



**SHELBY COUNTY COMMISSION
APRIL 25, 2016
MINUTES**

**STATE OF ALABAMA
COUNTY OF SHELBY**

The Shelby County Commission of Shelby County, Alabama, met at the County Administration Building in the City of Columbiana, Alabama, at 6:00 P.M., Monday, April 25, 2016. The meeting was called to order by Commissioner Shepherd. The invocation was given followed by the Pledge of Allegiance. Roll was called and the following members were present:

PRESENT

Commissioner Dan Acker
Commissioner Lindsey Allison
Commissioner Elwyn Bearden
Commissioner Corley Ellis
Commissioner Robbie Hayes
Commissioner Rick Shepherd
Commissioner Mike Vest

ABSENT

Commissioner Tommy Edwards
Commissioner Jon Parker

**APPROVAL OF MINUTES FROM APRIL 25, 2016
RESOLUTION 16-04-25-01**

MOTION: Commissioner Acker - Motion to approve Minutes from April 11, 2016 as presented

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous

MOTION

CARRIED

**APPROVAL OF BILLS, REQUISITIONS, CHECK REGISTER
GOVERNMENTAL FUNDS AND PROPRIETARY FUNDS
RESOLUTION 16-04-25-02**

MOTION: Commissioner Hayes - Motion to approve the Bills, requisitions and check register for Government and Proprietary Funds as presented

SECOND: Commissioner Acker

VOTE ON MOTION: Unanimous

MOTION

CARRIED

**BUDGET, FINANCE & LEGAL
BID AWARD-2016 PAVING AND RESURFACING
RESOLUTION 16-04-25-03**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-04-25-03 as presented

SECOND: Commissioner Ellis

VOTE ON MOTION: Unanimous

MOTION

CARRIED

RESOLUTION 16-04-25-03

BE IT RESOLVED, the Shelby County Commission hereby records the bid award made by the County Manager for the 2016 Paving and Resurfacing Bid. The bid was awarded to the lowest responsive bidder, Dunn Construction as follows:

Dunn Construction, Inc.	\$2,616,787.80
Wiregrass Construction Inc.	\$2,963,920.21
Midsouth Paving, Inc.	\$3,326,847.07

Said eBid #2016-3-10832 is located within the County Manager's Office.

**BID AWARD – EROSION CONTROL MATERIALS
RESOLUTION 16-04-25-04**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-04-25-04 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

RESOLUTION 16-04-25-04

BE IT RESOLVED, that the Shelby County Commission hereby records that only one bid was received for Erosion Control Materials. Therefore, purchase will be made as outlined by the State of Alabama Bid Law.

Said eBid #2016-3-10833 is located within the County Manager's Office.

**PLANNING AND ECONOMIC DEVELOPMENT
DUNNAVANT SQUARE IMPROVEMENT DISTRICT –
A PETITION FOR AUTHORITY TO FORM AN IMPROVEMENT DISTRICT**

RESOLUTION 16-04-25-05

MOTION: Commissioner Hayes – Motion to approve Resolution 16-04-25-05 as presented

SECOND: Commissioner Shepherd

VOTE ON MOTION: Unanimous

MOTION CARRIED

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING
OF THE COUNTY COMMISSION OF SHELBY COUNTY, ALABAMA**

The Dunnivant Square Improvement District

The Shelby County Commission met in regular public session at the Shelby County Administration Building in the City of Columbiana, Alabama, at 6:00 p.m. on April 25, 2016.

The meeting was called to order by the Chairman, and the roll was called with the following results:

Present: Rick Shepherd, District 8 (Chairman)
Corley Ellis, District 1
Daniel M. Acker, District 4
Elwyn Bearden, District 5
Mike Vest, District 6
Lindsey Allison, District 7
Robbie Hayes, District 9

Absent: Jon Parker, District 3 (Vice Chairman)
Tommy Edwards, District 2

* * *

The Chairman stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

Thereupon, the following Resolution and Order was introduced in writing by the Chairman and read by the County Commission:

**A RESOLUTION AND ORDER APPROVING A PETITION SEEKING
PERMISSION TO FORM AND INCORPORATE AN IMPROVEMENT DISTRICT OF
SHELBY COUNTY, ALABAMA AND AUTHORIZING SUCH INCORPORATION**

BE IT RESOLVED BY THE COUNTY COMMISSION OF SHELBY COUNTY, ALABAMA
(the "Commission"), as follows:

Section 1. That the Commission, upon evidence duly submitted to and considered by it, hereby finds and determines and confirms that the following petition has been duly filed with the governing body of Shelby County, Alabama, for approval of the formation of an improvement district under Chapter 99A of Title 11 of the Code of Alabama 1975 and that the persons executing said petition are the owners of all land described in said petition by attachment thereto and proposed to be included within said improvement district:

PETITION
FOR AUTHORITY TO FORM
AN IMPROVEMENT DISTRICT

April 25, 2016

TO THE GOVERNING BODY OF SHELBY COUNTY, ALABAMA:

The undersigned do hereby petition the governing body of Shelby County, Alabama, for authority and permission to form and incorporate an improvement district under the provisions of Chapter 99A of Title 11 of the Code of Alabama 1975 (the "Enabling Law").

Pursuant to Section 11-99A-4 of the Enabling Law, and in support of the within petition, the undersigned do hereby:

- (1) represent, certify, warrant and declare:
 - (a) the undersigned are all of the owners of all land proposed to be included within the said improvement district,
 - (b) all of the land proposed to be included within the said improvement district is located within Shelby County, Alabama, and
 - (c) all of the land proposed to be included within the said improvement district is contiguous,
- (2) designate the following person, who is over the age of 21 years, to act as agent in representing the undersigned owners before the governing body of Shelby County, Alabama:

Lauren E. Thornton
5300 Cahaba River Road, Suite 200
Birmingham, AL 35243

(3) attach to, and by this reference make a part of, this petition, true, correct and complete copies of:

(a) a description of the tract or tracts of land proposed to be included within the said improvement district,

(b) a map or plat of the proposed district which shows the land proposed to be included within the said improvement district will be contiguous, and

(c) a proposed form of articles of incorporation for the said improvement district,

(4) the proposed name for the said improvement district is set forth in the proposed articles of incorporation attached hereto.

