



**Vestavia Hills
City Council Agenda
January 5, 2026
5:30 PM**

1. Call to Order
2. Roll Call
3. Invocation - Steve Dedmon, Vestavia Hills Chaplain
4. Pledge Of Allegiance
5. Approval Of The Agenda
6. Announcements, Candidates and Guest Recognition
7. Proclamation - January 2026 Human Trafficking Prevention Month
8. City Manager's Report
 - a. Presentation by the Vestavia Hills Parks and Recreation Foundation
9. Councilors' Reports

Old Business (Public Hearing)

New Business

10. Resolution Number 5606 - A Resolution Appointing a City Treasurer for the City of Vestavia Hills
11. Resolution Number 5607 - A Resolution Appointing a City Clerk for the City of Vestavia Hills
12. Oath of Office - City Treasurer administered by the Honorable Jim Sturdivant
13. Oath of Office - City Clerk administered by the Honorable Jim Sturdivant
14. Resolution Number 5608- A resolution changing the City Officials designated and authorized to sign checks and drafts for payments from the City and authorized to approve electronic bank transactions of funds on deposit in the city's bank accounts.
15. Ordinance Number 3313 - An Ordinance accepting a bid for City of Vestavia Hills Street Resurfacing and Repair for a period of 3-years and authoring the Mayor and City Manager to execute and deliver any and all agreements necessary to secure said bid and contract.

New Business Requesting Unanimous Consent (Public Hearing)

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

16. Public Hearing - Resolution Number 5609 - A Resolution ordering the demolition of a building or structure located at 2750 Smyer Road, Vestavia Hills, Alabama, Parcel ID# 28-00-17-4-002-022.000, in compliance with Sections 11-40-30 through 11-40-36, Sections 11-53b-1 through 11-53b-16, inclusive, of the Code of Alabama, and in compliance with Ordinance number 2382 of Vestavia Hills, Alabama; and calling for the City to cause said demolition to be performed and directing the city attorney and the city clerk to cause the cost of such demolition to be charged against the land on which the building or structure exists as a municipal lien or cause such cost to be recovered in a suit at law against the owner or owners
17. Public Hearing - Ordinance Number 3022-A - An Ordinance Amending Ordinance Number 3022 to revise the approving authority for the special fireworks permits from the Vestavia Hills Police Chief to the Vestavia Hills Fire Chief.
18. Public Hearing - Ordinance Number 3311 - Rezoning - 4324 Dolly Ridge Road; Rezone from VH R-4 to VH O-1; Kurt Adams Insurance, owners
19. Public Hearing - Ordinance Number 3312 - Rezoning - 3101 Timberlake Road; Rezone from Vestavia Hills R-1 to Vestavia Hills B-2 for construction of a bakery; Candace White, owner
20. Public Hearing - Resolution Number 5616 - Vacation - A Resolution to vacate a road access/utility easement at the north end of SHAC; City of Vestavia Hills and Liberty Park Joint Venture LLP, owners
21. Citizens Comments
22. 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, human trafficking is a public health issue and crime that harms the health and well-being of individuals, families and communities, often across generations; and

WHEREAS, human trafficking can happen to anyone in every community; and

WHEREAS, human trafficking is connected to many other forms of violence and exploitation, and often shares common risk factors, such as lack of resources and unsafe environments; and

WHEREAS, strengthening communities requires collective action to prevent, recognize and reduce the conditions that contribute to exploitation and to create environments where people are protected from human trafficking and other forms of violence; and

WHEREAS, a successful response to human trafficking requires a coordinated, community-wide response that includes collaboration across sectors and with those who have experienced human trafficking, to ensure that services and programs are effective and meet the needs of survivors; and

WHEREAS, every individual, family, community, and organization can help raise awareness, prevent trafficking, and support survivors by learning how to take action; and

WHEREAS, the City of Vestavia Hills is designated as a *Trafficking Free Zone* showing our commitment to action and awareness and partnerships to comprehensively address the issues of human trafficking.

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 January 2026

HUMAN TRAFFICKING PREVENTION MONTH

reaffirming our commitment to human trafficking awareness, training and education activities, strengthened resources for those impacted by human trafficking; and to being designated a *Trafficking Free Zone* supporting a more coordinated, comprehensive response to prevent and combat the crime of human trafficking.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Vestavia Hills to be affixed this the 5th day of January 2026.

Ashley C. Curry, Mayor

RESOLUTION NUMBER 5606

**A RESOLUTION APPOINTING ZACHARY
CLIFTON AS THE CITY TREASURER FOR THE
CITY OF VESTAVIA HILLS, ALABAMA**

BE IT RESOLVED by the Mayor and City Council of the City of Vestavia Hills,
Alabama, as follows:

- (1) That Zachary Clifton is hereby appointed as City Treasurer
for the City of Vestavia Hills, Alabama; and
- (2) That said appointment shall be effective immediately upon
adoption and approval.

APPROVED AND ADOPTED this the 5th day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

RESOLUTION NUMBER 5607

**A RESOLUTION APPOINTING UMANG PATEL AS
CITY CLERK FOR THE CITY OF VESTAVIA HILLS,
ALABAMA**

BE IT RESOLVED by the Mayor and City Council of the City of Vestavia Hills,
Alabama, as follows:

- (1) That Umang Patel is hereby appointed as City Clerk for the City of Vestavia Hills, Alabama; and
- (2) That said appointment shall be effective January 5, 2026.

APPROVED AND ADOPTED this the 5th day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF VESTAVIA HILLS

I, Zachary Clifton, solemnly swear that I am eligible for the Office of City Treasurer of Vestavia Hills and will execute the duties of same according to the best of my ability and that I will support the Constitutions and will obey the laws of the United States and of the State of Alabama; that I will in all respects, observe the provisions of the Ordinances of the City of Vestavia Hills, and will faithfully discharge the duties of the Office of Treasurer.

I, Zachary Clifton, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Zachary Clifton, City Treasurer

Sworn and subscribed before me this the 3rd day of November, 2025.

Justice Greg Cook

OATH OF OFFICE

STATE OF ALABAMA

JEFFERSON COUNTY

CITY OF VESTAVIA HILLS

I, Umang Patel, solemnly swear that I am eligible for the Office of City Clerk of Vestavia Hills and will execute the duties of same according to the best of my ability and that I will support the Constitutions and will obey the laws of the United States and of the State of Alabama; that I will in all respects, observe the provisions of the Ordinances of the City of Vestavia Hills, and will faithfully discharge the duties of the Office of City Clerk.

I, Umang Patel, solemnly swear that I will support the Constitution of the United States and the Constitution of the State of Alabama, so long as I continue a citizen thereof; and that I will faithfully and honestly discharge the duties of the office upon which I am about to enter, to the best of my ability, so help me God.

Umang Patel, City Clerk

Sworn and subscribed before me this the 3rd day of November, 2025.

Justice Greg Cook

RESOLUTION NUMBER 5608

A RESOLUTION CHANGING THE CITY OFFICIALS DESIGNATED AND AUTHORIZED TO SIGN CHECKS AND DRAFTS FOR PAYMENTS FROM CITY OF VESTAVIA HILLS ACCOUNTS AND AUTHORIZED TO APPROVE ELECTRONIC BANK TRANSACTIONS OF FUNDS ON DEPOSIT IN THE CITY'S BANK ACCOUNTS

BE IT RESOLVED by the Mayor and City Council of the City of Vestavia Hills, Alabama, as follows:

- 1) That the following banks are hereby designated official bank depositories of funds for the City of Vestavia Hills, Alabama, and that the City Treasurer is hereby authorized to establish and maintain by and in the name of the City various checking accounts, certificates of deposits, money market accounts, or other City bank accounts that may become necessary at said banks:
 - a. Bank of New York – 2013 GOW-QEBC Sinking Fund
 - b. PNC Bank – Emergency Reserve Fund
 - c. Regions Bank – General Fund
 - d. Regions Bank – Enhanced Cash Strategy
 - e. Regions Bank – City of Vestavia Hills Payroll
 - f. Regions Bank – Special Account – Court
 - g. Robertson Bank – Lease Escrow
 - h. SouthPoint Bank – Contractors Bond
 - i. SouthPoint Bank – Confiscated Funds
 - j. SouthPoint Bank – Community Spaces Fund
 - k. Trustmark Bank – Lease Escrow
- 2) That the City Manager of Vestavia Hills, the Mayor, the City Treasurer, and the City Clerk shall be the official signers for any bank accounts established with any of the banks designated above as official bank depositories.
- 3) That all checks drawn against the City's Claims Fund (accounts payable account) shall require any two of the official signers as designated in paragraph 1) above.
- 4) That all checks, drafts, or other instruments for payment of money endorsed on behalf of the City for deposit with, or collection by, said banks, may be endorsed in the name of the City by written, electronic or stamped endorsement, without

designation or signature of the person making such endorsement.

- 5) That the City Treasurer shall be authorized to approve electronic banking transactions, bank drafts, or other instruments of payment after they have been authorized and approved by the City Manager and City Treasurer.
- 6) That the City Clerk is hereby authorized and directed to certify to said banks that this resolution has been duly adopted by the Mayor and City Council and to further certify to said banks the names and specimen signatures of the present officers of the City authorized to sign on such accounts, and, if and when a change is made in personnel of such officers.

Jeffrey Downes
City Manager

Ashley C. Curry
Mayor

Umang Patel
City Clerk

Zachary Clifton
City Treasurer

- 7) Any and all resolutions heretofore approved and adopted by the City Council of the City of Vestavia Hills, Alabama in conflict with this Resolution Number 5608 are hereby rescinded.
- 8) That this resolution shall be in full force and effect and binding upon this municipality as of January 5, 2026, and shall remain in full force and effect until it

shall have been rescinded and written notice of such recession under the corporate seal have been delivered to said bank.

ADOPTED and APPROVED this the 5th day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I the undersigned qualified Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true copy of a Resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 5th day of January 2026, and that such Resolution is of record in the Minute Book of the City at page __ thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this _____ day of _____, 2026.

Rebecca Leavings
City Clerk

SEAL



**CITY OF VESTAVIA HILLS
PUBLIC SERVICES
INTER-DEPARTMENT MEMO**

January 5, 2026

To: Jeff Downes, City Manager

From: Ethan Fisher, City Engineer

Cc: Christopher Brady, City Engineer
Lori Beth Kearley, Public Services Director

RE: Ordinance Number 3313 - An Ordinance accepting a bid for City of Vestavia Hills Street Resurfacing and Repair for a period of 3-years and authoring the Mayor and City Manager to execute and deliver any and all agreements necessary to secure said bid and contract.

Background:

The City has established the need to prioritize the resurfacing of our City streets with a goal of 8 centerline miles per year as part of Strategic Plan Priority Area 2. The 3-year Street Resurfacing contract is meant to engage a contractor to improve and maintain the City's infrastructure to efficiently meet our yearly goal.

Recommendation:

After review of the submitted bids, Engineering recommends awarding the maintenance contract to Dunn Construction Co. Inc.

Fiscal Impact:

The cost for the 1st year of the contract is budgeted in the approved FY26 budget. Funding is allocated in the General Fund, Capital Projects, Community Spaces and various gas tax funds. Funding will be requested for subsequent contract years during the annual budgeting process.

Attachments:

1. Ordinance 3313
2. Vestavia Hills Street Resurfacing -BidWorksheet_9962180_Eval
3. Bid Package

ORDINANCE NUMBER 3313

A RESOLUTION ACCEPTING A BID FOR STREET RESURFACING AND REPAIR IN THE CITY OF VESTAVIA HILLS

WHEREAS, on December 18, 2025 at 11:00 AM the City of Vestavia Hills publicly read aloud bids submitted for street repair and resurfacing in the City of Vestavia Hills with five bids received; and

WHEREAS, the Public Services Director has reviewed the bids, detailed them in a Bid Tabulation and email to the City Manager dated December 20 2025 and recommended acceptance of the bid submitted by Dunn Construction Co., Inc. A copy of said Bid Tabulation and bid package are marked as Exhibit A attached to and incorporated into this Ordinance Number 3313 as if written fully therein; and

WHEREAS, the Mayor and City Council feel it is in the best public interest to accept the recommendation of the Public Services Director and accept said bid as detailed in Exhibit A.

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

1. The bid submitted by Dunn Construction Co., Inc as detailed in attached Exhibit A and recommended by the Public Services Director, is hereby accepted; and
2. The Mayor and City Manager are hereby authorized to execute and deliver a construction agreement, a copy of which is marked as Exhibit B, attached to and incorporated into this Ordinance Number 3313 as if written fully therein; and
3. This Ordinance Number 3313 shall become effective immediately upon adoption and approval.

DONE, ORDERED, ADOPTED and APPROVED this the 5th day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

Vestavia Hills - Street Resurfacing (#9962180)
 Owner: Vestavia Hills AL, City of
 Solicitor: Vestavia Hills AL, City of
 12/18/2025 11:00 AM CST

Section Title	Line Item	Item Code	Item Description	UoM	Dunn Construction Co., Inc.			Central Alabama Asphalt & Construction Company, LLC			Massey Asphalt Paving		Wiregrass - North Central		APAC Alabama Paving	
					Quantity	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	Unit Price	Extension	
	Superpave Bituminous Concrete Wearing Surface Layer, 1/2 Maximum Aggregate Size Mix, ESAL Range C/D **	1	Superpave Bituminous Concrete Wearing Surface Layer, 1/2 Maximum Aggregate Size Mix, ESAL Range C/D **	TONS	10000	\$114.50	\$1,145,000.00	\$113.00	\$1,130,000.00	\$125.00	\$1,250,000.00	\$122.50	\$1,225,000.00	\$139.80	\$1,398,000.00	
	Superpave Bituminous Concrete Upper Binder Layer Patching 1/2 Maximum Aggregate Size Mix, ESAL Range C/D **	2	Superpave Bituminous Concrete Upper Binder Layer Patching 1/2 Maximum Aggregate Size Mix, ESAL Range C/D **	TONS	100	\$365.00	\$36,500.00	\$252.50	\$25,250.00	\$210.00	\$21,000.00	\$200.00	\$20,000.00	\$400.00	\$40,000.00	
	Tack Coat	3	Tack Coat	GALLONS	9300	\$3.40	\$31,620.00	\$5.05	\$46,965.00	\$4.50	\$41,850.00	\$7.00	\$65,100.00	\$4.70	\$43,710.00	
	Milling	4	Milling	TONS	8200	\$27.50	\$225,500.00	\$31.00	\$254,200.00	\$35.00	\$287,000.00	\$48.50	\$397,700.00	\$42.00	\$344,400.00	
	Permanent Striping	5	Permanent Striping	MILES	4	\$4,450.00	\$17,800.00	\$5,000.00	\$20,000.00	\$4,400.00	\$17,600.00	\$4,200.00	\$16,800.00	\$3,900.00	\$15,600.00	
	Temporary Striping	6	Temporary Striping	MILES	4	\$1,350.00	\$5,400.00	\$1,500.00	\$6,000.00	\$1,350.00	\$5,400.00	\$1,100.00	\$4,400.00	\$1,000.00	\$4,000.00	
	Permanent Markings (Stop Bars & Crosswalks)	7	Permanent Markings (Stop Bars & Crosswalks)	SQUARE FOOT	2000	\$7.00	\$14,000.00	\$8.80	\$17,600.00	\$6.75	\$13,500.00	\$5.85	\$11,700.00	\$7.70	\$15,400.00	
	Traffic Loops	8	Traffic Loops	LINEAR FOOT	1000	\$5.75	\$5,750.00	\$5.00	\$5,000.00	\$5.00	\$5,000.00	\$7.00	\$7,000.00	\$5.50	\$5,500.00	
	Raise Manholes	9	Raise Manholes	EACH	10	\$230.00	\$2,300.00	\$500.00	\$5,000.00	\$235.00	\$2,350.00	\$175.00	\$1,750.00	\$285.00	\$2,850.00	
	Valve Box Resets	10	Valve Box Resets	EACH	10	\$60.00	\$600.00	\$250.00	\$2,500.00	\$65.00	\$650.00	\$60.00	\$600.00	\$170.00	\$1,700.00	
Base Bid Total:							\$1,484,470.00		\$1,512,515.00		\$1,644,350.00		\$1,750,050.00		\$1,871,160.00	



Ethan Fisher, City Engineer

Bid Bond	Yes	Bid Bond	Yes	Bid Bond	Yes	Bid Bond	Yes	Bid Bond	Yes	Bid Bond	Yes
Contractors License	Yes	Contractors License	Yes	Contractors License	Yes	Contractors License	Yes	Contractors License	Yes	Contractors License	Yes

INVITATION TO BID

**CITY OF VESTAVIA HILLS
1032 MONTGOMERY HIGHWAY
VESTAVIA HILLS, ALABAMA 35216**

BID: VESTAVIA HILLS - STREET RESURFACING

BIDS FOR STREET RESURFACING FOR A
PERIOD OF 3 YEARS TO BE OPENED
ON **DECEMBER 18th, AT 11:00 AM.**
BIDS TO BE SUBMITTED NO
LATER THAN **11:00 AM** ON THIS DATE.

