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## COMPLETION OF WORK

### LEGAL NOTICE OF COMPLETION OF CONTRACT

McCord Construction, Inc. hereby gives Legal Notice of Completion of Contract with City of Huntsville, Project Name: Dug Hill Road Sewer, located in the City of Huntsville, Alabama. All Claims should be filed at City of Huntsville, Public Service Building, 320 Fountain Cir, Huntsville, Alabama during this period of advertisement, i.e. August 30th, September 6th, September 13th, and September 20th.

**NOTICE OF COMPLETION Alabama Highway 20 Water and Gas Main Extension #IFB 22-57**

*In accordance with Section 39-1-1, Code of Alabama, 1975, as amended, notice is hereby given that Apel Machine & Supply Co., Inc. has completed the Contract for Alabama Highway 20 Water and Gas Main Extension #IFB 22-57 for the City of Huntsville, Alabama, a municipal corporation, d/b/a Huntsville Utilities and has made request for final settlement as provided by the Contract. All persons having any claims for labor, materials, or otherwise in connection with this project should immediately notify Huntsville Utilities Engineering Department, 112 Spragins St., Huntsville Alabama, 35801.*

**APEL MACHINE & SUPPLY CO., INC.,**  
9910 US Hwy 31, Hanceville, AL 35077

## PUBLIC NOTICES

HOUSING AUTHORITY OF THE CITY OF DECATUR  
INVITATION FOR BIDS (IFB) NO. DHA2023-07  
REPAIRS TO (2) FIRE-DAMAGED APARTMENTS

The Housing Authority of the City of Decatur, AL (DHA) is accepting bids from qualified, licensed, and insured entities for repairs to (2) residential units that received damage from a fire and resulting fire extinguishing event.

A pre-submission meeting will be held on **September 27, 2023, at 2:00 p.m.** at Decatur Housing Authority, located at 100 Wilson Street (Jordan-Neill Apartments) 1<sup>st</sup> floor community room Decatur, AL 35601.

Separate, sealed bids to provide this service will be received at **100 Wilson Street N.E., 12<sup>th</sup> Floor, Decatur, Alabama 35601** until **2:00 P.M. CST, October 18, 2023.**

Electronic bids documents are available through Housing Agency Market Place E-Procurement, by accessing the following website:

[https://ha.internationaleprocurement.com/requests.html?company\\_id=9513](https://ha.internationaleprocurement.com/requests.html?company_id=9513)

HOUSING AUTHORITY OF THE CITY OF DECATUR, ALABAMA  
Taura L. Demmon, Executive Director

## NOTICE TO THE PUBLIC CITY OF HUNTSVILLE

The City of Huntsville's Community Development Department has completed its Consolidated Annual Performance and Evaluation Report (CAPER) for FY22. A draft copy of this report may be viewed on line at [www.huntsvilleal.gov/residents/neighborhoods/housing/fair-housing/](http://www.huntsvilleal.gov/residents/neighborhoods/housing/fair-housing/) and at the Community Development Department Office located in the Yarbrough Office Center, 120 E. Holmes Avenue, and the Huntsville-Madison County Public Library, located at 915 Monroe Street. Submit comments to Scott Erwin, City of Huntsville Department of Community Development, P.O. Box 308, Huntsville, AL 35804 or [scott.erwin@huntsvilleal.gov](mailto:scott.erwin@huntsvilleal.gov). Deadline for comments is September 25, 2023. For more information regarding this public notice or to request special accommodations, please call (256) 427-5400. Hearing or speech impaired residents are encouraged to use the TTY line at (256) 427-7092 for requests.

## AL PÚBLICO CIUDAD DE HUNTSVILLE

El Departamento de Desarrollo Comunitario de la Ciudad de Huntsville ha completado su Informe Anual Consolidado de Desempeño y Evaluación (CAPER) para el año fiscal 22. Una copia preliminar de este informe se puede ver en línea en [www.huntsvilleal.gov/residents/neighborhoods/housing/fair-housing/](http://www.huntsvilleal.gov/residents/neighborhoods/housing/fair-housing/) y en la Oficina del Departamento de Desarrollo Comunitario ubicada en el Centro de Oficinas de Yarbrough, 120 E. Holmes Avenue y la Biblioteca Pública del Condado de Huntsville-Madison, ubicada en 915 Monroe Street. Envíe sus comentarios a Scott Erwin, Departamento de Desarrollo Comunitario de la Ciudad de Huntsville, P.O. Box 308, Huntsville, AL 35804 o [Scott.erwin@huntsvilleal.gov](mailto:Scott.erwin@huntsvilleal.gov). La fecha límite para comentarios es el 25 de septiembre de 2023. Para obtener más información sobre este aviso público o para solicitar adaptaciones especiales, llame al (256) 427-5400. Se recomienda a los residentes con discapacidad auditiva o del habla que usen la línea TTY al (256) 427-7092 para las solicitudes.