The undersigned do hereby request that this petition be considered and reviewed, that authority and permission be given to form and incorporate such improvement district, and that a resolution and order be adopted by the governing body of Shelby County, Alabama declaring that it has reviewed this petition, has determined as a matter of fact that it is expedient that the improvement district be formed, has approved the formation of the improvement district, and has approved the proposed form of articles of incorporation for the improvement district attached hereto.

IN WITNESS WHEREOF, the undersigned have each caused this Petition to be executed in its name, under seal, by an officer or legal representative thereof duly authorized thereunto, on the date and year first above written.

Dunnavant Commercial, LLC

By: 

William L. Thornton III, Manager

Property Description

Land Proposed to be Included within the District

PARCEL A

A part of the NE 1/4 of the SW 1/4 of Section 3, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 5/8" rebar capped Weygand at the SW corner of Lot 40A of Dunnivant Square Resurvey as recorded in Map Book 42 Page 123 A and B in the Office of the Judge of Probate in Shelby County, Alabama; thence N 78°18'00" E along the southern line of Lot 40A for a distance of 92.79 feet to a 3/4" rebar at the SE corner of Lot 40A; thence N 11°29'50" W along the eastern line of Lot 40A a distance of 65.07 feet to a rebar capped Arrington at the SE corner of Lot 42A; thence N 11°44'35" W along the eastern line of Lot 42A for a distance of 49.16 feet to a rebar capped EDG a point of curve to the right having a central angle of 31°29'08" and a radius of 122.00 feet, said curve subtended by a chord bearing N 3°59'59" E and a chord distance of 67.04 feet; thence along the arc of said curve and along the eastern line of Lots 42A and 44A a distance of 66.20 feet to a rebar capped EDG; thence N 19°44'33" E along the eastern line of Lot 44A and 46A, and also along the eastern line of Lot 47-A of Resurvey Lots 37, 38, 47, & 48 Dunnivant Square as recorded in Map Book 41 Page 155 in the Office of the Judge of Probate in Shelby County, Alabama to a rebar capped SSI at the NE corner of Lot 47-A, said point being on the southern right-of-way of Carlow Lane and on a non tangent curve to the left having a central angle of 11°06'42" and a radius of 280.00 feet, said curve subtended by a chord bearing N 86°03'17" E and a chord distance of 54.22 feet; thence along the arc of said curve and along said right-of-way a distance of 54.30 feet to a rebar capped Weygand; thence N 80°47'50" E along said right-of-way a distance of 239.56 feet to a rebar capped Weygand at a point of curve to the right having a central angle of 7°49'32" and a radius of 219.96 feet, said curve subtended by a chord bearing N 84°34'08" E and a chord distance of 30.02 feet; thence along the arc of said curve and along said right-of-way a distance of 30.04 feet to a rebar capped Weygand at a point of compound curve having a central angle of 92°29'32" and a radius of 25.00 feet, said curve subtended by a chord bearing S 45°09'14" E and a chord distance of 36.12 feet; thence along the arc of said curve and along said right-of-way a distance of 40.36 feet to a rebar capped Weygand at the intersection of said right-of-way and the western right-of-way of Shelby County Hwy. 41, said point being a point of compound curve having a central angle of 19°00'14" and a radius of 2492.71 feet, said curve subtended by a chord bearing S 10°39'32" W and a chord distance of 823.00 feet; thence leaving Carlow Lane right-of-way, along the western right-of-way of Shelby County Hwy. 41, and along the arc of said curve a distance of 826.79 feet to 5/8" rebar; thence S 89°42'35" W leaving said right-of-way a distance of 164.44 feet to a rebar capped Weygand on the eastern right-of-way of Connaught Place; thence N 0°14'33" W along said right-of-way a distance of 205.81 feet to a 1/2" rebar at a point of curve to the right having a central angle of 21°14'19" and a chord distance of 81.08 feet, said curve subtended by a chord bearing N 10°22'37" E and a chord distance of 81.08 feet; thence along the arc of said curve and along said right-of-way a distance of 81.55 feet to a rebar capped EDG; thence N 20°59'46" E along said right-of-way a distance of 46.01 feet to a rebar capped EDG at the intersection of said right-of-way and the northeastern right-of-way of Dublin Way; thence N 69°00'14" W leaving Connaught Place right-of-way and along the northeastern right-of-way of Dublin Way a distance of 98.08 feet to a rebar capped EDG at a point of curve to the right having a central angle of 20°19'21" and a radius of 170.00 feet, said curve subtended by a chord bearing N 58°50'34" W and a chord distance of 59.98 feet; thence along the arc of said curve and along said right-of-way a distance of 60.30 feet to a rebar capped EDG; thence N 78°27'27" E along said right-of-way a distance of 4.63 feet to a rebar capped EDG; thence N 11°19'07" W along said right-of-way a distance of 40.00 feet to a rebar capped EDG; thence S 78°27'27" W along said right-of-way a distance of 27.31 feet to a rebar capped EDG on a curve to the right having a central angle of 7°34'31" and a radius of 170.00 feet, said curve subtended by a chord bearing N 29°22'31" W and a chord distance of 22.46 feet; thence along the arc of said curve

and along said right-of-way a distance of 22.48 feet to the POINT OF BEGINNING. Said parcel of land contains 5.69 acres, more or less.

