

**REGULAR MEETING OF THE COUNCIL
CITY OF BIRMINGHAM, ALABAMA
VIRTUAL MEETING
PRE-COUNCIL MEETING – 9:00 A.M.**

April 27, 2021 – 9:30 A.M.

WEBSITE ADDRESS: www.birminghamal.gov

Event Address for Attendees:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=ef88fbb2d0ac8a946314c68f8c0a2dfd5>

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Access code: 187 640 5185

INVOCATION

PLEDGE OF ALLEGIANCE: Councilor Hunter Williams

ROLL CALL

APPROVAL OF MINUTES FROM PREVIOUS MEETINGS: October 20

MINUTES NOT READY: September 29, 2020, November 3, 2020 – April 20, 2021

COMMUNICATIONS FROM THE MAYOR

CONSIDERATION OF CONSENT AGENDA

All items designated as “Consent” are routine and non-controversial and will be approved by one motion. No separate discussion of these items will be permitted unless a Councilmember, the Mayor or Citizen interested in a public hearing so requests, if so, such item(s) will revert to its normal place on the Agenda Order of Business. All matters of permanent operation (“P”) will be read. All other matters will be announced by reading the Item Number only. All Public Hearings will be announced.

CONSIDERATION OF ORDINANCES AND RESOLUTIONS FOR FINAL PASSAGE

P(ph)

ITEM 1.

An Ordinance “TO FURTHER AMEND THE ZONING DISTRICT MAP OF THE CITY OF BIRMINGHAM” (**Case No. ZAC2020-00026**) to change zone district boundaries from R-3 Single Family District to “Q”D-5 Qualified Multiple Dwelling District to allow the construction of townhomes, filed by Corey Johnston, the owner, for the properties located at 4424, 4428, 4432 & 4446 Montevallo Road and situated in the NE ¼ of Section 34, Township 17-S, Range 2-West, and the **hearing** of all interested parties. [**Second Reading**] (Submitted by Council President Parker, Chairman, Planning and Zoning Committee) (Recommended by the Z.A.C. and the Planning and Zoning Committee) **

This is a public hearing item. Any persons who wish to speak for or against this item may do so by joining the meeting of the full Council using this link:

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(ph)

ITEM 2.

A Resolution relative to the application of KKR, Inc. for the transfer of an Off Premise Beer and Wine License to be used at **C-Store**, 1316 Bessemer Road Suite A, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 3.

A Resolution relative to the application of OT 2021, LLC for the transfer of a Restaurant Retail Liquor License to be used at **Overtime Grill and Bar**, 100 Frankfurt Circle Suite F & G, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 4.

A Resolution relative to the application of C Town, Inc. for the transfer of an Off Premise Beer and Wine License to be used at **C Town**, 4010 Messer Airport Highway Suite B, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 5.

A Resolution relative to the application of C Town, Inc. for the transfer of a Lounge Retail Liquor Class II License to be used at **C Town 2**, 4010 Messer Airport Highway Suite A, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 6.

A Resolution relative to the application of Bosses Private Lounge LLC for a Club Liquor Class II License to be used at **Bosses Private Lounge**, 1179 – 16th Avenue West, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 7.

A Resolution relative to the application of Bosses Private Lounge LLC for a Division I Dance Permit to be used at **Bosses Private Lounge**, 1179 – 16th Avenue West, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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(ph)

ITEM 8.

A Resolution relative to the application of Lakeview Oyster House, Inc. for a Special Events License 140 to be used at **Moe’s Original Bar B Que Wing Fest**, June 26, 2021 on 29th Street South from 7th Avenue South to 8th Avenue South, Birmingham, and the **hearing** of all interested parties. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (No Recommendation by the Public Safety Committee)

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ITEM 9.

A Resolution relative to the application of Roosevelt Brock Jr. for a Towing Service License to be used at **The Kee**, Centerpoint, Alabama, to operate one (1) wrecker on the streets of Birmingham. (Submitted by Councilor Williams, Chairman, Public Safety Committee) (Recommended by the Chief of Police) (No Recommendation by the Public Safety Committee) **

CONSENT(ph)

ITEM 10.

A Resolution authorizing the abatement of the nuisances existing on the following properties and the costs of such abatement to be assessed against and constitute a lien upon such properties, and the **hearing** of all interested parties: (Submitted by the Mayor) (Recommended by the Public Improvements Committee)

- 1 12-31-3-04-08.000-RR; 800 GENE REED RD, LOT 2-A GENE REED ESTATES RESUR OF LOTS 1+2+3+4 & 5,
- 3 21-25-4-07-09.000-RR; 409 IRVING ST, LOT 9 BLK 13 ENSLEY 10TH ADD,
- 5 21-36-3-06-02.000-RR; 2805 BURRELL ST, LOT 11 BLK A REUBEN BURRELL SUR 4/82,
- 6 21-36-3-06-07.000-RR; 301 BIRD AVE, LOTS 5 THRU 9 D B BIRD,
- 7 21-36-3-06-09.000-RR; 2804 SLAYDEN AVE, LOT 2 D B BIRD ENSLEY 7/7,
- 8 22-11-4-09-01.000-RR; 2867 41ST CT N, LOTS 1 THRU 3 BLK 7 BOYDGA TERRACE,
- 9 22-13-4-13-14.000-RR; 3112 33RD PL N, LOT 5 BLK 3 MCCARTYS ADD TO NORTH BHAM,
- 10 22-13-4-14-03.000-RR; 3125 33RD PL N, S 33 FT OF LOT 17 BLK 4 MCCARTYS ADD TO NORTH BHAM,
- 11 22-13-4-14-04.000-RR; 3121 33RD PL N, LOT 16 BLK 4 MCCARTY ADD TO NORTH BHAM,
- 12 22-13-4-15-06.000-RR; 3429 33RD AVE N, LOT 6 BLK 3 DOUGLASVILLE,