**REDSTONE FEDERAL CREDIT UNION VS. JERRY DARRELL WILBURN**

ON AUGUST 24, 2023, ORDER WAS ENTERED IN THE ABOVE CASE FOR JUDICIAL FORECLOSURE AND SALE BY THE CLERK OF THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA WITH RESPECT TO THE FOLLOWING DESCRIBED PROPERTY:

LOT 16, BLOCK 1, ACCORDING TO THE MAP OF SURVEY OF RED OAK SUBDIVISION, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT BOOK 16, PAGE 4.

SOURCE OF TITLE: DEED BOOK 668, PAGE 1082

The address of said property being 334 Delynn Dr, Hazel Green, AL 35750.

**BY ORDER OF THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA, ANY INTEREST OF THE ABOVE DEFENDANT IN THE DESCRIBED PROPERTY SHALL BE SOLD BY THE CLERK OF THE COURT ON THE 27<sup>th</sup> DAY OF SEPTEMBER, 2023, AT 12:00 PM O'CLOCK ON THE STEPS OF THE MADISON COUNTY COURTHOUSE, 100 NORTH SIDE SQUARE, HUNTSVILLE, ALABAMA, TO THE HIGHEST BIDDER.**

Done this 24<sup>th</sup> day of August, 2023

s/Debra Kizer mm  
Circuit Clerk of Madison County, Alabama

The above notice shall be published in the Speakin' Out Newspaper, once per week for four consecutive weeks. Dates to Publish: August 30, September 6, 13, and 20, 2023.

## SHERIFF'S SALE

Under and by the virtue of an execution issued out of the **CIRCUIT** Court of MADISON County on a Judgment rendered against **SCOTT BARTO** Defendant(s) and in favor **REDSTONE FEDERAL CREDIT UNION** Plaintiff(s). I, Sheriff of Madison County, Alabama, will sell to the highest bidder for cash at **Madison County Courthouse** located at **100 Northside Square** in the City of Huntsville, Alabama on the **2<sup>nd</sup>** day of **OCTOBER, 2023**, within the legal hours of sale, at 12:00 noon, whatever interest the above named defendants(s) may possess in and to the following described property to wit:

I, RAYMOND B. JONES, A REGISTERED LAND SURVEYOR OF HUNTSVILLE, ALABAMA, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT MAP OR PLAT OF ALL THAT PART OF THE NORTHEAST QUARTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MADISON COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT A POINT ON THE NORTH MARGIN OF PINE GROVE ROAD, SAID POINT OF BEGINNING IS FURTHER DESCRIBED AS BEING LOCATED NORTH 89 DEGREES 07 MINUTES EAST 1095 FEET AND NORTH 01 DEGREE 16 MINUTES WEST 30 FEET FROM THE CENTER OF SECTION 8, TOWNSHIP 3 SOUTH, RANGE 2 WEST, THENCE FROM THE POINT OF BEGINNING RUN NORTH 89 DEGREES 07 MINUTES EAST ALONG THE NORTH MARGIN OF PINE GROVE ROAD FOR 140.0 FEET; THENCE RUN NORTH 00 DEGREES 53 MINUTES WEST FOR 157.5 FEET; THENCE RUN SOUTH 89 DEGREES 07 MINUTES WEST FOR 140.0 FEET; THENCE RUN SOUTH 00 DEGREES 53 MINUTES EAST FOR 157.5 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED TRACT OF LAND HAS A 35 FOOT RADIUS CURVE AT THE SOUTHEAST CORNER, TANGENT TO THE SOUTH AND EAST PROPERTY LINE AND IS SUBJECT TO A 5 FOOT UTILITY AND DRAINAGE EASEMENT AROUND THE PERIMETER OF SAME; THAT THERE ARE NO ENCROACHMENTS BY BUILDINGS ON ADJOINING PROPERTY; THAT THERE ARE NO RIGHTS-OF-WAY, EASEMENTS OR JOINT DRIVEWAYS OVER OR ACROSS SAID LAND VISIBLE ON THE SURFACE SHOWN; THAT THERE ARE NO ELECTRIC OR TELEPHONE WIRES (EXCLUDING WIRES WHICH SERVE THE PREMISES ONLY) OR STRUCTURES OR SUPPORTS THEREFOR, INCLUDING POLES, ANCHORS AND GUY WIRES, ON OR OVER SAID PREMISES, EXCEPT IN DEDICATED EASEMENTS; THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE REQUIREMENTS OF THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA AND THAT I HAVE CONSULTED THE FEDERAL INSURANCE ADMINISTRATION FLOOD HAZARD BOUNDARY MAPS PANEL NO. 010151 0150 ZONE C DATED JULY 2, 1981 AND FOUND THAT THE ABOVE DESCRIBED PROPERTY IS NOT LOCATED IN A FLOOD HAZARD AREA; THAT SAID LOT LIES WITHOUT THE CORPORATE LIMITS OF THE CITY OF HUNTSVILLE; THAT THE CORRECT STREET ADDRESS IS 451 PINE GROVE ROAD, MADISON, ALABAMA.