DATE OF INVITATION TO BID:
NOVEMBER 20, 2025

Ladies and Gentlemen:

Sealed bids will be received by the City of Vestavia Hills, Alabama, at QuestCDN reference number 9962180 until 11:00 AM. local time on December 18, 2025, at which time they will be publicly opened and read via virtual video conference using Zoom. Zoom can be accessed using direct invitation link sent via email (request this link from Rebecca Leavings, City of Vestavia Hills, at email rleavings@vhal.org). Those wishing to attend in person shall meet in the Executive Conference Room in the Vestavia Hills City Hall situated at 1032 Montgomery Highway, Vestavia Hills, Alabama 35216. Bids must be submitted by 11:00 AM by the date listed above. Bids received after the specified date and hour will not be considered.

A non-mandatory pre-bid meeting will be held in the Executive Conference Room in the Vestavia Hills City Hall at 11:00 AM on December 9, 2025. Determination of the lowest responsible and responsive bidder and consideration of acceptance of the bid will be considered by the City Council of the City of Vestavia Hills, Alabama at a public hearing to be conducted at its next regularly scheduled or special meeting.

Complete sets of electronic bidding documents (specifications and drawings) are available at www.QuestCDN.com. Prior to downloading the bidding documents, bidders will be required to set up a QuestCDN.com account. Any expense to this account will be borne by the Owner. Hard copies of the bidding documents are the responsibility of the bidders. Contact QuestCDN, at 952-233-1632 or info@questcdn.com for assistance with navigating the website and digital project information.

Bids will only be accepted from contractors who are listed on the plan Holders List signifying that they have received a set of documents from QuestCDN.

NAME OF COMPANY: DUNN CONSTRUCTION COMPANY, INC.

PRICE*: ***SEE ATTACHED BID SHEETS*** WARRANTY: _____

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 DUNN CONSTRUCTION COMPANY, INC.

Sworn and Subscribed before me
this the 18 day of DECEMBER,
2025.

BY GREG CALDWELL 

ADDRESS 3905 MESSER AIRPORT HWY, BIRMINGHAM, AL 35222



Notary Public

PHONE 205-470-9752

My Commission Expires 10/21/29.

DATE 12/18/2025

ALL BIDDERS MUST USE BID FORMS PROVIDED IN THIS PACKAGE. COMPLETE TYPED OR IN INK.
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)
978-0131.

Rebecca Leavings, Purchasing Agent
Submitted _____, 2025

CITY OF VESTAVIA HILLS

The undersigned, as Bidder, hereby declares that the only person or persons interested in the bid as principal or principals is/or named herein and that no other person that herein mentioned has any interest in this bid or in the contract to be entered into; that this bid is made without connection with any person, company or parties making a bid and that it is in all respects fair and in good faith, without collusion or fraud.

The bidder further declares that bidder has examined the site of the work and informed bidder fully in regard to all conditions pertaining to the place where the work is to be done; that bidder has examined the contract documents for the work and has read all special conditions furnished prior to the opening of bids; that bidder has satisfied bidder relative to the work to be performed. The bidder further declares that bidder fully understands that the City of Vestavia Hills has put forth a good-faith effort of estimating the approximate number of quantities for the seal, binder, tack coat, milling, striping, temporary striping, permanent markings (stop bars and crosswalks), traffic loops, raise manholes, valve resets, etc. The bidder acknowledges and agrees that the final quantities may vary.

The bidder proposes and agrees, if this bid is accepted, to contract with the City of Vestavia Hills, Alabama, in the form of contracts attached hereto, to furnish all necessary materials, equipment, tools, machinery apparatus, means of transportation, traffic control, and labor necessary to complete the construction of Street Repair and Resurfacing in full; and complete in accordance with shown, noted, described and reasonable intended requirements of the contract documents, to the full and entire satisfaction of the City of Vestavia Hills, Alabama.

The successful bidder will be awarded a 3-year contract; agrees to have all work completed within 90 days of submission of paving needs, and agrees to commence work with an adequate force and sufficient equipment to complete the work within the allotted time, at the unit prices hereinafter named (with said pricing adjustments pursuant to Page 11-16 of this bid).

The bidder to whom the award is made shall enter into a written contract on the forms included in the proposal, plans and specifications, furnish a performance bond and payment bond executed by a surety company duly authorized and qualified to make such bonds in the State of Alabama in the amount required by subsection (a) of Section 39-1-1, *Code of Alabama, 1975*, and provide evidence of insurance as required by the bid documents within the period specified or, if no period is specified, within 15 days after the prescribed forms have been presented to bidder for signature. If extenuating circumstances prevail, the awarding authority may grant an extension in time not exceeding five days for the return of the contract, required bonds and required evidence of insurance.

The City shall approve the contractor's bonds meeting the requirements as set forth above and the contractor's evidence of insurance meeting the requirements of the bid documents, as well as complete the execution of the contract, within 20 days after their presentation by the contractor unless the successful contractor agrees in writing to a longer period.

A proceed order shall be issued by the City within 15 days after final execution of the contract by the City, unless both parties agree in writing to a stipulated extension of time for the issuance of a proceed order.

Should the successful bidder or bidders to whom a contract is awarded fail to execute a contract and furnish acceptable contract securities and evidence of insurance as required by law within the period as set forth above, the City shall retain from the proposal guaranty, if it is a cashier's check, or recover from the principal or the sureties, if the guaranty is a bid bond, the difference between the amount of the contract as awarded and the amount of the proposal of the next lowest bidder. If no other bids are received, the full amount of the proposal guaranty shall be so retained or recovered as liquidated damages for such default. Any sums so retained or recovered shall be the property of the City.

ALABAMA PUBLIC WORKS LAW

Alabama law regarding the letting, execution and administration of public improvements contracts ("public works") by municipalities is set forth in Title 39, Chapters 1 through 5, of the *Code of Alabama, 1975*. The Alabama Public Works Law regarding public works construction projects provides, among other things, as follows:

A. PUBLIC WORKS LAW: A public works project is the expenditure of public funds on real estate owned by the City or on a structure attached to that real estate. Section 39-2-1, *Code of Alabama, 1975*, defines "public works" as:

"The construction, repair, renovation or maintenance of public buildings, structures, sewers, water works, roads, bridges, docks, underpasses and viaducts, as well as any other improvement to be constructed, repaired, renovated or maintained on public property and to be paid, in whole or in part, with public funds or with financing to be retired with public funds in the form of lease payments or otherwise."

B. BIDDING ON PUBLIC WORKS PROJECTS: Alabama now provides that all public works projects shall be governed by Title 39-2-1, et seq., *Code of Alabama, 1975*. Simply stated, those laws provide as follows:

"1. Public works projects involving expenditures of \$100,000 or less do not have to be bid; and

2. Public works projects involving more than \$100,000.00 must be bid; and

3. For public works contracts exceeding \$100,000, a City must publish notice of the request for bids pursuant to Alabama Law; and

C. **BID BOND:** All contractors that submit a bid on a public works construction project must file a bid bond with the bid.

1. **Requirement:** Alabama law at Title 39-2-4, *Code of Alabama, 1975*.
2. **Amount:** Not less than five percent (5%) of the estimated cost or more than Ten Thousand Dollars (\$10,000.00).
3. **Purpose:** A guarantee by the contractor that it will perform the work for the amount of the bid.

D. **PERFORMANCE BOND:** Any contractor entering into a contract with the City for a public works project shall, before commencing work, execute a performance bond.

1. **Requirement:** Alabama law at Title 39-1-1(a), *Code of Alabama, 1975*.
2. **Amount:** One hundred percent (100%) of the amount of the contract price.
3. **Purpose:** To guarantee completion of the work.

E. **PAYMENT BOND:** All contractors entering into a contract with the City for any public works project shall, before commencing the work, execute a payment bond.

1. **Requirement:** Alabama law at Title 39-1-1(a) and (b), *Code of Alabama, 1975*.
2. **Amount:** Not less than fifty percent (50%) of the contract price.
3. **Purpose:** If the general contractor does not pay its subcontractors, then in such event the subcontractors or other people who have furnished labor, materials or supplies for the prosecution of the work can file a claim for payment under the payment bond.

F. **BIDS AND BIDDING; AWARD:** The contract shall be awarded to the lowest responsible and responsive bidder, unless the awarding authority finds that all the bids are unreasonable or that it is not to the interest of the awarding authority to accept any of the bids. A responsible bidder is one who, among other qualities determined necessary for performance, is competent, experienced, and financially able to perform the contract. A responsible bidder is one who submits a bid that complies with the terms and conditions of the invitation for bids. Minor irregularities in the bid shall not defeat responsiveness. The bidder to whom the award is made shall be notified by e-mail or letter at the earliest possible date. If the successful bidder fails or refuses to sign the contract, to make bond as provided in this chapter or to provide evidence of insurance as required by the bid documents, the awarding authority may award the contract to the second lowest responsible and responsive bidder. If the second lowest bidder fails or refuses to sign the contract, make bond as provided in this chapter or to provide evidence of

insurance as required by the bid documents, the awarding authority may award the contract to the third lowest responsible and responsive bidder. Title 39-2-6(a), *Code of Alabama, 1975*.

G. CONTRACT, BONDS, AND INSURANCE; REQUIRED: The bidder to whom the award is made shall enter into a written contract on the forms included in the proposal, plans, and specifications, furnish a performance bond and payment bond executed by a surety company duly authorized and qualified to make such bonds in the State of Alabama in the amount required by subsection (a) of Section 39-1-1 and provide evidence of insurance as required by the bid documents within the period specified or, if no period is specified, within 15 days after the prescribed forms have been presented to him or her for signature. If extenuating circumstances prevail, the awarding authority may grant an extension in time not exceeding five days for the return of the contract, required bonds and required evidence of insurance. Title 39-2-8, *Code of Alabama, 1975*.

H. APPLICABILITY: Notwithstanding any other laws to the contrary (Act 97-225, which is set forth in Title 39, Chapters 1 through 5, of the *Code of Alabama, 1975*, “Public Works” law) shall control all public works contracts on the state, county and municipal levels of government in the State of Alabama. Title 39-1-5, *Code of Alabama, 1975*.

The bidder, by submission of this bid, hereby agrees that the contract executed and delivered by and between the City of Vestavia Hills, Alabama and bidder shall be interpreted, construed, administered and enforced all in accordance with the “Public Works” law of Alabama. The bidder further agrees that should there be a conflict between the Invitation to Bid and/or the contract with the “Public Works” law of Alabama, then in such event the “Public Works” law shall govern the agreement.

CONSTRUCTION CONTRACT

The City shall award the Construction Contract to the lowest responsible and responsive bidder unless the City finds that all the bids are unreasonable or that it is not in the interest of the City to accept any of the bids. If the City awards the Construction Contract to this bidder, then in such event the bidder, by submission of this bid to the City, agrees to execute and deliver a Construction Contract, a copy of which is attached to this Invitation to Bid. The terms, provisions, limitations and conditions set forth in the contract are incorporated into this Invitation to Bid by reference as though set out fully herein.

The Bidder hereby certifies that no other person, firm or corporation, is either directly or indirectly interested in the bid herewith submitted or will share in any profits which may be derived from same; and that no other person, firm or corporation has any knowledge, either directly or indirectly or implied, as to the prices herein bid.

Signed: Greg Caldwell
By: GREG CALDWELL
Address: 3905 MESSER AIRPORT HWY, BIRMINGHAM, AL 35222

Our Contractor's State License Number Is: 8
Name of Partners (if bid on a Partnership): _____

Attached hereto is a certified check or a bidder's bond in the amount of \$10,000 made payable to the City of Vestavia Hills, Alabama.

The bidder proposes and agrees to perform the following items of work at the unit prices shown.

*****SEE ATTACHED*****

Price should include cleaning and preparing existing surface. All striping work after resurfacing efforts to be in accordance with existing conditions. The quantities listed below are a good faith effort estimate by the City of Vestavia Hills; the actual quantities might vary. All traffic control is the responsibility of the Contractor. A traffic control plan shall be made available to the City Engineer or their designee upon request.

Below and attached (Exhibit B) is an estimate of the first year's quantities and proposed streets. The city estimates, but does not guarantee that they will resurface 8 centerline miles of city streets during each contract year.

Item	Unit	Approximated Quantity	Unit Cost	Per	Total
Superpave Bituminous Concrete Wearing Surface Layer, ½" Maximum Aggregate Size Mix, ESAL Range C/D **	Ton	10,000 tons	114.50 \$	Tons	\$1,145,000.00 \$
Superpave Bituminous Concrete Upper Binder Layer Patching ¾" Maximum Aggregate Size Mix, ESAL Range C/D **	Ton	100 tons	365.00 \$	Tons	36,500.00 \$
Tack Coat	Gallon	9,300 gallons	\$ 3.40	Gallons	\$ 31,620.00
Milling	Ton	8,200 tons	\$ 27.50	Tons	\$ 225,500.00
Striping	Mile	4 miles	\$ 4,450.00	Miles	\$ 17,800.00
Temp. Striping	Mile	4 miles	\$ 1,350.00	Miles	\$ 5,400.00
Permanent Markings (Stop Bars & Crosswalks)	Square Foot	2,000 sf	\$ 7.00	Square Foot	\$ 14,000.00
Traffic Loops	Linear Feet	1,000 feet	\$ 5.75	Linear Foot	\$ 5,750.00
Raise Manholes	Each	10 manholes	\$ 230.00	Each	\$ 2,300.00
Valve Box Resets	Each	10 valve box resets	\$ 60.00	Each	\$ 600.00

TOTALS: \$ 1,484,470.00

**Bid amounts for bituminous materials (designated by **), shall be adjusted per the Asphalt Index published monthly by ALDOT (Alabama Department of Transportation). The procedure outlined in ALDOT Specifications Section 109.03 shall be used to determine the adjustment (see Exhibit "A" enclosed).*

Contractor guarantees that maximum cost to apply minimum thickness of slag aggregate seal will not exceed bid price as adjusted by the Asphalt Index. Asphalt Index calculations shall accompany all applicable invoices.