- 13 22-13-4-15-07.000-RR; 3423 33RD AVE N, LOT 7 BLK 3 DOUGLASVILLE,
- 14 22-13-4-15-08.000-RR; 3417 33RD AVE N, LOT 8 BLK 3 DOUGLASSVILLE,
- 15 22-13-4-20-05.000-RR; 3023 33RD ST N, LOT 5 BLK 1 CRESTVIEW,
- 16 22-13-4-21-13.000-RR; 3154 31ST AVE N, THE E 25 FT OF LOT 11 BLK 1 EBORNS
ADD TO NO BHAM,
- 17 22-13-4-21-14.000-RR; 3152 31ST AVE N, W 25 FT LOT 11 BLK 1 EBORNS ADD
TO NO BHAM,
- 18 22-13-4-21-23.000-RR; 3118 31ST AVE N, W 1/2 OF LOT 3 BLK 1 EBORNS ADD
TO NO BHAM,
- 19 22-14-1-21-13.000-RR; 2712 40TH AVE N, LOT 6 BLK 3 M C TYLER & J H BERRYS
ADD TO FAIRMONT,
- 20 22-14-1-21-14.000-RR; 2716 40TH AVE N, LOT 5 BLK 3 M C TYLER & J H BERRYS
ADD TO FAIRMONT,
- 21 22-14-1-21-15.000-RR; 2720 40TH AVE N, LOTS 3 & 4 BLK 3 M C TYLER & J H
BERRYS ADD TO FAIRMONT PB 8 PG 92,
- 22 22-14-1-21-16.000-RR; 2724 40TH AVE N, LOT 2 BLK 3 M C TYLER & J H BERRYS
ADD TO FAIRMONT,
- 23 22-14-1-21-17.000-RR; 2728 40TH AVE N, LOT 1 BLK 3 M C TYLER & J H BERRYS
ADD TO FAIRMONT,
- 24 22-14-1-25-03.000-RR; 3913 27TH ST N, P O B 75 FT N OT E INTER LOUISVILLE
& NASHVILLE R R & 27TH ST TH N 118 FT S ALG 27TH ST TH E 100 FT S TO
ALLEY TH S 118 FT S TH W 100 FT S TO P O B BEING PART NW NE1/4,
- 25 22-14-1-25-04.000-RR; 3909 27TH ST N, POB E INTER LOUISVILLE &
NASHVILLE RR & 27TH ST TH E 91.2 FT ALG LOUISVILLE & NASHVILLE RR
TO ALLEY TH N 75 FT TH W 91.2 FT TO 27TH ST TH S 75 FT ALG 27TH ST TO
POB BEING PART NW NE1/4 SEC 14 TP17S R3W,
- 26 22-20-2-01-04.000-RR; 1490 CLARET ST, LOT 3 BLK 7 SMITHFIELD ESTATES
1ST ADD 3RD SECTOR,
- 27 22-23-2-11-08.000-RR; 2112 30TH AVE N, NE 10 FT LOT 15 & SW 40 FT LOT 16
BLK 188 BINGHAM LD CO & NE 10 FT LOT 15 & SW 40 FT LOT 16 BLK 188
NORTH BHAM,
- 28 22-24-4-24-18.000-RR; 1426 29TH ST N, N 50 FT OF LOT 12 BLK 30 BHAM RLTY
COS ADD NO 4,
- 29 22-26-1-03-40.000-RR; 1582 DRUID HILL DR, LOT 13 BLK 9 DRUID HILLS,
- 30 22-26-1-03-41.000-RR; 1586 DRUID HILL DR, LOT 14 BLK 9 DRUID HILLS,

- 31 22-26-1-06-05.000-RR; 1841 17TH CT N, P O B 309 FT E OF THE S INTER OF 18TH PL N & 17TH CT N TH E 90S FT ALG CT TH S 165S FT TO ALLEY TH W 105 FT TH N 22S FT TH E 19 FT TH N 146.7 FT TO P O B BEING PT OF LOT 1 BLK 2 S V COPELAND SUR,
- 33 22-26-3-22-15.000-RR; 1216 5TH ST N, S 50 FT OF LOTS 20+21 C J MCCARY TRUSTEE,
- 34 22-26-3-24-04.000-RR; 414 11TH CT N, S 77.5 FT OF LOT 1 BLK 6 MCDANIELS SUR,
- 35 22-26-3-25-04.000-RR; 400 11TH CT N, W 50 FT OF LOT 1 BLK 7 MCDANIELS SUR,
- 36 22-26-3-25-05.000-RR; 402 11TH CT N, E 35.3 FT OF LOT 1 & S 5.5 FT BY 60 FT IN SW COR LOT 2 BLK 7 MCDANIEL,
- 37 22-27-1-28-07.000-RR; 218 14TH CT N, LOT 1 BURKETT ESTATE SUB 137/10,
- 38 22-27-3-05-07.000-RR; 1513 3RD ST W, LOT 3 BLK 5 RESUB OF BLKS 1 2 3 4 5 & 6 ST MARKS VILLAGE VILLAGE SUR,
- 39 22-27-4-28-09.000-RR; 314 12TH TER N, LOTS 1 & 2 EX W 25 FT BLK 6 MAP OF NEW ZEALAND,
- 40 22-27-4-29-02.000-RR; 1229 3RD ST N, THE W 120 FT OF LOT 8 BLK 3 MAP OF NEW ZEALAND,
- 41 22-27-4-35-02.000-RR; 1152 2ND ST W, LOT C MAP OF A RESURVEY & SUBD OF N 150 FT OF LTS 7 & 8 BLK 4 ACCORDING TO MAP OF L A BENNIES RESURVEY OF BLK 3 & N 1/2 BLK 4 SPAULDING SUBD (MB 14-PG 6) AND OF N 150 FT OF UNNUMBERED BLOCK LYING WEST OF BLK 45 NORTH SMITHFIELD SUBD (MB1-PG 149),
- 42 22-30-4-32-02.000-RR; 629 6TH PL, LOT 2 BLK 23 ENSLEY LAND CO ADD TO PRATT CITY,
- 43 22-31-1-28-01.000-RR; 621 11TH ST, LOTS 10 + 11 BLK 12-F ENSLEY LD COS 2ND ADD TO ENSLEY,
- 44 22-31-1-28-14.000-RR; 1218 AVENUE G, ALL OF LOT 15 & N E 11.9 FT OF LOT 16 BLK 12-F ENSLEY DESC AS FOL COM AT NW COR LOT 12 BLK 12-F ENS TH SWLY ALONG,
- 45 22-31-1-28-16.000-RR; 1214 AVENUE G, LOT 12 & E 13.8 FT OF LOT 13 BLK 12-F ENSLEY LD COS 2ND ADD TO ENSLEY CO'S 2ND ADD TO ENS TH SWLY,
- 46 22-31-1-42-01.000-RR; 1301 AVENUE G, LOTS 1 & 2 BLK 13-G ENSLEY LD COS 2ND ADD TO ENSLEY,
- 47 22-31-2-06-08.000-RR; 1421 AVENUE F, NE 19 FT OF LOT 11 AND SW 1/2 LOT 10 BLK 14-F ENS,
- 48 22-31-2-06-09.000-RR; 1425 AVENUE F, LOT 12 & SW 6 FT LOT 11 BLK 14-F ENSLEY,

