

**ORDINANCE NO. 23-387**

**WHEREAS**, the City Council of the City of Huntsville has determined that the property described below has been identified by Water Pollution Control as surplus to the needs of the purpose by the City of Huntsville and is no longer needed for a public or municipal purpose by the City of Huntsville.

**THEREFORE BE IT ORDAINED**, by the City Council of the City of Huntsville, Alabama that the property described below is surplus to the needs of the City of Huntsville and no longer needed for a public or municipal purpose by the City of Huntsville.

**BE IT FURTHER ORDAINED** that the Mayor and the Director of Finance be, and they are hereby authorized and directed to enter into an agreement with JM Wood Auction Company, Inc. to sell at public auction the property described as follows to the highest bidder in an attempt to obtain the highest possible price for said property, all proceeds of which will be deposited into the Water Pollution Control Miscellaneous Revenue Fund, account # 6000-76-00000-460400-00000000. That said agreement between JM Wood Auction Company, Inc., and the City of Huntsville, a municipal corporation in the State of Alabama, is substantially in words and figures similar to that certain document attached hereto and identified as "Real Estate Auction Contract between the City of Huntsville and JM Wood Auction Company, Inc." consisting of five (5) pages including any exhibits, and the date of May 11, 2023, appearing on the first page, together with the signature of the President of the City Council, an executed copy of said document being permanently kept on file in the Office of the City Clerk of the City of Huntsville, Alabama.


**BE IT FURTHER ORDAINED** upon the completion of the public auction, that the Mayor and Director of Finance be, and they are hereby, authorized and directed to execute and attest, respectively, for and on behalf of the City of Huntsville, Alabama; and signed by the Director of Water Pollution Control, conveyance of the title to the property, when applicable. Said personal property is described as follows:

**DEPARTMENT# 7600**

030689 - 2023 KENWORTH DUMP T880	1NKZXPTX9PJ243782
030696 - 2023 KENWORTH T880 DUMP	1NKZLP0X6PJ218063
030699 - 2023 KENWORTH T880 DUMP	1NKZLP0X6PJ249944
030700 - 2023 KENWORTH T880 DUMP	1NKZLP0X4PJ218062
030704 - 2023 KENWORTH T880 DUMP	1NKZXPTX6PJ249930
030455 - 2004 LT9513 STERLING TRI-AXLE DUMP	2FZHAZCG74AM25385
021059 - 1997 FORD 2 TON FLAT BED DUMP	1FDWF80E8VVA37628
030517 - 2008 LT9500 STERLING TANDEM DUMP	2FZHAZCVX8AZ49280
030453 - 2003 STERLING LT9513 GALBREATH ROLLOFF	2FZHAZCG63AL92703
021663 - 2012 FORD F150 SINGLE CAB	1FTMF1CMOCKD38673
021307 - 2004 FORD F-550 SINGLE CAB	1FDAF56P14EC31496
021238 - 2002 CHEVROLET TRAILBLAZER	1GNDDT13SX22396948
050401 - 2003 DITCH WITCH RT115H	5X0749
050401A - SAW ATTACHMENT MODEL H1140 FOR DITCH WITCH	5X0220
021184 - 2000 INTERNATIONAL 4900 TANDEM	1HTSDAAR71H338114
021721 - 2013 FORD F-250 SUPER CAB	1FT7X2BT7DEA57155

**ORDINANCE No. 23-387 (Cont.)**


**ADOPTED** this the 11th day of May, 2023.

  
\_\_\_\_\_  
President Pro Tem of the City Council  
of the City of Huntsville, Alabama

**APPROVED** this the 11th day of May, 2023.

  
\_\_\_\_\_  
Mayor of the City of Huntsville,  
Alabama

ATTEST:

  
\_\_\_\_\_  
Shaundrika Edwards  
City Clerk



Corporate Office: 3475 Ashley Road, Montgomery, AL 36108  
South Carolina Office: 115 Belvedere Circle, West Columbia, SC 29172  
Phone: 334.264.3265; Fax 334.269.6990

