



**Vestavia Hills
City Council Agenda
June 9, 2025
6:00 PM**

1. Call to Order
2. Roll Call
3. Invocation - Steve Dedman, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Proclamation - Flag Day - June 14, 2025
7. Announcements, Candidates and Guest Recognition
8. City Manager's Report
9. Councilors' Reports
10. Approval Of Minutes - May 21, 2025 regular meeting minutes

Old Business (Public Hearing)

New Business

11. Resolution Number 5569 - A resolution declaring certain personal property as surplus and authorizing the City Manager to dispose/sell said property
12. Resolution Number 5570 - A resolution accepting a bid for a specially designed Fire Training Facility for the Vestavia Hills Fire Department

New Business Requesting Unanimous Consent (Public Hearing)

First Reading (No Action To Be Taken At This Meeting)

13. Public Hearing - Resolution Number 5567 - Annexation - 90 day - 2610 Stony Branch Road; Lot 1, Stony Branch Subdivision; William Green, owner
14. Public Hearing - Ordinance Number 3274 - Annexation - Overnight - 2610 Stony Branch Road; Lot 1, Stony Branch Subdivision; William Green, owner
15. Public Hearing - Resolution Number 5568 - Annexation - 90-day - 2620 Stony Branch Road; Lot 3, Stony Branch Subdivision; William and Karen Paul, owners

16. Public Hearing - Ordinance Number 3275 - Annexation - Overnight - 2620 Stony Branch Road; Lot 3, Stony Branch Subdivision; William and Karen Paul, owners
17. Public Hearing - Ordinance Number 3276 - An Ordinance Authorizing the Mayor and City Manager to Execute Any and All Documents Related to a Lease Extension for New Cingular Wireless, PCS as Tenant at the Cell Tower Located at 509 Montgomery Highway
18. Citizens Comments
19. Time Of Adjournment

PUBLIC HEARING PROCEDURES

The following procedures shall be followed for every public hearing of the City Council:

- All comments shall be limited to **3 minutes**. A countdown clock will be provided on the video screens.
- Do not duplicate comments made by previous speakers. For example, if traffic is mentioned as an issue, do not readdress that issue.
- All comments shall be directed to the Mayor and/or presiding officer. Do not address the audience or the applicant.
- Each speaker shall identify himself, including full name and address.

SPECIAL NOTICE CONCERNING CITY COUNCIL MEETINGS

If you prefer not to attend a City Council meeting or work session in person, you may participate remotely:

- **Videoconference:** To participate by videoconference, you may access the meeting via Zoom at <https://us02web.zoom.us/j/5539517181>. When the Zoom.us window opens in your browser, click "Allow" to be placed in a virtual "waiting room." The host will open the meeting and allow all participants to join the meeting at that time. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, activate the "video" feature and unmute yourself by toggling the mute button. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then you may address the Council. Some useful Zoom functions include: microphone Mute/Unmute; Start/Stop Video; and View Participants – opens a pop-out screen that includes the "Raise Hand" icon that you may use to raise a virtual hand.
- **Teleconference:** To participate by telephone, dial 312.626.6799 and enter the meeting ID: 5539517181. All participants will be automatically muted upon entrance to the meeting. If you wish to speak during time(s) identified for public input, unmute yourself by pressing *6 on your keypad. Then state your name and wait for the Mayor to recognize you. When the Mayor recognizes you and gives you the floor, state your name and address for the record and then address the Council.

Meetings may be recorded. By participating in the meeting, you are consenting to be recorded.

"Zoom-bombing." Zoom-bombing is a cyber-crime and is punishable by law. In the event of an attendee intruding into any City of Vestavia Hills Zoom meeting, the online broadcast will be terminated immediately. Council and/or board members may be readmitted but online attendees will not. Although Zoom-bombing is not a frequent occurrence, those wishing to make public comment should attend the meeting in person.

WHEREAS, by Act of the Continental Congress of the United States dated June 14, 1777, the first official Flag of the United States was adopted; and

WHEREAS, by Act of Congress dated August 3, 1949, June 14 of each year was designated “National Flag Day”; and

WHEREAS, the Congress has requested the President to issue annually a proclamation designating the week in which June 14 occurs as “National Flag Week”; and

WHEREAS, on December 8, 1982 the National Flag Day Foundation was chartered to conduct educational programs and to encourage all Americans to Pause for the Pledge of Allegiance on Flag Day, June 14; and

WHEREAS, Flag Day celebrates our Nation’s symbol of unity, a democracy in a republic, and stands for our Country’s devotion to freedom, to the rule of all, and to equal rights for all.

NOW, THEREFORE, I, Ashley C. Curry, by virtue of the authority vested in me as Mayor of the City of Vestavia Hills in the State of Alabama, do hereby proclaim June 14, 2025 as

FLAG DAY

and urge all of our residents to observe Flag Day through Independence Day as a time to honor America, to celebrate our heritage in public gatherings and activities, and to publicly recite the Pledge of Allegiance to the Flag of the United States of America.

IN WITNESS WHEREOF, I have
hereunto set my hand and caused the
Seal of the City of Vestavia Hills to
be affixed this the 9th day of June
2025.

Ashley C. Curry
Mayor



**Vestavia Hills
City Council Minutes
May 21, 2025
6:00 PM**

1. Call to Order

The City Council of Vestavia Hills met in regular session on this date at 6:00 PM, following publication and posting pursuant to Alabama law. A number of staff and members of the general public also attended virtually, via Zoom.com, following publication pursuant to Alabama law. The Mayor called the meeting to order and the City Clerk called the roll with the following:

2. Roll Call

Roll call was as follows:

MEMBERS PRESENT: Mayor Ashley Curry, Mayor Pro-Tem Rusty Weaver, City Councilor Kimberly Cook, City Councilor Paul Head, City Councilor George Pierce

MEMBERS ABSENT: None.

OTHER OFFICIALS PRESENT: Jeff Downes, City Manager; Patrick H. Boone, City Attorney; Cinnamon McCulley, Asst. City Manager; Rebecca Leavings, City Clerk; Melvin Turner, Finance Director; Zachary Clifton, Asst. Finance Director; Ethan Fisher, City Engineer

3. Invocation - Sam Williamson, Vestavia Hills Chaplain

4. Pledge Of Allegiance

5. Approval Of The Agenda

MOTION: Approve the agenda as presented. Motion By: George Pierce. Seconded By: Kimberly Cook.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

6. Announcements, Candidates and Guest Recognition

- Mr. Pierce welcomed Chamber of Commerce Board member Keri Bates to the meeting.

7. Proclamation - National Senior Health and Fitness Day - May 28, 2025

The Mayor presented a Proclamation designating May 28, 2025, as "National Senior Health and Fitness Day." Mr. Downes read the Proclamation aloud and the Mayor presented it to Debbie Jenkins, Cahaba Ridge Lifestyle Director; Sandi Wilson, Vestavia Hills Program Superintendent and Melanie Perry, New Merkel House Manager.

Ms. Jenkins encouraged everyone to stay healthy and keep moving.

Ms. Wilson stated that the New Merkel has many new programs. One in particular is Bingo-cise which incorporates exercise into Bingo games. She encouraged anyone interested to participate.

8. City Manager's Report

- Mr. Downes introduced Ethan Fisher, the City's newest City Engineer. Mr. Fisher was on call this weekend including the strong storms Saturday night and Sunday morning that caused a lot of damage. The City mobilized many departments to make repairs and take actions to ensure public safety.
- During strategic planning, the Council discussed the sidewalk master plan and advised the City to begin design work on high-priority projects. He showed a list of these and described opportunities to obtain grant funding. One of those grant opportunities is on the agenda tonight.

9. Councilors' Reports

- Mrs. Cook thanked the City for opening a storm shelter during the storms over the weekend. After a storm in March, some Liberty Park residents approached her and asked the City to explore what it would take to open two existing temporary shelters, at SHAC and the Liberty Park Athletic Complex. Staff investigated and made some necessary upgrades so that they meet state Emergency Management Association (EMA) shelter qualifications. One of the shelters was finished and the City was able to open it during the weekend's severe weather. Staff are finishing upgrades to the second shelter so it can also be opened for the next storm. She commended staff for their diligent efforts to respond quickly to our citizens' requests for a storm shelter and make use of existing resources to satisfy a great need.
- Mrs. Cook stated that she, Mr. Weaver, Mr. Pierce and the Mayor attended the Vestavia Hills High School graduation ceremony on Monday night. Students in this graduating class accepted a total of \$18 million in scholarships, and twenty-three students earned National Merit status, the most of any system in our state and in the system's history. At their meeting today, the Board of Education recognized many academic and state championship athletic achievements. We have a stellar school system, and this graduating class has distinguished itself in the classroom and on the field of competition.
- Mrs. Cook is serving as a member of the school system's strategic planning team, and is pleased to work with such an outstanding team to identify future opportunities for improvement.

- Mr. Pierce stated that I Love America Day will be held June 26 with free activities such as children's activities, live music, and more. Contact the Chamber of Commerce for information.
- Mayor Curry stated that the two storm shelters at Liberty Park are the only two in the City. Mr. Downes pointed out these were built earlier with grant funding.
- Mayor Curry attended the Top-Soccer event for special-needs kids at Liberty Park, and it was outstanding.

10. Financial Reports - Zachary Clifton, Deputy Finance Director

Zachary Clifton, Deputy Finance Director, presented the financial reports for month ending April 2025. He read and explained the balances.

11. Approval Of Minutes - April 23, 2025 work session; April 28, 2025 regular meeting minutes; May 12, 2025 work session; and May 12, 2025 regular meeting minutes

MOTION: Approve the minutes as presented. Motion By: George Pierce. Seconded By: Kimberly Cook.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

Old Business (Public Hearing)

12. Public Hearing - Resolution Number 5566 - A Resolution authorizing the City Manager to make an application through the FY 2026 Transportation Alternatives Set Aside Program (TAP) for the design and construction of a sidewalk and traffic-calming measures on Greendale Road and White Oak Drive.

MOTION: Approve Resolution Number 5566 as presented. Motion by: Kimberly Cook. Seconded by: Paul Head.

The Mayor stated that this is the sidewalk grant funding request that was discussed earlier. Mr. Downes stated that this grant will connect Crosshaven sidewalks with the existing sidewalks on East Street to create a way for pedestrians to access the commercial district near Crosshaven. The state grant pays 80% of the project's expense.

The Mayor opened the floor for a public hearing. There being no one present to address the Council on this issue, the Mayor closed the public hearing and called for the question.

VOTE: Roll call vote as follows: Yes: Ashley Curry, Rusty Weaver, Kimberly Cook, Paul Head, George Pierce.

No: None. Abstain: None. Motion passed.

New Business

New Business Requesting Unanimous Consent (Public Hearing)

First Reading (No Action To Be Taken At This Meeting)

13. Citizens Comments

- Mr. Pierce stated he attended the ribbon cutting for Picklr and the business is doing great. The development includes a restaurant where people can eat and watch the people playing pickleball.
- Donald Harwell, 1350 Willoughby Road, asked the City to designate some customer parking for people coming in to purchase or renew a tag. Mr. Downes stated he will look into it.

14. Time Of Adjournment

There being no further business, Mrs. Cook made a motion to adjourn. The Mayor adjourned the meeting at 6:30 PM.

Ashley C. Curry, Mayor

ATTESTED BY:

Rebecca Leavings, City Clerk



**CITY OF VESTAVIA HILLS
POLICE DEPARTMENT
INTER-DEPARTMENT MEMO**

June 9, 2025

To: Jeff Downes, City Manager

From: Robert Wilson, Forensic Services

Cc: Rebecca Leavings, City Clerk

RE: Resolution Number 5569 - A resolution declaring certain personal property as surplus and authorizing the City Manager to dispose/sell said property

Background:

This resolution would be to surplus certain vehicles all of which have been wrecked beyond repair and used for parts.

