39.90 feet; thence run North $55^{\circ}04'57''$ East and continue along a curve to the left having a radius = 45.00 feet, a delta = $30^{\circ}00'48''$ for a distance of 23.57 feet measured along the arc of said curve; thence run North $40^{\circ}04'33''$ East a distance of 205.30 feet; thence run North $24^{\circ}45'10''$ East and along a curve to the left having a radius = 75.00 feet, a delta = $30^{\circ}38'45''$ for a distance of 40.12 feet measured along the arc of said curve to the point of beginning.

Said parcel of land being a portion of Lots 4 & 5, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County lying and being in the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.096 acres (4,174 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

Tract 3 From Patel to Boaz

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South $00^{\circ}23'12''$ East for a distance of 222.92 feet to the point of beginning. From said point of beginning run South $00^{\circ}23'12''$ East for a distance of 7.53 feet; thence run North $50^{\circ}26'26''$ East along the chord of a curve to the left having a radius = 107.40 feet, a delta = $14^{\circ}31'59''$ for a distance of 27.24 feet measured along the arc of said curve; thence run South $64^{\circ}33'33''$ West along the chord of a curve to the left having a radius = 379.64 feet; a delta = $03^{\circ}03'15''$ for a distance of 20.24 feet measured along the arc of said curve; thence run South $73^{\circ}05'55''$ West along a chord of a curve to the right having a radius = 10.19 feet; a delta = $20^{\circ}07'58''$ a distance of 3.58 feet to the point of beginning.

Said parcel of land being a portion of Lot 4 lying in the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.002 acres (88 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

Tract 4 From Billy and Wanda King to Boaz

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South $00^{\circ}23'12''$ East for a distance of 251.08 feet; thence run South $17^{\circ}47'43''$ East for a distance of 31.78 feet; thence run North $71^{\circ}57'30''$ East along the chord of a curve to the left having a radius = 70.19 feet, a delta = $17^{\circ}51'09''$ for a distance of 21.87 feet measured along the arc of said curve; thence run North $65^{\circ}29'59''$ East along the chord of a curve to the right having a radius = 319.64 feet; a delta = $04^{\circ}56'06''$ for a distance of 27.53 feet measured along the arc of said curve; thence run North $69^{\circ}01'42''$ East along a curve to the right having a radius = 319.64 feet, delta = $02^{\circ}07'20''$ for a distance of 11.84 feet measured along the arc of said curve; thence run North $70^{\circ}05'21''$ East a distance of 42.16 feet; to the point of beginning. From said point of beginning continue North $70^{\circ}05'21''$ East a distance of 85.37 feet; thence run South $86^{\circ}05'26''$ West along a curve to the right having a radius = 192.40 feet, a delta = $10^{\circ}32'43''$ for a distance of 35.41 feet measured along the arc of said curve; thence run South $79^{\circ}49'32''$ West along a curve to the left having a

radius = 114.98, a delta = 23°04'31" for a distance of 46.31 feet measured along the arc of said curve; thence run South 00°52'05" East a distance of 18.54 feet to the point of beginning.

Said parcel of land being a portion of the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.020 acres (889 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

Tract 5 From Brennan King to Boaz

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South 00°23'12" East for a distance of 251.08 feet; thence run South 17°47'43" East for a distance of 31.78 feet; thence run North 71°57'30" East along the chord of a curve to the left having a radius = 70.19 feet, a delta = 17°51'09" for a distance of 21.87 feet measured along the arc of said curve; thence run North 65°29'59" East along the chord of a curve to the right having a radius = 319.64 feet; a delta = 04°56'06" for a distance of 27.53 feet measured along the arc of said curve to the point of beginning. From said point of beginning run North 69°01'42" East along a curve to the right having a radius = 319.64 feet, delta = 02°07'20" for a distance of 11.84 feet measured along the arc of said curve; thence run North 70°05'21" East a distance of 42.16 feet; thence run North 00°52'05" West a distance of 18.54 feet; thence run South 55°43'52" West along the chord of a curve to the left having a radius = 114.98 feet; a delta = 25°06'50" for a distance of 50.40 feet measured along the arc of said curve; thence run South 45°21'44" West along the chord of a curve to the right having a radius = 167.40 feet; a delta = 04°22'35" for a distance of 12.79 feet measured along the arc of said curve to the point of beginning.

Said parcel of land being a portion of the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.014 acres (616 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

Tract 7 From Brennan King to Boaz

City of Boaz
Marshall County, Alabama

Commence at the Northwest corner of Lot 4, Fuller Estates, Phase One as recorded in Plat Book 7, Page 277, Marshall County Probate Office, and run South 00°23'12" East for a distance of 251.08 feet to the point of beginning. From said point of beginning continue South 00°23'12" East for a distance of 31.13 feet; thence run North 84°46'54" East and along the curve to the left having a radius = 70.19 feet, a delta = 07°47'39" for a distance of 9.55 feet measured along the arc of said curve; thence run North 17°47'43" West for a distance of 31.78 feet to the point of beginning.

Said parcel of land being a portion of Byron Street right-of-way as recorded on Copeland Addition to Boaz as recorded in Plat Book 3, Page 150 and shown on the plat for Fuller Estate, Phase One as recorded in Plat Book 7, Page 277, lying in the NW 1/4 of Fractional Section 30, T-9-S, R-5-E, lying and being in the City of Boaz, Marshall County, Alabama and containing 0.003 acres (149 S.F.) more or less. Said parcel is subject to any easement rights for any utilities crossing said parcel.

4. Furthermore, the Mayor is authorized to execute and deliver any other documents necessary and required to consummate the transactions contemplated herein.

ADOPTED this the ____ day of _____, 2022.

David Dyar
Mayor

ATTEST:

Jill Bright, MMC
City Clerk/Treasurer

Exhibit A