The Bidder hereby agrees to the following:

The Contractor will be required to comply with the Minimum Wage and Hour Law.

It is assumed that the Contractor can secure sufficient labor at the minimum rate, although the Owner does not guarantee same.

It shall be the Contractor's responsibility to pay such rates of pay necessary to secure sufficient labor for the construction of this job, but no increase in contract price will be allowed for any increase in rates that the Contractor may be required to pay to secure sufficient labor for the construction of the project.

That the Owner shall have the right to reject any and all bids submitted on the proposed work, to waive technicalities and informalities, and to increase or decrease quantities.

*****THE ESTIMATED FIRST YEAR RESURFACING NEED IS ATTACHED TO THIS BID. IT IS ANTICIPATED, BUT NOT GURANTEED, THAT THE CITY WILL RESURFACE EIGHT (8) CENTERLINE MILES EACH CALENDAR YEAR. PLEASE CONTACT ETHAN FISHER, CITY ENGINEER, AT (205) 978-0214, FOR QUESTIONS REGARDING LOCATIONS. *****

REQUIREMENTS
STREETS FOR RESURFACING 2026-2029

Bid Requirements

Bids not conforming to the following requirements may be rejected.

- (a) Bids must be submitted virtually using QuestCDN.
- (b) Bids must be complete and specific.
- (c) Bids will be free of alterations and erasures.
- (d) Bids will be properly signed by the bidder or by a legally authorized officer or agent of the bidder and notarized. The bid, in its entirety, must be completed and submitted along with the virtual bid. In the event that there is a discrepancy between bid amounts, the virtual bid worksheet will govern.
- (e) Bid bond to be included with bid complete with all information concerning State Contractor's License.
- (h) **All name brands listed in the bid specifications can be changed to an approved equivalent. The approved equivalent must be listed on the bid package.**
- (i) A non-mandatory pre-bid meeting will be held in the Executive Conference Room in the Vestavia Hills City Hall at 11:00 AM on December 9, 2025.
- (j) If you have any questions regarding the bid specifications or to get an equivalent approved, please contact Ethan Fisher, City Engineer, at (205) 978-0214.

“Exhibit A”

**SECTION 109
MEASUREMENT AND
PAYMENT**

109.01 Measurement of Quantities.

(a) General.

All work acceptably completed under the contract will be measured by the Engineer according to United States Standard Measures and Weights, unless otherwise provided on the plans or in the special provisions. No local rules or customs will be followed or considered.

When standard manufactured items are specified such as fence, wire, plates, rolled shapes, pipe conduit, lumber, etc., and these items are identified by gage, weight {mass}, section, dimensions, etc., such identification will be considered to be nominal weights {masses} and dimensions. Unless more stringently controlled by tolerances in cited specifications, manufacturing tolerances established by the industries involved will be accepted.

(b) Base Layer and Pavement Areas.

All longitudinal measurements for computing area of base layers and pavements will be made along the actual surface of the roadway and not horizontally and no deductions will be made for individual fixtures in the roadway having an area of nine square feet {one square meter} or less. For all transverse measurements for area of base layers and pavements, the dimensions to be used in calculating the pay area shall be the neat dimensions shown on the plans or directed.

(c) Structures.

Structures will be measured according to neat lines shown on the plans or as ordered in writing, unless otherwise provided elsewhere in the specifications or in the special provisions.

(d) Excavation.

In computing volume of excavation, embankment and borrow, the average end-area or other acceptable method will be used. It is stipulated and agreed that the electronic computer and/or planimeter shall be considered as instruments of precision adapted to the computation and measurement of these volumes and areas. Completed final cross sections and computed quantities will be made available to the Contractor upon request but shall not be removed from the Engineer's office.

(e) Linear Measurements.

All items which are measured in linear measurement by the foot {meter}, such as pipe culverts, guardrail, underdrains, etc., will be measured parallel to the base or foundation upon which such structures are placed, unless otherwise shown on the plans or indicated in these specifications.

(f) Gage.

The term "Gage", when used in connection with the measurement of plates, shall mean the U.S. Standard Gage; when used with wire, shall mean U.S. Steel wire gage.

(g) Blank.

(h) Weight {Mass} Measurements.

1. General.

The term "ton" shall mean the short ton {metric ton} consisting of 2,000 pounds avoirdupois {1000

kg}.

Scales furnished by the Contractor shall meet all requirements currently adopted by the Alabama

Department of Agriculture pertaining to weighing or measuring devices.

Scales shall be tested and inspected by a service agent currently registered with the Alabama Department of Agriculture. The time between inspections shall not exceed six months. In addition, any time a plant is moved or substantially modified, the scales shall be inspected. The inspection report shall be uploaded to the Alabama Department of Agriculture's reporting website and a copy sent to the Area in which the scale is located. It is the Contractor's responsibility to ensure weighing devices are maintained in proper working condition during use. Devices that are found to be out of compliance will not be used until such time corrections are made to comply with regulations and they are recertified. The Engineer will reject them for use on the project until they are recertified.

Weights

{Masses} above the acceptable capacity of a set of scales will not be acceptable.

2. Weight {Mass} Measure for Pay Purposes.

If material is shipped by rail, the car weight {mass} may be accepted provided that only the actual weight {mass} of material is paid for and is certified by a car weight {mass} obtained from a certified scale after the unloading. However, car weights will not be accepted for steel reinforcement, structural steel or materials that are to pass through a mixing plant.

Trucks used to haul material being paid by weight shall be measured empty daily, with the driver in the truck, to establish a daily tare weight. Each truck shall also bear a plain legible identification number.

Commercial materials, except reinforcing steel and structural steel, which are measured by weight {mass} for pay purposes shall be measured by a qualified "Weighmaster*" using acceptable weight tickets. As a minimum, the weight ticket shall contain the following:

- 1) Name of the Contractor and material producer.
- 2) Project Number and County.
- 3) Truck number.
- 4) Contract item number and item name.
- 5) Date and time of loading.
- 6) Gross, tare, and net weights.
- 7) Weighmaster's signature. (May be electronically generated).
- 8) Any additional information as required of the Contractor or material producer for participation as a Qualified Source as given in the Department's "Materials, Sources and Devices with Special Acceptance Requirements" manual unless furnished on a separate applicable BMT Certificate of Compliance.

For measurement systems capable of measuring net weight directly from the measuring hopper, the gross and tare weights will not be required. In lieu of bulk weight, the Department will accept weights of materials normally sold in bagged form (i.e. fertilizers, cement, etc.).

It shall be the sole responsibility of the Contractor to ensure that a weight {mass} ticket is delivered to the project with each load. Weight tickets will not be accepted after the truck has left the project.

*Weighmasters must be qualified in accordance with the provisions of Section 8, Chapter 16, of the Code of Alabama, 1975, or in case of material purchased out of State complying with the appropriate State laws, rules and regulations for Weighmasters of the State involved. A copy of the "Weighmaster's Certificate" shall be furnished the Engineer and additionally a copy shall be displayed in a conspicuous place in the vicinity of the measuring operations.

3. Weight {Mass} Measurement for Proportioning, etc. of Materials.

Scales used for proportioning mixtures within mixing plants shall comply with the following unless otherwise noted:

a. Asphalt Mixing Plants.

Scales shall meet current compliance regulations according to Alabama Department of Agriculture requirements and be visible to the plant inspector on the mixing platform.

b. Concrete Mixing Plants or Units.

Scales shall meet current compliance regulations according to Alabama Department of Agriculture requirements. Separate scales shall be provided for bulk cement and for bulk fly ash, as provided in Article 815.11.

Base Course Mixing Plants.

Measuring equipment shall meet the requirements of Subitem b. above with separate bins for each size aggregate and separate bins and scales for additives (calcium chloride, cement, etc.).

(i) Loose Measurement (Volumetric).

All materials to be measured by the cubic yard {cubic meter}, "loose measurement" or "measured in the vehicle", shall be hauled in approved vehicles and will be measured therein at the point of delivery. No allowances will be made for the settlement of material in transit. Approved vehicles for this purpose may be of any size or type acceptable to the Engineer, provided that the body is of such shape that the actual contents may be readily and accurately determined. Each approved vehicle must bear a plainly legible identification mark indicating the specific approved capacity. All approved vehicles shall be loaded to not less than their water level capacity when they arrive at the point of delivery. Loads not hauled in approved vehicles or of a quantity less than the specifically approved quantity for the hauling vehicle, measured as specified herein, will be rejected and shall be removed from the work. If rejected, no compensation will be allowed for the rejected load.

(j) Conversion of Weight {Mass} to Volume.

When requested by the Contractor and approved in writing, material specified to be measured by the cubic yard {cubic meter} may have its weight {mass} determined and such weight {mass} will be converted to cubic yards {cubic meters} for payment purposes. Ratios for conversion from weight {mass} measurement to volume measurement will be determined periodically by the Engineer. Each ratio as determined shall be agreed to by the Contractor before such method of measurement will be used.

(k) Timber.

Timber will be measured by the thousand feet board measure (MBM) {cubic meter} actually incorporated in the structure with no allowance for any waste except beveled ends. Measurement will be based on nominal widths and thickness and the extreme length of each piece.

(l) Lump Sum.

The term "lump sum" when used as an item of payment will mean complete payment for the work described in the contract.

When a complete structure or structural unit (in effect, "lump sum" work) is specified as the unit of measurement, the unit will be construed to include all necessary fittings and accessories.

109.02 Measurement of Asphaltic Material.

(a) Weight {Mass}.

Asphaltic materials shall be measured in tons {metric tons} or gallons {liters} as specified on the plans or in the proposal. If measured by weight {mass}, each tank truck, drum or distributor shall have its weight {mass} obtained as the material is delivered to the location of the work, and the container vehicle shall have its weight {mass} obtained immediately after emptying; except that when this method cannot be used other means of accurately measuring the material may be substituted with permission of the Engineer.

(b) Gallonage {Liters}.

When specified on the plans or in the proposal, bituminous material will be measured by the gallon {liter} in the railroad car, tank truck, distributor tank, or drums. Each railroad tank, tank truck, drum or distributor tank of bituminous material delivered for the project will be measured. The measurement shall be taken when the bituminous material is of a uniform temperature and free from air bubbles.

(c) Temperature Correction.

The volumetric measurement of the bituminous material will be based upon a temperature of 60

°F {16 °C}, using the following correction factors:

0.00035 per degree F {0.00063 per degree C} for petroleum oils having a specific gravity above 0.966 at 60 °F/60 °F {16 °C/16 °C};

0.00040 per degree F {0.00072 per degree C} for petroleum oils having a specific gravity between 0.850 and 0.966 at 60 °F/60 °F {16 °C/16 °C};

0.00025 per degree F {0.00045 per degree C} for emulsified asphalts.

109.03 Scope of Payment.

(a) Quantities.

The quantities listed in the bid schedule do not govern final payment. Payments to the Contractor for contract items will be made for the actual quantities of these items performed in accordance with the plans and specifications. If upon completion of the construction these actual quantities show an increase or decrease from those in the proposal, the contract unit prices will still govern except where modified by supplemental agreement or allowance made as provided in Articles 104.02 and 104.03.

Quantities included in supplemental agreements will be paid for as stipulated therein. Force account work will be paid for as provided in Article 109.04.

(b) Basis of Payment.

The Contractor shall accept the compensation as herein provided, in full payment for furnishing all materials, labor, tools, equipment and incidentals necessary to the completed work and for performing all work contemplated and embraced under the contract; also for all loss or damage arising from the nature of the work, or from the action of the elements except as noted in Article 107.17, or from any unforeseen difficulties which may be encountered during the prosecution of the work and until its final acceptance; also for all risks of every description connected with the prosecution of the work.

(c) Unit Price Coverage.

In cases where the basis of payment clause in the specifications relating to any unit price in the bid schedule requires that the said unit price cover and be considered compensation for certain work or materials essential to the item, this same work or materials will not be measured or paid for under any other pay item which may appear elsewhere in the specifications. Reference is made to Item 101.01(c)1.

(d) Repair or Renewal of Defective Work.

The payment of any current estimate shall in no way affect the obligation of the Contractor to repair or renew any defective parts of the construction or to be responsible for all damages due to such defects.

(e) Bituminous Material Price Adjustments.

1. Asphalt Index.

The contract unit prices for bituminous materials shall be based on the asphalt prices at the time of opening bids. The Department will establish a monthly "Asphalt Index" to address fluctuations in the cost of the bituminous materials during the life of the project.

The index will be composed of the following four entries:

- PG Asphalt (for all grades without polymer);

- PG Asphalt with Polymer (for all grades with polymer);
- Emulsified Asphalt (for all grades without polymer and cutback asphalts);
- Emulsified Asphalt with Polymer (for all grades with polymer).

2. Usage and Payment.

Adjustments in compensation will be computed each month that bituminous materials are used in the work. Bituminous plant mix bases and pavements, surface treatments and tack coat are the only types of bituminous materials for which a price adjustment will be computed. Adjustments in compensation will be based on an index that is a monthly price per gallon for the bituminous material. Before the expiration of contract time (plus approved time extensions) the dollar amount of adjustment will be determined by multiplying the increase or decrease of the current (current estimate month) index from a "base index" by the number of gallons of bituminous material used in the work during the period covered by the monthly estimate. The base index will be the value of the index for the month in which the project is let. This same index will apply to bituminous materials added to the contract by supplemental agreement after letting.

After the expiration of contract time (plus approved time extensions) two calculations of a potential price adjustment will be made. The first calculation will be made using the current index and the base index. The second calculation will be made using the index during the month that contract time (plus approved time extensions) expired and the base index. The amount of the price adjustment for the current estimate period will be the smallest amount of an increase in compensation if both calculations are an increase in compensation. The amount of the price adjustment will be the largest amount of a decrease in compensation if both calculations are a decrease in compensation. The amount of the price adjustment will be the decrease in compensation if one of the calculations is an increase in compensation and the other calculation is a decrease in compensation.

The amount of asphalt will be calculated as follows:

- Bituminous Plant Mix Bases and Pavements - the number of gallons {liters} of new bituminous material required by the approved job mix formula. A conversion factor of 8.51 pounds per gallon {1.02 kg/L} will be used for figuring quantities. No measurement for adjustment will be made for the amount of asphalt rejuvenator used or for the amount of bituminous material recovered and used in surface recycling operations.
- Surface Treatments - actual gallons {liters} of asphalt used within specification requirements with volumetric correction to 60 °F {16 °C} as per Subarticle 109.02(c).
- Tack Coat - actual gallons {liters} of asphalt used within specification requirements with volumetric correction to 60 °F {16 °C} as per Subarticle 109.02(c).

(f) Adjustments Due to Cost of Construction Fuel for HMA Production.

Changes in the compensation due the Contractor will be made by the Engineer to address changes in the cost of fuel required for the production of Hot Mix Asphalt (HMA) in a plant. The changes in compensation will be made based on a monthly index of the cost of fuel determined by the Department. A monthly HMA production fuel index will be established based on the average area terminal price reports for No. 2 fuel and No. 6 (3.0 % S) fuel of the "Platts Oilgram Price Report" published during the week in which the first day of the month occurs.

Before the expiration of contract time (plus approved time extensions) the dollar amount of adjustment will be determined by multiplying the increase or decrease of the current (current estimate month) index from the base index by the number of gallons of fuel that are used in the production of the HMA during the period covered by the monthly estimate. The number of gallons of fuel required for the production of the HMA shall be 2.0 gallons per ton {8.3 L per metric ton} of HMA produced during the estimate period. The base index will be the value of the index for the month in which the project is let.