To appear in the Speakin Out News (3) times:

SEPTEMBER 6, 2023  
SEPTEMBER 13, 2023  
SEPTEMBER 20, 2023

Kevin H. Turner  
Sheriff of Madison County

## SHERIFF'S SALE

Under and by the virtue of an execution issued out of the **DISTRICT** Court of MADISON County on a Judgment rendered against **NELL NORTON HOLDER aka AUDRA N. HOLDER** Defendant(s) and in favor **REDSTONE FEDERAL CREDIT UNION** Plaintiff(s). I, Sheriff of Madison County, Alabama, will sell to the highest bidder for cash at **Madison County Courthouse** located at **100 Northside Square** in the City of Huntsville, Alabama on the **2<sup>ND</sup>** day of **OCTOBER, 2023**, within the legal hours of sale, at 12:00 noon, whatever interest the above named defendants(s) may possess in and to the following described property to wit:

LOT 18, BLOCK 20, ACCORDING TO THE MAP OF SURVEY OF HOLIDAY HOMES, 4<sup>TH</sup> ADDITION, HUNTSVILLE, ALABAMA, AS RECORDED IN PLAT BOOK 1, PAGE 345, IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA.

To appear in the Speakin Out News (3) times:

SEPTEMBER 6, 2023  
SEPTEMBER 13, 2023  
SEPTEMBER 20, 2023

Kevin H. Turner  
Sheriff of Madison County

## SHERIFF'S SALE

Under and by the virtue of an execution issued out of the **DISTRICT** Court of MADISON County on a Judgment rendered against **LATASHA D. RAGLAND aka DENISE RAGLAND aka LATASHA D. LINDSEY** Defendant(s) and in favor **REDSTONE FEDERAL CREDIT UNION** Plaintiff(s). I, Sheriff of Madison County, Alabama, will sell to the highest bidder for cash at **Madison County Courthouse** located at **100 Northside Square** in the City of Huntsville, Alabama on the **2<sup>ND</sup>** day of **OCTOBER, 2023**, within the legal hours of sale, at 12:00 noon, whatever interest the above named defendants(s) may possess in and to the following described property to wit:

LOT 185, ACCORDING TO THE FINAL PLAT OF TWIN CREEKS SUBDIVISION PHASE 2, AS RECORDED AS INSTRUMENT 2019-00669845 IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA.

SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD

To appear in the Speakin Out News (3) times:

SEPTEMBER 6, 2023  
SEPTEMBER 13, 2023  
SEPTEMBER 20, 2023

Kevin H. Turner  
Sheriff of Madison County

## SHERIFF'S SALE

Under and by the virtue of an execution issued out of the **CIRCUIT** Court of MADISON County on a Judgment rendered against **DESTINY PAYTON-WILLIAMS** Defendant(s) and in favor **LEROY & BARBARA SALIDO** Plaintiff(s). I, Sheriff of Madison County, Alabama, will sell to the highest bidder for cash at **Madison County Courthouse** located at **100 Northside Square** in the City of Huntsville, Alabama on the **2<sup>ND</sup>** day of **OCTOBER, 2023**, within the legal hours of sale, at 12:00 noon, whatever interest the above named defendants(s) may possess in and to the following described property to wit:

ALL THAT CERTAIN LOT OR PARCEL OF LAND SITUATED IN THE COUNTY OF MADISON, STATE OF ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

LOT 28, ACCORDING TO THE PLAT OF ANSLEE FARMS PHASE IX, A RESUBDIVISION ON TRACT 3 ANSLEE SUBDIVISION DOCUMENT NO. 20080407000223080, RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA IN PLAT DOCUMENT NO. 2019-00040558.