The vehicle information is listed below:

- 2012 Chevrolet Tahoe VIN:1GNLC2E0XCR191328 Miles: 186,000 Regular Title
- 2016 Ford Focus VIN: 1FADP3FE1GL273934 Miles: 46,777 Regular Title
- 2021 Ford Explorer VIN: 1FM5K8AB8MGA42083 Miles: 48,508 Salvage Junk Title
- 2023 Dodge Durango VIN: 1C4SDJFT0PC590844 Miles: 5,801 Salvage Junk Title

- 2023 Dodge Durango
7,835 Salvage Title

VIN: 1C4SDJFT3PC590840

Miles:

Recommendation:

na

Fiscal Impact:

na

Attachments:

1. Resolution 5569

RESOLUTION NUMBER 5569

A RESOLUTION DETERMINING THAT CERTAIN PERSONAL PROPERTY IS NOT NEEDED FOR PUBLIC OR MUNICIPAL PURPOSES AND DIRECTING THE SALE/DISPOSAL OF SAID SURPLUS PROPERTY

WITNESSETH THESE RECITALS

WHEREAS, the City of Vestavia Hills, Alabama, is the owner of personal property detailed in the attached “Exhibit A”; and

WHEREAS, the City has determined that it would be in the best public interest to sell or dispose of said property.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF
THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:**

1. The City Manager is hereby authorized to sell or dispose of the above-referenced surplus personal property; and
2. This Resolution Number 5569 shall become effective immediately upon adoption and approval.

DONE, ORDERED, APPROVED and ADOPTED on this the 9th day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

EXHIBIT A

The vehicle information is listed below:

- 2012 Chevrolet Tahoe VIN:1GNLC2E0XCR191328 Miles: 186,000 Regular Title
- 2016 Ford Focus VIN: 1FADP3FE1GL273934 Miles: 46,777 Regular Title
- 2021 Ford Explorer VIN: 1FM5K8AB8MGA42083 Miles: 48,508 Salvage Junk Title
- 2023 Dodge Durango VIN: 1C4SDJFT0PC590844 Miles: 5,801 Salvage Junk Title
- 2023 Dodge Durango VIN: 1C4SDJFT3PC590840 Miles: 7,835 Salvage Title



**CITY OF VESTAVIA HILLS
FIRE DEPARTMENT
INTER-DEPARTMENT MEMO**

June 9, 2025

To: Jeff Downes, City Manager

From: Steven Michael, Captain

Cc: Marvin Green, Fire Chief

RE: Resolution Number 5570 - A resolution accepting a bid for a specially designed Fire Training Facility for the Vestavia Hills Fire Department

Background:

This is to accept a bid from Lonestar Tactical Buildings for the construction of the fire training facility for \$1,074,517.17 to be located on the East Street property owned by the City of Mountain Brook. Funds for this project were previously approved in the current fiscal year's budget, and a lease agreement has been executed to co-locate the facility on the site with Mountain Brook.

Recommendation:

It is my recommendation that this item be approved

Fiscal Impact:

The funds for this project were in the FY25 Capital Projects Fund budget that was previously approved.

Attachments:

1. 5570

RESOLUTION NUMBER 5570

A RESOLUTION ACCEPTING A BID FOR A PORTABLE FIRE TRAINING FACILITY FOR THE VESTAVIA HILLS FIRE DEPARTMENT

WHEREAS, Invitation to Bids were invited and publicly read on June 4, 2025 at 10:00 AM for a specially designed fire training facility for the Vestavia Hills Fire Department with one bid received; and

WHEREAS, a copy of the official bid is marked as Exhibit A and is attached to and incorporated into this Resolution Number 5570 as if written fully therein; and

WHEREAS, recommendation was made in a memorandum dated June 4, 2025 from the VHFD Captain to recommend acceptance of the bid package submitted by Lonestar Technical Building at a cost of \$1,074,517.71, a copy of said memorandum is also attached to and incorporated into this Resolution Number 5570 as if written fully therein; and

WHEREAS, the Mayor and the City Council feel it is in the best interest of the public to accept said bid as recommended.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL AS FOLLOWS:

1. The bid submitted by Lonestar Technical Building is hereby accepted; and
2. The City Manager is hereby authorized to take all actions necessary in order to secure said facility; and
3. The facility shall be expensed to the FY 25 City's Capital Projects Fund; and
4. This Resolution number 5570 shall become effective immediately upon adoption and approval.

ADOPTED and APPROVED this the 9th day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

INVITATION TO BID
CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS AL 35216

BIDS TO BE OPENED AT THE CITY OF
VESTAVIA HILLS ON JUNE 4, 2025
AT 10:00 AM. BIDS TO BE TURNED IN NO
LATER THAN 10:00 AM ON THIS DATE.

DATE: May 19, 2025

BID: Fire Training Facility

Ladies and Gentlemen:

Sealed bids will be received by the City of Vestavia Hills, Alabama, Office of the City Clerk at the Municipal Center until the above time and date, and opened as soon thereafter as practical. Please return in a sealed envelope marked with the bid name as listed above. Bids must be returned by 10:00 AM by the date listed above. Bids received in the Office of the City Clerk either by hand delivery or mail after the specified date and hour will not be considered.

NAME OF COMPANY: Lonestar Tactical Buildings, LLC.

PRICE*: \$1,074,517.71 WARRANTY: 3 YEARS

BIDS GOOD THROUGH**: June 30, 2025

**See Specifications Enclosed.*

I hereby affirm that I have not been in any agreement or collusion among bidders or prospective bidders in restraint of freedom of competition, by agreement to bid at a fixed price or to refrain from bidding or otherwise.

This form must be notarized.

FIRM Lonestar Tactical Buildings, LLC.

Sworn and Subscribed before me
this the 3rd day of June,
2025.

BY Kaylee Mendoza K Mendoza

ADDRESS 34990 Mayer Rd.

Hempstead, TX 77445

PHONE 318-449-0035

My Commission Expires 12/11/2028.

DATE 6/3/25

ALL BIDDERS MUST USE OUR BID FORMS. COMPLETE IN INK OR TYPE. THE CITY RESERVES THE RIGHT TO REJECT OR WAIVE ANY AND ALL BIDS OR PORTIONS THEREOF. QUESTIONS SHOULD BE ADDRESSED TO THE OFFICE OF THE CITY CLERK, PHONE (205) 978-0184.

Rebecca Leavings,
Purchasing Agent

NOTE: Bids must be completed on this official bid sheet. All documents included are incorporated into this bid. The successful bidder will be responsible for completion of all enclosed documents before a notice to proceed is issued.

City of Vestavia Hills Class A Burn Prop Specifications

- **Class A live fire training building constructed in compliance with the latest NFPA 1402 specifications at 3579 East Street Mountain Brook Alabama, 35243**
- **The training facility shall consist of a 4-story structure with a minimum of 5,000 square feet.**
- **The training facility shall be fabricated from either 20- or 40-foot-long unused STD HT ISO shipping containers.**
 - Building must be fully modular, allowing for future expansion or relocation.
 - Each compartment must be designed for repair or container replacement.
 - Containers shall be assembled using wide-flange twist locks.
 - Containers will be secured to the foundation via ISO container base plates with 5x8 Hilti bolts and epoxy.
- **Guardrails shall be constructed of 2"x 2"x 14-gauge SQ tubing, at a height of 42"-44".** All guardrails and elevated work platforms must include a 4-inch toe board surrounding all walking surfaces.
- **Exterior shall be grey or black in color to be determined by the owner and the vendor shall use owner supplied artwork for a 48"x 96" exterior logo at a location selected during pre-construction**
- **All stairways shall be built in compliance with the International Building Code (IBC) specifications.** Handrails must be 36"-38" in height, measured from the top of the rail to the toe at the tread riser. All guardrails and handrails shall be coated in OSHA Safety Yellow. The location of stairways is indicated in the drawing.
- **The building must include the following training props integrated into the structure – locations are indicated in the proposed drawing (exact locations to be finalized during the pre-construction meeting):**
 - One 6/12 vertical vent prop. The vent prop with baffle shall be placed over a burn room, measuring 12'x16', and built to support 2x6 joists.
 - A flat roof vent prop with baffle shall be installed over a burn room.
 - Two MAYDAY/Center hallway breach walls (48 linear feet), as shown in the preliminary drawing.
 - A high-angle rappelling apparatus with high/low anchor points.
 - The prop must be designed and engineered by a certified structural engineer.
 - Two forcible entry single-side doors. Exact locations to be finalized during the pre-construction meeting.
- **Full-height standpipe system with a 2 ½-inch Siamese fire department connection, and 2 ½-inch standpipe connections at each level.** Exact locations to be finalized during the pre-construction meeting.
- **Seven exterior doors.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Twenty-six interior doors (excluding the 2 forcible entry doors).** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Nineteen multipurpose windows.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting. Option per unit pricing

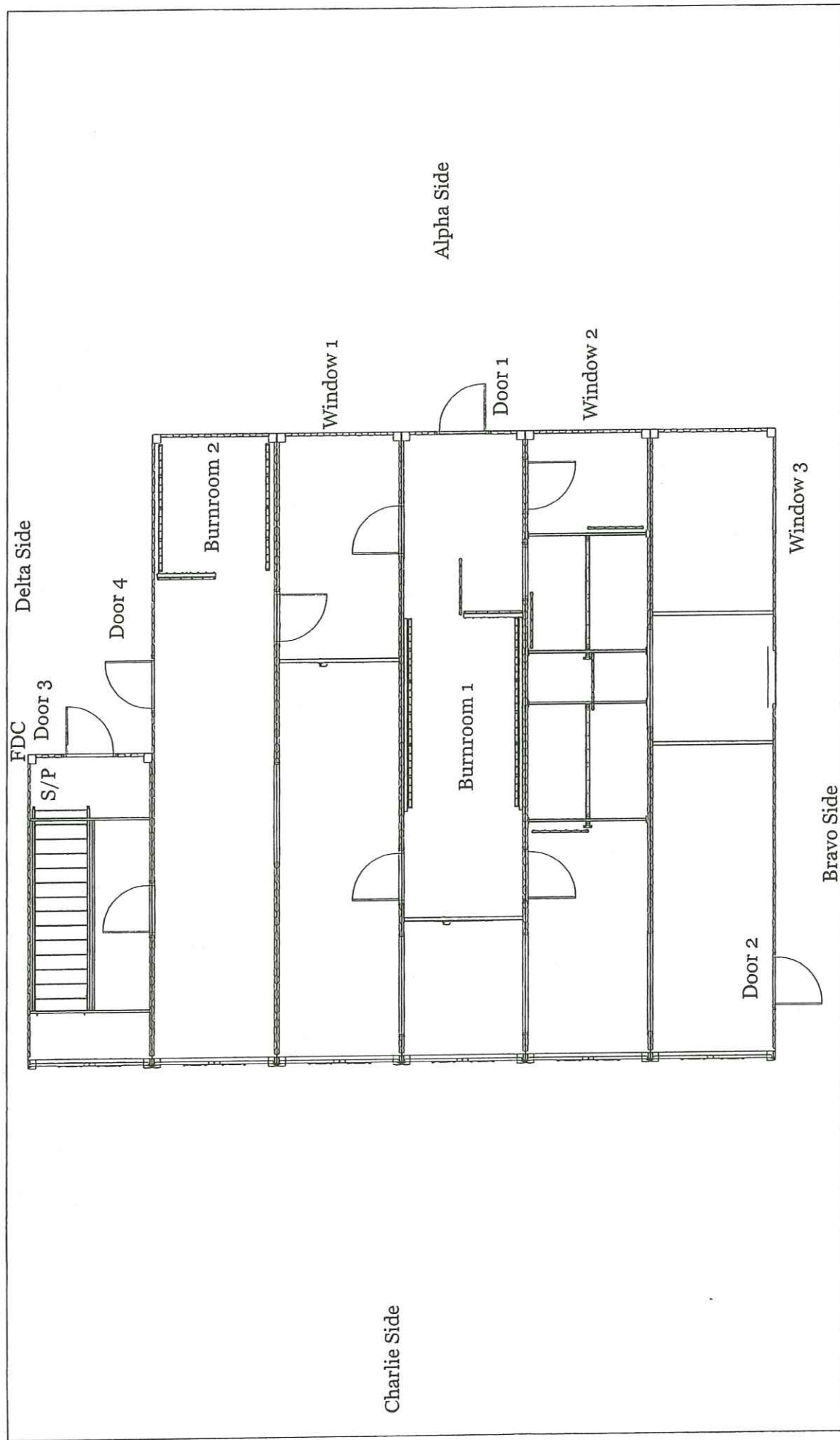
should be included for Vent Enter Search/Forcible Entry windows option or approved equivalent).