After the expiration of contract time (plus approved time extensions) two calculations of a potential price adjustment will be made. The first calculation will be made using the current index and the base index. The second calculation will be made using the index during the month that

contract time (plus approved time extensions) expired and the base index. The amount of the price adjustment for the current estimate period will be the smallest amount of an increase in compensation if both calculations are an increase in compensation. The amount of the price adjustment will be the largest amount of a decrease in compensation if both calculations are a decrease in compensation. The amount of the price adjustment will be the decrease in compensation if one of the calculations is an increase in compensation and the other calculation is a decrease in compensation.

Changes in compensation will be made for the number of tons {metric tons} of HMA placed and paid for in accordance with the requirements given in the following Sections:

Section 327, Plant Mix Bituminous Base;

Section 404, Paver-Laid Surface

Treatment;

Section 420, Polymer Modified Open Graded Friction Course;

Section 423, Stone Matrix Asphalt;

Section 424, Superpave Bituminous Concrete Base, Binder, and Wearing Surface Layers.

“Exhibit B”

Anticipated 2026 Year Resurfacing

Road Name	Mile	Extents
Green Glen Road	0.19	Entire Street
Vesthaven Way	0.34	Entire Street
Vesthaven Circle	0.05	Entire Street
Forest View Lane	0.23	Entire Street
Vesclub Drive	0.86	Entire Street
Vesclub Lane	0.12	Entire Street
Vesclub Circle	0.65	Entire Street
Beaumont Drive	0.55	Entire Street
Beaumont Circle	0.06	Entire Street
Cherry Tree Lane	0.20	Entire Street
Yelton Lane	0.05	Entire Street
Countrywood Lane	0.48	Entire Street
Old Oak Circle	0.07	Entire Street
Old Oak Lane	0.29	Entire Street
Timberline Way	0.43	Entire Street
Canterbury Circle	0.08	Entire Street
Wren Road	0.18	Entire Street
River Ridge Road	0.21	Entire Street
Liberty Parkway	0.86	Overton Road to Urban Center Drive
Gresham Drive	0.25	Entire Street
Magnolia Ridge	0.45	Entire Street
Countrybrook Lane	0.39	Entire Street
Vestavia Forest Place	0.48	Entire Street
Lincoya Drive	0.26	Entire Street
Montclair Lane	0.21	Entire Street
Weldon Lane	0.04	Entire Street
Total	7.98	



**CITY OF VESTAVIA HILLS
BUILDING SAFETY
INTER-DEPARTMENT MEMO**

January 5, 2026

To: Jeff Downes, City Manager

From: Keith Blanton, Director of Building Safety

Cc: Rebecca Leavings, City Clerk

RE: Public Hearing - Resolution Number 5609 - A Resolution ordering the demolition of a building or structure located at 2750 Smyer Road, Vestavia Hills, Alabama, Parcel ID# 28-00-17-4-002-022.000, in compliance with Sections 11-40-30 through 11-40-36, Sections 11-53b-1 through 11-53b-16, inclusive, of the Code of Alabama, and in compliance with Ordinance number 2382 of Vestavia Hills, Alabama; and calling for the City to cause said demolition to be performed and directing the city attorney and the city clerk to cause the cost of such demolition to be charged against the land on which the building or structure exists as a municipal lien or cause such cost to be recovered in a suit at law against the owner or owners

Background:

The property located at 2750 Smyer Road has been inspected and deemed to be an unsafe structure. This Resolution is being presented pursuant to Ordinance Number 2382 and the Code of Alabama, 1975, in order to authorize the demolition of said structure and file a lien for the cost of demolition.

Recommendation:

Recommend approval.

Fiscal Impact:

na

Attachments:

1. Resolution 5609
2. Amended and Restated Finding of Public Nuisance Notice and Order to Remedy and Notice of Lis Pendens - AS RECORDED(11479134.1)

RESOLUTION NO. 5609

A RESOLUTION ORDERING THE DEMOLITION OF A BUILDING OR STRUCTURE LOCATED AT 2750 SMYER ROAD, VESTAVIA HILLS, ALABAMA, PARCEL ID# 28-00-17-4-002-022.000, IN COMPLIANCE WITH SECTIONS 11-40-30 THROUGH 11-40-36, SECTIONS 11-53B-1 THROUGH 11-53B-16, INCLUSIVE, OF THE CODE OF ALABAMA, AND IN COMPLIANCE WITH ORDINANCE NUMBER 2382 OF VESTAVIA HILLS, ALABAMA; AND CALLING FOR THE CITY TO CAUSE SAID DEMOLITION TO BE PERFORMED AND DIRECTING THE CITY ATTORNEY AND THE CITY CLERK TO CAUSE THE COST OF SUCH DEMOLITION TO BE CHARGED AGAINST THE LAND ON WHICH THE BUILDING OR STRUCTURE EXISTS AS A MUNICIPAL LIEN OR CAUSE SUCH COST TO BE RECOVERED IN A SUIT AT LAW AGAINST THE OWNER OR OWNERS.

WHEREAS, the Appropriate Municipal Official of Vestavia Hills, Alabama, determined that the condition of the building or structure located at 2750 Smyer Road, Vestavia Hills, Alabama, Parcel I.D. Number 28-00-17-4-002-022.000 is in such a condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants;

WHEREAS, contemporaneously with the filing of the “Amended and Restated Finding of Public Nuisance, Notice and Order to Remedy and Notice of Lis Pendens” on December 1, 2025, a copy of same was sent via certified mail, properly addressed and postage prepaid, to:

A. All person or persons, firm, association, or corporation last assessing the subject property for state taxes to the address on file in the Jefferson County Tax Collector’s Office,

B. The record property owner or owners (including any owner or owners of an interest in the subject property) as shown from a search of records of the office the Judge of Probate of Jefferson County, Alabama, at the owner or owners’ last known address and at the address of the subject property,

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Jefferson County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official,

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Jefferson County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official, and

E. Such other persons who are otherwise known to the City Clerk or to the Appropriate Municipal Official who could have an interest in the subject property;

WHEREAS, contemporaneously with the filing of the “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of Lis Pendens,” a copy of the same was posted at or within three feet of an entrance to the building on the subject property and posted in three public places located within the City of Vestavia Hills, Alabama (the “City”): Vestavia Hills City Hall, Vestavia Hills Library in the Forest, and Vestavia Hills Civic Center;

WHEREAS, notice that the Appropriate Municipal Official has made a finding that the subject property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing would be held on a certain date was also given to all interested parties and to the public at large by publication in the *Alabama Messenger*;

BE IT RESOLVED by the City Council of Vestavia, Alabama while in regular session on 21st day of January, 2026, at 5:30 p.m. as follows:

Section 1. A Public Hearing was held on 21st day of January, 2026, at 5:30 p.m. and after due deliberation the City Council of the City of Vestavia Hills, Alabama, finds that the structure standing at 2750 Smyer Road, Vestavia, Alabama, Parcel ID# 28-00-17-4-002-022.000 is unsafe to the extent of becoming a public nuisance to the citizens of the City and is due to be demolished in compliance with Sections 11-40-30 through 11-40-36 and Sections 11-53B-1 through 11-53B-16, inclusive, of the *Code of Alabama* (1975), and Ordinance Number 2382 of the City.

Section 2. The City shall cause said demolition to be performed by its own employees and/or by contractor(s).

Section 3. The City Attorney and the City Clerk are hereby directed to cause the cost of such demolition to be charged against the land on which the building or structure is located and shall constitute a lien on the property for the amount of the assessment or cause such cost to be recovered in a suit at law against the owner or owners.

ADOPTED this the 21st day of January, 2026.

Ashley Curry, Mayor

ATTEST: _____
Rebecca Leavings, Clerk

CERTIFICATION OF CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Rebecca Leavings, Clerk of Vestavia, Alabama, do hereby certify that the above and foregoing is a true and correct copy of a Resolution duly adopted by the City Council of Vestavia, Alabama, on the 21st day of January, 2026.

Witness my hand and seal of office this January ____, 2026.

Rebecca Leavings, Clerk

IN THE PROBATE COURT OF JEFFERSON COUNTY, ALABAMA

CITY OF VESTAVIA HILLS, ALABAMA)
)
v.)
)
DAVID BUNCH;)
JEFFERSON COUNTY ENVIRONMENTAL)
SERVICES DEPARTMENT;)
BIRMINGHAM WATER WORKS;)
VESTAVIA HILLS FIRE DEPARTMENT;)
)
See legal description below.)

**AMENDED AND RESTATED FINDING OF PUBLIC NUISANCE, NOTICE AND ORDER TO
REMEDY, AND NOTICE OF LIS PENDENS**

TAKE NOTICE that:

COMES NOW, City of Vestavia Hills, Alabama (“the City”), by and through its Appropriate Municipal Official, its Clerk, and its Attorney to provide notice pursuant to the City’s Ordinance No. 2382 (“the Ordinance”) that the Appropriate Municipal Official has made a finding that a building located within the City is a dangerous building because it is unsafe to the extent that it is a public nuisance and subject to demolition. The building is located on the following described property, to wit, which will be described hereafter as “the Subject Property”:

STREET ADDRESS:

2750 Smyer Road, Vestavia Hills, AL 35216

LEGAL DESCRIPTION:

Lot 7-A, according to the Resurvey of Lot 7, First Addition to Mount Royal, as recorded in Map Book 52, Page 29, in the Office of the Judge of Probate of Jefferson County, Alabama.

PARCEL IDENTIFICATION NUMBER:

28-00-17-4-002-022.000

The City provides further notice as follows:

1. In *Ellis v. City of Montgomery*, the United States District Court for the Middle District of Alabama stated that, in cases such as this where a municipality seeks the demolition of building by use of its police powers, “A simple *lis pendens* filing after sending notice to the current owner of a property would place subsequent purchasers on record notice that demolition could occur.” *Ellis v. City of Montgomery*, 460 F.Supp.2d 1301, 1307 (M.D. Ala. 2006). Here, the City is invoking the procedure recommended by the District Court.

2. By the filing of this Notice, the City is not claiming any right, title, or interest in the Subject Property. Rather, the purpose of this Notice is to put all interested parties on notice of the City’s intent to exercise its authority provided by law and specifically by the City’s ordinances.

3. The Ordinance is “An Ordinance Concerning Unsafe Structures and Dangerous Buildings.” The below-signed Appropriate Municipal Official is the person designated to exercise the authority and perform the duties delegated by the Ordinance.

4. The Appropriate Municipal Official finds that the building located on the Subject Property is a “dangerous building” within the meaning of the Ordinance because of the following defects:

- (1) The interior walls or other vertical structure members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity falls outside of the middle third of its base;
- (2) Exclusive of the foundation, the building shows thirty-three (33) percent, or more, of damage or deterioration of one (1) or more supporting members, or fifty (50) percent of damage or deterioration of the non-supporting enclosing or outside walls or covering;
- (3) The building has been damaged by fire, wind, earthquake, flood, sinkhole, deterioration, neglect, abandonment, vandalism, or any other cause so as to have become

dangerous to life, health, property, morals, safety, or general welfare of the public or the occupants;

- (4) The building has become or is so damaged, dilapidated, decayed, unsafe, unsanitary, lacking in maintenance, vermin or rat infested, containing filth or contamination, lacking proper ventilation, lacking sufficient illumination, or so utterly fails to provide the amenities essential to decent living that it is unfit for human habitation, or is likely to cause sickness or disease, so as to work injury to the life, health, property, morals, safety, or general welfare of the public or the occupants;
- (5) The building is so damaged, decayed, dilapidated, structurally unsafe, or of such fault construction or unstable foundation that partial or complete collapse is possible;
- (6) The building has parts thereof which are so attached that they may fall and damage property or injure the public or the occupants;
- (7) The building, or any portion thereof, is clearly unsafe for its use or occupancy;
- (8) The building is neglected, damaged, dilapidated, unsecured, or abandoned so as to become an attractive nuisance to children who might play in or on the building, structure, part of building or structure, party wall, or foundation to their danger, has become a harbor for vagrants, criminals, or immoral persons, or enables persons to resort to the building, structure, part of building or structure, party wall, or foundation for committing a nuisance or an unlawful act;
- (9) The building is, because of its condition, unsafe, unsanitary, or dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants; and
- (10) The building has a condition or conditions that violate the City's technical codes adopted from time to time if such violation(s) are unsafe to the extent of becoming a public nuisance.

5. The Appropriate Municipal Official finds that the building on the Subject Property is substantially damaged or decayed or deteriorated from its original value or structure (not including the value of the land).

6. For purposes of this Notice, the term “building” is deemed to include all structures, appurtenances, improvements, and items on the property, whether or not attached to or a part of the main structure, including, but not limited to, houses, mobile or manufactured homes, trailers, garages, sheds, carports, other accessory structures, pools, as well as any items located therein or on the Subject Property, including, junk, rubbish, trash, litter, grass and weeds as defined by the City’s grass and weed abatement ordinance, junked motor vehicles, and/or any other matter declared a nuisance under existing law. For further particulars of what the “building” on the Subject Property includes, please contact the Appropriate Municipal Official.

7. Notice is hereby given to remedy the unsafe or dangerous condition by demolition of the building on the Subject Property within forty-five (45) days of the date of this Notice to the Appropriate Municipal Official’s satisfaction. In the event the owner does not comply within the time specified herein to the Appropriate Municipal Official’s satisfaction, the demolition shall be accomplished by the City and the cost thereof assessed against the Subject Property and such cost shall constitute a lien against the Subject Property.

8. The Appropriate Municipal Official finds that the building on the Subject Property is in such condition as to make it dangerous to the life, health, property, morals, safety, or general welfare of the public or the occupants. Therefore, the Appropriate Municipal Official orders that the building on the Subject Property and/or the entirety or other portion of the premises upon which it is located be and remain vacated until demolished.

9. A public hearing as provided for by Section 5-146(a) set forth in the Ordinance shall be held on the finding of the Appropriate Municipal Official in the Council Chambers at the Vestavia City Hall, 1032 Montgomery Highway, Vestavia Hills, Alabama 35216, on the 21st day of January 2026, at 5:30 p.m. At that time, the City Council shall hold a public hearing to receive any objections to the finding by the Appropriate Municipal Official that the building or structure is unsafe to the extent of becoming a public nuisance. A written request for a public hearing is not necessary. At the public hearing, the Council shall also receive any written objections to the finding by the Appropriate Municipal Official. Any such written objection must be submitted to the City Clerk prior to the start of the Council meeting at which the public hearing is held. No action shall be taken on the finding of the Appropriate Municipal Official until determination thereon is made by the Council. Upon holding the hearing, the Council shall determine whether or not the building or structure is unsafe to the extent that it is a public nuisance. If it is determined by the Council that the building or structure is unsafe to the extent that it is a public nuisance, the Council shall order demolition of the building at the expense of the City and assess the expenses of the move or demolition on the land on which the building stands or to which it is attached. Any person aggrieved by the decision of the Council at the hearing may, within ten (10) days thereafter, appeal to the Circuit Court of Jefferson County, Alabama, upon filing with the Clerk of the Circuit Court of Jefferson County, Alabama, notice of the appeal and bond for security of costs in the form and amount to be approved by the Circuit Clerk. For further particulars, see the Ordinance.