PARCEL B

A part of the NE 1/4 of the SW 1/4 of Section 3, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a rebar capped SSI at the SE corner of Lot 50A of Dunnivant Square Resurvey as recorded in Map Book 42 Page 123 A and B in the Office of the Judge of Probate in Shelby County; thence N 6°59'08" E along the eastern line of Lots 50A, 52A, 54A, and Common Area 3, Lots 55, 56, 57, and 58 of Dunnivant Square as recorded in Map Book 39 Page 119 A, B and C in the Office of the Judge of Probate in Shelby County for a distance of 350.07 feet to a rebar capped EDG at the NE corner of Lot 58 said point being on the southern right-of-way of Monaghan Drive; thence S 82°56'19" E along said right-of-way a distance of 114.30 feet to a rebar capped Weygand at the intersection of said right-of-way and the eastern right-of-way of Donegal Place; thence N 1°28'21" E, leaving said Monaghan Drive right-of-way and along the eastern right-of-way of Donegal Place right-of-way, a distance of 139.52 feet to a rebar capped Weygand at the intersection of said right-of-way and the north line of NE 1/4 of the SW 1/4 of Section 3, Township 19 South, Range 1 West, Shelby County, Alabama; thence N 89°26'24" E leaving said Donegal Place right-of-way and along the north line of said 1/4-1/4 section a distance of 187.55 feet to a rebar capped Weygand at the intersection of said 1/4-1/4 section and the western right-of-way of Shelby County Hwy. 41; thence S 0°25'55" W leaving said 1/4-1/4 section and along the western right-of-way of Shelby County Hwy. 41 right-of-way a distance of 404.78 feet to a rebar capped Weygand at the intersection of said right-of-way and the northern right-of-way of Carlow Lane, said point also being a point of curve to the right having a central angle of 90°00'13" and a radius of 25.00 feet, said curve subtended by a chord bearing S 45°21'56" W and a chord distance of 35.36 feet; thence leaving said Shelby County Hwy. 41 right-of-way, along the northern right-of-way of Carlow Lane, and along the arc of said curve a distance of 39.27 feet to a rebar capped Weygand at a point of reverse curve having a central angle of 8°33'40" and a radius of 280.00 feet, said curve subtended by a chord bearing S 85°01'03" W and a chord distance of 41.80 feet; thence along the arc of said curve and along said right-of-way a distance of 41.84 feet to a rebar capped Weygand; thence S 80°43'46" W along said right-of-way a distance of 239.41 feet to a rebar capped Weygand at a point of curve to the right having a central angle of 10°43'10" and a radius of 220.00 feet, said curve subtended by a chord bearing S 85°55'33" W and a chord distance of 41.10 feet; thence along the arc of said curve and along said right-of-way a distance of 41.16 feet to the POINT OF BEGINNING. Said parcel of land contains 2.92 acres, more or less.

Instrument # 20080808000320280

MAP OF PROPOSED DISTRICT

**A SUBDIVISION FOR COMMERCIAL PROPERTY
DUNNAVANT SQUARE COMMERCIAL
SUBDIVISION**

SITUATED IN ALL THE NE 1/4 OF SW 1/4 OF SECTION 3, TOWNSHIP 19 SOUTH, RANGE 1 WEST SHELBY COUNTY, ALABAMA LYING WEST OF SHELBY COUNTY ROAD 41

SCALE: 1"=60' DATE: MARCH 12, 2015

PREPARED BY:
MICHAEL J. GRAY, P.E. #24440
545 LAKE COLONY DRIVE
VESTAVIA HILLS, ALABAMA 35242
205.263.7413

MEYDAND SURVEYORS, INC.
RAY MEYDAND, REG. LS #24973
169 OXWOOD ROAD, HOMEWOOD, AL 35206
205.942.0086

OWNER:
DUNNAVANT SQUARE, LLC,
5100 CAHABA RIVER ROAD
BIRMINGHAM, AL 35242



VICINITY MAP
NOT TO SCALE

TOTAL PROPERTY - 8.266 ACRES
TOTAL OPEN SPACE - 0.203 ACRES
REMNANT OPEN SPACE - 0.203 ACRES
FORMAL OPEN SPACE - 0.000 ACRES
TOTAL LOT AREA - 7.728 ACRES
TOTAL RIGHT OF WAY AREA - 0.331 ACRES
TOTAL ACCESS EASEMENTS - 0.000 ACRES
TOTAL LOTS - 5

NOTE: ALL OTHER PROPERTY WITHIN THIS BOUNDARY PREVIOUSLY PLATTED AS DUNNAVANT SQUARE SUBDIVISION (RESIDENTIAL)

FLOODPLAIN NOTE: NO ENCROACHMENTS OR FILL WITHIN ZONE A LIMITS AS PER COMMUNITY PANELS NO. 92 & 94 OF 600-MAP NUMBERS 0111700092E & 0111700094E DATED FEBRUARY 20, 2013, SHELBY COUNTY, ALABAMA. ALL PROPERTY LOCATED WITHIN ZONE X AREAS.

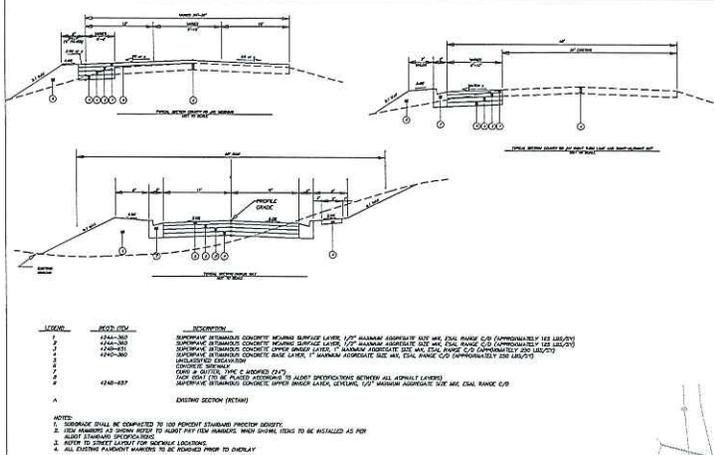
SITE DESCRIPTION: THE SUBJECT PROPERTY IS LOCATED IN THE DUNNAVANT VALLEY CORRIDOR OF NORTH SHELBY COUNTY. IT IS APPROXIMATELY 3.3 MILES NORTHEAST OF HIGHWAY 280. THIS PROPERTY IS SITUATED BETWEEN THE VILLAGE AT HIGHLAND LAKES/FOWLER LAKE AND MT. LAUREL. THE SURROUNDING USES INCLUDE SINGLE FAMILY RESIDENTIAL AND THE COMMERCIAL USES IN MT. LAUREL. THE ADJACENT VILLAGE AT HIGHLAND LAKES DEVELOPMENT INCLUDES A PROPOSED 32 ACRE TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND) TO THE SOUTH, ON BOTH SIDES OF COUNTY ROAD 41, AND A PROPOSED OFFICE BUILDING AT HIGHLAND VILLAGE DRIVE AND COUNTY ROAD 41.