- 49 22-31-2-07-06.000-RR; 1413 AVENUE E, LOT 7 & NE 1/2 LOT 8 BLK 14-E ENSLEY,
- 50 22-31-2-07-07.000-RR; 1419 AVENUE E, POB 37.5 FT NE OF NE INTER 15TH ST & AVE E TH NE 75 FT ALG AVE E TH SE 100 FT TH SW 75 FT TH NW 100 FT TO POB BEING PART LOTS 8-9-10-11 BLK 14-E ENSLEY,
- 51 22-31-2-09-03.000-RR; 1407 AVENUE C, BEG SWLY COR OF LOT 7A ENSLEY SANDY VISTA PH XIII 234/46 TH SWLY 50 FT TH NELY 55 FT TH NW 35 FT TO POB BEING PT OF LOTS 9 & 10 BLK 14-C ENSLEY 4/3,
- 52 22-31-2-09-05.000-RR; 308 15TH ST, PT BLK 14-C ENSLEY DESC AS FOL PT OF BEG 37 FT NW OF INTER 15TH ST & ALLEY IN SD BLK TH CONT NW 38 FT TH NE 84 FT TH SE 38 FT TH SW 84 FT TO POB,
- 53 22-31-2-09-05.002-RR; 1417 AVENUE C, BEG SE COR OF LOT 7A ENSLEY SANDY VISTA PH XIII 234/46 TH SW 16 FT TH NWLY 130 FT TH NE 20 FT TH SE 105 FT TO POB BEIN PT OF LOT 9 BLK 14-C ENSLEY 4/3,
- 54 22-31-2-09-05.003-RR; 312 15TH ST, PT OF BEG SE COR LOT 12 BLK 14-C ENSLEY TH NE 84 FT TH NW 37 FT TH SW 84 FT TH SE 37 FT TO PT OF BEG,
- 55 22-31-2-09-05.004-RR; 304 15TH ST, PT OF BEG 37 FT SE OF SW COR LOT 12 BLK 14-C ENSLEY TH SE 37 FT TH NE 84 FT TH NW 38 FT TH SWLY 84 FT TO PT OF BEG,
- 56 22-31-2-09-05.005-RR; 300 15TH ST, PT OF BEG SW COR LOT 12 BLK 14-C ENSLEY TH SE 37 FT TH NE 84 FT TH NW 16.4 FT TH SW 35 FT TH SW 56 FT TO PT OF BEG,
- 57 22-31-4-28-05.000-RR; 1612 AVENUE I, LOTS 19+20 BLK 16-H ENSLEY,
- 58 22-32-3-15-01.000-RR; 1601 17TH ST, LOTS 25-26&27 BLOCK 3 TUXEDO PARK,
- 59 22-32-3-15-07.000-RR; 1602 AVENUE V, LOT 23 BLK 3 TUXEDO PARK,
- 60 22-32-3-15-08.000-RR; 1600 AVENUE V, LOT 24 BLK 3 TUXEDO PARK,
- 61 23-08-2-18-24.000-RR; 4162 51ST AVE N, LOT 10 BLK 1 JEFFERSON HILLS,
- 62 23-08-2-19-17.000-RR; 4316 51ST AVE N, LOT 8 BLK 10 JEFFERSON HILLS 3RD ADD,
- 63 23-08-2-29-19.000-RR; 4905 BRITAIN ST, LOT 24 BLK 12 JEFFERSON HILLS 4TH ADD,
- 64 23-08-3-14-06.000-RR; 4225 46TH AVE N, LOT 6 BLK 7 BOYLES HGLDS,
- 65 23-08-3-14-07.000-RR; 4215 46TH AVE N, LOT 8 & 9 BLK 7 BOYLES HGLDS PB 7 PG 107,
- 66 23-08-3-14-07.001-RR; 4221 46TH AVE N, LOT 7 BLK 7 BOYLES HGLDS PB 7 PG 107,
- 67 23-08-3-14-08.001-RR; 4209 46TH AVE N, LOT 10 BLK 7 BOYLES HIGHLANDS LAND CO 7/107,

