

RESOLUTION NO. 18-28

**A RESOLUTION APPROVING AN ANNEXATION AGREEMENT**

**WHEREAS**, the City Council of the City of Pinson, Alabama, desires to annex the land described in Attachment 1 hereto;

**WHEREAS**, Gilmer Properties, Inc. and J.M.G., LLC (collectively, "Gilmer") desire to annex certain of its property into the City of Pinson, Alabama, upon the assurance that public roadways will be built thereon;

**WHEREAS**, the City desires to acquire certain real property within the annexed area from Gilmer, so that the City can construct public roadways and related public improvements thereon;

**WHEREAS**, Gilmer has proposed to receive certain compensation in exchange for the transfer of the real property for the roadways;

**WHEREAS**, the City Council determines that such compensation is less than the fair market value of the property interests being provided by Gilmer, and that the City's actions do not constitute the lending of credit or granting of public funds without adequate consideration;

**WHEREAS**, the City Council of the City of Pinson has determined that construction of the public roadways set forth herein would benefit the public interest by developing alternative routes for commercial and industrial traffic, opening additional areas of the city to viable development, and contributing to local economic and industrial development;

**WHEREAS**, the City of Pinson is authorized to enter into this agreement and to take the actions set forth herein pursuant to § 11-40-1, § 11-42-20, *et seq.* of the *Code of Alabama*, and other laws; and


**WHEREAS**, the City Council of the City of Pinson finds and determines that this agreement serves a valuable public purpose that has for its objective the promotion of public health, safety, morals, security, prosperity, contentment, and/or the general welfare of the community.


**THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PINSON, ALABAMA** while in regular session on Aug 16, 2018 at 7:00 p.m. as follows:

1. The Mayor is authorized, on behalf of the City of Pinson, to execute and approve the Annexation Agreement in the form substantially as shown in Attachment 1 hereto and incorporated herein by reference.

2. The Mayor is further authorized to carry out the terms of such agreement, and to execute such other and additional documents that may be necessary and/or required in order to facilitate the transaction described herein.

ADOPTED this the 16<sup>th</sup> day of Aug, 2018.

  
HOYT SANDERS, MAYOR

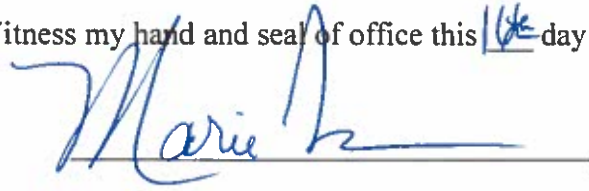
ATTEST:  
 \_\_\_\_\_, CITY CLERK/TREASURER

**CERTIFICATION OF CITY CLERK/TREASURER**

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, Marie Turner, City Clerk/Treasurer of the City of Pinson, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of the City of Pinson, Alabama, on the 16<sup>th</sup> day of August, 2018.

Witness my hand and seal of office this 16<sup>th</sup> day of August, 2018.

 \_\_\_\_\_, City Clerk/Treasurer