THE PROPERTY WAS ZONED AS "SD", SPECIAL DISTRICT IN THE INITIAL ZONING OF THE CHELSEA NORTH-DUNNAVANT VALLEY SOUTH-WESTOVER NORTH ZONING BEAT ON JANUARY 24, 2005. THE SURROUNDING PROPERTIES, MT. LAUREL AND THE VILLAGE AT HIGHLAND LAKES, ARE ALSO ZONED "SD"

NOTE: STATE AND/OR COUNTY HEALTH DEPARTMENT TO BE CONTACTED DURING ANY COMMERCIAL DEVELOPMENT. NO ADDITIONAL WATER OR SANITARY SEWER FACILITIES PART OF THIS COMMERCIAL SUBDIVISION

PURPOSE OF SUBDIVISION: COMMERCIAL LOTS

NO ADDITIONAL STREET LIGHTS OR SIGNAGE ADDED THIS PHASE



LEGEND

ELEVATION	DESCRIPTION
124.00	EXISTING 1" CONTOUR
125.00	EXISTING 5' CONTOUR
126.00	EXISTING 10' CONTOUR
127.00	EXISTING 15' CONTOUR
128.00	EXISTING 20' CONTOUR
129.00	EXISTING 25' CONTOUR
130.00	EXISTING 30' CONTOUR
131.00	EXISTING 35' CONTOUR
132.00	EXISTING 40' CONTOUR
133.00	EXISTING 45' CONTOUR
134.00	EXISTING 50' CONTOUR
135.00	EXISTING 55' CONTOUR
136.00	EXISTING 60' CONTOUR
137.00	EXISTING 65' CONTOUR
138.00	EXISTING 70' CONTOUR
139.00	EXISTING 75' CONTOUR
140.00	EXISTING 80' CONTOUR
141.00	EXISTING 85' CONTOUR
142.00	EXISTING 90' CONTOUR
143.00	EXISTING 95' CONTOUR
144.00	EXISTING 100' CONTOUR
145.00	EXISTING 105' CONTOUR
146.00	EXISTING 110' CONTOUR
147.00	EXISTING 115' CONTOUR
148.00	EXISTING 120' CONTOUR
149.00	EXISTING 125' CONTOUR
150.00	EXISTING 130' CONTOUR
151.00	EXISTING 135' CONTOUR
152.00	EXISTING 140' CONTOUR
153.00	EXISTING 145' CONTOUR
154.00	EXISTING 150' CONTOUR
155.00	EXISTING 155' CONTOUR
156.00	EXISTING 160' CONTOUR
157.00	EXISTING 165' CONTOUR
158.00	EXISTING 170' CONTOUR
159.00	EXISTING 175' CONTOUR
160.00	EXISTING 180' CONTOUR
161.00	EXISTING 185' CONTOUR
162.00	EXISTING 190' CONTOUR
163.00	EXISTING 195' CONTOUR
164.00	EXISTING 200' CONTOUR
165.00	EXISTING 205' CONTOUR
166.00	EXISTING 210' CONTOUR
167.00	EXISTING 215' CONTOUR
168.00	EXISTING 220' CONTOUR
169.00	EXISTING 225' CONTOUR
170.00	EXISTING 230' CONTOUR
171.00	EXISTING 235' CONTOUR
172.00	EXISTING 240' CONTOUR
173.00	EXISTING 245' CONTOUR
174.00	EXISTING 250' CONTOUR
175.00	EXISTING 255' CONTOUR
176.00	EXISTING 260' CONTOUR
177.00	EXISTING 265' CONTOUR
178.00	EXISTING 270' CONTOUR
179.00	EXISTING 275' CONTOUR
180.00	EXISTING 280' CONTOUR
181.00	EXISTING 285' CONTOUR
182.00	EXISTING 290' CONTOUR
183.00	EXISTING 295' CONTOUR
184.00	EXISTING 300' CONTOUR
185.00	EXISTING 305' CONTOUR
186.00	EXISTING 310' CONTOUR
187.00	EXISTING 315' CONTOUR
188.00	EXISTING 320' CONTOUR
189.00	EXISTING 325' CONTOUR
190.00	EXISTING 330' CONTOUR
191.00	EXISTING 335' CONTOUR
192.00	EXISTING 340' CONTOUR
193.00	EXISTING 345' CONTOUR
194.00	EXISTING 350' CONTOUR
195.00	EXISTING 355' CONTOUR
196.00	EXISTING 360' CONTOUR
197.00	EXISTING 365' CONTOUR
198.00	EXISTING 370' CONTOUR
199.00	EXISTING 375' CONTOUR
200.00	EXISTING 380' CONTOUR
201.00	EXISTING 385' CONTOUR
202.00	EXISTING 390' CONTOUR
203.00	EXISTING 395' CONTOUR
204.00	EXISTING 400' CONTOUR
205.00	EXISTING 405' CONTOUR
206.00	EXISTING 410' CONTOUR
207.00	EXISTING 415' CONTOUR
208.00	EXISTING 420' CONTOUR
209.00	EXISTING 425' CONTOUR
210.00	EXISTING 430' CONTOUR
211.00	EXISTING 435' CONTOUR
212.00	EXISTING 440' CONTOUR
213.00	EXISTING 445' CONTOUR
214.00	EXISTING 450' CONTOUR
215.00	EXISTING 455' CONTOUR
216.00	EXISTING 460' CONTOUR
217.00	EXISTING 465' CONTOUR
218.00	EXISTING 470' CONTOUR
219.00	EXISTING 475' CONTOUR
220.00	EXISTING 480' CONTOUR
221.00	EXISTING 485' CONTOUR
222.00	EXISTING 490' CONTOUR
223.00	EXISTING 495' CONTOUR
224.00	EXISTING 500' CONTOUR
225.00	EXISTING 505' CONTOUR
226.00	EXISTING 510' CONTOUR
227.00	EXISTING 515' CONTOUR
228.00	EXISTING 520' CONTOUR
229.00	EXISTING 525' CONTOUR
230.00	EXISTING 530' CONTOUR
231.00	EXISTING 535' CONTOUR
232.00	EXISTING 540' CONTOUR
233.00	EXISTING 545' CONTOUR
234.00	EXISTING 550' CONTOUR
235.00	EXISTING 555' CONTOUR
236.00	EXISTING 560' CONTOUR
237.00	EXISTING 565' CONTOUR
238.00	EXISTING 570' CONTOUR
239.00	EXISTING 575' CONTOUR
240.00	EXISTING 580' CONTOUR
241.00	EXISTING 585' CONTOUR
242.00	EXISTING 590' CONTOUR
243.00	EXISTING 595' CONTOUR
244.00	EXISTING 600' CONTOUR
245.00	EXISTING 605' CONTOUR
246.00	EXISTING 610' CONTOUR
247.00	EXISTING 615' CONTOUR
248.00	EXISTING 620' CONTOUR
249.00	EXISTING 625' CONTOUR
250.00	EXISTING 630' CONTOUR
251.00	EXISTING 635' CONTOUR
252.00	EXISTING 640' CONTOUR
253.00	EXISTING 645' CONTOUR
254.00	EXISTING 650' CONTOUR
255.00	EXISTING 655' CONTOUR
256.00	EXISTING 660' CONTOUR
257.00	EXISTING 665' CONTOUR
258.00	EXISTING 670' CONTOUR
259.00	EXISTING 675' CONTOUR
260.00	EXISTING 680' CONTOUR
261.00	EXISTING 685' CONTOUR
262.00	EXISTING 690' CONTOUR
263.00	EXISTING 695' CONTOUR
264.00	EXISTING 700' CONTOUR
265.00	EXISTING 705' CONTOUR
266.00	EXISTING 710' CONTOUR
267.00	EXISTING 715' CONTOUR
268.00	EXISTING 720' CONTOUR
269.00	EXISTING 725' CONTOUR
270.00	EXISTING 730' CONTOUR
271.00	EXISTING 735' CONTOUR
272.00	EXISTING 740' CONTOUR
273.00	EXISTING 745' CONTOUR
274.00	EXISTING 750' CONTOUR
275.00	EXISTING 755' CONTOUR
276.00	EXISTING 760' CONTOUR
277.00	EXISTING 765' CONTOUR
278.00	EXISTING 770' CONTOUR
279.00	EXISTING 775' CONTOUR
280.00	EXISTING 780' CONTOUR
281.00	EXISTING 785' CONTOUR
282.00	EXISTING 790' CONTOUR
283.00	EXISTING 795' CONTOUR
284.00	EXISTING 800' CONTOUR
285.00	EXISTING 805' CONTOUR
286.00	EXISTING 810' CONTOUR
287.00	EXISTING 815' CONTOUR
288.00	EXISTING 820' CONTOUR
289.00	EXISTING 825' CONTOUR
290.00	EXISTING 830' CONTOUR
291.00	EXISTING 835' CONTOUR
292.00	EXISTING 840' CONTOUR
293.00	EXISTING 845' CONTOUR
294.00	EXISTING 850' CONTOUR
295.00	EXISTING 855' CONTOUR
296.00	EXISTING 860' CONTOUR
297.00	EXISTING 865' CONTOUR
298.00	EXISTING 870' CONTOUR
299.00	EXISTING 875' CONTOUR
300.00	EXISTING 880' CONTOUR
301.00	EXISTING 885' CONTOUR
302.00	EXISTING 890' CONTOUR
303.00	EXISTING 895' CONTOUR
304.00	EXISTING 900' CONTOUR
305.00	EXISTING 905' CONTOUR
306.00	EXISTING 910' CONTOUR
307.00	EXISTING 915' CONTOUR
308.00	EXISTING 920' CONTOUR
309.00	EXISTING 925' CONTOUR
310.00	EXISTING 930' CONTOUR
311.00	EXISTING 935' CONTOUR
312.00	EXISTING 940' CONTOUR
313.00	EXISTING 945' CONTOUR
314.00	EXISTING 950' CONTOUR
315.00	EXISTING 955' CONTOUR
316.00	EXISTING 960' CONTOUR
317.00	EXISTING 965' CONTOUR
318.00	EXISTING 970' CONTOUR
319.00	EXISTING 975' CONTOUR
320.00	EXISTING 980' CONTOUR
321.00	EXISTING 985' CONTOUR
322.00	EXISTING 990' CONTOUR
323.00	EXISTING 995' CONTOUR
324.00	EXISTING 1000' CONTOUR