- Windows shall be outward-swinging egress windows, built in compliance with the IBC egress window specifications.
- **Two interior fixed walls.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Eight interior fixed walls with doorways 96"x96".** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Three interior double-framed sliding pocket doors 96"x96".** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **One interior fixed wall with a sliding pocket door 96"x96".** Location noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Two balconies.** Locations and sizes noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Three floor/hole pin interior stairs.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Four exteriors without handrails.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Eight exterior stair handrails.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Three exterior/interior stair landings with railings.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Sixty linear feet of columns for exterior landings.** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Eight swing walls (180-degree) 48"x96".** Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
- **Fifty-six linear feet of Class A burn rooms, divided among 5 locations** (exact locations to be finalized during the pre-construction meeting).
 - Two burn rooms shall be located on the first floor. Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
 - One burn room shall be located on floors two, three, and four. Locations noted in the proposed drawing (exact locations to be finalized during the pre-construction meeting).
 - Each burn room shall have a clean-out access panel or drain.
 - For the safety of personnel refractory insulation must be incorporated using seam welding into the design and construction of all burn rooms.
 - Burn rooms must contain steel flooring, pre-constructed to NFPA standards.
 - Each burn room shall contain one heavy-duty burn rack.
- Provide option pricing for heavy duty portable / modular walls in 96" increments

Additional Requirements / Information

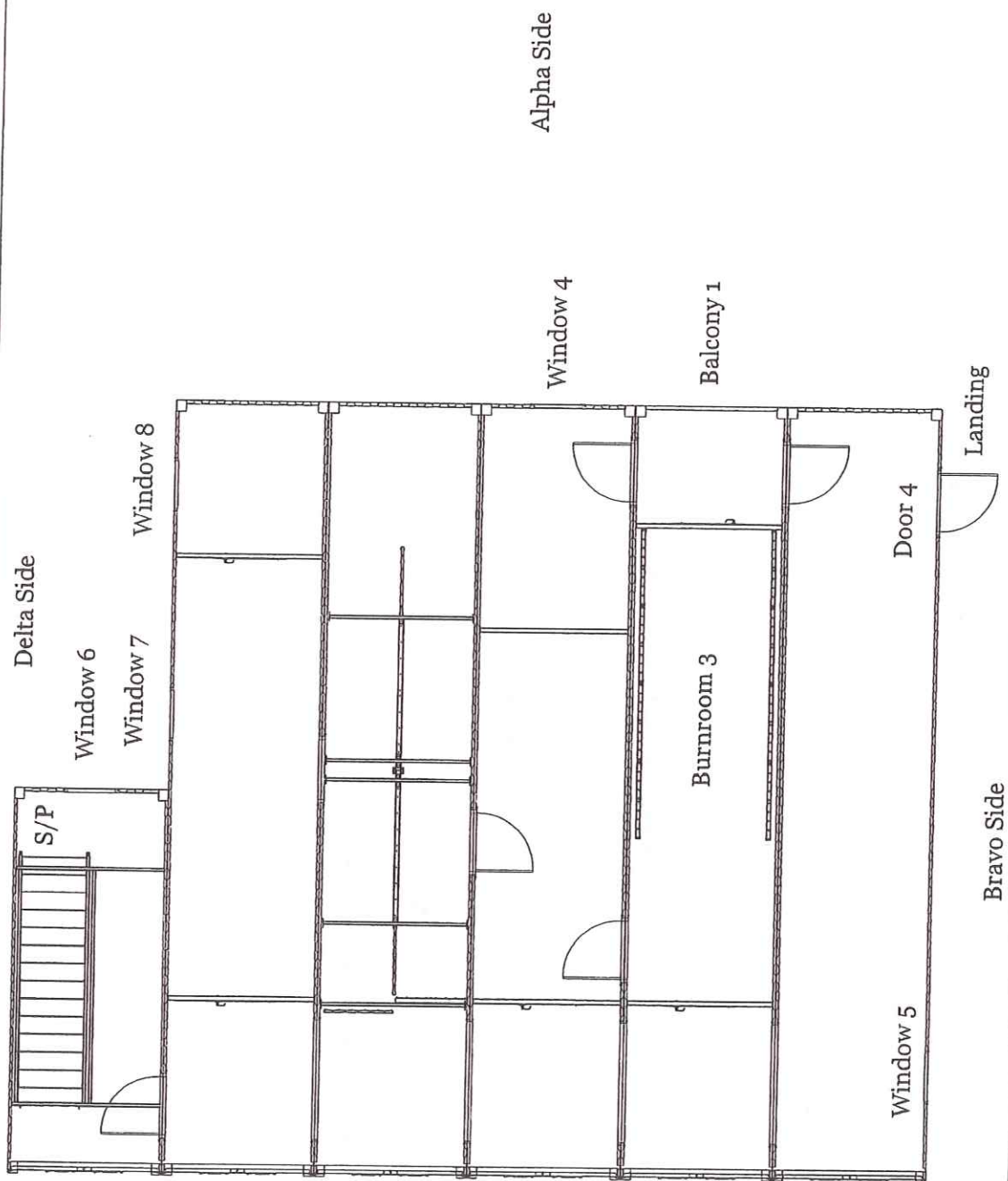
- **The work shall include the delivery of the appropriate number of specified shipping containers, either standard 20 or 40 feet.**

- **Erecting/placement of the containers in a design approved by VHFD, on a pad prepared by VHFD, including placement, stacking, and affixing the system according to specifications submitted by the vendor.**
- **The vendor shall include specifications for the concrete pad to be constructed by VHFD.**
- **Engineer-stamped and approved drawings shall be included. Any engineering and mechanical connections shall also be included for the project.**
- **Warranty-Vendor is required to give a minimum three-year full replacement warranty on all fabricated components including:**
 - Windows
 - Doors
 - Door hardware
 - Guardrails
 - Stair handrails
 - Toe boards
 - Work platforms
 - Stairway landings
 - Stairs
 - Burn Room Panels
- **Contractor will provide:**
 - Performance bond in full amount
 - Payment labor bond in full amount
- **Name The City of Mountain Brook, Alabama a municipal corporation, and its elected public officials and employees, the Architect, and the Architect's consultants as additional insureds as Vestavia Hills is in G.1 and G.2 in the First Addendum document.**
- **Questions should be directed to Captain Michael 205-978-0105 or smichael@vhal.org**



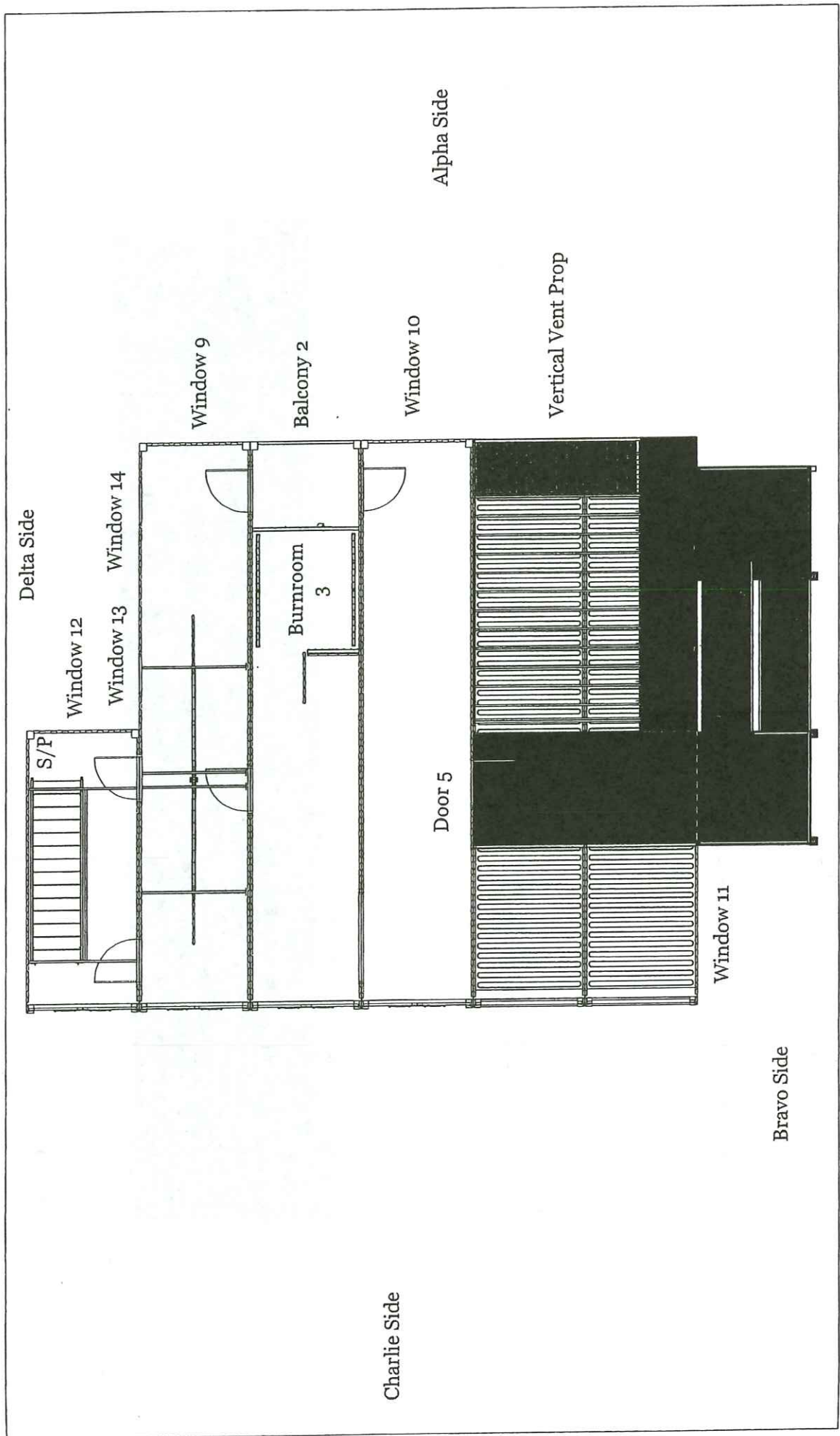
Vestavia Hills Fire Department

1st Floor



2nd Floor

Vestavia Hills Fire Department





**CITY OF VESTAVIA HILLS
CITY CLERK
INTER-DEPARTMENT MEMO**

June 9, 2025

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Resolution Number 5567 - Annexation - 90 day -
2610 Stony Branch Road; Lot 1, Stony Branch Subdivision; William
Green, owner

Background:

Requested Annexation for 2610 and 2620 Stony Branch Road. These requests were heard at the last Standing Annexation Committee meeting. When reservations were expressed by the VHFD and engineering, the owners worked on and approved plans for improvements of the private drive to allow a turnaround for larger apparatus. The owners will begin work soon and have agreed to have all improvements done prior to the final request for rezoning and 90-day final annexation. A copy of the planned improvements are attached to this resolution and also affect the following resolution and annexation request.

Recommendation:

The plans were approved by the City Engineer and VHFD who will inspect and approve the improvements prior to the 90-day annexation final.

Fiscal Impact:

na

Attachments:

1. Resolution 5567

RESOLUTION NUMBER 5567

**A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated July 19, 2024, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 23rd day of June, 2025; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Alabama Messenger*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 25th day of June, 2025.