March 25<sup>th</sup>, 2023

Huntsville Water Pollution Control  
Mayor Tommy Battle, City of Huntsville  
1800 Vermont Rd  
Huntsville, AL 35802  
256-261-9401

Re: Proposed Auction June 13-15, 2023

We want to thank you for allowing J.M. Wood Auction Company, Inc. the opportunity of submitting a proposal on the auction of your surplus equipment. Since 1973, J.M. Wood Auction Co. Inc. has conducted thousands of public auctions and sold billions of dollars of heavy machinery and trucks to buyers across the world. We believe our marketing methods along with our extensive global reach to buyers are necessary for you to achieve the true global market value of your assets.

- ❖ **Auction Location and Date:** The proposed auction will be June 13-15, 2023 at our one-hundred-acre permanent auction facility in Montgomery, Alabama.
- ❖ **Traditional Auction Marketing:** J.M. Wood Auction will promote and feature your equipment in our full color auction magazine. A personalized mailing list will be selected from our database of over 100,000 domestic and international buyers. We will select potential buyers to market to by targeting recent buying patterns, trending industries, and regional activity. Your auction will be promoted in numerous industry specific trade magazines as well as in over (300) newspapers reaching a broad range of potential buyers.
- ❖ **Online Auction Marketing:** Our team will go to work immediately posting your inventory with multiple photos and inspections on JMWood.com. Our website is an essential tool in reaching thousands of buyers who visit our site daily. Your inventory will also be posted on numerous worldwide industry related sites in front of millions of buyers searching for equipment for their operations in countries across the globe. Your equipment will also be featured in J.M. Wood Auction's award-winning social media marketing campaign consisting of outlets such as Face book, Twitter, YouTube and more. J.M. Wood Auction has been recognized by both Facebook and Constant Contact as one of their annual top performing marketing companies.

President Pro Tem of the City Council of  
Huntsville, Alabama  
Date: 5/11/2023

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- ❖ **Auction Delivery, Pre-Auction Services and Set Up:** We encourage you to schedule delivery of your equipment to the auction facility as soon as possible. This allows adequate time for pre-auction services such as detailed inspection reports, photography, video, clean-up, and repairs. J.M. Wood Auction will provide the seller with a detailed report on any repairs and clean-up deemed necessary to make the equipment bring the maximum dollar. No repairs will be made without prior consent from seller. J.M. Wood Auction will coordinate an on-site detailed clean-up service on the equipment listed on the sellers (Exhibit "A"). J.M. Wood Auction will have representatives aggressively marketing your equipment and answering questions from prospective buyers prior to the auction.
- ❖ **Auction Day:** With over 40 years in the auction business, it is in our blood. We live for auction day, and it is exciting! When you arrive at one of our world class drive through auction facilities you will find a team of professionals that know and love their job. A detailed auction catalog with lot numbers will be presented to all the pre-approved buyers on hand. The equipment will be paraded past the auction theatre full of attendees and broadcast live on the internet as well. We will furnish all personnel to conduct the auction, collect proceeds, and assist in load-out.
- ❖ **Online Auction Bidding:** JMWoodLive.com is our exclusive proprietary online bidding service. Since its inception, we have registered tens of thousands of pre-approved national and international buyers. Multiple photos of the exterior, interior and components of every item will be posted for online buyers. In addition, we provide detailed inspection services on any equipment the prospective buyer may need.
- ❖ **Buyer Services:** Prior to the auction, J.M. Wood Auction provides the buyer with detailed inspection services, financing options and logistical estimates. After the auction, we will coordinate coordination as well as dismantle and containerize equipment headed to the port.
- ❖ **Post Auction and Payment Terms:** J.M. Wood Auction will furnish a computerized statement of each item sold. We will issue seller a check for full settlement within **10 banking days** after the date of auction. Any service fees incurred such as clean-up, repairs, and transportation will be deducted from seller's final net proceeds.
- ❖ **Liens and Encumbrances:** Auctioneer acts as Seller's agent. Seller guarantees that he/she is the sole owner of items being sold and states that items are free of all mortgage's liens and encumbrances. Seller agrees to disclose all specific liens, blanket liens, mortgages, taxes, encumbrances or claims of any sort and states he is not connected to claim by Bankrupt Court or IRS. In the event, such claim should exist Seller agrees to pay all legal expense incurred by Auctioneer to protect and defend clear title. Seller hereby authorizes J.M. Wood Auction Co., Inc (hereby known as Auctioneer) at the absolute discretion of Auctioneer to carry out title searches in respect of the equipment at the expense of Seller, but in no case, shall Auctioneer have a duty to conduct, nor be responsible for the results of any such title search.

