

TUSCALOOSA COUNTY COMMISSION

MEETING

March 12, 2003

TUSCALOOSA COUNTY §
STATE OF ALABAMA §

This being the date and hour to which the Tuscaloosa County Commission adjourned, the County Commission met pursuant to such adjournment with Probate Judge W. Hardy McCollum presiding as Chairman. The following members were present:

Mike Richardson
Gary Youngblood
Bobby Miller
Reginald Murray

Commissioner Bobby Miller moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to award the bid for county-wide in place plant mix to S.T. Bunn Construction Co., Inc. This bid, opened December 18, 2002, covers price per ton, F.O.B. job site delivery and laid in place by the contractor's equipment and personnel county wide. S.T. Bunn Construction Co., Inc. and the Tuscaloosa County Engineering Department have agreed to a schedule (completion date) for each road. This paving project is Phase Six B of the State/County paving project.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to authorize the Tuscaloosa County Planning Department to apply for a \$30,000 planning grant from the Attorney General's Office. This one hundred percent funded grant is a planning grant to develop programs and to seek funds to implement said programs for crime victims services in rural areas.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to include a water expansion project on Lucille Drive that will serve six existing residences in the county's County-wide Water Expansion Program. Tuscaloosa County agrees to pay fifty percent of the \$12,160 project cost. Citizens Water System will pay the balance.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to adopt a resolution approving the submission of a Community Development Block Grant application in the amount of \$1,150,000 to the Alabama Department of Economic and Community Affairs. Of this total, \$750,000 shall be requested from the CDBG grant fund, and Tuscaloosa County shall provide \$350,000 in cash match and \$50,000 as in-kind (administration) match. These funds are being sought for infrastructure improvements for a Johnson Controls, Inc. expansion in Cedar Cove Technology Park. According to Mr. Dara Longgrear, Executive Director of the Industrial Development Authority, this expansion will create several hundred new jobs at the Johnson Controls, Inc. manufacturing plant.

Exhibit 3-1, Page 542

Commissioner Gary Youngblood moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to accept a Declaration of Vacation and to adopt a resolution consenting to the vacation of a portion of right-of-way as described in the attached exhibit. The right-of-way being vacated to accommodate the Johnson Controls, Inc. industrial expansion is located on Progress Drive in Cedar Cove Technology Park.

Exhibit 3-2, Pages 543-550

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the County Planning Department to submit a \$700,000 grant application to the Alabama Department of Transportation seeking funds to assist with Phase II of the Johnson Controls, Inc. industrial expansion in Cedar Cove Technology Park.

Upon request by County Attorney Robert Spence, and upon motion by Commissioner Gary Youngblood, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to go into executive session to discuss the court decision in the Charlie Blount VS Tuscaloosa County lawsuit.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to concur with the Sheriff's Office's selection of Digital Safety Technologies, Inc. as the low bidder for the patrol car video system. The bids were opened February 12, 2003.

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to enter into the 2003 agreement with the Corps of Engineers in which Tuscaloosa County agrees to provide increased law enforcement services (patrols) for the Black Warrior and Tombigbee Lakes and Holt Resource areas in Tuscaloosa County.

Exhibit 3-3, Pages 551-553

Commissioner Mike Richardson moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to reappoint both Glynn Wheat and R.D. Averette to the Coker Water and Fire Protection Authority, Inc. Board of Directors. These new terms began on March 1, 2003, and expire on March 1, 2009.

Commissioner Gary Youngblood moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to reappoint John Miller to the Coaling Water and Fire Protection Authority, Inc. Board of Directors. This new term began on March 1, 2003, and expires on March 1, 2009.

Upon recommendation by County Engineer Bobby Hagler, and upon motion by Commissioner Bobby Miller, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to establish and post a 25 MPH speed limit on Pharis Hinton Road and Kitchen Road.

Commissioner Gary Youngblood moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to grant a waiver of the county's right-of-way requirements for First, Second, Third, and Fourth Streets, Murry Street, and Kennedy Street near Peterson, Alabama, to facilitate construction of said roads. The county will build the roads to existing right-of-way and will not secure additional right-of-way for the road projects.

Commissioner Gary Youngblood moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to authorize

Planning Director Farrington Snipes to write a letter requesting the Alabama Department of Transportation to clear all of the brush and trees from the state right-of-way in front of the Wellesley Inn and Suites located at the intersection of Interstate 20/59 and Will Walker Road in Vance.