2. That on the 22nd day of September, 2025, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5567 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2610 Stony Branch Road
Lot 1, Stony Branch Subdivision
William Gregory Green, Owner(s)

APPROVED and ADOPTED this the 23rd day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk



ENGINEERING DESIGN GROUP
PELHAM, AL
210 BISHOP CIRCLE SUITE 300
PELHAM, AL 35124
(205) 403-9158

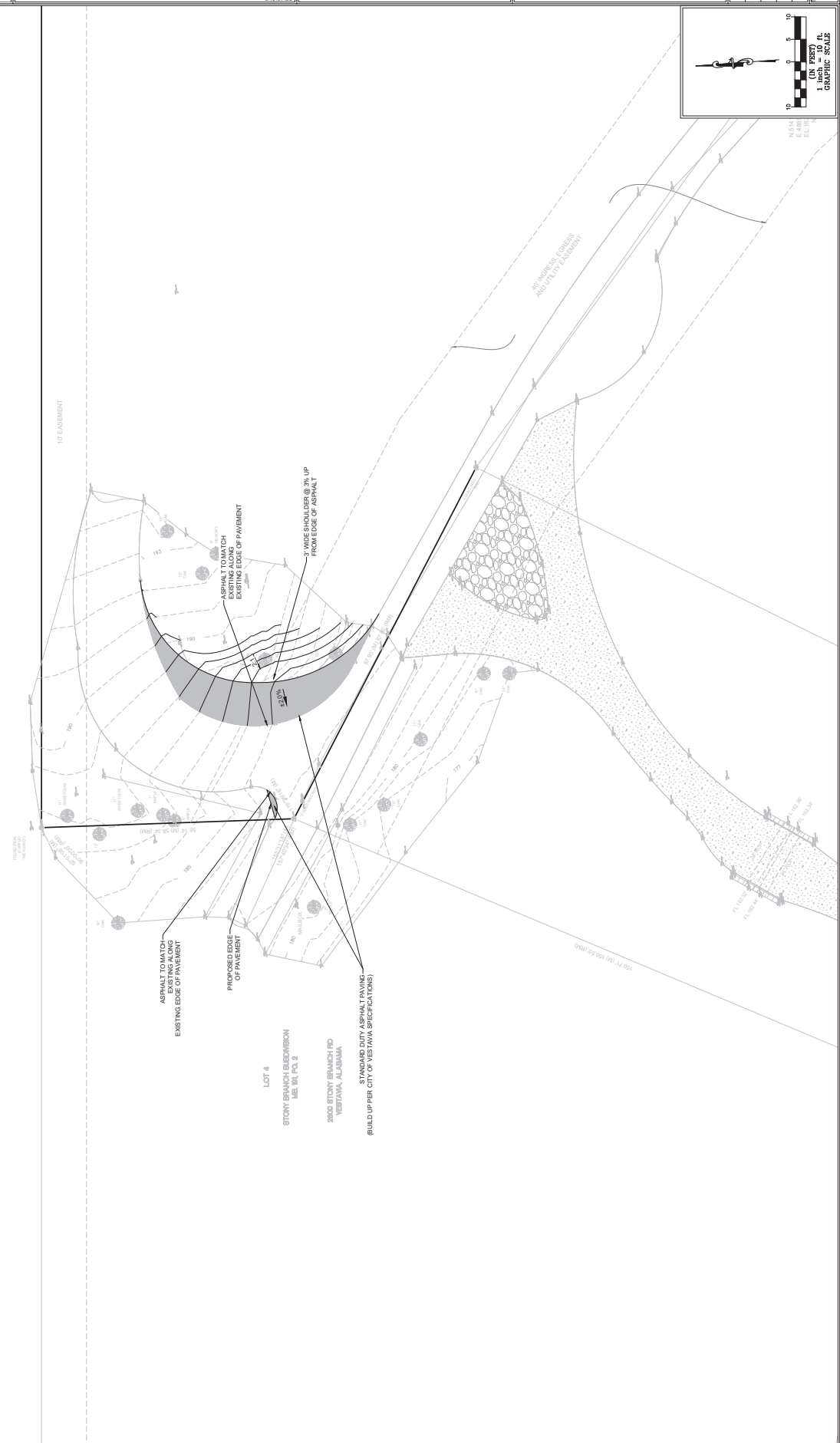
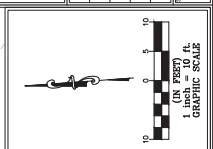
FOLEY, AL
1000 E LAUREL AVENUE
FOLEY, AL 36535
(251) 947-8860

STONY BRANCH RD
VESTAVIA HILLS, ALABAMA
GRADING EXHIBIT

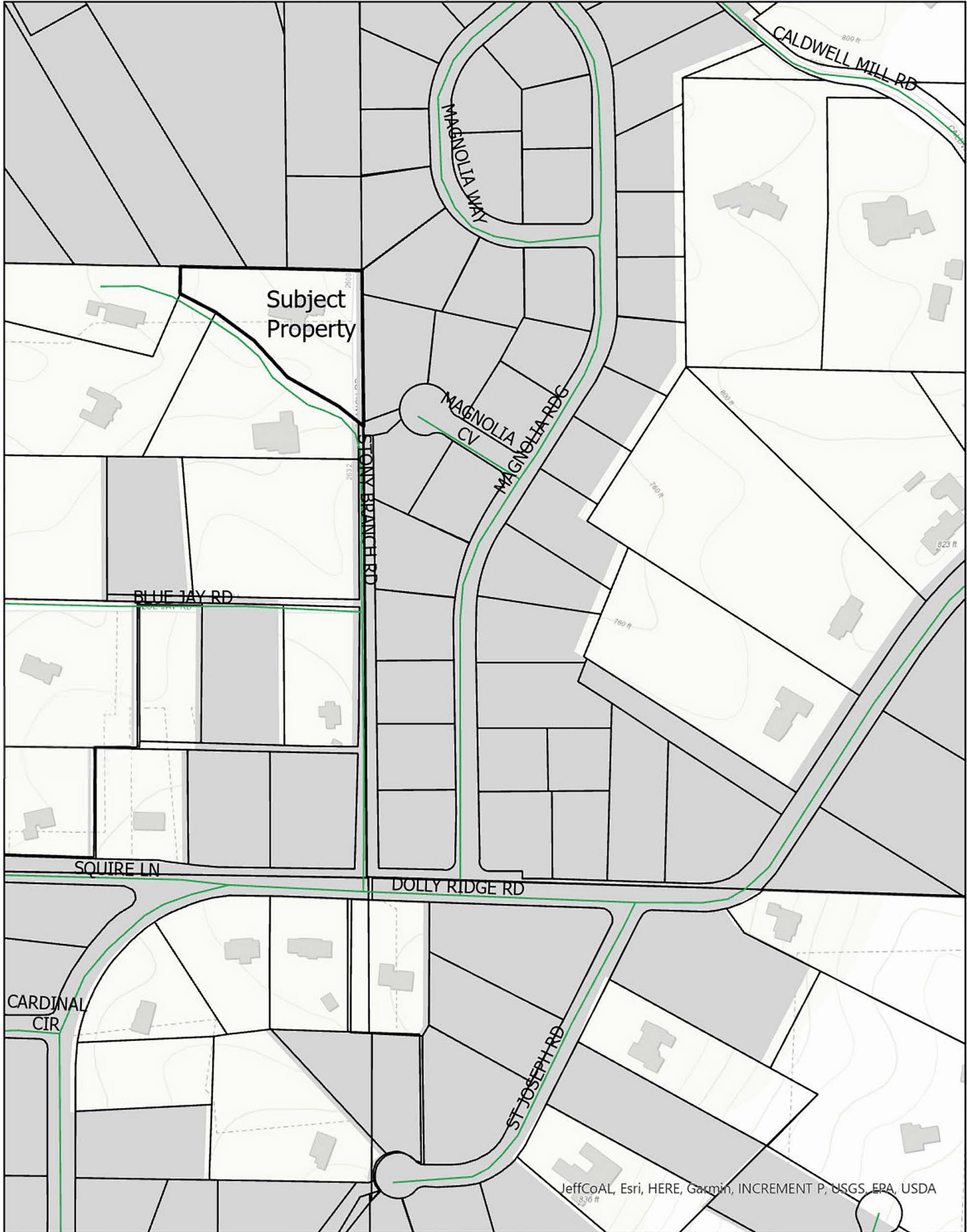
STONY BRANCH
SUBDIVISION

DATE	NOVEMBER 28, 2004
PROJECT No.	PAUL-0001
DWG FILE	AUTOTURN.dwg
CHECKED BY:	WHIL
DRAWN BY:	JCS

EXB1.2



2610 Stony Branch Road



JeffCoAL, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

Annexation Committee Petition Review

Property: 2610 Stony Branch Rd

Owners: William Green

Date: 5/29/2025

1. The property in question is contiguous to the city limits.
Yes ☒ No ☐ Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes ☒ No ☐ Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes ☒ No ☐ Comments: _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes ☐ No ☒ Comments: Private Drive
Rec. Imp. as approved by City Engineer
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$991,400. Meets city criteria: Yes ☒ No ☐
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes ☒ No ☐
Number of total homes 4 Number in city 2
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes ☒ No ☐ Comment: _____

Property: 2610 Stony Branch Rd

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ N/A will be paid to offset costs associated with the annexation.
Yes ✓ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes ✓ No _____ Comment _____

10. Are there any concerns from city departments?
Yes _____ No ✓ Comments: _____
Imp to be completed prior to 90
day annex

11. Information on children: Number in family N/A; Plan to enroll in VH
schools Yes _____ No _____ Comments: _____

12. Board of Education comments/concerns: N/A

Other Comments: _____

George Pierce
George Pierce
Chairman

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

AD VALOREM TAX MILLAGE

Millage Multiplier	
0.02055	Ad valorem to City General Fund: 20.55 mills
0.02875	City BOE portion: 28.75 mills
0.0151	District 20 School: 15.1 mills
0.0082	Countywide School: 8.2 mills
0.05205	Ad valorem to Schools (TOTAL): 52.05 mills

ASSESSED VALUE

			Citizen Access Portal Descriptor	Notes
====>	2610 Stony Branch Dr	Property Address		
====>	\$ 991,400	Appraised Value of Property	TOTAL MARKET VALUE	
	10%	Assessment Homestead Rate		
	\$99,140.00	Assessed Value	ASSD. VALUE	

AD VALOREM REVENUE

			Citizen Access Portal Descriptor	Notes
\$2,037.33	City portion of ad valorem		(Subset of CITY)	(20.55 mills rate)
\$2,850.28	BOE portion of ad valorem		(Subset of CITY)	(28.75 mills rate)
\$4,887.60	Total County remits to City for split with BOE		CITY	
\$1,497.01	SPC DIST1 BOE local rev (County gives directly to BOE)		SPC SCHOOL1	(15.1 mills rate)
\$812.95	Countywide School Tax to VH		SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

\$2,037.33	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
\$5,160.24	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
\$7,197.56	TOTAL ANNEXATION REVENUE BENEFIT		

<u>Legend</u>
City Revenue
BOE Revenue

PARCEL #: 28 00 28 2 001 041.001
OWNER: WINGETT REBECCA D (50% INT) & GREEN WILLIAM GREGOR..
ADDRESS: 2610 STONY BRANCH RD BIRMINGHAM AL 35243
LOCATION: 2610 STONY BRANCH RD AL 35243

[111-A0] Baths: 4.5 H/C Sqft: 3,723
18-012.0 Bed Rooms: 4 Land Sch: A114
Land: 294,400 Imp: 697,000 Total: 991,400
Acres: 0.000 Sales Info: 05/15/2023 \$61,200

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2024 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
EXEMPT CODE: 6-6 DISABILITY CODE: X
MUN CODE: 01 COUNTY HS YEAR: 0
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
FOREST ACRES: 0 TAX SALE:
PREV YEAR VALUE: \$1,007,800.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$294,400
LAND VALUE 20% \$0
CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
BLDG 001 111 \$697,000

TOTAL MARKET VALUE [APPR. VALUE: \$991,400]: \$991,400

Assesment Override:

MARKET VALUE:

CU VALUE:

PENALTY:

ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$99,140	\$644.41	\$99,140	\$644.41	\$0.00
COUNTY	3	1	\$99,140	\$1,338.39	\$99,140	\$1,338.39	\$0.00
SCHOOL	3	1	\$99,140	\$812.95	\$99,140	\$812.95	\$0.00
DIST SCHOOL	3	1	\$99,140	\$0.00	\$99,140	\$0.00	\$0.00
CITY	3	1	\$99,140	\$0.00	\$99,140	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$99,140	\$505.61	\$99,140	\$505.61	\$0.00
SPC SCHOOL2	3	1	\$99,140	\$1,665.55	\$99,140	\$1,665.55	\$0.00

ASSD. VALUE: \$99,140.00

\$4,966.91

GRAND TOTAL: \$0.00

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2023052775	5/15/2023
2016109726	10/12/2016
200717-20522	12/06/2007
9802-4407	02/09/1998

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
	2024		\$0.00
	2023		\$0.00
	2022		\$0.00
	2021		\$0.00
11/4/2020	2020	GREEN WILLIAM GREGORY	\$3,738.56
2/3/2020	2019	WINGETT REBECCA	\$3,781.69
10/25/2018	2018	WINGETT REBECCA D	\$3,545.17
10/27/2017	2017	GREEN WILLIAM	\$3,545.17
10/21/2016	2016	WILLIAM GREEN	\$3,545.17
11/24/2015	2015	GREEN WILLIAM G	\$3,545.17
10/14/2014	2014	-	\$3,505.09
11/27/2013	2013	-	\$3,505.09
11/5/2012	2012	MED-SURVEY LLC	\$3,505.09
20111014	2011	***	\$3,544.68
20101018	2010	***	\$3,544.68
20091113	2009	***	\$3,544.68
20081210	2008	***	\$3,604.29
20071121	2007	***	\$4,002.96
20070212	2006	***	\$3,012.34
20051130	2005	***	\$1,489.94
20041207	2004	***	\$1,489.94

Fire Department Comments

- Fire Hydrant at the gate is adequate
- Road narrows to 10 feet or less past the gate (14 feet required)
- Adequate turn around lacking
- 2610
 - Driveway is greater than 150 feet from the roadway. The drive surface would need to be assessed by an engineer to ensure they would support the weight of suppression apparatus. Access off of the private road is tight and should be evaluated through a turn study. A Turn study is also necessary to ensure adequate turn around.
- 2620
 - Driveway is greater than 150 feet from the roadway. The culvert and drive surface would need to be assessed by an engineer to ensure they would support the weight of suppression apparatus. Turn study would also necessary to ensure adequate turn around.
- 2630
 - No specific access comments



Aug 6, 2024

ANX-24-7

Board of Education Review

Annexation Application

Status: Complete

Became Active: Jul 19, 2024

Assignee: Scott Brown

Completed: Jul 23, 2024

Applicant

William Green
greggreen1@me.com
2610 STONY BRANCH RD
BIRMINGHAM, AL 35243-2034
205-907-1689

Primary Location

2610 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Owner:

William Gregory Green
2610 STONY BRANCH RD Stony Branch Rd Vestavia Hills, AL
35243-2034

Comments

Scott Brown, Jul 23, 2024

No objection



Aug 6, 2024

ANX-24-7

Engineering/Public Works Review

Annexation Application

Status: Complete

Became Active: Jul 19, 2024

Assignee: Christopher Brady

Completed: Aug 2, 2024

Applicant

William Green
greggreen1@me.com
2610 STONY BRANCH RD
BIRMINGHAM, AL 35243-2034
205-907-1689

Primary Location

2610 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Owner:

William Gregory Green
2610 STONY BRANCH RD Stony Branch Rd Vestavia Hills, AL
35243-2034

Comments

Christopher Brady, Aug 2, 2024

See Engineering Review and Recommendations attached. This includes the following:

- Publicly accessible vehicular turnaround at end of Stony Branch outside of private gate.
- Confirm availability of private garbage pickup.
- Review of drainage culverts for structural stability.