- 68 23-08-3-14-09.000-RR; 4201 46TH AVE N, LOT 12 BLK 7 BOYLES HGLDS,
- 69 23-08-3-20-07.000-RR; 4405 42ND PL N, N 1/2 LOTS 4 THRU 6 BLK 7 MTN PARK RESUR,
- 71 23-08-3-21-16.000-RR; 4428 42ND PL N, LOT 15 BLK 6 MTN PARK,
- 72 23-08-3-21-17.000-RR; 4426 42ND PL N, LOT 14 BLK 6 MOUNTAIN PARK RESUR,
- 73 23-08-3-21-18.000-RR; 4438 42ND PL N, LOT 13 BLK 6 MTNS PARK RESUR,
- 74 23-08-3-26-09.000-RR; 4309 42ND ST N, LOT 3 BLK 5 MTN PARK,
- 77 23-10-4-16-10.000-RR; 7716 4TH AVE N, LOT 5 BLK 9-D EAST LAKE 1/217,
- 78 23-11-2-15-16.000-RR; 8320 1ST AVE S, LOT 6 BLK 152 E LAKE LAND CO,
- 81 23-11-4-21-07.000-RR; 8161 RUGBY AVE, LOT 31 BLK 46 SO HGLDS OF EAST LAKE,
- 83 23-14-1-16-08.000-RR; 7804 RUGBY AVE, LOT 3 & SW 15 FT LOT 4 BLK 21 SOUTH HIGHLANDS OF EAST LAKE,
- 86 23-14-4-09-02.000-RR; 7425 SPARTA AVE, LOT 12 BLK 95 CENTRAL HGLDS ADD,
- 87 23-14-4-09-03.000-RR; 7421 SPARTA AVE, LOT 13 BLK 95 CENTRAL HGLDS ADD,
- 88 23-15-2-01-18.000-RR; 6801 41ST AVE N, LOT 22 KINGSWAY TERRACE 2ND SECTOR,
- 90 23-18-1-07-20.000-RR; 3928 40TH AVE N, LOT 8 BLK 6 W W COGHILL,
- 92 23-18-2-02-01.000-RR; 3541 34TH CT N, LOT 24 BLK 2 VULCAN CITY,
- 93 23-18-2-02-02.000-RR; 3539 34TH CT N, LOTS 22 & 23 BLK 2 VULCAN CITY PB 6 PG 9,
- 94 23-19-4-01-08.000-RR; 1016 40TH ST N, LOTS 1 THRU 4 BLK 25 EAST BHAM 1/7,
- 97 23-22-2-29-07.000-RR; 325 63RD ST S, SE 90 FT OF LOT 11 BLK 5 HOWELLS ADD TO WOODLAWN,
- 98 23-23-2-13-20.000-RR; 7728 68TH PL S, LOT 6 BLK 1 CENTRAL ADD TO GATE CITY,
- 99 23-23-2-13-21.000-RR; 7732 68TH PL S, LOTS 7+8+9 BLK 1 CENTRAL ADD TO GATE CITY,
- 102 29-02-3-09-13.000-RR; 124 2ND AVE S, ELY 20.6 FT OF LOT 14 BLK 6 WALKER LAND COS ADD TO BHAM,
- 104 29-02-4-20-06.000-RR; 605 9TH AVE S, LOT F BLK 6 J F REDDOCHS RESUR OF LOTS 1 THRU 7 BLK 6 BHAM RLTY COS 8TH ADD,

- 106 29-03-4-12-03.000-RR; 25 1ST AVE S, LOT 3 BLK 2 SESSIONS LD CO SUB OF BLK 3-4 WALKER LD CO,
- 107 29-06-1-20-05.000-RR; 1437 27TH ST, LOT 4 BLK 6 ENSLEY LD COS 11TH ADD,
- 108 29-06-1-26-19.000-RR; 2604 AVENUE S, LOTS 29 & 30 BLK 60 ENSLEY HIGHLANDS PB 6 PG 24,
- 110 29-07-4-24-32.000-RR; 5512 AVENUE Q, LOT 10 BLK 5 FERRELL AND BYARS RESUR OF CENTRAL ADD,
- 111 29-08-2-10-15.000-RR; 4628 AVENUE T, LOT 22 BLK 8 CENTRAL PARK LAND COMPANYS FIRST SURVEY,
- 112 29-09-1-08-03.000-RR; 1309 COTTON AVE SW, N 95 FT OF LOT 3 BLK 6 WEST END,
- 115 29-29-2-03-02.000-RR; 2825 WENONAH DR SW, LOT 7 BLK 2 WEST GOLDWIRE ESTATES,
- 116 30-02-1-08-10.000-RR; 4624 7TH AVE, LOT 10 BLK 5 RESUR OF ADLER WEAVER,
- 117 30-02-1-21-02.000-RR; 4609 7TH AVE, LOT 3 BLK 8 RESUR OF ADLER WEAVER,
- 118 30-02-1-26-09.000-RR; 4300 8TH AVE, LOT 7-A RESUR OF LOTS 7-8 & 9 BLK 8 DEWEY,
- 123 30-16-1-01-27.000-RR; 3626 ALEXANDER ST, LOT 2 BL 1 TERRY FURNITURE & LOAN COS SUB,
- 124 30-16-1-01-40.000-RR; 3625 ALEXANDER ST, P O B 258 FT S W OF THE N W INTER OF ALEXANDER ST & A ALLEY TH W 50 FT ALG ALLEY TH N 200 FT TO ALLEY TH E 50 FT TH S 200 FT TO POB SEC 16 TP 18 R 4W,
- 125 30-16-1-01-41.000-RR; 3621 ALEXANDER ST, POB 208 FT W OF THE NW INTER OF ALEXANDER ST & AN ALLEY TH W 50 FT ALG ALLEY TH N 200 FT TO ALLEY TH E 50 FT ALG ALLEY TH S 200 FT TO POB PT OF SW 1/4 OF NE 1/4 SEC 16 TP 18 R 4W,
- 126 30-16-4-13-15.000-RR; 3521 1ST ST, LOT 6 BLK 1 SYX MOXLEY ADD TO DOLOMITE,
- 127 30-16-4-13-19.000-RR; 3501 1ST ST, LOTS 1 & 2 BLK 1 SYX MOXLEY ADD TO DOLOMITE,
- 128 30-16-4-14-19.000-RR; 3505 2ND ST, LOT 23 BLK 2 SYX MOXLEY ADD TO DOLOMITE,