Commissioner Mike Richardson moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to appoint Brad Springer to the unexpired term of Dave Rodgers on the Tuscaloosa Public Library Board of Trustees. Mr. Rodgers has been activated by the military in preparation for war with Iraq. This term expires in November, 2003.

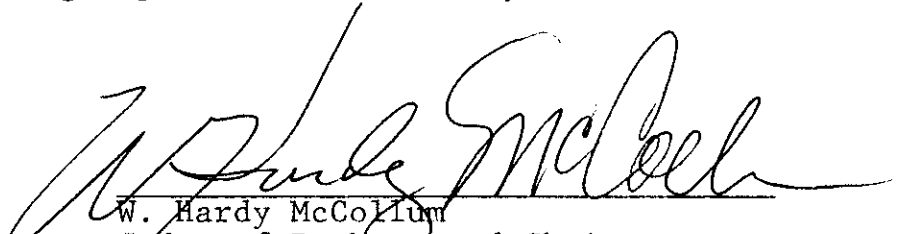
Commissioner Gary Youngblood moved, seconded by Commissioner Mike Richardson, the County Commission voted unanimously to authorize the expenditure of \$3,394 District II District Development Funds to purchase a grill, fryer, and exhaust hood for the kitchen area of the concession building at the Gordon Davis Park. This is for the Cottondale Dixie Youth Baseball Program.

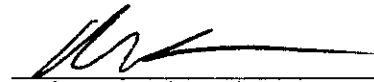
Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize the expenditure of \$5,500 District III District Development Funds to improve the grounds, bring the concession area up to Health Department standards with the purchase of top soil and sod and the construction of a wall and purchase of equipment for their restrooms and kitchen at the Duncanville Little League Baseball Complex.

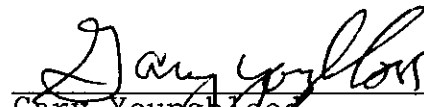
Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize the expenditure of District III District Development Funds to purchase materials for the construction of dugout covers and a batting cage cover at the Hillcrest Middle and High School fields. There was not a cost or cost estimate given for this project.

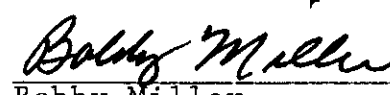
Commissioner Reginald Murray moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to authorize the expenditure of \$12,000 District IV District Development Funds for various items, including scorekeeper huts, scoreboards, a pump house for the irrigation well, dugout covers, and sod for the concession area at the Fosters Area Little League Complex.


There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, March 19, 2003.


W. Hardy McCollum
Judge of Probate and Chairman
Tuscaloosa County Commission


Mike Richardson
Commissioner - District I


Gary Youngblood
Commissioner - District II


Bobby Miller
Commissioner - District III


Reginald Murray
Commissioner - District IV

001 542 3-1

RESOLUTION

WHEREAS, the Tuscaloosa County Commission supports the expansion of local industries or the location of new industries in Tuscaloosa County to provide for expanded and improved job opportunities for the citizens of the county; and

WHEREAS, an existing industry, Johnson Controls, Inc. will be undertaking a major expansion of its facilities in Tuscaloosa County, which will create approximately 480 new jobs for Tuscaloosa County residents; and

WHEREAS, there exists the need for the construction of an access road in conjunction with this major proposed industrial development project which will be undertaken;

NOW, THEREFORE, BE IT RESOLVED that the Tuscaloosa County Commission hereby approves the submission of a **Community Development Block Grant** application in the amount of approximately \$1,150,000.00 to the Alabama Department of Economic and Community Affairs. Of this total, \$750,000.00 shall be requested from the CDBG grant fund \$350,000.00 shall be provided as cash match and \$50,000.00 shall be provided as in-kind match through the Tuscaloosa County Commission.

BE IT FURTHER RESOLVED that the Tuscaloosa County Commission authorizes the Chairman, W. Hardy McCollum, to execute any and all documents as required to provide for the submission and approval of the proposed project.

Approved and adopted this the 12th day of March, 2003.