REVISIONS

NO.	DATE	DESCRIPTION
1	03/12/15	ISSUED FOR REVIEW
2	03/12/15	ISSUED FOR REVIEW

- APPROVED: CAHABA VALLEY FIRE CHIEF
- APPROVED: SHELBY COUNTY PLANNING COMMISSION
- APPROVED: SHELBY COUNTY ENGINEER
- APPROVED: SHELBY COUNTY HEALTH DEPARTMENT



SOILS DATA:
Cs-CHOCOLOCOO-STERRETT ASSOCIATION,
FREQUENTLY FLOODED
NcC-NAUVOO LOAM, 2 TO 8 PERCENT SLOPES

DUNNAVANT SQUARE
CR41 MODIFICATIONS AND DUBLIN WAY EXTENSION
SHELBY COUNTY, AL

MICHAEL J. GRAY, P.E.
REGISTERED PROFESSIONAL ENGINEER
SHELBY COUNTY, ALABAMA
200803743



JOB NO: 200001
DWG NAME: 200001 PROJ.DWG
PRELIMINARY PLAT
SHEET
PP1
DATE: 4/9/15

PROPOSED ARTICLES OF INCORPORATION

ARTICLES OF INCORPORATION
OF

THE DUNNAVANT SQUARE IMPROVEMENT DISTRICT

April 27, 2016

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, in order to form an improvement district as a public corporation under and pursuant to the provisions of Chapter 99A of Title 11 of the Code of Alabama 1975 (hereinafter called the "Enabling Law"), does hereby make, sign, execute, acknowledge and file these articles of incorporation:

ARTICLE ONE

The name of this public corporation shall be The Dunnavant Square Improvement District (hereinafter called the "District").

The District is organized pursuant to the provisions of Chapter 99A of Title 11 of the Code of Alabama 1975.

ARTICLE TWO

The names and mailing addresses of the undersigned incorporators:

William L. Thornton, III
5300 Cahaba River Road, Suite 200
Birmingham, Alabama 35243

Lauren E. Thornton
5300 Cahaba River Road, Suite 200
Birmingham, Alabama 35243

Mary T. Taylor
5300 Cahaba River Road, Suite 200
Birmingham, Alabama 35243

ARTICLE THREE

The name of the appointing government is the governing body of Shelby County, Alabama.

On April 25, 2016 the governing body of Shelby County, Alabama adopted a resolution and order approving and authorizing the incorporation of the District in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit A and made a part hereof.