ANX-24-7

Annexation Application

Status: Active

Submitted On: 6/4/2024

Primary Location

2610 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Owner

William Gregory Green
Stony Branch Rd 2610 STONY
BRANCH RD Vestavia Hills, AL
35243-2034

Applicant

 William Green
 205-907-1689
 greggreen1@me.com
 2610 STONY BRANCH RD
BIRMINGHAM, AL 35243-2034

Owner Information

Owner's Name* 

William Gregory Green and Rebecca Dyar Wingett

Owner Mailing Address Inc. City, State, Zip*

2610 Stony Branch Rd, Birmingham, AL 35243

Property Information

Address of Property to be annexed?*

2610 Stony Branch Rd, Birmingham, AL
35243 35243

Legal Description of Property to be Annexed* ?

Parcel ID: 28 00 28 2 001 041.001

STONY BRANCH SUB 28-28-2

Book: 191, Page 2

Township: 18S

Section: 28

Block: 001 (not found, but extracted from Parcel #)

Lot: 1

Lot 1, according to the Map and Survey of Stony Branch Subdivision, as recorded in Map Book 191, Page 2, in the Office of the Judge of Probate of Jefferson County, Alabama. Subject to and together with a non-exclusive 40 foot easement for ingress and egress and public utilities as shown by record plat.

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

28 00 28 2 001 041.001

County Zoning Classification

Zoning: E-1 - ESTATE

Is this annexation for redevelopment?*

No

Compatible City Zoning Classification

VH E-2 Estate

Desired Zoning Classification

VH E-2 Estate

Is this a single-family residence with no additional development?*

Yes

Annexation Request Information

Please Explain your reason for requesting annexation?*

Property value, conform to neighbors on Stony Branch Rd., adjacent Blue Jay Rd. and Magnolia Ridge, desire school zoning in Vestavia Hills Elementary Dolly Ridge where daughter teaches (Amy Stuckey). Property co-owner Rebecca Wingett retired from 25 years at Vestavia Hills High School (name was Rebecca Patterson). City services. Both property owners are elderly and property is ideal for families with school age children (5 BR, 4.5 Baths).

Are you located in the Rocky Ridge Fire District?*

Yes

Information on Children

Name of Child

Age of Child

Adult children, both attended Vestavia schools.

School Grade of Child

Plan to Enroll in Vestavia Hills School within 2 years?

—

Name of Child

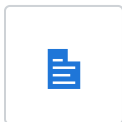
Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills Schools within 2 years?

Addition children information ?

Attachments



Owner's Notarized Affidavit

REQUIRED

Resolution page 8 3 signatures 20240528.pdf

Uploaded by William Green on Jun 4, 2024 at 10:35 AM



"As Built" survey of property (if available)

2610 Green.Wingett_2630 Kuckens_2620 Paul.png

Uploaded by William Green on Jun 4, 2024 at 12:24 PM

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)DESCRIPTION OF PROPERTY

<u>William A. Paul / Karen Paul</u>	Lot <u>3</u>	Block _____	Survey <u>Stony Branch Subdivision</u>
			<u>MAP BOOK 191, page 2</u>
<u>William A. Green / Rebecca Wingett</u>	Lot <u>1</u>	Block _____	Survey <u>Stony Branch Subdivision</u>
			<u>Map Book 191, page 2</u>
<u>Edmund Kuchan / Brian Kuchan</u>	Lot <u>2</u>	Block _____	Survey <u>Stony Branch Subdivision</u>
			<u>Map Book 191, page 2</u>

(Use reverse side hereof for additional signatures and property descriptions, if needed).

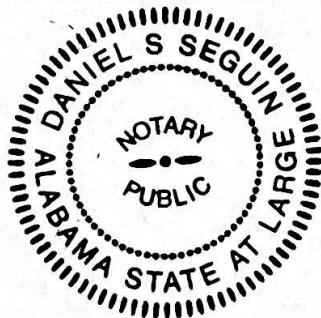
STATE OF ALABAMA

Jefferson COUNTY

William G. Green being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

William A. Green
Signature of Certifier

Subscribed and sworn before me this the 28 day of May, 2024.



[Signature]
Notary Public

My commission expires: 4/20/2026

PARCEL #: 28 00 28 2 001 041.001	[111-A0]	Baths: 4.5	H/C Sqft: 3,723
OWNER: WINGETT REBECCA D (50% INT) & GREEN WILLIAM GREGOR..	18-012.0	Bed Rooms: 4	Land Sch: A114
ADDRESS: 2610 STONY BRANCH RD BIRMINGHAM AL 35243	Land: 294,400	Imp: 713,400	Total: 1,007,800
LOCATION: 2610 STONY BRANCH RD AL 35243	Acres: 0.000	Sales Info: 05/15/2023	\$61,200

<< Prev

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 [1 / 0 Records]

 Processing...

Tax Year : 2024

 ▼

SUMMARY

 LAND

 BUILDINGS

 SALES

 PHOTOGRAPHS

 MAPS

LAND COMPUTATION						
		Code	Acerage	Square Foot	Market Value	CU. Value
A114	3	111 HOUSEHOLD UNITS	1.84	80150.4	\$294,400.00	

ROLLBACK/HOMESITE/MISCELLANEOUS

LEGAL DESCRIPTION	
SUB DIVISON1: STONY BRANCH SUB 28-28-2	MAP BOOK: 191 PAGE: 2
SUB DIVISON2:	MAP BOOK: 0 PAGE: 0
PRIMARY BLOCK:	SECONDARY BLOCK: 0
PRIMARY LOT: 1	SECONDARY LOT: 0
METES AND BOUNDS: LOT 1 STONY BRANCH SUBDIVISION PB 191 PG 2	

SALES INFORMATION			
5/15/2023	\$61,200.00	2 BOOK:2023 PAGE:052775	Land & Building WINGETT REBECCA D (50% INT) & GREEN WILLIAM GREGORY (50%)
10/12/2016	\$0.00	2 BOOK:2016 PAGE:109726	Land & Building WINGETT REBECCA D (57.42% INT) & GREEN WILLIAM GREGORY (42.58%)
2/1/1998	\$149,000.00	1 BOOK:9802 PAGE:004407	Land

ORDINANCE NUMBER 3274

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by William Gregory Green dated July 19, 2024, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2610 Stony Branch Road
Lot 1, Stony Branch Subdivision
William Gregory Green

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 23rd day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3274 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of June, 2025, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the _____ day of _____, 2025.

Rebecca Leavings
City Clerk



RESOLUTION NUMBER 5568

**A RESOLUTION PROPOSING THE ANNEXATION OF CERTAIN
TERRITORY TO THE CORPORATE LIMITS OF THE CITY OF
VESTAVIA HILLS, ALABAMA.**

WHEREAS, there has been a petition filed with the City Clerk of the City of Vestavia Hills, Alabama, and herein presented to the City Council of the City of Vestavia Hills, Alabama, dated July 19, 2024, wherein all owners of certain property contiguous to the City Limits of the City of Vestavia Hills, Alabama, ask that their property be annexed to the City of Vestavia Hills, Alabama; and

WHEREAS, said Petition has been presented to the City Council of the City of Vestavia Hills, Alabama, on the 23rd day of June, 2024; and

WHEREAS, it would be in the best interest of the City of Vestavia Hills, Alabama, and to the citizens thereof to consider annexation of said territory and bringing it within the corporate limits of this Municipality; and

WHEREAS, said petitioners must comply with Act #604, 1970 Alabama Legislature regarding Fire Districts (property owners are to be responsible for fire dues if they are within another Fire District at the time of the annexation petition).

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Vestavia Hills, Alabama, as follows:

1. That the said Petition shall be published one (1) time in *The Alabama Messenger*, a newspaper of general circulation in Vestavia Hills, Jefferson County, Alabama, on the 25th day of June, 2025.

2. That on the 22nd day of September, 2025, in the Vestavia Hills City Hall, a public hearing will be held to determine the truths of the matter set forth in said petition and to consider any protests or objections filed in writing with the City Clerk prior to such hearing, to determine whether it is in the public interest or not that said property be annexed to the City of Vestavia Hills, Alabama, and to consider adoption of an Ordinance annexing the territory described in said petition to this Municipality.

3. That this Resolution shall become known and referred to as Resolution Number 5568 by the City Council of the City of Vestavia Hills, Alabama, and as annexation of the following described property by the City Council of the City of Vestavia Hills, Alabama:

2620 Stony Branch Road
Lot 3, Stony Branch Subdivision
William and Karen Paul, Owner(s)

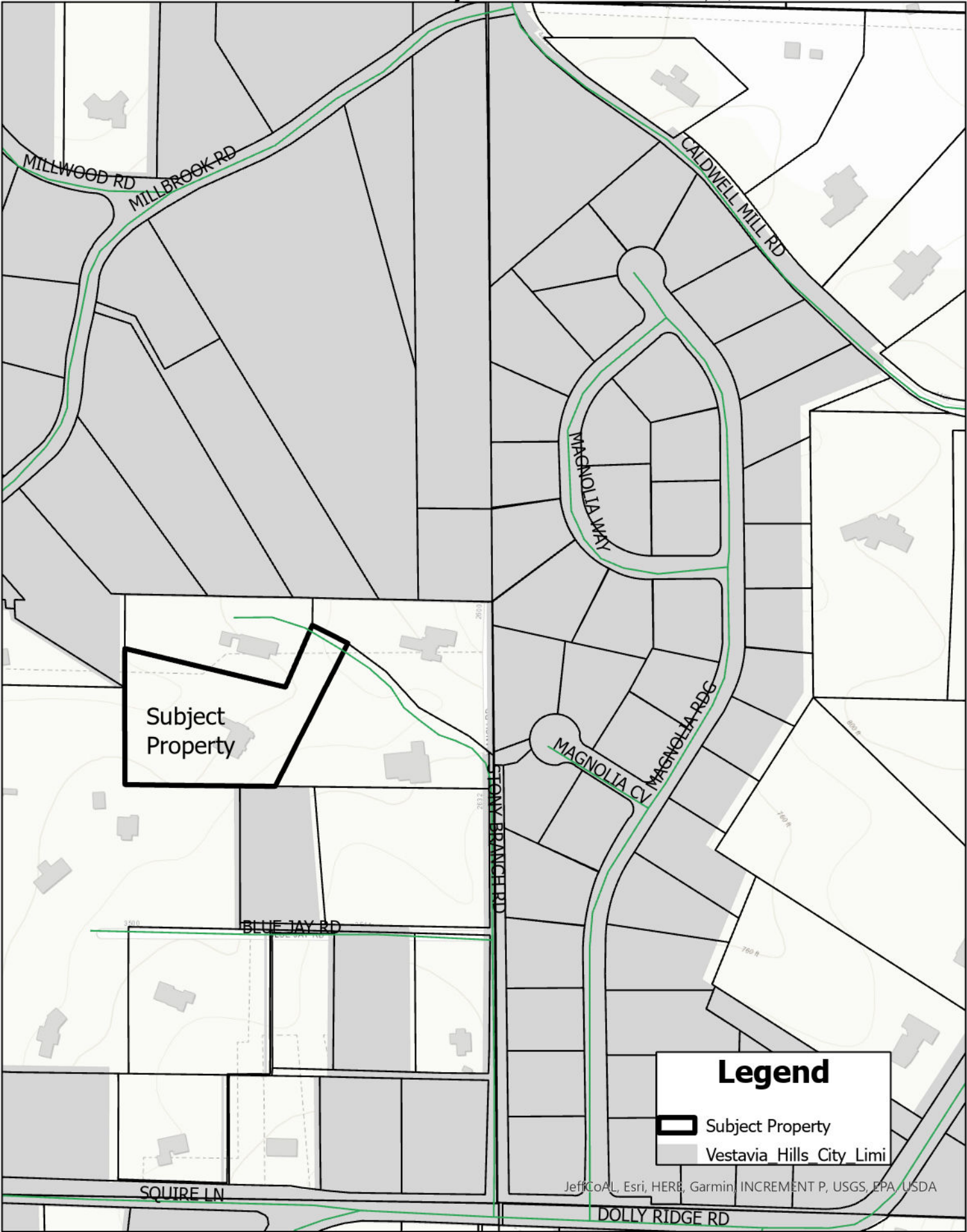
APPROVED and ADOPTED this the 23rd day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