W. Hardy McCollum, Chairman
Tuscaloosa County Commission

Attest: *Robert H. Johnston*
Robert H. Johnston, Clerk
Tuscaloosa County Commission

SEAL

3-1

3-1

RESOLUTION OF THE TUSCALOOSA COUNTY COMMISSION CONSENTING TO THE
VACATION OF A PORTION OF RIGHT OF WAY

KNOW ALL MEN BY THESE PRESENTS, that

WHEREAS, the foregoing Declaration of Vacation has been duly presented by those persons or entities signed thereto, hereinafter sometimes called the Owners, alleging that they own (or have a right to purchase) all of the land abutting that portion of a right of way in Tuscaloosa County, Alabama, which is more particularly described therein; and

WHEREAS, the described right of way lies within the limits of the County of Tuscaloosa, Alabama, and the assent of the Tuscaloosa County Commission, the governing body of the County, to the Vacation of that certain portion of the right of way has been requested and is desired by the Owners; and

WHEREAS, it appears to the Tuscaloosa County Commission that the vacation of the described portion of the right of way will not deprive other property owners of their right, as they may have, to convenient and reasonable means of ingress and egress to and from their property, nor would it adversely affect the interest of the public in any way.

NOW, THEREFORE, be it resolved by the Tuscaloosa County Commission, as follows:
That the assent of the Tuscaloosa County Commission be, in the same hereby is, given to the vacation of the following described portion of the road right of way which is located in Tuscaloosa County, Alabama, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF BY
THIS REFERENCE.

BE IT FURTHER RESOLVED that the chairman of the Tuscaloosa County Commission be, and he hereby is, authorized to present a copy of this resolution, duly certified as correct by the Clerk of the Tuscaloosa County Commission, the officer in charge of the records of the

3-2

RESOLUTION OF THE
TUSCALOOSA COUNTY COMMISSION
CONSENTING TO VACATION
Page 2

County, to the above named parties, in order that it may be attached to, and filed and recorded with their legal Declaration of Vacation of the described of portion of road right of way.

CERTIFICATION PARAGRAPH

I, Robert H. Johnston, Clerk of the Tuscaloosa County Commission, hereby certify that the foregoing is a full, true and correct copy of a resolution duly adopted by the Tuscaloosa County Commission at a regular meeting of the Commission held on the _____ day of March, 2003, as the same appears and remains of record in the Record Book in my office wherein are recorded the minutes of the proceedings of the Commission.

IN WITNESS WHEREOF, I have here unto affixed my signature and the official seal of Tuscaloosa County, on this the 12th day of March, 2003.

Robert H. Johnston
Robert H. Johnston, Clerk

EXHIBIT " A "

LEGAL DESCRIPTION
TUSCALOOSA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
CEDAR COVE TECHNOLOGY PARK
PROGRESS DRIVE RIGHT-OF-WAY VACATION