ARTICLE FOUR

The names and addresses of the members of the initial board of directors of the District and their initial terms of office are as follows:

	<u>Name</u>	<u>Initial Term of Office</u>
(1)	William L. Thornton, III 5300 Cahaba River Road, Suite 200 Birmingham, AL 35243	April 25, 2022
(2)	Lauren E. Thornton 5300 Cahaba River Road, Suite 200 Birmingham, AL 35243	April 25, 2021
(3)	Mary T. Taylor 5300 Cahaba River Road, Suite 200 Birmingham, AL 35243	April 25, 2020

ARTICLE FIVE

The period of duration of the District shall be perpetual, subject to the provisions of the Enabling Law.

ARTICLE SIX

The location of the principal office of the District (and its post office address) shall be 5300 Cahaba River Road, Suite 200, Birmingham, Alabama 35243.

ARTICLE SEVEN

The District shall have all powers conferred on corporations of like nature by the Enabling Law, and any amendment thereof heretofore or hereafter made, and all other powers conferred upon corporations generally by the laws of Alabama not in conflict with the Enabling Law, as heretofore or hereafter amended.

ARTICLE EIGHT

The District shall be a non-profit corporation and no part of the net earnings thereof shall inure to the benefit of any private person or entity of any nature whatsoever.

ARTICLE NINE

Upon dissolution of the District as provided by the Enabling Law, title to all funds and properties owned by the District shall be conveyed and distributed to, and shall vest in, Shelby County, Alabama (or its successor).

IN WITNESS WHEREOF, the undersigned have signed these articles of incorporation on and as of the date and year first above written.

William L. Thornton

Lauren E. Thornton

Mary T. Taylor

STATE OF ALABAMA

SHELBY COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Articles of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Articles of Incorporation, he executed the same voluntarily.

Given under my hand and official seal, this _____ day of _____, 2016.

Notary Public

NOTARIAL SEAL

My commission expires: _____

Section 2. That the Commission has reviewed and considered the foregoing petition, has confirmed the persons executing the petition are the owners of all land proposed to be included within the said improvement district, and considers the formation of the said improvement district expedient.

Section 3. That the Commission does hereby approve the formation of the said improvement district and the articles of incorporation of the improvement district attached to the foregoing petition as hereinabove set forth.

Section 4. That the Commission does hereby grant permission to form and incorporate the improvement district and does hereby authorize the persons making such petition to proceed to form such improvement district.

Section 5. That the Commission does hereby appoint the following persons as the initial board of directors of the improvement district for terms ending on the date and year set opposite the respective names thereof:

William L. Thornton, III April 25, 2022

Lauren E. Thornton April 25, 2021

Mary T. Taylor April 25, 2020

Section 6. That all ordinances, resolutions, orders, or parts of any thereof, of the Commission in conflict, or inconsistent, with any provision of this resolution and order hereby are, to the extent of such conflict or inconsistency, repealed.

Section 7. That this resolution and order shall take effect immediately without publication hereof as provided in Section 11-99A-29 of the Code of Alabama 1975.

Duly passed and adopted this April 25, 2016.

Chairman of the Shelby County Commission

SEAL

Attest: _____
County Manager

After said resolution and order had been discussed and considered in full by the Commission, it was moved by Commissioner Hayes that said resolution and order be now placed upon its final passage and adopted. The motion was seconded by Commissioner Shepherd. The question being put as to the adoption of said motion and the final passage and adoption of said resolution and order, the roll was called with the following results:

Present: Rick Shepherd, District 8 (Chairman)
Corley Ellis, District 1
Daniel M. Acker, District 4
Elwyn Bearden, District 5
Mike Vest, District 6
Lindsey Allison, District 7
Robbie Hayes, District 9

Nays: None

The Chairman thereupon declared said motion carried and the resolution and order passed and adopted as introduced and read.

**DUNNAVANT SQUARE IMPROVEMENT DISTRICT
A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT
RESOLUTION 16-04-25-06**

MOTION: Commissioner Hayes – Motion to approve Resolution 16-04-25-06 as presented
SECOND: Commissioner Shepherd
VOTE ON MOTION: Unanimous **MOTION CARRIED**

**EXCERPTS FROM THE MINUTES OF A REGULAR MEETING
OF THE SHELBY COUNTY COMMISSION**

Adoption of Resolution and Order for:

The Dunnivant Square Cooperative District of Shelby County, Alabama

The Shelby County Commission met in regular public session at the Shelby County Administration Building in the City of Columbiana, Alabama, at 6:00 p.m. on the 25th day of April, 2016.

The meeting was called to order by the Chairman, and the roll was called with the following results:

Present: Rick Shepherd, District 8 (Chairman)
Corley Ellis, District 1
Daniel M. Acker, District 4
Elwyn Bearden, District 5
Mike Vest, District 6
Lindsey Allison, District 7

Robbie Hayes, District 9

Absent: Jon Parker, District 3 (Vice Chairman)
Tommy Edwards, District 2

* * *

The Chairman stated that a quorum was present and that the meeting was open for the transaction of business.

* * *

Thereupon, the following resolution was introduced in writing by the Chairman, and read by the Shelby County Commission:

**A RESOLUTION AND ORDER APPROVING AN APPLICATION TO
INCORPORATE A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT
OF THE DUNNAVANT SQUARE IMPROVEMENT DISTRICT AND SHELBY
COUNTY, ALABAMA AND AUTHORIZING SUCH INCORPORATION**

BE IT RESOLVED AND ORDERED BY THE SHELBY COUNTY COMMISSION, as follows:

Section 1. That the Shelby County Commission, upon evidence duly submitted to and considered by it, hereby finds and determines that the following application has been duly filed with the governing body of Shelby County, Alabama pursuant to Chapter 99B of Title 11 of the Code of Alabama 1975 (the "Enabling Law"), that such application was signed by not less than three natural persons, and that each of said persons is over the age of 21 years and is a duly qualified elector of Shelby County, Alabama:

**APPLICATION FOR AUTHORITY TO FORM
A CAPITAL IMPROVEMENT COOPERATIVE DISTRICT**

TO THE GOVERNING BODIES OF THE DUNNAVANT SQUARE IMPROVEMENT DISTRICT
AND SHELBY COUNTY, ALABAMA:

We, the undersigned natural persons, each of whom is over the age of 21 years and is a duly qualified elector of Shelby County, Alabama, do hereby make application in writing seeking permission to incorporate a capital improvement cooperative district (the "District") under the provisions of Chapter 99B of Title 11 of the Code of Alabama 1975 and file this Application:

1. The District proposes to acquire, construct and install capital improvements for public infrastructure within the jurisdiction of the District which shall include, without limitation, public roads, streets, public ways, sidewalks, facilities for parking of vehicles, landscaping, public park facilities, lighting, facilities for the provision of water, sewer, gas, electric power and cable television service, facilities for waste disposal, facilities for fire protection and public safety and security, drainage and flood control facilities and improvements, and related infrastructure improvements (collectively the "Project").