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ITEM 11.

An Ordinance “TO FURTHER AMEND THE CAPITAL FUND BUDGET” for the fiscal year ending June 30, 2021, by appropriating \$1,500,000.00 to Ensley High School Mixed Use Redevelopment/Healthy Food Option. (Submitted by the Mayor) (Recommended by the Mayor and the Budget and Finance Committee) (Deferred from 4/6/2021 to 4/13/2021; Deferred from 4/13/2021 to 4/20/2021; and Deferred from 4/20/2021 to 4/27/2021) **

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ITEM 12.

An Ordinance authorizing the Mayor to execute (i) a Redevelopment Agreement with **ZIMMERMAN PROPERTIES SE, LLC (“Zimmerman”)**, a North Carolina limited liability company, (hereinafter collectively referred to as “Redeveloper”). under which the Redeveloper will redevelop property known as the former Ensley High School, located at 2301 Avenue J, Birmingham (“Redevelopment Property”) for a mixed use development and the City shall convey the Redevelopment Property to Redeveloper for a purchase price of \$50,000.00, which the City has determined to be the “use value” of the Redevelopment Property as defined in Code of Alabama (1975) Section 24-2-6(a) and shall further provide certain incentives in the form of a City grant of up to \$1,500,000.00 in connection with the Project and that providing the City grant will promote the economic development of the City constitutes a public purpose and is authorized by, consistent with, and in furtherance of the objectives of Amendment No. 772. **[Second Reading]** (Submitted by the City Attorney) (Recommended by the Mayor, the Economic Development Committee and the Budget and Finance Committee) (Did Not Receive Unanimous Consent; Held Over From 4/6/2021 to 4/13/2021; Deferred from 4/13/2021 to 4/20/2021; and Deferred from 4/20/2021 to 4/27/2021) **

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ITEM 13.

An Ordinance approving, and authorizing the Mayor to execute, (i) an Amended Redevelopment Agreement with **Alabama School of Fine Arts Foundation**, under which a Redevelopment Agreement between the City and Alabama School of Fine Arts Foundation dated December 13, 2017, pursuant to which Alabama School of Fine Arts Foundation purchased and agreed to redevelop property consisting of a 10,367 square foot building located at 820 18th Street, North, will be amended to extend the commencement and completion dates for the redevelopment project and to make other revisions and corrections to the Redevelopment Agreement, and (ii) an Amendment to Covenants, under which corresponding amendments will be made to the covenants set forth in the deed to the property. **[Second Reading]** (Submitted by the City Attorney) (Recommended by the Director of Innovation and Economic Opportunity, the Budget and Finance Committee and the Economic Development Committee) (Did Not Receive Unanimous Consent; Held Over From 4/20/2021 to 4/27/2021) **

INTRODUCTION AND FIRST READING OF ORDINANCES AND RESOLUTIONS

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ITEM 14.

An Ordinance approving the execution and recording of a Declaration of Covenants and Restrictions for property located at 1231 and 1235 23rd Street South, Birmingham, modifying the application of a Settlement Agreement and Release and Covenants recorded in the Probate Records of Jefferson County, Alabama, and authorizing the Mayor to execute all necessary documents. **[First Reading]** (Submitted by the City Attorney) (Recommended by the Planning and Zoning Committee) **

CONSENT

ITEM 15.

A Resolution authorizing the Mayor to enter into a Right of Way Encroachment License Agreement whereby **Parkside Bakery Investment Partners II, LLC** is allowed to install one (1) aluminum, internally illuminated, double-faced, blade sign, which will project 6.58-feet from the front of the building, three, (3) metal (light gauge steel) awnings which will project 3.6-feet from the front of the building, two (2) outward swinging double doors and one outward swinging single door, all of which will extend 1.58-feet into the right of way. Also, one (1) outward swinging single door which will extend 2.54-feet into the right of way. The sign, awnings and outward swinging doors will extend from the front of

the building, known as Bakers ROW II, located at #10 14th Street South, and encroach into, over and upon the right of way of 14th Street South, Birmingham. (Submitted by the City Attorney) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT**ITEM 16.**

A Resolution authorizing the Mayor to enter into a Memorandum of Understanding Agreement whereby **the Roebuck Neighborhood Association** is allowed to install and maintain (1) one single face, limestone, sandblasted, brick neighborhood entrance sign on City of Birmingham property, located at the northwest corner of the intersection of Red Lane Road and Robison Drive, abutting and adjacent to 300 Robison Drive, Birmingham. (Submitted by the City Attorney) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT**ITEM 17.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Birmingham AIDS Outreach, Inc.** in an amount not to exceed \$5,000.00, pursuant to §11-40-1, §11-47-130, *et seq.*, §22-3-11 and §38-2-9 Codes of Alabama, 1975, to provide the following goods and services for the City: Birmingham AIDS Outreach, Inc. will provide transportation, medication assistance, clothes and household items, personal hygiene supplies, case management and targeted outreach and prevention to residents within the Birmingham area who are affected and infected by HIV/AIDS. They will also provide free and confidential resources as well as counseling to residents within the Birmingham area through specific programs and other activities from April 13, 2021 through June 30, 2021, said funds to come from District 2 Discretionary Funds. (Submitted by the City Attorney) (Recommended by the Mayor and Councilor Williams) **