THIS CONVEYANCE IS SUBJECT TO SUBDIVISION RESTRICTIONS, UTILITY, DRAINAGE AND SEWER EASEMENTS, AND MINIMUM SETBACK LINES, IF ANY, APPLICABLE TO THE AFORESAID PROPERTY APPEARING OF RECORD IN THE OFFICE OF THE JUDGE OF PROBATE OF MADISON COUNTY, ALABAMA. THIS CONVEYANCE IS ALSO SUBJECT TO ANY PRIOR RESERVATION, SEVERANCE OR CONVEYANCE OF MINERALS OR MINERAL RIGHTS.

To appear in the Speakin Out News (3) times:

SEPTEMBER 6, 2023  
SEPTEMBER 13, 2023  
SEPTEMBER 20, 2023

Kevin H. Turner  
Sheriff of Madison County

SUBSTITUTE A

ORDINANCE NO. 23- 628

**BE IT ORDAINED**, by the City Council of the City of Huntsville, Alabama, that Section 23-121 of the Code of Ordinances of the City of Huntsville, adopted May 13, 1982 and becoming effective September 1, 1982, amended by Ordinance 84-713 on November 20, 1984; amended by Ordinance 90-617 on November 20, 1990; amended by Ordinance 95-306 on May 11, 1995; amended by Ordinance 99-314 on April 8, 1999; amended by Ordinance 00-313 on April 13, 2000; amended by Ordinance 02-842 on October 10, 2002; amended by Ordinance 03-246 on April 24, 2003; amended by Ordinances 05-550 on August 11, 2005 amended by Code of Ordinances of the City of Huntsville, adopted November 20, 2007 by Ordinance 07-1125, and last amended by Code of Ordinances of the City of Huntsville, adopted on December 20, 2012 by Ordinance 12-1019, and being entitled "SCHEDULE", is hereby amended in its entirety to read as follows:

Sec. 26-631. Schedule.

(a) The rate charges to consumers of water by the City will be increasing for the monthly consumption beginning with the October 2023 billing cycle, and continuing thereafter. The rates for water consumed shall be as follows:

Consumer Classes	Effective October 2023
<b>Residential- Inside and Outside City Limits</b>	
First 3,000 gallons	\$1.70 per 1,000 gallons
Next 3,000 gallons	\$3.21 per 1,000 gallons
Next 6,000 gallons	\$3.48 per 1,000 gallons
Over 12,000 gallons	\$4.96 per 1,000 gallons
All Sprinkler	\$4.96 per 1,000 gallons

Consumer Classes	Effective October 2023
<b>Commercial/Industrial</b>	
Up to 1,000,000 gallons	\$2.65 per 1,000 gallons
Above 1,000,000 gallons	\$2.17 per 1,000 gallons
<b>Wholesale/Resale</b>	
First 5,000,000 gallons	\$2.65 per 1,000 gallons
Over 5,000,000 gallons	\$2.17 per 1,000 gallons
Supplemental/Emergency	\$6.45 per 1,000 gallons
Other	
All Sprinkler	\$4.06 per 1,000 gallons
Metered Fire Line	\$4.06 per 1,000 gallons

(b) In addition to the above rates for water consumed, there is an availability charge that is added to the consumption charge, which charge is based on having water available to the customer or consumer for water consumed or used. In the event there is no consumption, the availability charge alone will apply. The availability charge is based on meter size, and is as follows:

Meter Size	Effective October 2023
Each 5/8" meter	\$14.00
Each 1" meter	\$16.67
Each 1½" meter	\$51.33
Each 2" meter	\$77.87
Each 3" meter	\$165.59
Each 4" meter	\$268.66
Each 6" meter	\$533.87
Each 8" meter	\$726.18
Each 10" meter	\$1,380.27
Fire Line	\$10.04 per inch
Fire Hydrant Charge	\$7.53

(c) Except for wholesale/resale, supplemental and sole-source sale where water is used through a common meter, and

- Where more than one house, building, or structure used for living, eating, or sleeping quarters, or in which a business occupation or profession is conducted or carried on, or
- In apartment houses or buildings, or
- In houses or buildings occupied by more than one family, or
- In business houses or buildings where one or more persons or entities are located therein and each person or entity is engaged in a separate business or different business, or
- Mobile home parks or facilities where multiple units or spaces each have a water connection, then

each separate house, building, or structure, each unit in an apartment house or building, each family in one house, each person or entity engaged in a separate business or different business in one business house or building, each space or unit in a mobile home park or facility shall be subject to the availability charge per month of Fourteen and 00/100 (\$14.00) Dollars, effective October 2023, and in addition to any water consumed. If there is no consumption, the availability charge as set forth in paragraph (b) will apply.