2. The area in which the District proposes to acquire the Project is (i) the area within the geographic jurisdiction of the Improvement District (hereinafter defined) or established by the Articles of Incorporation thereof, and (ii) the area within the right-of-way, and the area necessary for the construction, improvement, maintenance, and repair, of any public road, street or thoroughfare which is owned by Shelby County, Alabama, and which is situated within Shelby County, Alabama (within or without the corporate limits of any municipality).

3. The proposed members of the District are The Dunnavant Square Improvement District (the "Improvement District") and Shelby County, Alabama.

4. The District shall be governed by a board of directors which shall be comprised of three (3) persons.

The number of directors which the governing body of each authorizing subdivision shall be entitled to elect are as follows:

<u>Authorizing Subdivision</u>	<u>Number of Directors</u>
Shelby County, Alabama	2
Improvement District	1

5. The proposed location of the principal office of the District shall be 1123 County Services Drive, Pelham, AL 35124 within the Shelby County Department of Development Services.

6. Each of the applicants elected by Shelby County, Alabama is a duly qualified elector of Shelby County, Alabama.

7. Upon dissolution of the District as permitted in the Enabling Law, title to all

7. Upon dissolution of the District as permitted in the Enabling Law, title to all property (real, personal and mixed) shall pass to and be vested in the Improvement District.

8. The undersigned hereby requests that each of the governing bodies of the Improvement District, and Shelby County, Alabama, adopt a resolution declaring that it is wise, expedient, and necessary that the proposed District be formed and authorizing the undersigned to proceed to form the proposed District by the filing for record of a certificate of incorporation in accordance with the provisions of Section 11-99B-4 of the CODE OF ALABAMA 1975.

9. A copy of the proposed form of certificate of incorporation for such District is attached hereto as Exhibit A and made a part hereof.

WITNESS OUR SIGNATURES this 25th day of April, 2016.



Name: Kenneth R. Cole



Name: Chad Scroggins



Name: Christie Pannell Hester

EXHIBIT A

Certificate of Incorporation

CERTIFICATE OF INCORPORATION
OF
THE DUNNAVANT SQUARE COOPERATIVE DISTRICT OF SHELBY COUNTY, ALABAMA

KNOW ALL MEN BY THESE PRESENTS:

That the undersigned, in order to form a public corporation as a cooperative district under and pursuant to the provisions of Chapter 99B of Title 11 of the Code of Alabama 1975 (hereinafter called the "Enabling Law"), do hereby make, sign, execute, acknowledge and file this certificate of incorporation:

ARTICLE ONE

The names of the persons forming this public corporation, together with the residence of each of such persons, are:

<u>Name</u>	<u>Residence</u>
Randy Cole	1028 Cole Circle Birmingham, AL 35242
Chad Scroggins	57 Burnham Street Birmingham, AL 35242
Christie Pannell Hester	5549 Parkview Circle Birmingham, AL 35242

Each of the foregoing named persons is over the age of 21 years and is a duly qualified elector of Shelby County, Alabama.

ARTICLE TWO

The period for the duration of the district shall be perpetual, subject to the provisions of the Enabling Law.

ARTICLE THREE

1. The authorizing subdivisions are The Dunnivant Square Improvement District (the "Improvement District"), and Shelby County, Alabama.

2. On the ____ day of _____, 2016 the governing body of Improvement District adopted a resolution approving and authorizing the incorporation of the district in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit A and made a part hereof.

3. On the 25th day of April, 2016 the governing body of Shelby County, Alabama adopted a resolution approving and authorizing the incorporation of the district in accordance with the Enabling Law, a certified copy of which is attached hereto as Exhibit B and made a part hereof.

ARTICLE FOUR

The name of the district shall be "The Dunnivant Square Cooperative District of Shelby County, Alabama" (hereinafter called the "District"). Attached hereto as Exhibit C and made a part hereof is a certificate by the Secretary of State of the State of Alabama stating that the name proposed for the district is not identical to that of any other corporation organized under the laws of the State of Alabama or so nearly similar thereto as to lead to confusion and uncertainty.

The location of the principal office of the District (and its post office address) shall be 1123 County Services Drive, Pelham, AL 35124 within the Shelby County Department of Development Services.

ARTICLE FIVE

1. The District proposes to acquire, construct and install capital improvements for public infrastructure within the jurisdiction of the District which shall include, without limitation, public roads, streets, public ways, sidewalks, facilities for parking of vehicles, landscaping, public park facilities, lighting, facilities for the provision of water, sewer, gas, electric power and cable television service, facilities for waste disposal, facilities for fire protection and public safety and security, drainage and flood control facilities and improvements, and related infrastructure improvements (collectively the "Project").

2. The area in which the District proposes to acquire the Project is (i) the area within the geographic jurisdiction of the Improvement District (referenced in Article Three) or established by the Articles of Incorporation thereof, and (ii) the area within the right-of-way, and the area necessary for the construction, improvement, maintenance, and repair, of any public road, street or thoroughfare which is owned by Shelby County, Alabama, and which is situated within Shelby County, Alabama (within or without the corporate limits of any municipality).

ARTICLE SIX

The District shall be governed by a board of directors which shall be comprised of three (3) persons.

The number of directors which the governing body of each authorizing subdivision shall be entitled to elect are as follows:

<u>Authorizing Subdivision</u>	<u>Number of Directors</u>
Shelby County, Alabama	2
Improvement District	1

ARTICLE SEVEN

The proposed name of the District is "The Dunnivant Square Cooperative District of Shelby County, Alabama".

ARTICLE EIGHT

Upon dissolution of the District as permitted in the Enabling Law, title to all property (real, personal and mixed) shall pass to and be vested in the Improvement District.

ARTICLE NINE

The application filed with the governing body of each of the authorizing subdivisions in accordance with 11-99B-3 of the Code of Alabama (1975) was identical to the copy thereof attached to this certificate of incorporation as Exhibit D.