CONSENT**ITEM 18.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Children’s Village, Inc.** in an amount not to exceed \$3,000.00, pursuant to §11-40-1 and §38-2-9 Codes of Alabama, 1975, to provide the following goods and services for the City: The Provider will provide shelter, food, transportation and clothing to Birmingham’s abandoned, abused and neglected children, said funds to come from City Council District 7 Discretionary Funds. (Submitted by the City Attorney) (Recommended by the Mayor and Council President Pro Tempore Alexander) **

CONSENT**ITEM 19.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Crisis Center, Incorporated** in an amount not to exceed \$3,000.00, pursuant to §11-40-1, §11-47-130, *et seq.*, §22-3-11 and §38-2-9 Codes of Alabama, 1975, to provide the following goods and services for the City: The Provider will assist the district by providing mental health and suicide prevention services to citizens. These services will be provided to the citizens in need at no cost, said funds to come from District 2 Discretionary Funds. (Submitted by the City Attorney) (Recommended by the Mayor and Councilor Williams) **

CONSENT**ITEM 20.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Ruffner Mountain Nature Coalition, Inc.**, in an amount not to exceed \$10,000.00, pursuant to §11-40-1 *et. seq.* and §11-47-16, Code of Alabama 1975, for advertising and the provision of media releases of the City services provided in the natural preserve programs that are part of the region-wide ecosystem within the City of Birmingham, said funds to be paid from Councilor Williams’ Discretionary Fund. (Submitted by the City Attorney) (Recommended by the Mayor and Councilor Williams) **

CONSENT**ITEM 21.**

A Resolution authorizing the Mayor to execute and deliver an agreement with **Youth Towers, Inc.** in an amount not to exceed \$2,500.00, pursuant to §11-40-1 and §38-2-9 Codes of Alabama, 1975, to provide the following goods and services for the City: The Provider will provide youth support services that include transportation for social services within the City of Birmingham and homeless prevention said funds to come from the District 7 Discretionary funds. (Submitted by the City Attorney) (Recommended by the Mayor and Council President Pro Tempore Alexander) **

CONSENT**ITEM 22.**

A Resolution authorizing the Mayor to expend funds in an amount not to exceed \$432.00 to the **Birmingham Board of Education**, pursuant to §11-40-1 and §16-11-9.1 Codes of Alabama, 1975, in support of Wylam Elementary School to defray expenses associated with school operational supplies. The Birmingham Board of Education will work with the schools to provide these services by August 31, 2021. Said funds will come from Wylam Neighborhood Association Funds. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 23.**

A Resolution authorizing the amendment of Resolution No.111-67, as amended by Resolution No. 3487-04, as amended by Resolution No. 112-12 as amended by Resolution No. 787-16, which deals with the election of members of **the Board of Managers for the Firemen's and Policemen's Supplemental Pension Board** to fill a vacancy for Member No. 2, a firefighter and Member No. 3, a police officer, due to the expiration of terms of the current members and calling for an election for Member No. 2 and Member No. 3 to be held August 3, 4, and 5, 2021, and if necessary, a run-off election to take place on September 14, 15 and 16, 2021 and setting forth the rules and regulations therefore. (Submitted and Recommended by the Mayor) **

CONSENT**ITEM 24.**

A Resolution authorizing an election pursuant to Act No. 2006- 339 (Ala. Acts, 2006) of the Legislature of Alabama to fill the unexpired term of Member No. 7 **the Board of Managers of the Retirement and Relief System of the City of Birmingham** to be held August 3, 4, and 5, 2021, and if necessary, a run-off election to take place on September 14, 15 and 16, 2021 and setting forth the rules and regulations therefore. (Submitted and Recommended by the Mayor) **

CONSENT**ITEM 25.**

A Resolution pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, as amended, authorizing the City Attorney, upon her recommendation, to settle all claims against the City arising from an incident occurring on January 13, 2019, wherein the Claimant sustained physical injuries to his shoulder, chest, and back, when he was shot by a suspect while performing his duties as an employee of the City of Birmingham, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed \$15,000.00, with said funds to come from Account Number 001-042-02300.527-045. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 26.**

A Resolution pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, as amended, authorizing the City Attorney, upon her recommendation, to settle all claims against the City arising from an incident occurring on January 21, 2019, wherein the Claimant sustained physical injuries to her back when the refuse truck on which she was riding was involved in a one-vehicle accident, while she was performing her duties as an employee of the City of Birmingham, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed \$16,500.00, with said funds to come from Account Number 001-042-02300.527-045. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 27.**

A Resolution pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation, to settle the claim of **Angela Eason v. City of Birmingham**, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed a total of \$13,500.00, said funds to come from General Ledger Number: 001-028-01600-534-013. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 28.**

A Resolution pursuant to the provisions of §2-3-27 of the General Code of the City of Birmingham, 1980, as amended, authorizing the City Attorney, upon her recommendation, to settle the claim of **Maurice Carter v. City of Birmingham**, and authorizing the Mayor, the City Attorney, or one of her assistants, to execute all documents necessary to accomplish the settlement of this claim in an amount not to exceed a total of \$10,000.00, said funds to come from General Ledger Number: 001-028-01600-534-013. (Submitted by the City Attorney) (Recommended by the Mayor) **