(d) Provided further, that for residences, apartments, mobile home parks, and commercial establishments serving six (6) or more families, apartment units, separate or different businesses through a common master meter, the charge shall be \$2.31 per 1,000 gallons effective October 2023. In addition to the above, there will be an availability charge per month of \$14.00 effective October 2023, per unit.

(e) The City of Huntsville shall pay a monthly maintenance charge of Seven and 53/100 (\$7.53) Dollars effective October 2016, (no rate increase for October 2023) for each fire hydrant in the water system.

The rates and charges as set forth in this amendment shall become effective with meter readings on and after October 1, 2023.

ADOPTED this 14th day of September, 2023.

John Meredith  
President of the City Council of the City of Huntsville, Alabama

APPROVED this 14th day of September, 2023.

Tommy Balle  
Mayor of the City of Huntsville, Alabama

ORDINANCE NO. 23-695

**BE IT ORDAINED** by the City Council of the City of Huntsville, Alabama that the following described property is hereby declared surplus and no longer needed for municipal purpose:

Equipment #350052 Multigraphics 1250 Press  
Equipment #390010 Challenge Collator

**BE IT FURTHER ORDAINED** that the Mayor of the City of Huntsville, for and on behalf of the City of Huntsville, is hereby authorized, requested and directed to dispose of said equipment, per Agreement with Managed Asset Recycling Solutions, LLC. All proceeds will be deposited into an account, to be assigned by the Information Technology Services Department, to be utilized for the purchase of new equipment.

ADOPTED this the 14th day of September, 2023.

/s/ John Meredith  
President of the City Council of the City of Huntsville, Alabama

APPROVED this the 14th day of September, 2023.

/s/ Tommy Balle  
Mayor of the City of Huntsville, Alabama

ORDINANCE NO. 23-696

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama as follows:

Section 1. Section 27-96 of the Code of Ordinances of the City of Huntsville, Alabama is hereby amended to read as follows:

Sec. 27-96. Enforcement.

If the owner of real property located within the corporate limits of the city shall fail or refuse to comply with the provisions of this article, the manager of the community development division or other code enforcement officer of the community development division may cause to be served upon such owner, in person or by first class mail, notice requiring such owner to comply with this article within a time stated in the notice, or to appear for an administrative hearing before the manager or other code enforcement officer or officers of the community development division as designated by the manager to determine whether the owner is in violation of this article.

- (1) a. The manager of the community development division may cause the cutting of the offending grass or weeds. The manager shall keep an account of the costs of the cutting of the grass or weeds and shall render an itemized report in writing to the city council, setting forth the costs of cutting the grass or weeds. The owner shall be notified by first class mail at least five days in advance of the time fixed by the manager for the council to receive the report; and the owner may appear at that time and present objections, if any there be, to the report.
b. At the time fixed for receiving and considering the report, the council shall hear the report, together with any objections which may be raised by any of the owners whose property is liable to be assessed for the work and thereupon make such modifications in the report as they deem necessary, after which by motion or resolution the report shall be confirmed. The amounts of the cost for cutting and removing the grass or weeds mentioned in the report shall constitute special assessments against the land and as thus made and confirmed shall constitute a lien on the property for the amount of such assessments, which is to be collected by the city treasurer, or his/her designee, as any other debts are collected or liens enforced.
(2) The manager of the community development division or any enforcement officer working under his supervision may issue a citation to the owner of the property, requiring the owner to appear in the municipal court to answer charges for the violation of this article. Such citation shall name the party charged, the address of the property where the alleged

ORDINANCE NO. 23-716

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting the vacation of a utility and drainage easement; that the applicant has represented to the City of Huntsville that Joe Clayton and Susan Clayton, are the owners of the property across which said easement lies; that said easement, or the portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA
COUNTY OF MADISON

NO TITLE EXAMINATION HAS BEEN PERFORMED IN CONNECTION WITH THIS TRANSACTION

KNOW ALL MEN BY THESE PRESENTS, that THE CITY OF HUNTSVILLE, a municipal corporation, hereinafter referred to as the Grantor, for and in consideration of the sum of Ten Dollars (\$10.00) in hand paid by JOE CLAYTON AND SUSAN CLAYTON, husband and wife, hereinafter referred to as the Grantees, the receipt whereof is hereby acknowledged, and other good and valuable consideration, does hereby remise, release, quitclaim and convey unto the said Grantees all of its right, title, interest, and claim in and to the following described real estate situated in the County of Madison, State of Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO.