10. A failure by the Council to act on the findings of the Appropriate Municipal Official within one hundred twenty (120) days from the date of this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*” shall constitute an abdication of the Appropriate Municipal Official’s findings. However, this shall in no way prevent the City from reinitiating the proceedings

authorized by the Ordinance at any time so long as all the requirements of the Ordinance are satisfied anew. Furthermore, this does not require that the ordered demolition take place within one hundred twenty (120) days from the date of this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*.” A failure by the City to accomplish the demolition of the building within one hundred eighty (180) days of the passage of the resolution by the Council ordering the same shall constitute an abdication of the Council’s order unless certain conditions further explained in the Ordinance are satisfied. For further particulars, see the Ordinance. Anyone interested in the status of these proceedings should inquire with Vestavia Hills City Clerk at (205) 978-0131 or at 1032 Montgomery Highway, Vestavia Hills, Alabama.

11. It is unlawful for any person, or for any agent, servant or employee of such person, to obstruct or interfere with the Appropriate Municipal Official in carrying out the purposes of the Ordinance.

12. It is unlawful for any person, or for any agent, servant or employee of such person, to mutilate, destroy, tamper with this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*.”

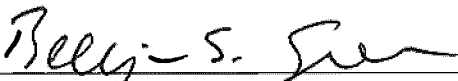
13. It is unlawful for any person to enter, access, or be upon the Subject Property that the Appropriate Municipal Official has ordered to be vacated pursuant to this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*” except for the purposes of demolishing the same.

14. It is unlawful for any person who has received this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*” to sell, transfer, mortgage, lease, encumber, or otherwise dispose of the building that is the subject of the same to another until such person shall first

furnish the grantee, transferee, mortgagee, or lessee a true copy of this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*” and shall furnish to the Appropriate Municipal Official a signed and notarized statement from the grantee, transferee, mortgagee, or lessee acknowledging the receipt of this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*” and fully accepting the responsibility without condition for making the corrections or repairs required by this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*.”

[THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK.

SIGNATURE APPEARS ON THE FOLLOWING PAGE.]



Benjamin S. Goldman, Attorney

OF COUNSEL:

Benjamin S. Goldman
HAND ARENDALL HARRISON SALE LLC
1801 Fifth Avenue North, Suite 400
Birmingham, Alabama 35203
Phone: (205) 502-0142

VERIFICATION OF THE APPROPRIATE MUNICIPAL OFFICIAL

I, the undersigned, Keith Blanton, state as follows: I am the Building Official, for the City of Vestavia Hills, Alabama, and for purposes of administering the City's Ordinance, I am the "Appropriate Municipal Official." I hereby offer the findings made in this "Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*," make such orders as are offered herein, and provide such notice as is specified herein.

DONE this the 1st day of Dec, 2025.



Keith Blanton, City of Vestavia Hills Building Official and
Appropriate Municipal Official for Purposes of
Administering Ordinance No. 2382

This Instrument Prepared By:

Benjamin S. Goldman
HAND ARENDALL HARRISON SALE LLC
1801 Fifth Avenue North, Suite 400
Birmingham, Alabama 35203
Phone: (205) 502-0142

CERTIFICATE OF SERVICE

Contemporaneously with the filing of this “Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*,” a copy of the same has been sent via certified mail, properly addressed and postage prepaid to all of the following persons on this the 15th day of DEC, 2025:

A. The person or persons, firm, association, or corporation last assessing the Subject Property for state taxes to the address on file in the Jefferson County Tax Collector’s Office:

David Bunch
2750 Smyer Road
Vestavia Hills, AL 35216

B. The record property owner or owners (including any owner or owners of an interest in the Subject Property) as shown from a search of the records of the office of the Judge of Probate of Jefferson County, Alabama, at the owner or owners’ last known address and at the address of the Subject Property:

David Bunch
2750 Smyer Road
Vestavia Hills, AL 35216

David Bunch
3825 E. Marble Valley Road
Sylacauga, AL 35151

C. All mortgagees of record as shown from a search of the records of the office of the Judge of Probate of Jefferson County, Alabama, to the address set forth in the mortgage or, if no address for the mortgagee is set forth in the mortgage, to the address determined to be the correct address by the Appropriate Municipal Official:

None.

D. All lien holders of record as shown from a search of the records of the office of the Judge of Probate of Jefferson County, Alabama to the address set forth in the statement of lien or, if no address for the lien holder is set forth in the statement of lien, to the address determined to be the correct address by the Appropriate Municipal Official:

None.

E. Such other persons who are otherwise known to the Clerk or to the Appropriate Municipal Official who could have an interest in the Subject Property:

Jefferson County Environmental Services Department
Room 800
Jefferson County Courthouse
716 Richard Arrington Blvd. North
Birmingham, AL 35203

Birmingham Water Works
3600 First Avenue North
Birmingham, AL 35233

Vestavia Hills Fire Department
1032 Montgomery Hwy.
Vestavia Hills, AL 35216

No other person is otherwise known to the Clerk or to the Appropriate Municipal Official to have an interest in the Subject Property.

Contemporaneously with the filing of this "Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*," a copy of the same has been posted at or within three feet of an entrance to the building on the Subject Property.

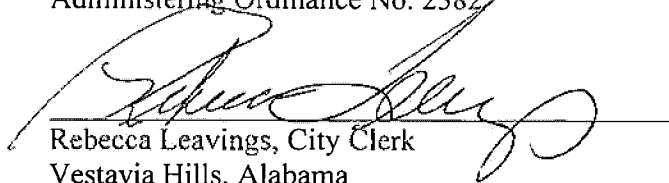
Contemporaneously with the filing of this "Finding of Public Nuisance, Notice and Order to Remedy, and Notice of *Lis Pendens*," a copy of the same has been posted in three public places located

within the City: Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center.

Notice that the Appropriate Municipal Official has made a finding that the Subject Property is a dangerous building because it is unsafe to the extent that it is a public nuisance and is subject to demolition and that a public hearing will be held on the date assigned herein will also be given to all interested parties and to the public at large by publication in the *Alabama Messenger*.



Keith Blanton, City of Vestavia Hills Building Official and
Appropriate Municipal Official for Purposes of
Administering Ordinance No. 2382



Rebecca Leavings, City Clerk
Vestavia Hills, Alabama



**CITY OF VESTAVIA HILLS
MUNICIPAL COURT
INTER-DEPARTMENT MEMO**

January 5, 2026

To: Jeff Downes, City Manager

From: Umang Patel, Court Director

Cc: Marvin Green, Fire Chief
Ryan Farrell, Asst. Fire Chief
Shane Ware, Police Chief

RE: Public Hearing - Ordinance Number 3022-A - An Ordinance Amending Ordinance Number 3022 to revise the approving authority for the special fireworks permits from the Vestavia Hills Police Chief to the Vestavia Hills Fire Chief.

Background:

Ordinance 3022, adopted in 2021, authorizing the Chief of Police to approve all special fireworks permits for the City of Vestavia Hills. To properly reflect the alignment of role responsibilities, it would require the approval of such permits to be under the jurisdiction of the Vestavia Hills Fire Chief rather than the Police Chief. This ordinance changes that responsibility to reflect the approval of the fire chief.

Recommendation:

The VHPD and the VHFD recommend approval.

Fiscal Impact:

na

Attachments:

1. 3022-A

ORDINANCE NUMBER 3022-A

AN ORDINANCE TO AMEND ORDINANCE 3022, SECTION 3, TO AUTHORIZE THE CHIEF OF THE VESTAVIA HILLS FIRE DEPARTMENT TO APPROVE PERMITS FOR SPECIAL EVENTS.

THIS ORDINANCE NUMBER 3022-A is approved and adopted by the City Council of the City of Vestavia Hills, Alabama on this the 19th day of January, 2026.

WITNESSETH THESE RECITALS:

WHEREAS, on July 12th, 2021 the City Council of Vestavia Hills, Alabama approved and adopted Ordinance Number 3022, amending Chapter 6, Article II, Division I, Section 16,17,618,6,19 in the Vestavia Hills Code of Ordinances; and

WHEREAS, Section 3, entitled “Permit for Special Event,” currently requires the authorization of the Chief of the Vestavia Hills Police Department to approve permits for special events,

WHEREAS, to properly reflect an alignment of role responsibilities would require the approval of a special fireworks permit to be amended to the Chief of the Vestavia Hills Fire Department; and

WHEREAS, the City Council of the City of Vestavia Hills, Alabama hereby finds and determines that the amendment of this Ordinance Number 3022 amending the approving authority for a special fireworks permit of the City of Vestavia Hills, Alabama will promote the health, safety and welfare of the inhabitants of the municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, THAT SECTION 3 IS AMENDED, IN ITS ENTIRETY, AS FOLLOWS:

“SECTION 3: PERMIT FOR SPECIAL EVENT: The Chief of the Vestavia Hills Fire Department may, upon due application, grant and issue a permit to a properly qualified person, firm, partnership, corporation or other legal entity for producing, making or giving a pyrotechnic display of fireworks in the public parks or other open places within the City of Vestavia Hills, Alabama.”

EFFECTIVE DATE: This Ordinance Number 3022-A shall become effective immediately upon adoption and publication or posting as required by Alabama law.

DONE, ORDERED, ADOPTED and APPROVED this the 21st day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION:

I, Rebecca H. Leavings, as City Clerk of the City of Vestavia Hills, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance No. 3022-A 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 21st day of January, 2026, as same appears in the official records of said City.

Posted at Vestavia Hills Municipal Center, Vestavia Hills Library in the Forest, and Vestavia Hills New Merkel House and Vestavia Hills Civic Center this the _____ day of _____, 2026.

Rebecca Leavings
City Clerk



**CITY OF VESTAVIA HILLS
PLANNING & ZONING
INTER-DEPARTMENT MEMO**

January 5, 2026

To: Jeff Downes, City Manager

From: Conrad Garrison, City Planner

Cc: Rebecca Leavings, City Clerk

RE: Public Hearing - Ordinance Number 3311 - Rezoning - 4324 Dolly Ridge Road; Rezone from VH R-4 to VH O-1; Kurt Adams Insurance, owners

Background:

Request is to rezone from residential to office in order to convert the existing home into a small insurance office. The area surround this property is bordered by commercial on one side and residential on the other.

Recommendation:

P&Z considered this request at their December meeting and voted unanimously to approve the rezoning contingent on 20' buffers adjacent to areas bordered by residential zoning.

Fiscal Impact:

na

Attachments:

1. Ordinance 3311

ORDINANCE NUMBER 3311

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-4 TO VESTAVIA HILLS O-1

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-4 (medium density residential district) to Vestavia Hills O-1 (office park district):

4324 Dolly Ridge Road
Kurt Adams Insurance, owner(s)

More particularly described as follows: the North one half of Lot 1, Block 1, J.D. Acton's Survey of New Merkle Heights as reorded in Map Book 19, Page 92, in the Probate Office of Jefferson County, Alabama, less and except the west 180 feet thereof.

BE IT FURTHER ORDAINED that said rezoning and conditional use be conditioned upon the following: (1) a 20' landscape buffer adjacent to residentially zoned properties; and

This Ordinance Number 3311 shall become effective immediately upon the adoption, approval and publishing/publication as required by Alabama law.

APPROVED and ADOPTED this the 21st day of January, 2026.

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 3311 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 21st day of January, 2026 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel House this the _____ day of _____, 2026.

Rebecca Leavings
City Clerk



City of Vestavia Hills

Planning and Zoning Commission Review and Recommendation



Case Number: RZ-25-13

Owner Name: Kurt Adams

Owner Address: 2457 Murphy Pass Hoover, AL 35244

Representative:
Rep.
Address:

Project Address: 4324 Dolly Ridge Rd. Vestavia Hills, AL 35243

Legal Description:

Parcel ID Number:

Current Zoning: R-4

Requested Zoning: O-1

Office space for insurance/financial service agency (Kurt Adams Agency, LLC)- Adding 1 handicap parking space, handicap ramp with rails, remodel downstairs half bath to ADA standard installing beams for 1st and 2nd floors to reinforce strength to ADA standards for each room, widening driveway entry to commercial standard and for more ease of access.

Intended Purpose:

MOTION Mr. Romeo made a motion to recommend Rezoning for 4324 Dolly Ridge Rd. from Vestavia Hills R-4 to Vestavia Hills O-1 with the following conditions:

1. 20' landscape buffer adjacent to residentially zoned properties.

Second was by Mr. Weaver. Motion was carried on a roll call; vote as follows:

Mr. Pierce – yes Mr. Weaver – yes
Mr. Honeycutt – yes Mr. Farrell– yes
Mr. Romeo – yes Mr. Maloof– yes
Mr. Sykes – yes Mr. Blackenburg – yes
Ms. Cochran– yes
Motion carried.

P&Z

Recommendation:

Date of P&Z Meeting:

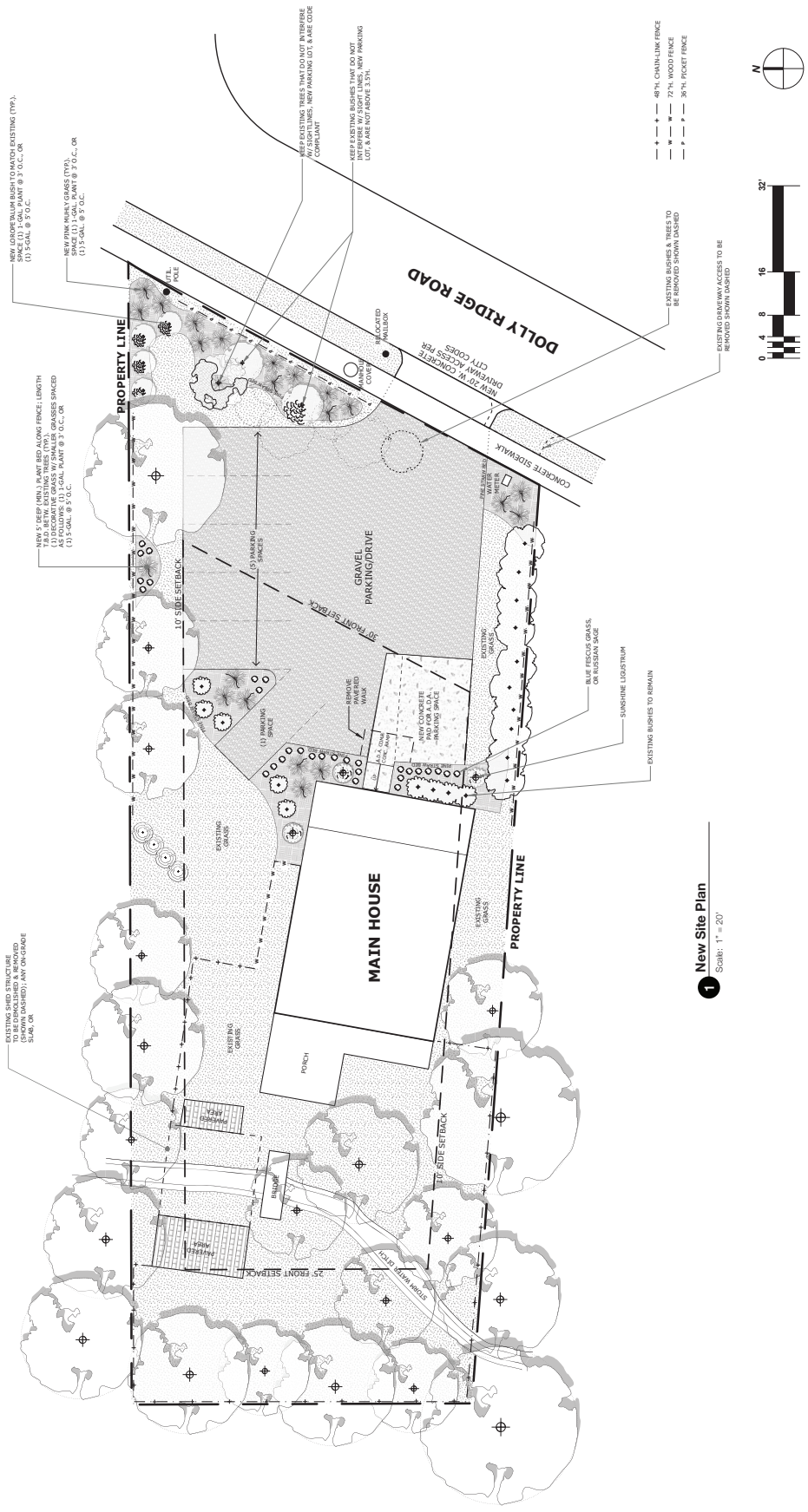
December 11, 2025

Authorized by:

Vestavia Hills Planning and Zoning Commission,
Lindsey Cochran, Chair

Issued by:

Conrad Garrison, City Planner



1 New Site Plan
 Scale: 1" = 20'



FOR APPROVAL
L2
 LANDSCAPE PLAN

Date Drawn • 12/3/25
 By • B. Parson
 Revised • -/-
 File Name • ADAMS 25-1203

Re-Zoning Commercial Property Plan
 4324 Dolly Ridge Road, Vestavia Hills, Alabama 35243

THIS IS NOT A LEGAL SURVEY, NOR IS IT INTENDED TO REPRESENT THE PRECISE LOCATION OF FEATURES, OBJECTS OR BOUNDARIES AND SHOULD NOT BE RELIED UPON AS BEING LEGALLY AUTHORITATIVE OF THE PRECISE LOCATION OF ANY FEATURE, OBJECT OR BOUNDARY.