CONSENT**ITEM 29.**

A Resolution accepting and approving the bid of **Budget Janitorial Supply, Inc.**, Pelham, Alabama, for the purchase of various paper products as needed at unit prices on file in the office of the Purchasing Agent for a period one (1) year for the City Stores Warehouse, this being the lowest responsive, responsible bid submitted. [**Appropriated for in FY 2020 - 2021 Budget; G/L Accounts: 001.152-003 and 001-152.007**] (Submitted by the Mayor) (Recommended by the Purchasing Agent) (Four Bids Submitted)

CONSENT**ITEM 30.**

A Resolution accepting and approving the bid award of **W. W. Williams**, Birmingham, for rebuilt Allison Automatic Transmissions at the prices on file in the office of the Purchasing Agent for a period one (1) year for the Equipment Management Department, this being the lowest bid submitted. [**G/L Account: 001.151-004**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Equipment Management) (Three Bids Submitted)

CONSENT**ITEM 31.**

A Resolution authorizing the Director of Finance to pay **Todd Boozer** the amount of \$4,970.00 from the for Project No. PEP135CP 004010 – Hagood TAP Grant Match, for street right of way temporary construction easement to Parcel No. 2, Hagood Street Improvements, Streetscape (Euclid Avenue to Montclair Road) Project No. TAPBH-TA19, located at 1000 Hagood Street, Birmingham. (Submitted by the Mayor) (Recommended by the Director of Planning, Engineering and Permits and the Public Improvements Committee)

CONSENT

ITEM 32.

A Resolution approving any and all necessary payments for goods and services costing in excess of \$10,000.00 to Jefferson County, Election Systems & Software, Pinnacle Data Systems and any other sole source vendors for the purpose of conducting the August 24, 2021 Mayor, Council and Board of Education elections and the October 5, 2021 runoff elections (if necessary), and authorizing the Mayor to execute any and all necessary contracts and agreements. (Submitted by the Mayor) (Recommended by the City Clerk)

CONSENT

ITEM 33.

A Resolution approving payment to **Carlson Equipment & Software**, Saint Augustine, Florida, in an amount not to exceed \$6,525.00, for the purchase of Civil Suite Annual Software Renewal for the Planning, Engineering and Permits Department, in accordance with Section 3-1-7 of the Birmingham City Code. [**Appropriated for in the FY2020-2021 Budget; G/L Account: 001_037_01922.526-011**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Planning, Engineering and Permits)

CONSENT

ITEM 34.

A Resolution approving payment to **Maxon Furniture Inc.**, Muscatine, Iowa, for the purchase of office furniture as needed at the unit prices on file in the office of the Purchasing Agent for a period of one (1) year, for the Department of Innovation and Economic Opportunity and various Departments based on bid awarded contract by the State of Alabama, T-number T390 Master Agreement #MA999 17000000087. [**Appropriated for in the FY 2020-2021 Budget; G/L Account: 001_003_99999.525-005**] (Submitted by the Mayor) (Recommended by the Purchasing Agent and the Director of Innovation and Economic Opportunity)

CONSENT

ITEM 35.

A Resolution approving the following **Advanced Expense Accounts:** (Submitted by the Mayor) (Recommended by the Director of Finance) **

John Hilliard, Councilor, City Council, Huntsville, Alabama, \$1,171.35, May 12-15, 2021 to attend Alabama League of Municipalities Convention 2021.

Al-Juliana Gray, Committee Assistant, City Council, Huntsville, Alabama, \$1,096.35, May 12-15, 2021 to attend Alabama League of Municipalities Convention 2021.

Tevin Jones, Committee Assistant, City Council, Huntsville, Alabama, \$1,096.35, May 12-15, 2021 to attend Alabama League of Municipalities Convention 2021.

Darrell O’Quinn, Councilor, City Council, Huntsville, Alabama, \$1,204.43, May 12-15, 2021 to attend Alabama League of Municipalities Convention 2021.

CONSENT

ITEM 36.

A Resolution approving the itemized expense accounts of city employees. (Submitted by the Mayor) (Recommended by the Director of Finance) **

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ITEM 37.

A Resolution setting a public hearing **May 25, 2021**, to consider the adoption of a resolution assenting to the vacation of 4,535 square feet of right of way along 9th Court North (between 50th Street North and 51st Street North), on behalf of Jose A. Casanova and Danny Summerlin, owners, so that the owner can consolidate property, **Case No. SUB2021-00018. [First Reading]** (Submitted by Councilor Smitherman, Chairperson, Public Improvements Committee) (Recommended by Subdivision Committee of the Birmingham Planning Commission) (No Recommendation by the Public Improvements Committee) **

In the event that the Governor’s Proclamation is extended beyond May 7th, the Council meeting and this hearing will be held virtually via Cisco WebEx. To participate in this meeting, you will need to follow the link provided below or use the call-in information provided. This link will also be available for public participation even if the Council meets in the Council Chambers.

If you would like to attend via your computer, follow this link:

<https://birmingham.webex.com/birmingham/onstage/g.php?MTID=e94d680ded6984a8d9eb49cf38c1b3d6a>

If you would like to attend via phone, dial 1-415-655-0002, and then enter: 187 114 0525##.

If you have joined by computer and wish to speak to the item, please use the “raise hand button” in the Webex application. If you have joined by phone,

you will be given the opportunity to speak after recognition of the speakers using the online platform. If you have joined the meeting by telephone and would like to request to speak, dial *3 when prompted during the hearing.

Please be patient. Speakers will be given the usual three-minute limit for comments.

If you have any questions about participation in one of these hearings, you may contact The Council's Public Information Office by e-mailing Kimberly.garner@birminghamal.gov

COMMUNICATIONS FROM THE CITY CLERK

ITEM 38.