2620 Stony Branch Rd



Annexation Committee Petition Review

Property: 2620 Stony Branch Rd

Owners: Wlm & Karen Paul

Date: 5/29/2025

1. The property in question is contiguous to the city limits.
Yes ☒ No ☐ Comments: _____
2. The land use of the petitioned property is compatible with land use in the area.
Yes ☒ No ☐ Comments: _____
3. The property being petitioned is noted in the September 2006 Annexation Policy Task Force Report as an area of interest to the city for annexation.
Yes ☒ No ☐ Comments: _____
4. Streets and drainage structures are in substantial compliance with city regulations and building codes, and in good condition at the time of the annexation.
Yes ☐ No ☒ Comments: Private Drive
Imp rec. & approved by City Eng.
5. Individual household has a Jefferson or Shelby County Tax Assessor minimum market value of \$801,000. Meets city criteria: Yes ☒ No ☐
Comment: _____
6. This street has fewer than 100% of the individual properties within the limits of the city
Yes ☒ No ☐
Number of total homes 4 Number in city 2
7. Fire dues pursuant to Act #604 of the State of Alabama, and any other assessments on the property shall be the responsibility of the property owner, and their payment proven to the city.
Agreed to by petitioner: Yes ☒ No ☐ Comment: _____

Property: 2620 Story Branch Rd

8. A non-refundable administrative fee of \$100 has been paid to the city.
Furthermore, voluntary contributions, including an application fee, of
\$ 210 will be paid to offset costs associated with the annexation.
Yes ✓ No _____ Comment _____

9. Property is free and clear of hazardous waste, debris and materials.
Yes ✓ No _____ Comment _____

10. Are there any concerns from city departments?
Yes ✓ No _____ Comments: Imp of drive to
be completed by 90-day annex

11. Information on children: Number in family NA; Plan to enroll in VH
schools Yes _____ No _____ Comments: _____

12. Board of Education comments/concerns: NA

Other Comments: _____

George Pierce
George Pierce
Chairman

**City of Vestavia Hills
Tax Calculator
Homestead Properties**

AD VALOREM TAX MILLAGE

Millage Multiplier			
	0.02055	Ad valorem to City General Fund:	20.55 mills
	0.02875	City BOE portion:	28.75 mills
	0.0151	District 20 School:	15.1 mills
	0.0082	Countywide School:	8.2 mills
	0.05205	Ad valorem to Schools (TOTAL):	52.05 mills

ASSESSED VALUE

			Citizen Access Portal Descriptor	Notes
====>	2620 Stony Branch Dr	Property Address		
====>	\$ 801,000	Appraised Value of Property	TOTAL MARKET VALUE	
	10%	Assessment Homestead Rate		
	\$80,100.00	Assessed Value	ASSD. VALUE	

AD VALOREM REVENUE

			Citizen Access Portal Descriptor	Notes
	\$1,646.06	City portion of ad valorem	(Subset of CITY)	(20.55 mills rate)
	\$2,302.88	BOE portion of ad valorem	(Subset of CITY)	(28.75 mills rate)
	\$3,948.93	Total County remits to City for split with BOE	CITY	
	\$1,209.51	SPC DIST1 BOE local rev (County gives directly to BOE)	SPC SCHOOL1	(15.1 mills rate)
	\$656.82	Countywide School Tax to VH	SCHOOL	(8.2 mills rate)

TOTAL AD VALOREM REVENUE

	\$1,646.06	Annexation Revenue to CITY	CITY (General Fund portion)	(20.55 mills)
	\$4,169.21	Annexation Revenue to BOE	SCHOOL + SPC SCHOOL1 + CITY (BOE portion)	(8.2 mills + 15.1 mills + 28.75 mills)
	\$5,815.26	TOTAL ANNEXATION REVENUE BENEFIT		

<u>Legend</u>
City Revenue
BOE Revenue

PARCEL #: 28 00 28 2 001 041.003
OWNER: PAUL WILLIAM A & KAREN B
ADDRESS: 2620 STONY BRANCH RD BIRMINGHAM AL 35243-2034
LOCATION: 2620 STONY BRANCH RD AL 35243

[111-B+] Baths: **2.5** H/C Sqft: **4,036**
18-012.0 Bed Rooms: **3** Land Sch: **A114**
Land: **213,600** Imp: **587,400** Total: **801,000**
Acres: **0.000** Sales Info: **01/11/2022 \$622,750**

<< Prev Next >> [1 / 0 Records] Processing...

Tax Year : 2024 ▼

SUMMARY LAND BUILDINGS SALES PHOTOGRAPHS MAPS

SUMMARY

ASSESSMENT

PROPERTY CLASS: 3 OVER 65 CODE: X
EXEMPT CODE: 3-2 DISABILITY CODE:
MUN CODE: 01 COUNTY HS YEAR: 0
SCHOOL DIST: EXM OVERRIDE AMT: \$0.00
OVR ASD VALUE: \$0.00 TOTAL MILLAGE: 50.1

CLASS USE:
FOREST ACRES: 0 TAX SALE:
PREV YEAR VALUE: \$816,000.00 BOE VALUE: 0

VALUE

LAND VALUE 10% \$213,550
LAND VALUE 20% \$0
CURRENT USE VALUE [DEACTIVATED] \$0

CLASS 2

CLASS 3
POOL GUNITE 60 29G0600 \$48,800
BLDG 001 111 \$538,600

TOTAL MARKET VALUE [APPR. VALUE: \$801,000]: \$800,950

Assesment Override:

MARKET VALUE:
CU VALUE:
PENALTY:
ASSESSED VALUE:

TAX INFO

	CLASS	MUNCODE	ASSD. VALUE	TAX	EXEMPTION	TAX EXEMPTION	TOTAL TAX
STATE	3	1	\$67,900	\$441.35	\$67,900	\$441.35	\$0.00
COUNTY	3	1	\$67,900	\$916.65	\$2,000	\$27.00	\$889.65
SCHOOL	3	1	\$67,900	\$556.78	\$0	\$0.00	\$556.78
DIST SCHOOL	3	1	\$67,900	\$0.00	\$0	\$0.00	\$0.00
CITY	3	1	\$67,900	\$0.00	\$0	\$0.00	\$0.00
FOREST	3	1	\$0	\$0.00	\$0	\$0.00	\$0.00
SPC SCHOOL1	3	1	\$67,900	\$346.29	\$0	\$0.00	\$346.29
SPC SCHOOL2	3	1	\$67,900	\$1,140.72	\$0	\$0.00	\$1,140.72

ASSD. VALUE: \$67,900.00

\$3,401.79

GRAND TOTAL: \$2,933.44

FULLY PAID

DEEDS

INSTRUMENT NUMBER	DATE
2022005147	1/11/2022
201512300105507	10/23/2015
201218-4296	9/28/2012
200407-1709	05/11/2004
9806-8276	05/21/1998

PAYMENT INFO

PAY DATE	TAX YEAR	PAID BY	AMOUNT
11/26/2024	2024		\$2,933.44
12/19/2023	2023	KAREN PAUL	\$2,933.44
11/11/2022	2022	KAREN PAUL	\$2,933.44
10/17/2021	2021	KAREN PAUL	\$2,688.41
12/14/2020	2020	KAREN PAUL	\$2,688.41
11/8/2019	2019	PAUL WILLIAM A & KAREN B	\$2,497.41
10/25/2018	2018	WILUAM A PAUL KAREN PAUL	\$2,938.96
10/12/2017	2017	WILLIAM A PAUL KAREN PAUL	\$2,938.96
11/4/2016	2016	PAUL KAREN B	\$2,938.96
10/27/2015	2015	WILLIAM A PAUL KAREN PAUL	\$2,938.96
10/20/2014	2014	-	\$2,903.89
10/22/2013	2013	-	\$2,489.06
1/16/2013	2012	PAUL WILLIAM A & NANCY J	\$2,488.57
20111216	2011	***	\$2,579.76
20101201	2010	***	\$2,579.76
20091212	2009	***	\$2,579.76
20081212	2008	***	\$2,623.33
20071205	2007	***	\$2,607.30
20061209	2006	***	\$2,564.21
20051116	2005	***	\$2,461.52
20041206	2004	***	\$2,208.70

- Fire Hydrant at the gate is adequate
- Road narrows to 10 feet or less past the gate (14 feet required)
- Adequate turn around lacking
- 2610
 - Driveway is greater than 150 feet from the roadway. The drive surface would need to be assessed by an engineer to ensure they would support the weight of suppression apparatus. Access off of the private road is tight and should be evaluated through a turn study. A Turn study is also necessary to ensure adequate turn around.
- 2620
 - Driveway is greater than 150 feet from the roadway. The culvert and drive surface would need to be assessed by an engineer to ensure they would support the weight of suppression apparatus. Turn study would also necessary to ensure adequate turn around.
- 2630
 - No specific access comments



Aug 6, 2024

ANX-24-6

Fire Department Review

Annexation Application

Status: Complete

Became Active: Jul 19, 2024

Assignee: Ryan Farrell

Completed: Aug 2, 2024

Applicant

William Paul
ap253@aol.com
2620 Stony Branch Road
Birmingham, AL 35243
205-266-5728

Primary Location

2620 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Comments

Ryan Farrell, Aug 2, 2024

Comments added as an attachment

William Paul, Aug 2, 2024

We have had Fire trucks at 2620 before. Additionally, when we built a swimming pool we had multiple dump truck loads of dirt come over the culvert/bridge @ 2620 to build up the back yard and large dump trucks of gunite to build the pool come over the culvert/bridge @ 2620 without incident.



Aug 6, 2024

ANX-24-6

Board of Education Review

Annexation Application

Status: Complete

Became Active: Jul 19, 2024

Assignee: Scott Brown

Completed: Jul 23, 2024

Applicant

William Paul
ap253@aol.com
2620 Stony Branch Road
Birmingham, AL 35243
205-266-5728

Primary Location

2620 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Comments

Scott Brown, Jul 23, 2024

No objection



ANX-24-6

Engineering/Public Works Review

Annexation Application

Status: Complete

Became Active: Jul 19, 2024

Assignee: Christopher Brady

Completed: Aug 2, 2024

Applicant

William Paul
ap253@aol.com
2620 Stony Branch Road
Birmingham, AL 35243
205-266-5728

Primary Location

2620 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Comments

Christopher Brady, Aug 2, 2024

See Engineering Review and Recommendations attached. This includes the following:

- Publicly accessible vehicular turnaround at end of Stony Branch outside of private gate.
- Confirm availability of private garbage pickup.
- Review of drainage culverts for structural stability.

William Paul, Aug 2, 2024

*Our trash/garbage pick up is through Amwaste. 2620 and 2630 have curbside pick up. 2610 already receives back door pick up. *We have had Fire trucks at 2620 before. Additionally, when we built a swimming pool we had multiple dump truck loads of dirt come over the culvert/bridge @ 2620 to build up the back yard and large dump trucks of gunite to build the pool come over the culvert/bridge @ 2620 without incident.