**CITY OF VESTAVIA HILLS
PLANNING & ZONING
INTER-DEPARTMENT MEMO**

January 5, 2026

To: Jeff Downes, City Manager

From: Conrad Garrison, City Planner

Cc: Rebecca Leavings, City Clerk

RE: Public Hearing - Ordinance Number 3312 - Rezoning - 3101
Timberlake Road; Rezone from Vestavia Hills R-1 to Vestavia Hills
B-2 for construction of a bakery; Candace White, owner

Background:

Property is zoned residential as the entire area transforms into office park/restaurants. This request is for construction of a new Edgar's Bakery.

Recommendation:

P&Z considered this request at their December meeting and voted unanimously to recommend approval.

Fiscal Impact:

na

Attachments:

1. Ordinance 3312

ORDINANCE NUMBER 3312

AN ORDINANCE TO FURTHER AMEND THE ZONING ORDINANCE AND THE ZONING MAP OF THE CITY OF VESTAVIA HILLS, ALABAMA, ADOPTED SEPTEMBER 16, 1985, AND AS LAST AMENDED SO AS TO CHANGE THE CLASS OF DISTRICT ZONING OF PROPERTY FROM VESTAVIA HILLS R-1 TO VESTAVIA HILLS B-2

BE IT ORDAINED by the City Council of the City of Vestavia Hills, Alabama, as follows: That the Zoning Ordinance and Zoning Map of the City of Vestavia Hills, Alabama, adopted September 16, 1985, and as last amended so as to change the class of district zoning of the following described property from Vestavia Hills R-1 (low density residential district) to Vestavia Hills B-2 (general business district):

3101 Timberlake Road
Candace White, owner(s)

More particularly described as follows:

Parcel 1. A parcel of land situated in the SW quarter of the SE quarter of Section 27, Township 18, Range 2 west, in Jefferson County, Alabama more particularly described as follows: Begin at the SW corner of the SW quarter of SE quarter of Section 27, Township 18, Range 2 west and run thence northerly along the West line of said quarter-quarter section a distance of 489.5 feet; thence turn an angle of 90 degrees to the right and in an easterly direction a distance of 15 feet to a point of beginning; thence 2 degrees 3' to the right in an easterly direction a distance of 200.13 feet to a point; thence 87 degrees 47' to the right in a southerly direction a distance of 87.8 feet to a point; thence 90 degrees to the right in a westerly direction a distance of 200 feet to a point; thence 90 degrees to the right in a northerly direction a distance of 94 feet to the point of beginning.

Parcel II. Lot 2 of the Topfield Subdivision as records in MB 42, Page 72, in the Office of the Judge or Probate, Jefferson County Alabama.

APPROVED and ADOPTED this the 21st day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

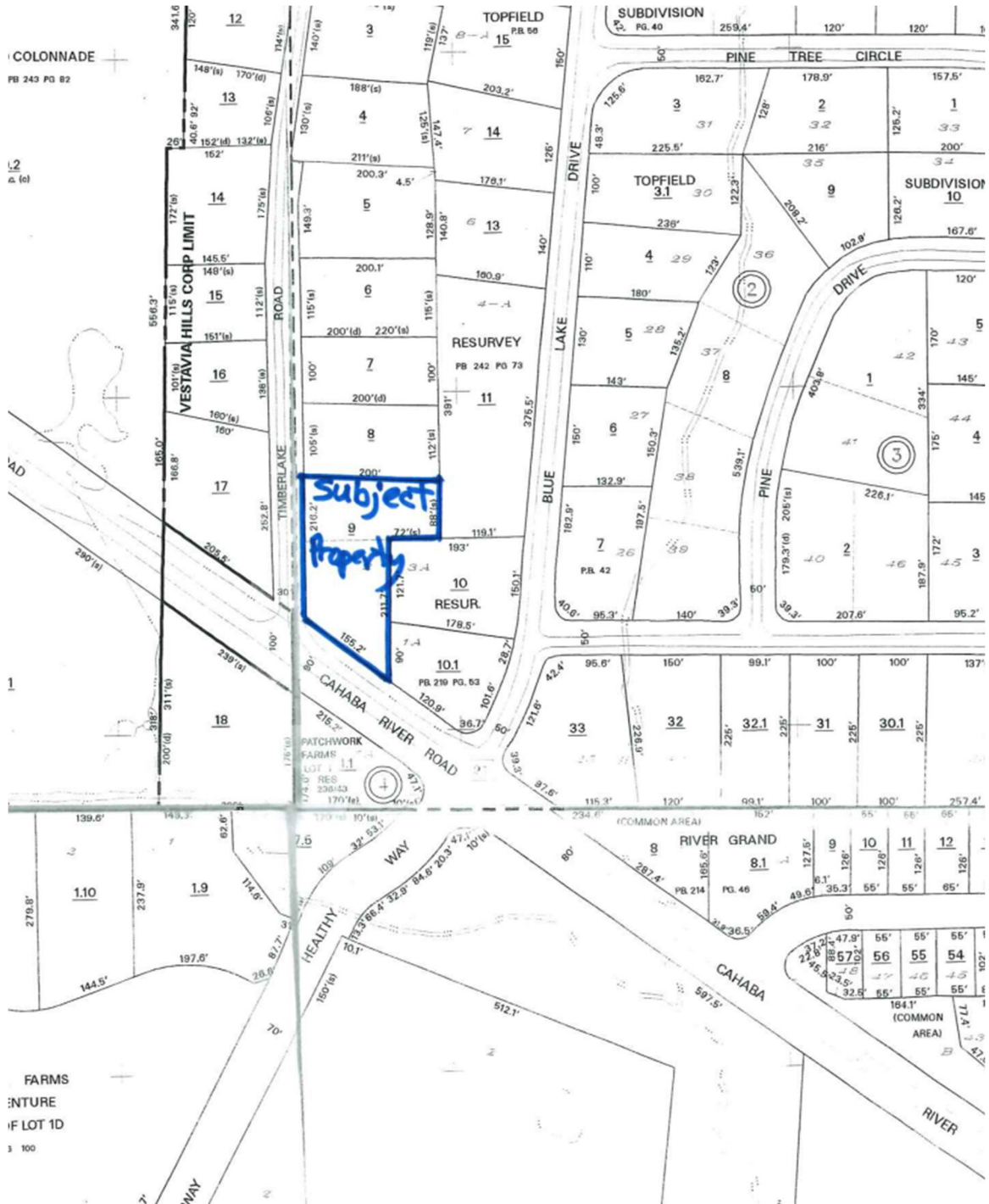
Rebecca Leavings
City Clerk

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 3312 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 21st day of January, 2026 as same appears in the official records of said City.

Posted at Vestavia Hills City Hall, Vestavia Hills Library in the Forest, Vestavia Hills Civic Center and Vestavia Hills New Merkel House this the _____ day of _____, 2026.

Rebecca Leavings
City Clerk



Date of P&Z Meeting: December 11, 2025

Authorized by: Vestavia Hills Planning and Zoning Commission,
Lindsey Cochran, Chair

Issued by: Conrad Garrison, City Planner

Record No: RZ-25-14

Rezoning Application
Status: Active
Submitted On: 11/6/2025





Primary Location

3101 TIMBERLAKE RD
VESTAVIA HILLS, AL 35243

Owner

Ruby Jo Hallman Benson Revocable Living Trust
Timberlake Road 3101 Vestavia Hills, AL 35243

Applicant

 Kali Nelson
 205-942-2486 ext. 258
 knelson@gonzalez-strength.com
 1550 Woods of Riverchase Dr
STE 200
Hoover, AL 35244

Property Information

Subject Property Address*

3101 Timberlake Road

Tax Parcel ID Number

2800274001009.000

Legal Description 

Parcel I

A parcel of land situated in the SW quarter of the SE quarter of Section 27, Township 18, Range 2 West, in Jefferson County, Alabama, more particularly described as follows:
Begin at the SW corner of said SW quarter of SE quarter of Section 27, Township 18, Range 2 West, and run thence northerly along the West line of said quarter quarter section a distance of 489.5 feet; thence turn an angle of 90° to the right and in an easterly direction a distance of 15 feet to a point of beginning; thence 2°3' to the right in an easterly direction a distance of 200.13 feet to a point; thence 87°57' to the right in a southerly direction a distance of 87.8 feet to a point; thence 90° to the right in a westerly direction a distance of 200 feet to a point; thence 90° to the right to the point of beginning.

Parcel II

Lot 2 of the Topfield Subdivision, as recorded in Map Book 42, Page 72 in the Office of the Judge of Probate of Jefferson County, Alabama.

Existing Parking Spaces

—

Proposed Parking Spaces

46

Submission Date*

11/05/2025

Type of Project*

New Commercial Development

Action Requested:

From Existing Zoning Classification*

R-1

To Requested Zoning Classification*

B-2

For the Intended Purpose of:* 

Construction of an Edgar's Bakery.

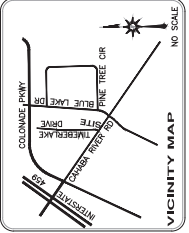
NO.	DESCRIPTION	DATE
0		10/22/22
1		
2		
3		
4		

CONCEPTUAL SITE PLAN
EDGAR'S BAKERY
 VESTAVIA HILLS, ALABAMA
 FELHAM, ALABAMA

GONZALEZ - STRENGTH & ASSOCIATES, INC.
 CIVIL, TRANSPORTATION ENGINEERING, LAND SURVEYING, LAND PLANNING, LANDSCAPE ARCHITECTURE, PRELIMINARY ENGINEERING & SURVEYING
 1550 WOODS OF RIVERCHASE DRIVE SUITE 200
 HOUSTON, TEXAS 77057
 WWW.GONZALEZ-STRENGTH.COM
 PHONE: (281) 442-2488
 FAX: (281) 442-2489
 AN LMA company

PRELIMINARY
 NOT FOR
 CONSTRUCTION,
 RECORDING,
 PURPOSES OR
 IMPLEMENTATION

DWG. NO. 22-0003
 SHEET NO. 22-0003

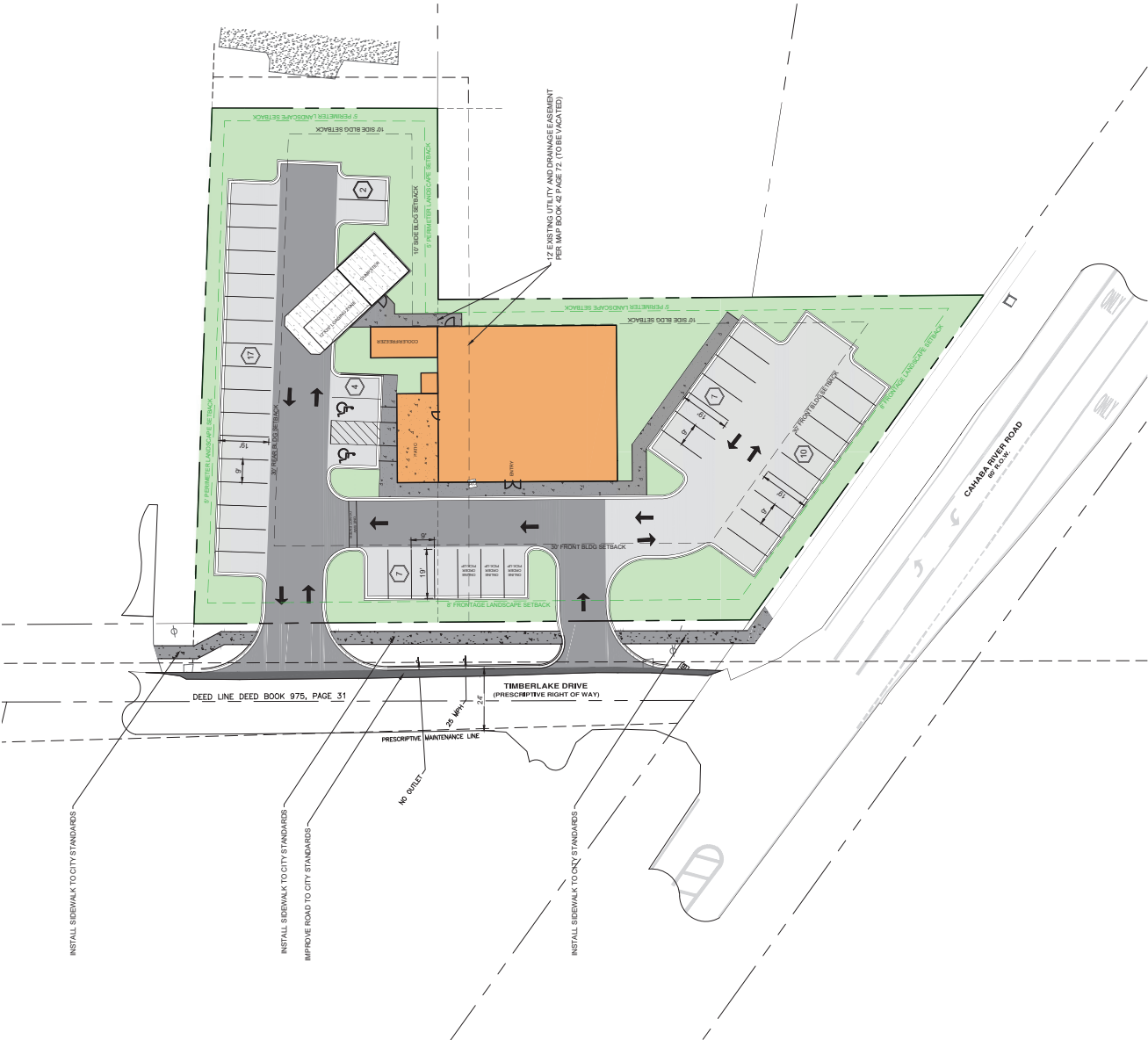


PAVING LEGEND

- CONCRETE SIDEWALK RECD., TYPICAL
- STANDARD DUTY ASPHALT PAVEMENT RECD., TYPICAL
- HEAVY DUTY ASPHALT PAVEMENT RECD., TYPICAL
- HEAVY DUTY CONCRETE PAVEMENT RECD., TYPICAL
- LANDSCAPED AREAS
- TIMBERLAKE ROAD WIDENING ASPHALT PAVEMENT.