**Proposal Options:**

❖ **Option A: (Financial Guarantee)**

- J.M. Wood Auction gives Huntsville Water Pollution Control, a GROSS financial guarantee of **\$1,136,000.00** for the equipment listed on the attached Exhibit "A" as per the specifications and conditions listed on the (Exhibit "A"). A commission rate of **7% Absolute** will be charged to gross sales. Equipment may be added to Exhibit "A" and guarantee adjusted accordingly until June 1<sup>st</sup>, 2023.

J.M. WOOD AUCTION COMPANY, INC. will provide, as a service to Huntsville Water Pollution Control, a detailed report on any repairs deemed necessary to make the equipment bring the maximum dollar. J.M Wood Auction Co., Inc. will furnish a mandatory on-site detailed clean-up service. This clean-up service will be deducted from your net proceeds.

PLEASE NOTE: All inventory is to be delivered to JM Wood facility by June 6<sup>th</sup>, 2023.

We would like to thank you for allowing J.M. Wood Auction Company, Inc. to present this proposal to you and we look forward to conducting your auction.

***"We Turn Equipment into Cash."***

*Tommy Battle*

Mayor Tommy Battle  
City of Huntsville

5/11/2023  
Date

*Mason Lee*

Mason Lee, Regional Manager  
J.M. Wood Auction Co., Inc.

4/6/23  
Date

*John D. Gray*

John D. Gray, Vice President  
J.M. Wood Auction Co., Inc.  
*Alabama Auctioneer's License # 1791*

4-6-23  
Date

*THIS DOCUMENT IS CONFIDENTIAL; IT CONTAINS PROPRIETARY INFORMATION THAT IS INTENDED ONLY FOR USE BY AUTHORIZED J.M. WOOD AUCTION CO., INC. REPRESENTATIVES AND AUCTIONEERS. THIS DOCUMENT MAY NOT BE COPIED OR SHARED WITH ANY PARTY OTHER THAN J.M. WOOD AUCTION CO., INC. UNAUTHORIZED USE IS STRICTLY PROHIBITED.*