TO HAVE AND TO HOLD the same unto the said Grantees, and to their successors and assigns, forever.

IN WITNESS WHEREOF, the City of Huntsville, Alabama, has caused this instrument to be duly executed by its Mayor and City Clerk pursuant to Ordinance No. 23-716, as of this the 14th day of September, 2023.

THE CITY OF HUNTSVILLE, ALABAMA, a municipal corporation

By: Tommy Battle, Mayor (SEAL)

ATTEST: Shaundrika Edwards, City Clerk

STATE OF ALABAMA
COUNTY OF MADISON

I, the undersigned, a Notary Public in and for said County and in said State, hereby certify that Tommy Battle and Shaundrika Edwards, whose names as Mayor and City Clerk respectively, of the City of Huntsville, Alabama, are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, they, as such officers and with full authority, executed the same voluntarily for and as the act of the City of Huntsville, Alabama, a municipal corporation.

Given under my hand and official seal this 14th day of September, 2023.



NOTARY PUBLIC My Commission Expires: 01-05-2027

Charles P. Helms, 912 Merchants Walk, Huntsville, AL 35801

EXHIBIT "A" (Utility and Drainage Easement to be vacated)

STATE OF ALABAMA: MADISON COUNTY:

Easement Vacation on Lots 17 & 18 Stonemark Sector 8:

Commencing at the Southwest Corner of Lot 17 of Stonemark Sector 8, as recorded in Plat Book 30, Page 15, in the Probate Records office of Madison County, Alabama; thence along the South Property Line of said Lot 17, North 74°04'14" East, a distance of 10.12' to a point on the West U&D Easement Line; thence along said line, North 24°22'26" West, a distance of 5.05' to a point on the North easement Line, being the POINT OF BEGINNING; thence from the Point of Beginning, along said easement, North 74°04'14" East, a distance of 209.39' to a point on the East Easement Line; thence along said line, South 15°55'53" East, a distance of 10.00' to a point on the South easement Line on Lot 18 of Stonemark Sector 8, as recorded in Plat Book 30, Page 15, in the Probate Records office of Madison County, Alabama; thence along said easement, South 74°04'14" West, a distance of 207.85' to a point on the West Easement Line; thence along said line, North 24°42'02" West, a distance of 10.12' to the POINT OF BEGINNING; said described tract containing 0.05 Acres, more or less.

Ben George Lewis, PLS# 20639

ORDINANCE NO. 23-716 (Cont.)

ADOPTED this the 14th day of September, 2023.

President of the City Council of the City of Huntsville, Alabama

APPROVED this the 14th day of September, 2023.

Mayor of the City of Huntsville, Alabama

STOP Elder Abuse, Neglect & Exploitation Contact DHR to Make a Report 1-800-458-7214 aps@dhr.alabama.gov ALABAMA DEPARTMENT OF HUMAN RESOURCES

AAMU FUNDING continued from page 1

riculture, said in the letter. Land grant institutions are colleges built between 1862 and 1890 with grants from the federal government, which aimed to help working class Americans gain access to higher education. But for decades, states have substantially underfunded Black land grant colleges compared to their white counterparts, experts say. Historically Black institutions also tend to have lower endowments and pay higher borrowing

TASING MIMS continued from page 1

Police contend Mims didn't comply with their order for his band to stop playing so they could clear the stadium following the end of the Sept. 14 game between Minor High and Jackson-Olin High Schools, which was played in Birmingham. The incident was captured on multiple videos and has drawn a strong reaction on both sides of the issue. Birmingham police Tuesday night released a seven-minute video which begins 18 minutes after the game had ended. In some HBCU's and predominantly Black high schools, once the football game ends, bands stay on to play for families and supporters in what is commonly called the "The 5th Quarter." Givan, who on Monday called for the suspensions of the officers involved, said the officers were involved in home rule. "They had no business addressing my client, instructing my client in any kind of manner," she said. "As you listen to the (police) video, you hear the officer say, 'I'm going to call the superintendent and you're going to have to pay my overtime,'" Givan said. "What that officer should