ANX-24-6

Annexation Application

Status: Active

Submitted On: 5/31/2024

Primary Location

2620 STONY BRANCH RD
VESTAVIA HILLS, AL 35243

Owner

Applicant

 William Paul
 205-266-5728
 ap253@aol.com
 2620 Stony Branch Road
Birmingham, AL 35243

Owner Information

Owner's Name*

William A. Paul, Karen B. Paul

Owner Mailing Address Inc. City, State, Zip*

2620 Stony Branch Road, Jefferson County, 35243

Property Information

Address of Property to be annexed?*

2620 Stony Branch Road, Jefferson
county, 35243

Legal Description of Property to be Annexed*

Lot 3, Stony Branch Subdivision, Map Book 191, page 2

County Location of Property:

Jefferson County

Tax Parcel ID Number (if known)

28 00 28 2 001 041.003

County Zoning Classification

JC E-1

Is this annexation for redevelopment?*

No

Compatible City Zoning Classification

VH E-2

Desired Zoning Classification

VH E-2

Is this a single-family residence with no additional development?*

Yes

Annexation Request Information

Please Explain your reason for requesting annexation?*

1. Desire Vestavia city services. 2. Will improve property value

Are you located in the Rocky Ridge Fire District?*

Yes

Information on Children

Name of Child

No children living on property

Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills School within 2 years?

No

Name of Child

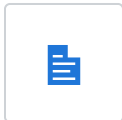
Age of Child

School Grade of Child

Plan to Enroll in Vestavia Hills Schools within 2 years?

Addition children information ?

Attachments



Owner's Notarized Affidavit

Vestavia Affidavit.pdf

Uploaded by William Paul on May 31, 2024 at 3:12 PM

REQUIRED



City of Vestavia Hills
Office of the City Clerk

OWNER AFFIDAVIT (This form must be notarized):

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority that we are the owners of said property requesting annexation:

SIGNATURES:

William A. Paul

Lot 3 Blk _____ Survey MAP BOOK 191, page 2

Lot _____ Blk _____ Survey ~~2620~~ 2620 Stony Branch Road

Lot _____ Blk _____ Survey _____

Lot _____ Blk _____ Survey _____

Lot _____ Blk _____ Survey _____

Lot _____ Blk _____ Survey _____

STATE OF ALABAMA

Jefferson COUNTY

William A. Paul being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of the owners of the property to be annexed by this petition.

William A. Paul
Signature of Certifier

Subscribed and sworn before me on this 31 day of May, 2024.

Kiersten Michelle Fish
Notary Public

My Commission Expires: 8/27/2027



PARCEL #: 28 00 28 2 001 041.003	[111-B+]	Baths: 2.5	H/C Sqft: 4,036
OWNER: PAUL WILLIAM A & KAREN B	18-012.0	Bed Rooms: 3	Land Sch: A114
ADDRESS: 2620 STONY BRANCH RD BIRMINGHAM AL 35243-2034	Land: 213,600	Imp: 602,400	Total: 816,000
LOCATION: 2620 STONY BRANCH RD AL 35243	Acres: 0.000	Sales Info: 01/11/2022	\$622,750

<< Prev
 Next >>
 [1 / 0 Records]
 Processing...

Tax Year : 2024
 ▼

SUMMARY
 LAND
 BUILDINGS
 SALES
 PHOTOGRAPHS
 MAPS

LAND COMPUTATION						
		Code	Acerage	Square Foot	Market Value	CU. Value
A414	3	111 HOUSEHOLD UNITS	1.53	66646.8	\$53,550.00	
A114	3	111 HOUSEHOLD UNITS	1	43560	\$160,000.00	

ROLLBACK/HOMESITE/MISCELLANEOUS

LEGAL DESCRIPTION	
SUB DIVISON1: STONY BRANCH SUB 28-28-2	MAP BOOK: 191 PAGE: 2
SUB DIVISON2:	MAP BOOK: 0 PAGE: 0
PRIMARY BLOCK:	SECONDARY BLOCK: 0
PRIMARY LOT: 3	SECONDARY LOT: 0
METES AND BOUNDS: LOT 3 STONY BRANCH SUBDIVISION PB 191 PG 2	

SALES INFORMATION			
1/11/2022	\$622,750.00	2 BOOK:2022 PAGE:005147	Land & Building PAUL WILLIAM A & KAREN B
10/23/2015	\$100.00	2 BOOK:2015 PAGE:12300105507	Land & Building PAUL WILLIAM A & KAREN B
5/1/2004	\$539,000.00	1 BOOK:200407 PAGE:001709	Land & Building
5/1/1998	\$169,000.00	1 BOOK:9806 PAGE:008276	Land

ORDINANCE NUMBER 3275

AN ORDINANCE TO ALTER, REARRANGE, AND EXTEND THE CORPORATE LIMITS OF THE CITY OF VESTAVIA HILLS, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by William and Karen Paul dated July 19, 2024, that the property therein described be annexed to the City of Vestavia Hills, Alabama, together with a map of said territory showing its relationship to the corporate limits of the City, has been filed with the City Clerk of the City of Vestavia Hills; and

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petition are true and correct, and that it is in the public interest that said territory be annexed to the City of Vestavia Hills;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Vestavia Hills, Alabama, as follows:

SECTION 1. That said Council hereby assents to the annexation of said territory to the City of Vestavia Hills, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Title 11, Chapter 42, Article 2, Code of Alabama, 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits. The new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

2620 Stony Branch Road
Lot 3, Stony Branch Subdivision
William and Karen Paul

SECTION 2. That the City Clerk shall file a certified copy of this Ordinance containing an accurate description of said annexed territory with the Probate Judge of Jefferson County, Alabama, and also cause a copy of this Ordinance to be published/posted in accordance with Alabama law.

APPROVED and ADOPTED this the 23rd day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

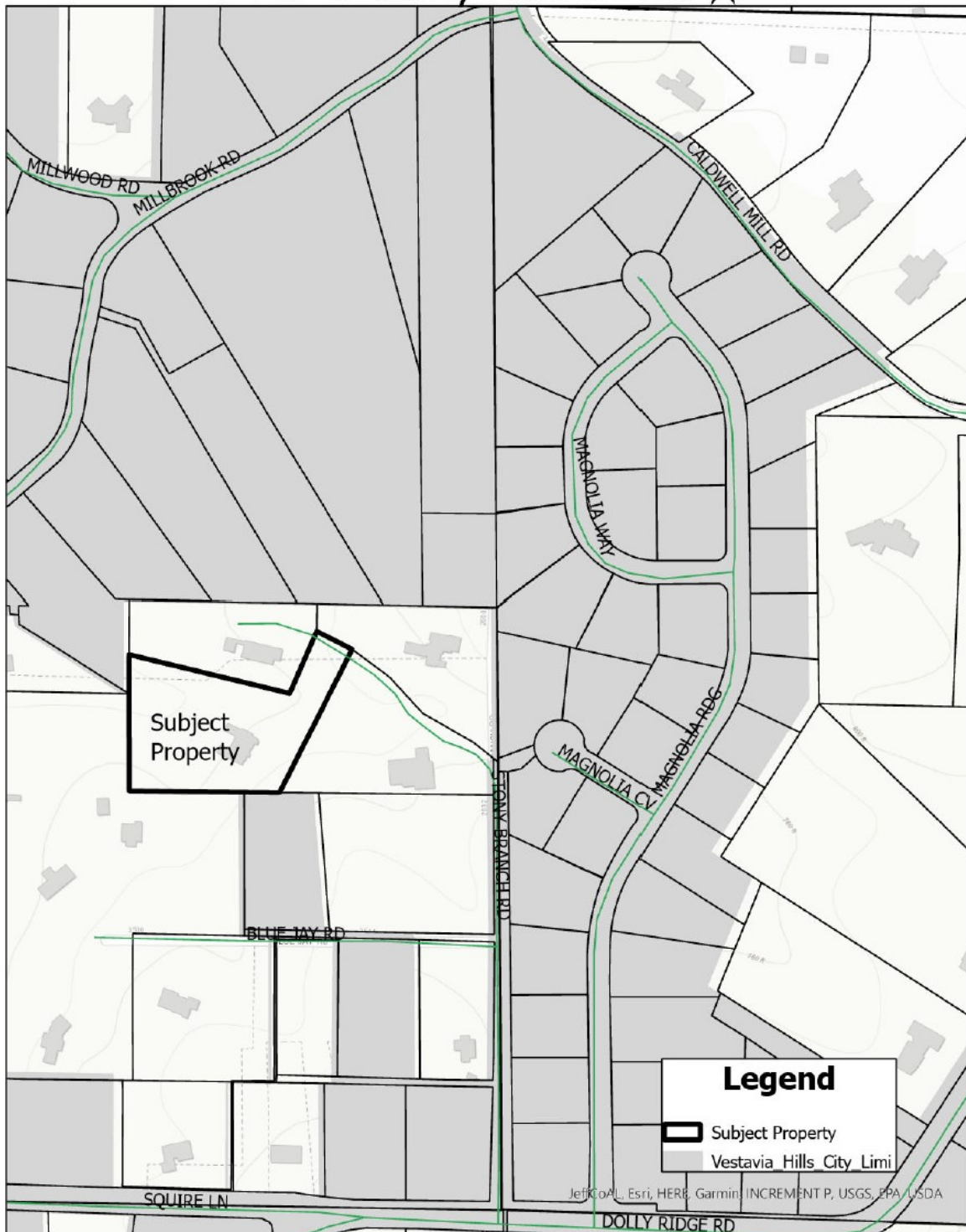
CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3275 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of June, 2025, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the _____ day of _____, 2025.

Rebecca Leavings
City Clerk

2620 Stony Branch Rd





**CITY OF VESTAVIA HILLS
OFFICE OF THE CITY MANAGER
INTER-DEPARTMENT MEMO**

June 9, 2025

To: Mayor and City Council

From: Jeff Downes, City Manager

Cc: Melvin Turner, III, Finance Director
Zach Clifton, Asst. Finance Director

RE: Public Hearing - Ordinance Number 3276 - An Ordinance
Authorizing the Mayor and City Manager to Execute Any and All
Documents Related to a Lease Extension for New Cingular
Wireless, PCS as Tenant at the Cell Tower Located at 509
Montgomery Highway

Background:

In January 2000, the City of Vestavia Hills entered into a five-year lease agreement with Tritel Communications (Tritel later merged with New Cingular Wireless) that provided for four additional five-year terms. The lease was related to the utilization of an area on and near to the cell tower at 509 Montgomery Highway (former City Hall site.) The lease has reached its conclusion as of February 2025. After several months of negotiation, a renewal lease was presented for consideration by the City.

Recommendation:

City staff recommend renewing the lease consistent with terms elaborated in the attached document.

Fiscal Impact:

The expiring lease provided annual lease compensation to the City of \$1,200 annually with a 10% escalation for each five-year renewal period. The new lease provides annual compensation of \$1,809 with 3% escalation each annual period. Given the comparable market, this renewal term is reasonable from a staff perspective.

Attachments:

1. Ordinance 3276
2. 10079014_65731_RR_1st Amendment_DRAFT_4.29
3. PH Boone Legal Opinion to City Manager Jeffrey D. Downes May 16 2025

ORDINANCE NUMBER 3276

AN ORDINANCE AUTHORIZING THE MAYOR AND CITY MANAGER TO EXECUTE AND DELIVER A REINSTATEMENT AND RATIFICATION OF AND FIRST AMENDMENT TO OPTION AND LEASE AGREEMENT FOR PROPERTY BEHIND VESTAVIA HILLS BILL F. TOWERS FIRE STATION NUMBER 1

WHEREAS, in 2000, the City Council of the City of Vestavia Hills leased property for a monopole at the rear of the Vestavia Hills Bill F. Towers Fire Station Number 1 located at 509 Montgomery Highway; and

WHEREAS, the current least is about to expire and the owner, New Cingular Wireless PCS, LLC, a Delaware limited liability company and successor in the merger to Tritel Communications, Inc., a Delaware corporation, has submitted a Reinstatement and Ratification of and First Amendment to Option and Lease Agreement (“the Agreement”); and

WHEREAS, the City Manager and City Attorney have negotiated the Agreement, a copy of which is marked as Exhibit A, attached to and incorporated into this Ordinance Number 3276 as if written fully therein; and

The Mayor and City Council feel it is in the best public interest to accept said agreement.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, AS FOLLOWS:

1. The Mayor and City Manager are hereby authorized to execute and deliver the agreement detailed in said Exhibit A; and
2. A copy of said agreement shall be submitted and held for record in the Office of the City Clerk; and
3. This Ordinance Number 3276 shall become effective immediately upon adoption and posting/publishing pursuant to Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 23rd day of June, 2025.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 3276 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Vestavia Hills on the 23rd day of June, 2025, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, Vestavia Hills New Merkel House and Vestavia Hills Recreational Center this the _____ day of _____, 2025.