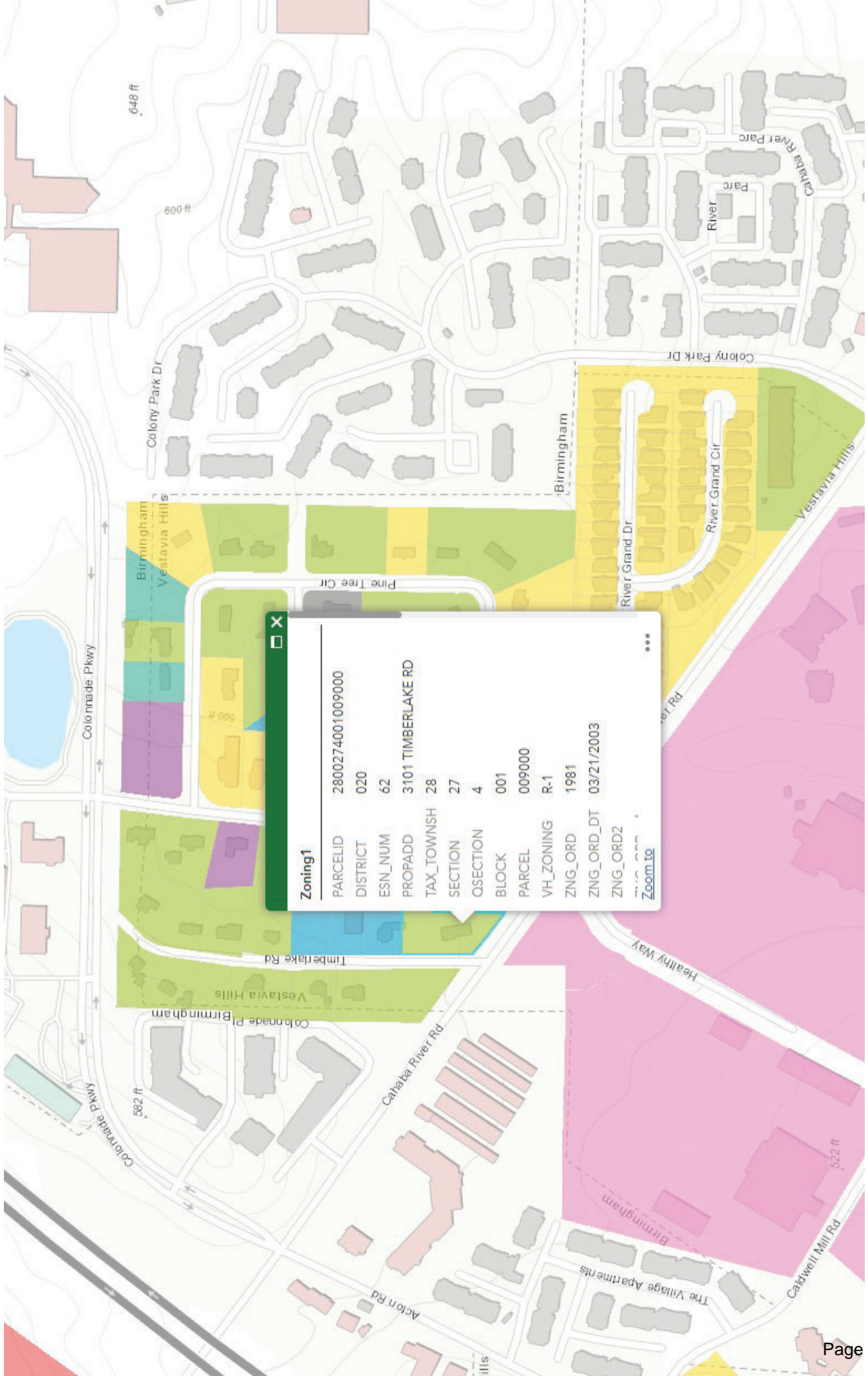
LANDSCAPING WILL BE IN COMPLIANCE WITH ALL CITY OF VESTAVIA HILLS LANDSCAPE REQUIREMENTS

SITE DATA TABLE	
PROPERTY AREA	430,033 SF / 10.00 ACRES
LOCAL JURISDICTION	VESTAVIA HILLS, ALABAMA
ZONING	B-2 (DENSE RESIDENTIAL)
BUILDING HEIGHT (SEC. 6.2)	45' MAX. HEIGHT
PROPOSED	30' / 1 STORY
NET FLOOR AREA (PUBLIC SPACE)	698 SF
MAX. SHIFT EMPLOYEES	8
REQUIRED (RESTAURANT REQUIREMENTS) *	20
1 SPACE PER 40 S.F. PUBLIC AREA	18
1 SPACE / 3 SEATS + 1 SPACE / 2 EMPLOYEES	20
PROPOSED	44
STANDARD (MAX)	46
TOTAL	46
BUILDING SETBACKS (FOR B.2):	
FRONT	30'
REAR	30'
PERIMETER LANDSCAPE SETBACKS:	
FRONT	5'
REAR	5'
BUILDING AREAS	
NET PUBLIC AREAS (CIRCULATION SPACE EXCLUDED)	430 SF
INDOOR DINING AND PARTY ROOM	1,300 SF
OUTDOOR DINING AREA	400 SF
OUTDOOR PARTY AREA	400 SF
TOTAL NET PUBLIC AREA	1,888 SF (INC. PATIO)
TOTAL GROSS INTERIOR AREA	44,584 SF
TOTAL GROSS AREA (INC. PATIO)	45,116 SF





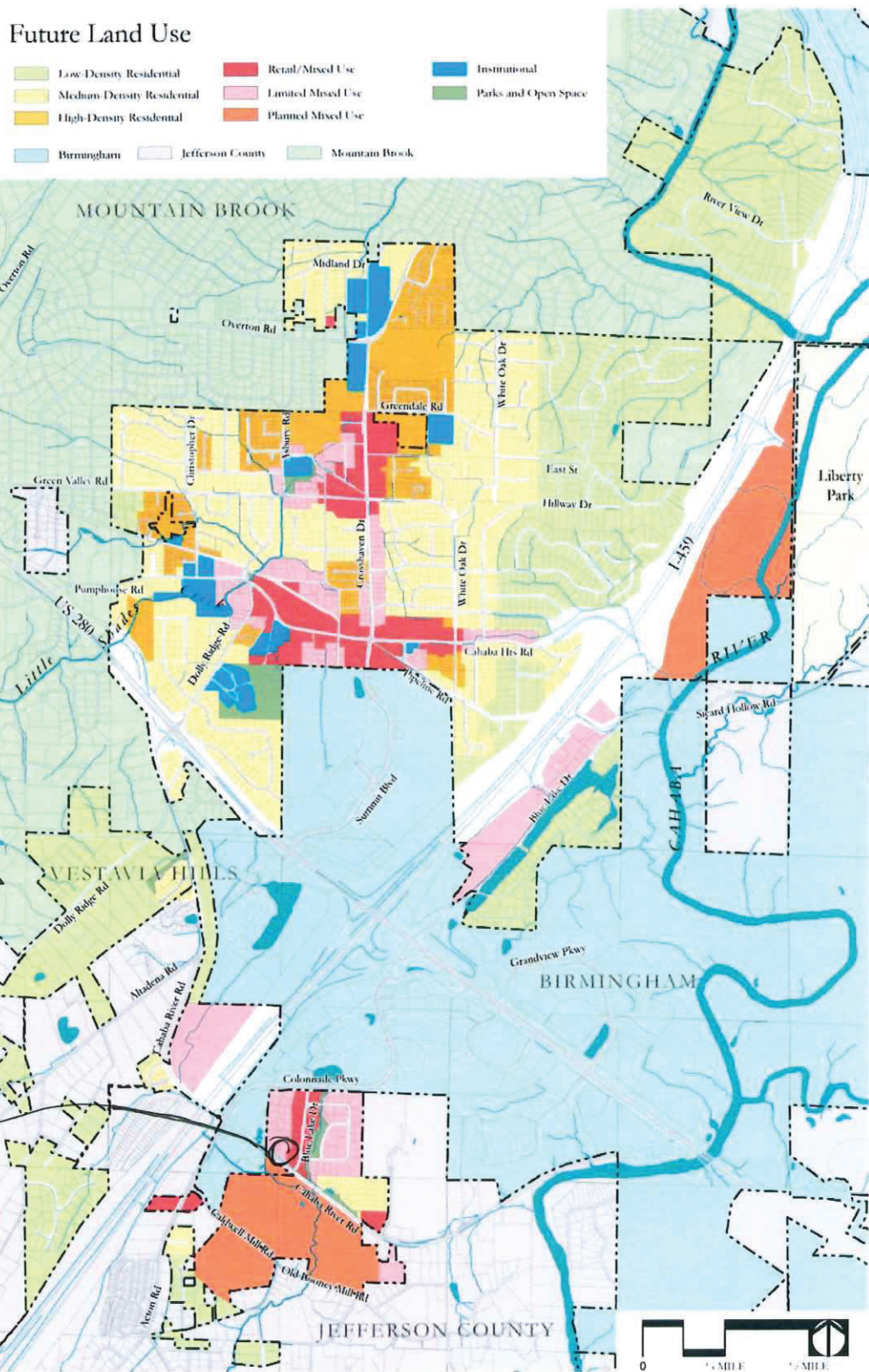




Zoning1

PARCELID	2800274001009000
DISTRICT	020
ESN_NUM	62
PROPADD	3101 TIMBERLAKE RD
TAX_TOWNSH	28
SECTION	27
QSECTION	4
BLOCK	001
PARCEL	009000
VH_ZONING	R-1
ZNG_ORD	1981
ZNG_ORD_DT	03/21/2003
ZNG_ORD2	

[Zoom to](#)



Subject Parcel

Figure 4: Future Land Use Map



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

January 5, 2026

To: Jeff Downes, City Manager

From: Rebecca Leavings, City Clerk

Cc:

RE: Public Hearing - Resolution Number 5616 - Vacation - A Resolution to vacate a road access/utility easement at the north end of SHAC; City of Vestavia Hills and Liberty Park Joint Venture LLP, owners

Background:

A roadway/utility easement was recorded and located at the north end of SHAC when the City purchased the property to enable LPJV access to properties lying on the other side of SHAC. The access has never been opened or utilized, and the City subsequently purchased property on the other side. This resolution is a request by both the City and LPJV to vacate said access as it's no longer needed.

Recommendation:

Clearance has been given by all utilities as well as the City Engineer that this access is no longer needed. It is recommended to grant the vacation.

Fiscal Impact:

na

Attachments:

1. Resolution 5616

RESOLUTION NUMBER 5616

**A RESOLUTION APPROVING AND ASSENTING TO
A DECLARATION OF VACATION**

WITNESSETH THESE RECITALS

WHEREAS, A Declaration signed by the owners of all the lands abutting the following described portion of access/utility easement situated in the City of Vestavia Hills, Jefferson County, Alabama, vacating said portion of access/utility easement, has been duly presented to the City Council of the City of Vestavia Hills, Alabama, for assent and approval of said governing body; and

WHEREAS, a copy of said Declaration with map attached is marked as "Exhibit A", attached hereto and incorporated into this Resolution by reference as though set out fully herein; and

WHEREAS, the portion of access/utility easement above referred to is commonly referred to as "access/utility easement" and is more particularly described as follows:

Description Of access/utility easement:

An easement lying across the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West, Jefferson County, Alabama being 50 feet in width, 25 feet on each side of the following described centerline: Commence at the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West and run in a Southerly direction along the Easterly line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 248.96 feet to the POINT OF BEGINNING, said point lying on a curve to the left having a radius of 500.00 feet and a central angle of $37^{\circ}19'03''$; thence $143^{\circ}02'29''$ to the right (angle measured to tangent) in a Northwesterly direction along the arc of said curve a distance of 325.63 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 20.86 feet to the P.C. (point of curve) of a curve to the left having a radius of 900.00 feet and a central angle of $23^{\circ}25'28''$; thence in a Northwesterly, Westerly and Southwesterly direction along the arc of said curve a distance of 367.93 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction a distance of 422.08 feet to the P.C. (point of curve) of a curve to the right having a radius of 400.00 feet and a central angle of $32^{\circ}20'22''$; thence in a Southwesterly, Westerly and Northwesterly direction along the arc of said curve a distance of 225.75 feet to the Southeasterly right-of-way line Sicard Hollow Road and the POINT OF ENDING, which easement is depicted in Exhibit "C-1" attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VESTAVIA HILLS, ALABAMA, that the vacation of the hereinabove

described portion of access/utility easement is assented to and approved and the same is hereby vacated pursuant to the provision of Section 23-4-20 of the Code of Alabama, 1975.

RESOLVED, DONE AND ORDERED, on this the 21st day of January, 2026.

Ashley C. Curry
Mayor

ATTESTED BY:

Rebecca Leavings
City Clerk

CERTIFICATION

I, the undersigned qualified acting Clerk of the City of Vestavia Hills, Alabama, do hereby certify that the above and foregoing is a true copy of a Resolution lawfully passed and adopted by the City Council of the City named therein, at a regular meeting of such Council held on the 21st day of January, 2026, and that such Resolution is of record in the Minute Book of the City at page _____ thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the _____ day of _____, 2026.

Rebecca Leavings
City Clerk

Record No: VEAS-25-5

Vacation of Easement

Status: Active

Submitted On: 12/18/2025

Primary Location

4875 SICARD HOLLOW RD
VESTAVIA HILLS, AL 35242

Owner

City of Vestavia Hills and Liberty Park Joint
Venture
Montgomery Hwy 1032 Vestavia Hills, AL
35216

Applicant

Rebecca Leavings
205-978-0184
rleavings@vhal.org
1032 Montgomery Hwy, 2nd Floor
Vestavia Hills, AL 35216

DECLARATION OF VACATION

Please fill out each blank in its entirety. Once completed, submit and a document will be created that shows this Declaration. Please review the document for accuracy. Please be ready to upload notarized signatures, map exhibit, legal description of property to be vacated, all releases, and all other required documentation prior to submission.

Street Address of easement to be vacated.

4785 Sicard Hollow Road

Area to be vacated i.e. "portion of easement" "portion of utility easement", etc.*

50' access easement at north end of property

Subdivision Plat which recorded easement to be vacated*

Lot 1, Vestavia Sports Park Sector 2

As recorded in Map Book:

231

As recorded on Map Page:*

66

In the Probate Office of which County? Please put "Jefferson" or "Shelby." Do not put "County."*

Jefferson County

Abutting Property Owners

Owner's Name(s):*

City of Vestavia Hills

Street Address:*

1032 Montgomery Hwy Vestavia Hills AL 35216

Legal Description of above described street address:

see attached exhibit

Is there another abutting owner?*

Yes

Owner's Name(s):

Liberty Park Joint Venture LLP

Street Address

1000 Urban Center Drive Suite 235 Vestavia Hills AL 35242

Legal Description of Above described street address

see attached

Is there another abutting owner?*

No





Street Address

Declaration:

All of the undersigned do hereby declare said easement to be vacated and respectfully request the assent of the City Council of the City of Vestavia Hills, Alabama, to said vacation.