ARTICLE TEN

1. The District shall have all powers conferred on corporations of like nature by the Enabling Law, and any amendment thereof heretofore or hereafter made, and all other powers conferred upon corporations generally by the laws of Alabama not in conflict with the Enabling Law, as heretofore or hereafter amended.

2. The District shall not levy or charge any fee, rate, license thereof or make any adjustment or other change under the Enabling Law (including Sections 11-99B-7(21) and 11-99B-11) without the unanimous approval thereof by the board of directors of the District.

ARTICLE ELEVEN

The District shall be a non-profit corporation and no part of the net earnings thereof shall inure to the benefit of any private person or entity of any nature whatsoever.

IN WITNESS WHEREOF, the undersigned incorporators have signed this certificate of incorporation on this _____ day of _____, 2016.

Name: Kenneth R. Cole

Name: Chad Scroggins

Name: Christie Pannell Hester

STATE OF ALABAMA

SHELBY COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of Incorporation, he executed the same voluntarily.

Given under my hand and official seal, this ____ day of _____, 2016.

Notary Public

NOTARIAL SEAL

My commission expires: _____

STATE OF ALABAMA
SHELBY COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of incorporation, he executed the same voluntarily.

Given under my hand and official seal, this ____ day of _____, 2016.

Notary Public

NOTARIAL SEAL

My commission expires: _____

STATE OF ALABAMA

SHELBY COUNTY

The undersigned, a notary public in and for said County in said State, do hereby certify that _____, whose name is signed to the foregoing Certificate of Incorporation and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing Certificate of incorporation, she executed the same voluntarily.

Given under my hand and official seal, this ____ day of _____, 2016.

Notary Public

NOTARIAL SEAL

My commission expires: _____

EXHIBIT A

ARTICLE THREE

Authorizing Resolution of Improvement District

EXHIBIT B

ARTICLE THREE

Authorizing Resolution of Shelby County, Alabama

EXHIBIT C

ARTICLE FOUR

Certificate of Secretary of State of State of Alabama

EXHIBIT D

ARTICLE NINE

Application

Section 2. That the Shelby County Commission has reviewed and considered the foregoing application and has found and determined and does hereby find and determine as a matter of fact that it is wise, expedient, and necessary that the district be formed.

Section 3. That the Shelby County Commission does hereby approve the proposed form of certificate of incorporation of the district attached to the foregoing application as hereinabove set forth.

Section 4. That the Shelby County Commission does hereby grant permission to incorporate the district and does hereby authorize the persons making such application to proceed to form such district pursuant to the Enabling Law.

Section 5. That the Shelby County Commission does hereby elect and appoint the following named persons to the initial board of directors of The Dunnivant Square Cooperative District of Shelby County, Alabama for the term of office ending on the date set opposite his name or on such date as the respective successor thereof is elected and qualified in his stead:

<u>Name</u>	<u>Date of End of Term</u>
Randy Cole	April 25, 2021
Chad Scroggins	April 25, 2020

Duly passed and adopted this 25th day of April, 2016.

Chairman of the Shelby County Commission

SEAL

Attest: _____
County Manager

After said resolution and order had been discussed and considered in full by the Shelby County Commission, it was moved by Commissioner Hayes that said resolution and order be now placed upon its final passage and adopted. The motion was seconded by Commissioner Shepherd. The question being put as to the adoption of said motion and the final passage and adoption of said resolution and order, the roll was called with the following results:

Present: Rick Shepherd, District 8 (Chairman)
Corley Ellis, District 1
Daniel M. Acker, District 4
Elwyn Bearden, District 5
Mike Vest, District 6
Lindsey Allison, District 7
Robbie Hayes, District 9

Absent: Jon Parker, District 3
Tommy Edwards, District 2

The Chairman thereupon declared said motion carried and the resolution and order passed and adopted as introduced and read.

**GENERAL SERVICES
FAIR HOUSING MONTH PROCLAMATION
RESOLUTION 16-04-25-07**

MOTION: Commissioner Bearden – Motion to approve Resolution 16-04-25-07 as presented

SECOND: Commissioner Allison

VOTE ON MOTION: Unanimous

MOTION CARRIED

**RESOLUTION 16-04-25-07
PROCLAMATION**

Whereas, the Shelby County Commission continues to affirmatively further fair housing for its citizens;
and

Whereas, Title VIII of the Civil Rights Act of 1968, as amended, set forth a national policy of fair housing without regard to race, color, national origin, religion, sex, familial status, or disability; and

Whereas, it is recognized and proclaimed throughout the United States of America and Shelby County, Alabama that April is Fair Housing Month.

Signed on this the 25th day of April, 2016

**MOTION TO ADJOURN
RESOLUTION 16-04-25-08**

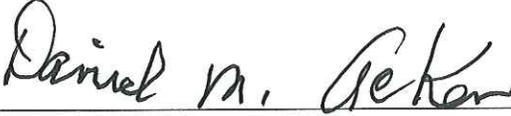
MOTION: Commissioner Allison – There being no further business to come before the Commission, move to adjourn this 25th day of April, 2016 at 6:16 P.M.

SECOND: Commissioner Ellis
VOTE ON MOTION:

Unanimous

MOTION CARRIED

READ & APPROVED:



COMMISSIONER DAN ACKER

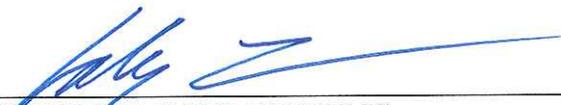


COMMISSIONER LINDSEY ALLISON



COMMISSIONER ELWYN BEARDEN

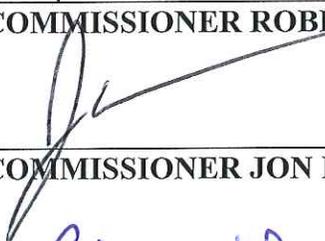
COMMISSIONER TOMMY EDWARDS



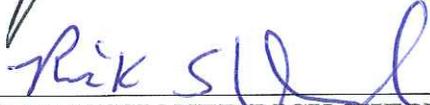
COMMISSIONER CORLEY ELLIS



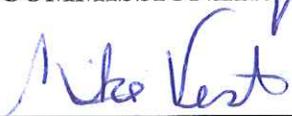
COMMISSIONER ROBBIE HAYES



COMMISSIONER JON PARKER



COMMISSIONER RICK SHEPHERD



COMMISSIONER MIKE VEST