rates than white schools, researchers said. "The longstanding and ongoing underinvestment in Alabama A&M University disadvantages the students, faculty, and community that the institution serves," the letter continued. "Furthermore, it may contribute to a lack of economic activity that would ultimately benefit Alabama." Federal officials are now advising the governor to substantially boost funding for the college in the state budget, and have offered to match that funding with federal dollars. "These funds could have supported infrastructure and student services and would have better positioned the university to compete for research

have been doing is never spoken to my client and already made a call to the superintendent to reach out to the principal or whoever the administrator on duty or in charge was to address the issues going on. That's what should have happened." Asked how Mims is coping, Givan said, "Yesterday was not a good day for him." "He's beginning to talk about the situation as part of a therapeutic effort to get past it. He was traumatized," she said. "He just left a doctor's appointment a little while ago because he had to get his injuries checked out. He was basically electrocuted, shocked." "When you tase someone, people don't understand the gravity," Givan said. "People have died from being tased." Givan is questioning how many taser hits Mims sustained. "How many cycles did that Taser go through? He went to the ground. He was already on the ground," she said. "Why did law enforcement have to tase him then? Nobody's talking about that. That's how you get to was there abuse." "He was already defenseless," she said. "That's like kicking a man while he's on his knees." The other thing she said people should be questioning is who authorized

grants," the letter stated. "Alabama A&M University has been able to make remarkable strides and would be much stronger and better positioned to serve its students, your state, and the nation if made whole with respect to this funding gap." Below is a list of other universities identified by the agencies, and the amount of money they should have been allotted in the past 30 years. 1. The University of Arkansas at Pine Bluff - \$330,935,712 2. Florida A&M University - \$1,973,081,216 3. Fort Valley State University - \$603,156,480 4. Kentucky State University - \$172,135,168 5. Southern University and A&M College -

that the stadium lights be turned off, and why. "That in itself set a clear and present danger right there," she said. Mims was also the driver of the band bus. It wasn't immediately clear who drove home the students. "They were left alone," she said. "I've had parents to call me and say their children literally did not go to bed that night. Their kids were traumatized." There has been discussion about what kind of example Mims set for the students with his interaction with police. "They need to see the entire body cam. They need to see how the police disrespected him," Givan said. "They also need to understand what the band director was doing at the time. He was not necessarily saying he wasn't going to obey them. He was telling them that he was wrapping up that song." "My client was simply trying to tell them to give him a minute and that was the last song," she said. "He could have put his hands down right then and the band was not going to stop playing." "There's a process to it," she said. "He was thrown off because they shouldn't have been approaching him." Givan also addressed information in an AL.com story that reported Mims in 2012 resigned from New

- \$1,126,149,248 6. University of Maryland Eastern Shore - \$321,181,312 7. Alcorn State University - \$257,807,216 8. Lincoln University - \$361,569,760 9. Langston University - \$418,986,272 10. South Carolina State University - \$469,956,832 11. Tennessee State University - \$2,147,784,704 12. Prairie View A&M University - \$1,135,496,704 13. Virginia State University - \$277,544,416 14. West Virginia State University - \$852,622,464 15. North Carolina A&T State University - \$2,079,934,848

Smyrna Beach High School after a probe "concluded Mims had exhibited anger control issues in front of students by hitting a Plexiglas podium so hard it broke and slamming a chair down on the floor," the News-Journal reported. That probe came after a band parent accused him of angry outbursts and verbal abuse. Several band members and parents rallied in support of Mims, the report stated. "That has nothing to do with the incident that occurred on Sept. 14, 2023, in Birmingham," she said. "It's just ruse to throw off the subject matter of what the police did." "In 2012, he was appointed to a school that was majority white at the time. There was a parent there who had a problem with him, as educators do all the time," Givan said. "He was the first Black band director at this majority-white school." "He left after a year, however he was not penalized in any manner," she said. "I've been representing educators for over 10 years and those situations arise." The Alabama Education Association and Givan will hold a joint press conference on Wednesday to further address the incident. "It's not acceptable what happened with my client," she said. "No one's life was in jeopardy."