Rebecca Leavings
City Clerk

Market: AL / MS / LA
Cell Site Number: ALL01757
Cell Site Name: Billmore Estates LTE
Fixed Asset Number: 10079014

REINSTATEMENT AND RATIFICATION OF AND FIRST AMENDMENT TO OPTION AND LEASE AGREEMENT

THIS REINSTATEMENT AND RATIFICATION OF AND FIRST AMENDMENT TO OPTION AND LEASE AGREEMENT (“**Amendment**”) dated as of the later date below is by and between City of Vestavia aka Town of Vestavia Hills, an Alabama municipality, having a mailing address at 513 Montgomery Highway, Vestavia Hills, AL 35216 (“**Lessor**”) and New Cingular Wireless PCS, LLC, a Delaware limited liability company, successor by merger to Tritel Communications, Inc., a Delaware corporation, having a mailing address at 1025 Lenox Park Boulevard North East, 3rd Floor, Atlanta, GA 30319 (“**Lessee**”).

WHEREAS, Lessor and Lessee (or its affiliate or predecessor-in-interest) entered into a Option and Lease Agreement dated January 21, 2000, whereby Lessor leased to Lessee certain Premises, therein described, that are a portion of the Property located at 511 Montgomery Highway, Vestavia Hills, AL 35216 (the “**Agreement**”); and

WHEREAS, the collective of the Agreement expired on January 31, 2025, and Lessor acknowledges that Lessee has been occupying the Premises on a month-to-month basis and Lessor has accepted rent during such month-to-month basis from Lessee and the parties mutually desire to renew the Agreement, memorialize such renewal period and modify the Agreement in certain other respects, all on the terms and conditions contained herein; and

WHEREAS, Lessor and Lessee desire to amend the Agreement to extend the collective of the Agreement; and

WHEREAS, Lessor and Lessee desire to adjust the rent in conjunction with the modifications to the Agreement contained herein; and

WHEREAS, Lessor and Lessee desire to amend the Agreement to modify the notice section thereof; and

WHEREAS, Lessor and Lessee desire to amend the Agreement to permit Lessee to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services; and

WHEREAS, Lessor and Lessee, in their mutual interest, wish to amend the Agreement as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. **Reinstatement and Ratification.** The Agreement, including all amendments thereto, if any, entered into prior to the date hereof, is attached hereto as **Exhibit A**. Lessor and Lessee hereby reinstate, ratify, confirm and adopt the Agreement, as amended herein, as of the latter signature date below.

2. **Term.** The collective of the Agreement shall be amended to provide that the current term, which commenced on February 1, 2020, shall expire on January 31, 2025 (“**Current Term**”), and commencing on February 1, 2025, will be automatically renewed, upon the same terms and conditions of the Agreement, for four (4) additional five (5) year terms (each a “**Renewal Term**”). Hereafter, “**Term**” shall include the Current Term and any applicable Renewal Term. The Term will automatically renew without further action by Lessee, unless Lessee notifies Lessor in writing of Lessee’s intention not to renew the Agreement at least sixty (60) days prior to the expiration of the Current Term or any Renewal Term. Lessor agrees and acknowledges that, except as such permitted use or other rights may be amended herein, Lessee may continue to use and exercise its rights under the Agreement as permitted prior to the first Renewal Term.

3. **Modification of Rent.** Commencing on February 1, 2025, the current rent payable under the Agreement shall be One Hundred Fifty and 80/100 Dollars (\$150.80) per month (the “**Rent**”), and shall continue during the Term, subject to adjustment, if any, as provided below. In the event of any overpayment of Rent prior to or after the Effective Date, Lessee shall have the right to deduct from any future Rent payments an amount equal to the overpayment amount.

4. **Future Rent Increase / Monthly Payments.** The Agreement is amended to provide that commencing on February 1, 2026, Rent shall increase by three percent (3%) over the Rent paid during the previous year.

5. **Emergency 911 Service.** In the future, without the payment of additional Rent, or any other consideration, and at a location mutually acceptable to Lessor and Lessee, Lessor agrees that Lessee may add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services.

6. **Acknowledgement.** Lessor acknowledges that: 1) this Amendment is entered into of the Lessor’s free will and volition; 2) Lessor has read and understands this Amendment and the underlying Agreement and, prior to execution of this Amendment, was free to consult with counsel of its choosing regarding Lessor’s decision to enter into this Amendment and to have counsel review the terms and conditions of this Amendment; 3) Lessor has been advised and is informed that should Lessor not enter into this Amendment, the underlying Agreement between Lessor and Lessee, including any termination or non-renewal provision therein, would remain in full force and effect.

7. **Notices.** Section 26 of the Agreement is hereby deleted in its entirety and replaced with the following:

NOTICES. All notices, requests, payments of rent, demands, and other communications required or permitted hereunder shall be given as follows:

For Notices of Default to Lessee:

- a) To Lessee's Lease Administration Department at NoticeIntake@att.com; and
- b) To Lessee's Law Department via First Class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid:

New Cingular Wireless PCS, LLC
Attn.: Legal Dept – Network Operations
Re: Cell Site #: ALL01757; Cell Site Name: Billmore Estates LTE (AL)
Fixed Asset #: 10079014
208 Akard Street
Dallas, TX 75202-4206

For Notices of Default to Lessor:

- a) To Lessor at zclifton@vhal.org; and
- b) To Lessor's Law Department via First Class certified or registered mail, return receipt requested, or by a nationally recognized overnight courier, postage prepaid:

City of Vestavia aka Town of Vestavia Hills
513 Montgomery Highway
Vestavia Hills, AL 35216

All other Notices will be sent:

- a) To Lessee's Lease Administration Department at NoticeIntake@att.com; and
- b) To Lessor at:

City of Vestavia aka Town of Vestavia Hills
513 Montgomery Highway
Vestavia Hills, AL 35216

Notices by email will be effective on the first calendar day after it was sent unless the sender receives an automated message that the email has not been delivered. Electronic mail shall be sent with a read receipt, but a read receipt shall not be required to establish that notice was given and received. All other Notices shall be effective when received unless returned undelivered. Either party hereto may change the place for the giving of notice to it by thirty (30) days' prior written notice to the other party hereto as provided herein.

8. **Charges.** All charges payable under the Agreement such as utilities and taxes shall be billed by Lessor within one (1) year from the end of the calendar year in which the charges were incurred; any charges beyond such period shall not be billed by Lessor, and shall not be payable by Lessee. The foregoing shall not apply to monthly Rent which is due and payable without a requirement that it be billed by Lessor. The provisions of this subsection shall survive the termination or expiration of the Agreement.

9. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Agreement and this Amendment, the terms of this Amendment shall control. Except as expressly set forth in this Amendment, the Agreement otherwise is unmodified and remains in full force and effect. Each reference in the Agreement to itself shall be deemed also to refer to this Amendment.

10. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Agreement.

[NO MORE TEXT ON THIS PAGE - SIGNATURES TO FOLLOW ON NEXT PAGE]

IN WITNESS WHEREOF, the parties have caused this Amendment to be effective as of the last date written below.

LESSOR:

City of Vestavia aka Town of Vestavia Hills,
an Alabama municipality

LESSEE:

New Cingular Wireless PCS, LLC,
a Delaware limited liability company

By: AT&T Mobility Corporation
Its: Manager

By: [NOT FOR EXECUTION]

By: [NOT FOR EXECUTION]

Print Name: _____

Print Name: _____

Its: _____

Its: _____

Date: _____

Date: _____

Witnesses:

Witnesses:

By: _____

By: _____

Print Name: _____

Print Name: _____

By: _____

By: _____

Print Name: _____

Print Name: _____

[ACKNOWLEDGEMENTS APPEAR ON THE NEXT PAGE]

LESSOR ACKNOWLEDGEMENT

STATE OF _____)
) SS.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that said person signed this instrument, on oath stated that said person was authorized to execute the instrument and acknowledged it as the _____ of **City of Vestavia aka Town of Vestavia Hills, an Alabama municipality**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____.

Notary Seal

(Signature of Notary)

(Legibly Print or Stamp Name of Notary)
Notary Public in and for the State of

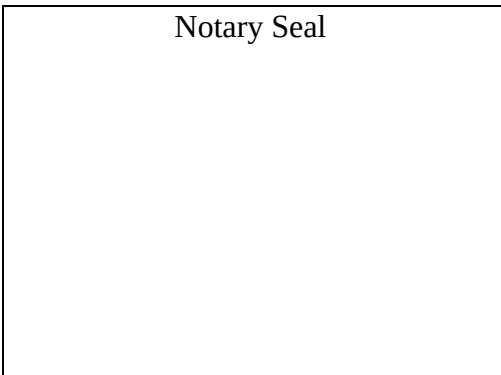
My appointment expires: _____

LESSEE ACKNOWLEDGEMENT

STATE OF _____)
) SS.
COUNTY OF _____)

I certify that I know or have satisfactory evidence that _____ is the person who appeared before me, and said person acknowledged that he/she signed this instrument, on oath stated that he/she was authorized to execute the instrument and acknowledged it as the _____ of **AT&T Mobility Corporation, the Manager of New Cingular Wireless PCS, LLC, a Delaware limited liability company**, to be the free and voluntary act of such party for the uses and purposes mentioned in the instrument.

DATED: _____.



(Signature of Notary)

(Legibly Print or Stamp Name of Notary)
Notary Public in and for the State of

My appointment expires: _____

PATRICK H. BOONE
ATTORNEY AND COUNSELOR AT LAW
NEW SOUTH FEDERAL SAVINGS BUILDING, SUITE 705
215 RICHARD ARRINGTON, JR. BOULEVARD NORTH
BIRMINGHAM, ALABAMA 35203-3720
TELEPHONE (205) 324-2018
FACSIMILE (205) 324-2295

E-Mail: patrickboone@bellsouth.net

May 16, 2025

City Manager Jeffrey D. Downes
Vestavia Hills Municipal Center
P. O. Box 660854
Vestavia Hills, Alabama 35266-0854

In Re: Lease Between City of Vestavia Hills and New Cingular Wireless PCS, LLC

Dear Mr. Downes:

On May 9, 2025, you sent to me via electronic mail Reinstatement and Ratification of First Amendment to Option and Lease Agreement by and between the City of Vestavia Hills, as "Lessor," and New Cingular Wireless PCS, LLC, a Delaware limited liability company, successor by merger to Tritel Communications, Inc., a Delaware corporation, as "Lessee," with a request that I review it and provide you with my written legal opinion. The purpose of this letter is to comply with your request.

I. BACKGROUND

A. LEASE:

<u>Lessor:</u>	City of Vestavia Hills
<u>Lessee:</u>	Tritel Communications, Inc., a Delaware corporation.
<u>Date:</u>	January 21, 2000
<u>Term:</u>	5 years Plus 4 additional 5-year renewal terms
<u>Rent:</u>	\$100.00 per month (\$1,200.00 annually) Plus 10% increase over the preceeding term for renewals

Property Address: 513 Montgomery Highway

Property Parcel ID No.: 1-28-19-3-012-001.000

Authorized Use of Property: Telecommunications or
wireless transmission facility.

Approximate Size of Property: 50 feet x 35 feet

B. MERGER: Records at the Alabama Secretary of State reflect that Tritel Communications, LLC and New Cingular Wireless PCS, LLC merged on January 13, 2015.

II. LEGAL OPINION

From a legal standpoint, I approve the Reinstatement and Ratification of First Amendment to Option and Lease Agreement as proposed. However, I do recommend that two typos be corrected.

A. The address for the City of Vestavia Hills is 1032 Montgomery Highway, Vestavia Hills, Alabama 35216.

B. The address of the portion of the property is 513 Montgomery Highway rather than 511 Montgomery Highway.

Please call me if you have any questions regarding this legal opinion.

Very truly yours,



Patrick H. Boone
Vestavia Hills City Attorney

PHB:gp

cc: City Clerk Rebecca Leavings (by e-mail)
Administrative Assistant Melissa Hipp (by e-mail)



CITY OF VESTAVIA HILLS

INTER-DEPARTMENT MEMO

June 9, 2025

To: Jeff Downes, City Manager

From:

Cc:

RE: Citizens Comments

Background:

Recommendation:

Fiscal Impact:

Attachments:

None