Eq #	CATEGORY	YEAR	MAKE	MODEL	S/N	DESCRIPTION	HRS/MILES	CONDITION	REPAIRS REQUIRED
021663	PICKUP TRUCK	2012	FORD	F150	1FTMF1CM0CKD38673	reg cab, gas		totaled, good motor, no trans	
021238	SUV	2002	CHEVROLET	TRAIL BLAZER	1GN0T135X22396948	4X4, gas, A/t	134,936	fair	clean-up
021307	SERVICE TRUCK	2004	FORD	F550	1FDAF56P14EC31496	reg cab, Power Stroke diesel, Southeaster Truck Body service body,	127,557	fair	clean-up
021059	DUMP TRUCK	1997	FORD	F SERIES	1FDWF80E8VVA37628	S/A, Ford diesel, A/T, 26k GVWR, 14' American dump body, 11R24.5 tires	72,127	fair, ripped seat	clean-up. tires must be >50%, no broken glass
030517	DUMP TRUCK	2008	STERLING		2FZHAZCVX8A249280	T/A, Mercedes Benz diesel, Allison A/T, 46k rears, 18k front, 16' Warren body, 11R24.5 rear tires, 425/65R22.5 front tires	108,157	fair, ripped seat, slight damage around FR headlight	clean-up. tires must be >50%, no broken glass
030455	DUMP TRUCK	2004	STERLING		2FZHAZCG74AM25385	Tri Axle, 430 hp Detroit diesel, Allison A/T, 46k rears, 20k front, 16' Heil body, 11R24.5 rear tires, 425/65R22.5 front tires	144,741	cab is fair, body beat up	clean-up. tires must be >50%, no broken glass
030453	ROLL OFF TRUCK	2003	STERLING		2FZHAZCG63AL92703	T/A, 430 hp Detroit diesel, Allison A/T, 46k rears, 20k front, 60,000 lb Galbreath hoist, 11R24.5 rear tires, 425/65R22.5 front tires	126,935	fair, missing right dash cover	clean-up, tires must be >50% replace dash cover, no broken glass
030704	DUMP TRUCK	2023	KENWORTH	T880S	1NKZXPTX6PJ249930	Tri Axle, 510 hp PACCAR MX-13 engine, Allison A/T, 46k rears, 20k front, 16' hard Ox Body, 11R24.5 rear tires, 425/65R22.5 front tires, all alum	3,407	like new	clean-up. tires must be >50%, no broken glass
030700	DUMP TRUCK	2023	KENWORTH	T880S	1NKZLP0X4PJ218062	Tri Axle, 510 hp PACCAR MX-13 engine, Allison A/T, 46k rears, 20k front, 16' hard Ox Body, 11R24.5 rear tires, 425/65R22.5 front tires, all alum	3,903	like new	clean-up. tires must be >50%, no broken glass



<https://www.kidnet.com>  
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Exhibit A  
 Huntsville Water Pollution  
 Shane Cook, Director  
 1800 Vermont Rd SW  
 Huntsville, AL 35802  
 256-261-9401  
 shane.cook@huntsvilleal.gov

Auction: June 13-15, 2023 in Montgomery, Alabama

Eq #	CATEGORY	YEAR	MAKE	MODEL	S/N	DESCRIPTION	HRS/MILES	CONDITION	REPAIRS REQUIRED
030696	DUMP TRUCK	2023	KENWORTH	T880S	1NKZLPDX6PJ218063	Tri Axle, 510 hp PACCAR MX-13 engine, Allison A/T, 46k rears, 20k front, 16' hard Ox Body, 11R24.5 rear tires, 42S/65R22.5 front tires, all alum	5,531	like new	clean-up. tires must be >50%, no broken glass
030689	DUMP TRUCK	2023	KENWORTH	T880	1NKZXPTX9PJ243782	Tri Axle, 510 hp PACCAR MX-13 engine, Allison A/T, 46k rears, 20k front, 16' hard Ox Body, 11R24.5 rear tires, 42S/65R22.5 front tires, all alum	7,273	like new	clean-up. tires must be >50%, no broken glass
050401 / 050401-A	TRENCHER	2003	DITCH WITCH	RT115	5X0749 / 5X0220	ride-on, 4x4, canopy, front blade, Ditch Witch H1140 saw	140	runs, needs new Hyd drive motor (\$3,300 quoted / will do work if it will provide return)	
030699	DUMP TRUCK	2023	KENWORTH	T880S	1NKZLPDX6PJ249944	Tri Axle, 510 hp PACCAR MX-13 engine, Allison A/T, 46k rears, 20k front, 16' hard Ox Body, 11R24.5 rear tires, 42S/65R22.5 front tires, all alum	5,836	like new	clean-up. tires must be >50%, no broken glass
021184	DUMP TRUCK	2000	INTERNATIONAL	4900	1HTSDAAR71H338114	T/A,		(unable to inspect), must be in working condition	must be in proper working condition

<b>TOTAL GROSS GUARANTEE:</b>	\$1,136,000.00
<b>Commission Rate:</b>	7%
<b>Sale Date:</b>	June 13-15, 2023

Customer Initial JB

JMW Initial [Signature]

JMW Initial [Signature]