Please add all owner's notarized signatures to the "attachments" portion of this application.

Attachments

	Abutting Owner's Notarized Affidavit(s) LPJV owner affidavit.pdf Uploaded by Rebecca Leavings on Dec 18, 2025 at 11:27 AM 2 Versions	REQUIRED
	Legal Description and Exhibit of easement to be vacated Road access legal desc.pdf Uploaded by Rebecca Leavings on Dec 18, 2025 at 10:11 AM	REQUIRED
	Signed releases from all applicable Utility Companies and Jefferson County Environmental Services Utility letters Sicard Hollow Rd Vacate Easement-CAW.pdf Uploaded by Rebecca Leavings on Dec 18, 2025 at 10:14 AM	REQUIRED
	owners affidavit covh.pdf owners affidavit covh.pdf Uploaded by Rebecca Leavings on Dec 19, 2025 at 8:17 AM	

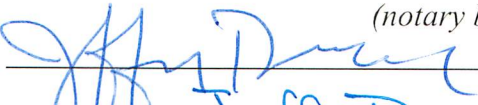
Record Activity

Rebecca Leavings started a draft Record	12/18/2025 at 10:04 am
Rebecca Leavings added file Road access legal desc.pdf	12/18/2025 at 10:11 am
Rebecca Leavings added file Utility letters Sicard Hollow Rd Vacate Easement-CAW.pdf	12/18/2025 at 10:14 am
Rebecca Leavings added file Road access legal desc.pdf	12/18/2025 at 10:14 am
Rebecca Leavings submitted Record VEAS-25-5	12/18/2025 at 10:15 am
OpenGov system completed document step Petition for Vacation Of Easement on Record VEAS-25-5	12/18/2025 at 10:15 am
OpenGov system altered approval step City Clerk Receipt, changed status from Inactive to Active on Record VEAS-25-5	12/18/2025 at 10:15 am
OpenGov system assigned approval step City Clerk Receipt to Rebecca Leavings on Record VEAS-25-5	12/18/2025 at 10:15 am
Rebecca Leavings added file LPJV owner affidavit.pdf to Record VEAS-25-5	12/18/2025 at 11:27 am
Rebecca Leavings approved approval step City Clerk Receipt on Record VEAS-25-5	12/18/2025 at 11:29 am
OpenGov system altered approval step Public Works Director Review, changed status from Inactive to Active on Record VEAS-25-5	12/18/2025 at 11:29 am
OpenGov system altered approval step Engineering Approval, changed status from Inactive to Active on Record VEAS-25-5	12/18/2025 at 11:29 am
OpenGov system assigned approval step Engineering Approval to Ethan Fisher on Record VEAS-25-5	12/18/2025 at 11:29 am

**OWNER'S SIGNATURE AFFIDAVIT
VACATION OF EASEMENT PETITION**

IN WITNESS THEREOF, the undersigned have hereunto set my hand and seal on this the 19th day of December, 2025.

SIGNATURE OF ABUTTING PROPERTY OWNER:

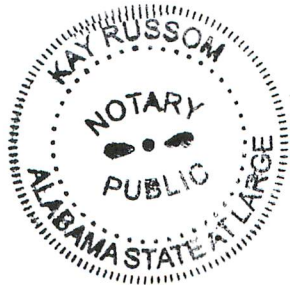
Signed:  (notary below)
Printed name of signer: Jeff Downes, City Manager
City of Vestavia Hills

**STATE OF ALABAMA
JEFFERSON COUNTY**

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that Jeff Downes and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 19th day of December, 2025




Kay Russom
Notary Public
12-31-2028

VEAS Number: _____ (administrative use only).

**OWNER'S SIGNATURE AFFIDAVIT
VACATION OF EASEMENT PETITION**

IN WITNESS THEREOF, the undersigned have hereunto set my hand and seal on this the 18th day of December, 20 25.

SIGNATURE OF ABUTTING PROPERTY OWNER:

Signed:  (notary below)
Printed name of signer: James Parsons

**STATE OF ALABAMA
JEFFERSON COUNTY**

GENERAL ACKNOWLEDGMENT

I, the undersigned authority, a Notary Public, in and for said County, in said State, hereby certify that James Parsons and _____, whose names are signed to the foregoing Declaration of Vacation, and who are known to me, acknowledged before me on this day that being informed of the contents of the instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 18th day of December, 20 25.

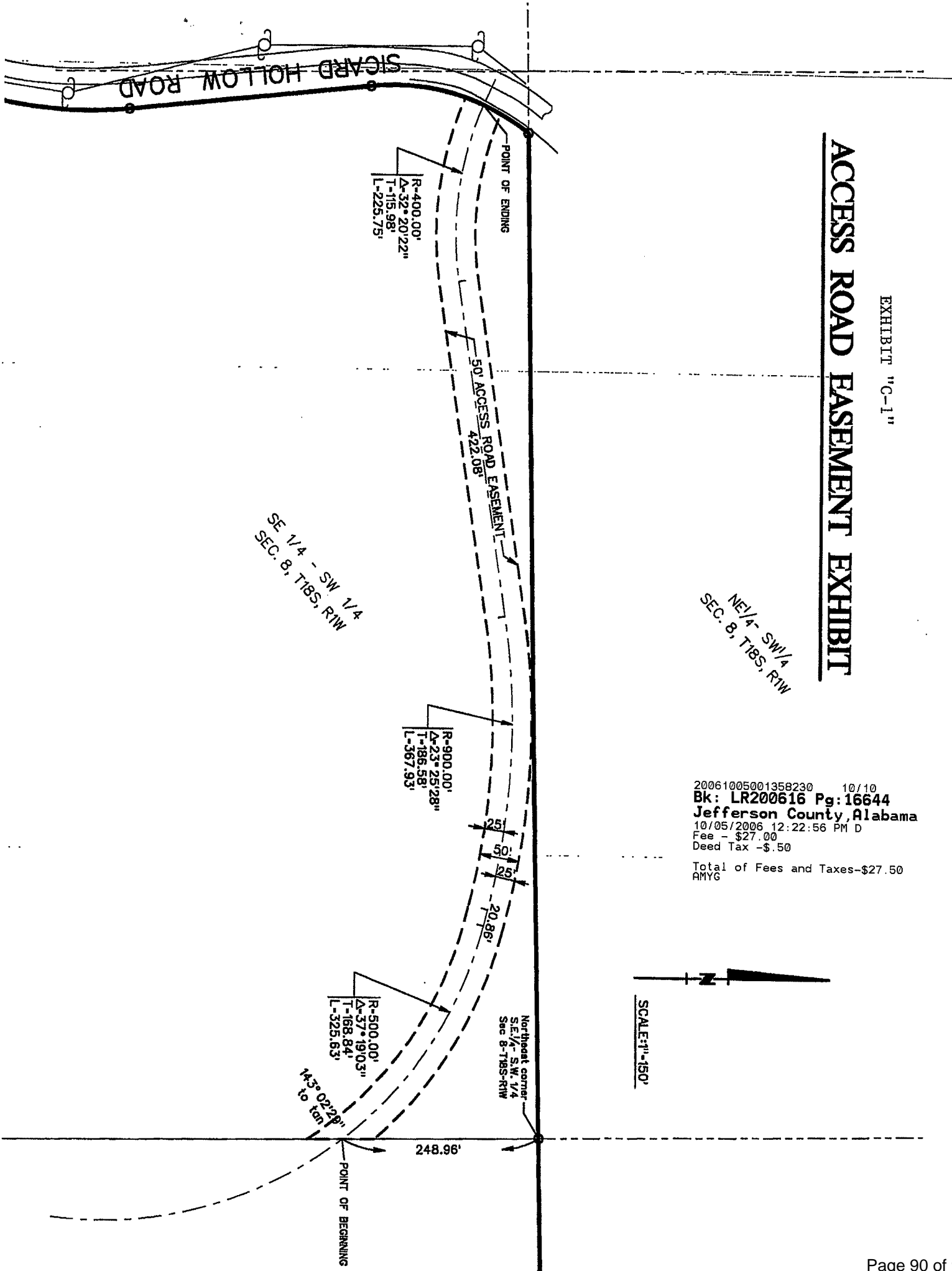

Notary Public

VEAS Number: _____ (administrative use only).



ACCESS ROAD EASEMENT EXHIBIT

EXHIBIT "C-1"



20061005001358230 10/10
Bk: LR200616 Pg:16644
Jefferson County, Alabama
10/05/2006 12:22:56 PM D
Fee - \$27.00
Deed Tax - \$.50
Total of Fees and Taxes-\$27.50
AMYG

EXHIBIT "C"
EASEMENT PROPERTY

An easement lying across the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West, Jefferson County, Alabama being 50 feet in width, 25 feet on each side of the following described centerline:

Commence at the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West and run in a Southerly direction along the Easterly line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 248.96 feet to the POINT OF BEGINNING, said point lying on a curve to the left having a radius of 500.00 feet and a central angle of $37^{\circ}19'03''$; thence $143^{\circ}02'29''$ to the right (angle measured to tangent) in a Northwesterly direction along the arc of said curve a distance of 325.63 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 20.86 feet to the P.C. (point of curve) of a curve to the left having a radius of 900.00 feet and a central angle of $23^{\circ}25'28''$; thence in a Northwesterly, Westerly and Southwesterly direction along the arc of said curve a distance of 367.93 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction a distance of 422.08 feet to the P.C. (point of curve) of a curve to the right having a radius of 400.00 feet and a central angle of $32^{\circ}20'22''$; thence in a Southwesterly, Westerly and Northwesterly direction along the arc of said curve a distance of 225.75 feet to the Southeasterly right-of-way line Sicard Hollow Road and the POINT OF ENDING, which easement is depicted in Exhibit "C-1" attached hereto.

Containing 68,121.73 square feet, more or less.



December 17, 2025

Kris Reek, CMCA, AMS
Project Manager- Liberty Park
Daniel Communities
Liberty Park Joint Venture
1000 Urban Center Drive, Suite 235
Vestavia Hills, AL 35242

Central Alabama Water does not have any infrastructure located nor have plans to install any improvements within the attached and depicted 50 feet wide Non-Exclusive Public Easement for Ingress and Egress and Utilities.

We release any rights we possess and take no exception to the City of Vestavia Hills in the vacation of that Access Road Easement, Exhibit "C-1", and Easement Property, Exhibit "C", as recorded in Book LR200616 Page 16644 in the Office of Judge of Probate, Jefferson County, Alabama.

A handwritten signature in black ink, appearing to read "Jeff F. Thompson", is written over a horizontal line.

Jeffrey F. Thompson
Central Alabama Water
Chief Executive Officer



Spire Alabama Inc.
605 Richard Arrington Jr. Blvd. North
Birmingham, AL 35203

11/21/2025
Kris Reek
1000 Urban Center Dr., Suite 235
Vestavia Hills, AL

Re: Proposed Release of Platted Easement(s)

Dear Kris Reek,

Spire Alabama Inc. has no objection to the release of easement(s) being platted Exhibit "C" as shown hachured on the attached drawing(s). Spire Alabama Inc. does not have facilities on such hachured property at this time.

If the property owner wishes to officially release the designated platted easement(s), a letter of request accompanied with a legible exhibit is required by Spire Alabama Inc.

If a property owner places any structures, decks (attached or free standing), fences, buildings, retaining walls or other personal property within easements that do contain installed natural gas mains or other natural gas facilities, they do so at their own risk and they must comply with applicable law, including the Alabama Underground Damage Prevention Act, set forth in the Alabama Code Title §37, Chapter 15, Sections 1-11, and contact Alabama 811.

In the event that Spire Alabama Inc. or its successors and assigns, requires the utilization of the easement referenced above for the installation or maintenance of facilities in said easement, we can make no promises that any structures, decks (attached or free standing), fences, buildings, retaining walls or other personal property will not be disturbed. Furthermore, the property owner will be responsible for all costs associated with the removal of such personal property and Spire Alabama Inc. shall have no obligation to repair or replace such personal property.

Sincerely,

Daniel Logan

Daniel Logan
Right of Way Representative
205.842.3972
daniel.logan@spireenergy.com

**ENVIRO SERVICES, LLC
1000 URBAN CENTER DRIVE, SUITE 235
VESTAVIA HILLS, ALABAMA 35242**

November 11, 2025

Office of the City Clerk
City of Vestavia Hills
1032 Montgomery Highway
Vestavia Hills, AL 35216

Re: Vacation of Non-Exclusive Public Easement – Bk: LR200616 Pg: 16644

To Whom it May Concern:

Enviro Services has no objection to the vacation of the 50' non-exclusive public easement described in Exhibit "C" of the Non-Exclusive Public Easement for Ingress and Egress and Utilities, recorded in Bk: LR200616 Pg: 16644, in the Probate Office of Jefferson County, Alabama (see attached). Please contact us with any questions or concerns.

Sincerely,



James Parsons
President



12/2/2025

Kris Reek
Project Manager – Liberty Park
Daniel Communities
Liberty Park Joint Venture
1000 Urban Center Drive, Suite 235
Vestavia Hills, AL 35242

RE: Vacation of Easement

Dear Ms. Reek,

We are in receipt of your request regarding the Subject Access Road Easement that is described as:

An easement lying across the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West, Jefferson County, Alabama being 50 feet in width, 25 feet on each side of the following described centerline:

Commence at the Northeast corner of the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West and run in a Southerly direction along the Easterly line of said $\frac{1}{4}$ - $\frac{1}{4}$ section a distance of 248.96 feet to the POINT OF BEGINNING, said point lying on a curve to the left having a radius of 500.00 feet and a central angle of $37^{\circ}19'03''$; thence $143^{\circ}02'29''$ to the right (angle measured to tangent) in a Northwesterly direction along the arc of said curve a distance 325.63 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Northwesterly direction a distance of 20.86 feet to the P.C. (point of curve) of a curve to the left having a radius of 900.00 feet and a central angle of $23^{\circ}25'28''$; thence in a Northwesterly, Westerly and Southwesterly direction along the arc of said curve a distance of 367.93 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction a distance of 422.08 feet to the P.C. (point of curve) of a curve to the right having a radius of 400.00 feet and a central angle of $32^{\circ}20'22''$; thence in a Southwesterly, Westerly and Northwesterly direction along the arc of said curve a distance of 225.75 feet to the Southeasterly right-of-way line Sicard Hollow Road and the POINT OF ENDING, which easement is depicted in Exhibit "C-1" attached hereto.

Containing 68,121.73 square feet, more or less.

This letter is to confirm that there is no conflict with our facilities related to the vacation of the Access Road Easement described above.

Please let me know if anything else is needed.

Sincerely,

Lee Walden
Construction Supervisor
Lee.Walden@charter.com
Office: 205-573-6815
Cell: 205-490-3098



November 13, 2025

Kris Reek
1000 Urban Center Dr, Suite 235
Vestavia Hills, AL 35242
205-945-6560
Faireclothfive@gmail.com

Re: utility easement

Bellsouth Telecommunications, LLC d/b/a AT&T Alabama has no objections to vacating the existing 50-foot wide non-exclusive easement lying across the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 8, Township 18 South, Range 1 West, Jefferson County, Alabama. We have no facilities located within this utility easement.

Sincerely,

Nick Cockrum

Nick Cockrum
810 Kentucky Ave Paducah KY 42003
AT&T East Wireline PMO
SR Specialist-OSP Design Engineer
270-977-1811
nc1003@att.com

attachment

cc: Scott Fetzer, AT&T East