MINOR HIGH continued from page 1

Monday said Mims is on administrative leave with pay - which is standard protocol - while they continue to investigate and gather facts. Birmingham Police Chief Scott Thurmond met with Mayor Randall Woodfin, City of Birmingham leadership, BPD leadership, Birmingham City Schools Director Dr. Mark Sullivan, and his leadership team, as well as Jefferson County Schools Superintendent Dr. Walter B. Gonsoulin Jr. and his leadership team. The seven-minute video was released at Thurmond's request. The body cam video begins 18 minutes after the game had ended. It shows an officer approaching a Minor High School staff member and an officer saying, "It's time to go." The band is still in the stands playing. They then approach Mims, who says repeatedly, "Get out of my face," to the officers. A male officer says, "I got my troops coming and they gonna sweep their asses out." Mims continue to direct the band. A female sergeant says, "Load them up before I contact the superintendent." Mims tells the officers that they're about to leave when they finish their final song. They continue to go back and forth. "We got to go. The minutes are over," the sergeant says. Mims replies, "We're fixing to go. This is our last song." The officer tells Mims they have to go now, to which he again replies, "Get out my face." Mims ended up repeating that phrase seven times to officers. The officer asks, "What

you gonna do?" The sergeant says they are contacting the school and the officer warns Mims he will go to jail. "That's cool," Mims says, holding up two thumbs. Mims then directs the band to continue to play. "Are you going to keep going?" the officer asks. The field lights are then turned off. The sergeant is heard yelling, "Put him in handcuffs." Mims then signals the band to end the song. Chaos ensues. An officer attempts to arrest Mims, and he is yelling, "Get off of me, bruh." Police get one handcuff on Mims, but can't secure the second side. A male officer is heard to those trying to intervene, "Tell (Mims) to stop." An officer can be heard saying, "I'm fixin to tase you" to Mims. Moments later an officer says, "He going to jail. He hit the officer. He's gotta go to jail." Mims replies, "I did not swing on the officer." Police repeatedly tell him to put his hands behind his back. That's when an officer deploys a Taser stun gun. The first stun had no effect and Mims is then struck two more times with the stun gun. Multiple cell phone videos have been shared on social media. They show a tight group of people arguing, including Mims, just below the bleachers. An officer deploys the stun gun at Mims, who is facing him. It appears to strike him in the mid torso area. "In front of the kids?" a woman can be heard shouting in the video as the stun gun is used. Mims drops to the ground. Multiple people - including band members - were watching and many witnesses could be heard yelling and screaming. Police could be seen restraining people as the arrest occurred. Birmingham police

spokesman Officer Truman Fitzgerald released this account of what happened: After the football game ended, Birmingham officers were in the process of clearing out the stadium and observed both bands still performing. Officers spoke with both schools' band directors to end the performance so students and attendees would leave the stadium. Officers were able to get Jackson-Olin's band to stop performing. Officers approached Mims and began asking him to get his band to stop performing. Mims did not comply with multiple officers' requests to stop his band from performing; he instructed his band to continue performing. A BPD sergeant was among the officers who attempted to get the band director to stop his band from performing. During the officers' interaction with Mims, the decision was made to place him in custody. Officers attempted to take Mims into custody for disorderly conduct when a physical altercation ensued between the band director, Birmingham City Schools System security personnel, and Birmingham officers. During the physical altercation, Birmingham officers attempted to get Mims to place his hands behind his back, but he refused. The arresting officer alleges Mims pushed him during the arrest. The arresting officer then subdued Mims with a taser. Birmingham Fire and Rescue Service treated Mims at the stadium. Officers then took him to UAB Hospital, which is standard protocol after this type of incident. After being discharged from the hospital, officers transported Mims to the Birmingham City Jail where he was booked in

and subsequently bonded out. The lawyer for the Minor High School band director tased and arrested by Birmingham police last week is calling for the suspension of all officers involved. State Rep. Juandalynn Givan, who represents Mims, earlier Monday called the incident an egregious violation of civil rights, and said Mims was subjected to excessive force and wrongful arrest. Givan said Mims is a respected member of the community and was doing his job and directing the band during their "5th Quarter" performance. "Without any justifiable cause, a Birmingham police officer approached the band director, escalating the situation to an unimaginable extent," Givan said. "The officer deployed a taser against the band director, causing physical harm and inflicting emotional distress all while in front of his students." "This incident is an alarming abuse of power and a clear violation of our client's civil rights," she said. "It is unacceptable for law enforcement to engage in home rule in the field of play or with regard to band activities unless there is a significant threat to the safety of the general public." Givan said such matters should be addressed by school district administrators or other leaders with expertise to de-escalate those types of situations. Givan called on the city and police officials to place all of the officers involved on administrative leave pending further investigation. "We will not rest until justice is served and those responsible are held accountable," Givan said. "This case highlights the urgent need for police reform, training and the protection of every citizen's rights."