Receiving the Emergency Purchase Notice from the Purchasing Agent relative to the purchase of temporary fencing required at a vacant lot located at 801 – 8th Avenue West, Birmingham during the Magic City Classic. **

OLD AND NEW BUSINESS

PRESENTATIONS

REQUEST FROM THE PUBLIC

ADJOURNMENT

NOTE: The following matters were withdrawn:

Those properties declared by Resolution No. 344-21 on March 23, 2021 to be noxious and dangerous, whereon said weeds have been abated:

2 21-25-4-07-07.000-RR; 401 IRVING ST, LOT 7 BLK 13 ENSLEY 10TH ADD,

4 21-25-4-08-04.000-RR; 412 IRVING ST, LOT 3 BLK 14 ENSLEY 10TH ADD,

- 32 22-26-3-18-02.000-RR; 1237 4TH ST N, LOT 7 BLK 13 SOUTHERN RLTY CO SUB OF BLK 12 & N 1/2 BLK 13 MCDANIEL SUR,
- 70 23-08-3-21-11.000-RR; 4400 42ND PL N, LOTS 21 & 22 BLK 6 MTN PARK,
- 75 23-08-3-30-09.000-RR; 4209 42ND ST N, N 50 FT OF LOTS 7-8-9 BLK 4 RESUR OF MOUNTAIN PARK,
- 76 23-08-3-30-10.000-RR; 4201 42ND ST N, S 90 FT OF LOTS 7-8-9 BLK 4 MOUNTAIN PARK RESUR,
- 79 23-11-3-13-05.000-RR; 515 80TH ST S, LOT 1 BLK 33 SOUTH HIGHLANDS OF EAST LAKE,
- 80 23-11-3-18-02.000-RR; 8031 DIVISION AVE, LOTS 17 & 18 BLK 122 R W BECK SUR LESS PT IN I-59 R/W,
- 82 23-11-4-33-16.000-RR; 707 81ST ST S, LOT 41 BLK 38 SO HGLDS OF EAST LAKE,
- 84 23-14-1-19-59.000-RR; 813 VANDERBILT ST, LOT 3 HEATHS RESUR OF LOTS H-I -J J T DAFFRONS SUR & OF LOTS 1 & 2 BLK 3 HOWARD COLLEGE ESTATES,
- 85 23-14-1-24-06.000-RR; 7792 RUGBY AVE, LOTS 7 THRU 9 & E 15 FT OF LOT 6 BLK 16 SOUTH HIGHLANDS OF EAST LAKE,
- 89 23-18-1-07-13.000-RR; 3900 40TH AVE N, LOT 1 BLK 6 W W COGHILL INGLENOOK,
- 91 23-18-1-08-02.000-RR; 3933 40TH AVE N, LOT 16 BLK 7 W W COGHILL 11/68,
- 95 23-22-1-02-28.000-RR; 6928 66TH ST S, LOT 3-A BLK 24 GATE CITY RESUR OF BLKS 16-17-23-24 & PT OF BLK 18,
- 96 23-22-2-28-05.000-RR; 331 63RD ST S, NW 40 FT OF LOTS 20+21 BLK 6 HOWELLS ADD TO WOODLAWN,
- 100 23-32-1-21-02.000-RR; 4506 ALTAMONT RD, LOT 5-A PENSINGER SUR 119/21,
- 101 29-02-3-09-11.000-RR; 118 2ND AVE S, LOT 13 BLK 6 WALKER LAND COS ADD TO BHAM,
- 103 29-02-3-23-06.001-RR; 31 5TH AVE S, LOT 16 BLK 1 LUCY E SMITHS SUB OF BLK 7 WALKER LD CO ADD TO BHAM PB 10 PG 117,
- 105 29-03-1-07-05.000-RR; 528 1ST ST SW, LOTS 1 THRU 4 BLK B WEST BIRMINGHAM,
- 109 29-07-2-41-01.000-RR; 1429 47TH ST, LOT 4 BLK 22 BELVIEW HEIGHTS 1ST ADD + E 4.3 FT OF LOT 5 BLK 22 BELVIEW HGHTS 1ST ADD,
- 113 29-10-1-10-02.000-RR; 613 MCCARY ST SW, LOT 7 & N 15 FT LOT 8 BLK 3 J H MCCARY SUB OF BLKS 37 & 38 WALKER LAND CO,

- 114 29-10-4-19-24.000-RR; 1728 3RD PL SW, LOT 5 BLK 2 WOODLAND PARK 1ST ADD,
- 119 30-02-1-27-05.000-RR; 4220 8TH AVE, LOTS 11 & 12 BLK 7 PRATT LAND & IMPROVEMENT CO,
- 120 30-02-1-43-12.000-RR; 4300 10TH AVE, LOT 7 & E 5 FT OF LOT 8 BLK 17 PRATT LAND & IMPROVEMENT CO,
- 121 30-02-1-44-07.000-RR; 4220 10TH AVE, LOT 12 BLK 16 PRATT LAND & IMPROVEMENT CO,
- 122 30-02-3-02-08.000-RR; 1216 PORTLAND ST, LOT 8 BLK B PRATT LAND AND IMPROVEMENT CO MAP OF MINNIEVILLE,
- 129 30-21-2-02-04.000-RR; 1536 HARRISON RD, POB 350 FT S OF SE INTERSEC GILLESPIE RD & WOODWARD DR TH S 126 FT ALG DR TH E 129 FT TH N 126.1 FT TH W 121 FT TO POB ALSO A PARCEL POB 350 FT S OF SW INTERSEC OF GILLESPIE RD & WOODWARD DR TH S 126 FT ALG DR TH W 90 FT TH N 126.1 FT TH E 98 FT TO POB IN,