A parcel of land located in the west half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 25, Township 21 South, Range 8 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, start at the Southwest corner of said Section 25; thence run in an Easterly direction along the South boundary of said Section 25 for a distance of 3,570.17 feet to a point; thence with a deflection angle of 90 degrees 00 minutes to the left, run in a Northerly direction for a distance of 1,157.88 feet to the POINT OF BEGINNING of the parcel herein described, said point being on the Southeast Right-of-Way of the existing Progress Drive, a 60 foot Right-of-Way; said point also, being on a curve having a Delta of 19 degrees, 05 minutes and a radius of 498.00 feet; thence with a deflection angle of 38 degrees 05 minutes to the right and to the chord, run in a Northeasterly direction along said curving Right-of-Way for a chord distance of 120.35 feet (arc distance 120.64 feet) to the point of tangency of said curve; thence with an interior angle of 173 degrees 04 minutes from the chord continue in a Northeasterly direction and along said Right-of-Way for a distance of 102.77 feet to the point of curvature of a curve having a delta of 42 degrees 55 minutes and a radius of 438.00 feet; thence with an interior angle of 201 degrees 28 minutes to the chord, continue in a Northeasterly direction along said curving Right-of-Way for a chord distance of 320.47 feet (arc distance 328.09 feet) to the point of tangency of said curve; thence with an interior angle of 201 degrees 28 minutes, continue in a Northeasterly direction along said Right-of-Way for a distance of 311.33 feet to the point of curvature of a curve having a delta of 41 degrees 17 minutes and a radius of 438.00 feet; thence with an interior angle of 200 degrees 38 minutes to the chord, continue in a Northeasterly to Southeasterly direction along said curving Right-of-Way for a chord distance of 308.80 feet (arc distance 315.58 feet) to the point of compound curvature of a curve having a delta of 59 degrees 43 minutes and a radius of 100.00 feet; thence with an interior angle of 230 degrees 30 minutes from the chord and to the chord, continue in a Southeasterly direction along said curving Right-of-Way for a chord distance of 99.56 feet (arc distance 104.22 feet) to the point of reverse curve of a curve having a delta of 234 degrees 11 minutes and a radius of 65.00 feet; thence with an interior angle of 92 degrees 46 minutes from the chord and to the chord, continue in a Southeasterly to Northeasterly to Northwesterly direction and along said curving Right-of-Way for a chord distance of 115.74 feet (arc distance 265.66 feet) to the point of tangency of said curve; thence with an interior angle of 62 degrees 55 minutes from the chord, continue in a Northwesterly direction and along said Right-of-Way for a distance of 101.17 feet to the point of curvature of a curve having a delta of 46 degrees 49 minutes and a radius of 498.00 feet; thence with an interior angle of 156 degrees 35 minutes to the chord, continue in a Northwesterly to Southwesterly direction and along said curving Right-of-Way for a chord distance of 395.70 feet (arc distance 406.93 feet) to the point of tangency of said curve; thence with an interior angle of 203 degrees 25 minutes from the chord, continue in a Southwesterly direction and along said Right-of-Way for a distance of 311.33 feet to the point of curvature of a curve having a delta of 2 degrees 48 minutes and a radius of 498.00 feet; thence with an interior angle of 178 degrees 36 minutes to the chord, continue in a Southwesterly direction and along said curving Right-of-Way for a chord distance of 24.26 feet (arc distance 24.26 feet) to a point, said point being on the Southeast Right-of-Way of the proposed Progress Drive extension, a variable width Right-of-Way; thence with an interior angle of 162 degrees 34 minutes from the chord, continue in a Southwesterly direction and along said proposed Right-of-Way for a distance of 133.38 feet to the point of curvature of a curve having a delta of 37 degrees 17 minutes and a radius of 450.00 feet; thence with an interior angle of 161 degrees 21 minutes to the chord, continue in a Southwesterly direction and along said curving proposed Right-of-Way for a chord distance of 230.17 feet (arc distance 234.28 feet) to the point of tangency of said curve; thence with an interior angle of 161 degrees 21 minutes from the chord, continue in a Southwesterly direction and along said proposed Right-of-Way for a distance of 24.44 feet to the point of curvature of a curve having a delta of 27 degrees 04 minutes and a radius of 360.00 feet; thence with an interior angle of 193 degrees 32 minutes to the chord, continue in a Southwesterly direction along said curving proposed Right-of-Way for a chord distance of 168.52 feet (arc distance of 170.09 feet) to the POINT OF BEGINNING of the parcel herein described, at which point the interior angle of 6 degrees 36 minutes from the chord and to the chord. Said parcel containing 1.71 acres.

LEGAL DESCRIPTION

McGiffert and Associates, LLC



CIVIL ENGINEERS

2814 STILLMAN BLVD. • P.O. BOX 20559
 TUSCALOOSA, ALABAMA 35402-0559

TEL. 205-759-1521 FAX 205-759-1524

TUSCALOOSA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
CEDAR COVE TECHNOLOGY PARK
PROGRESS DRIVE R.O.W. VACATION
 TUSCALOOSA COUNTY ALABAMA

OWNER: TUSCALOOSA COUNTY
SOURCE OF TITLE: DB #1237, P #611

REVISION

DATE	DESCRIPTION	BY

THIS DRAWING AND ALL INFORMATION SHOWN HEREON IS THE PROPERTY OF THE ENGINEER AND MAY NOT BE REPRODUCED OR USED WITHOUT WRITTEN CONSENT OF THE ENGINEER.
 COPYRIGHT © 2003 McGIFFERT AND ASSOCIATES, LLC

FILE NAME: CCTRJCBS3		SHEET No. 1 of 2	
CHECKED BY: <i>GNF</i>	FB.	DRAWN BY: D W H	DWG. No.
	P.	DATE: Jan 15, 2003	57-03
JOB NO. 02-2128		SCALE: 1" = 200'	

5007 037 545 3-2

THIS INSTRUMENT WAS PREPARED BY:

MICHAEL D. SMITH
Hubbard, Smith, Mellwain, Brakefield & Browder, P.C.
808 Lurleen Wallace Boulevard, North
Tuscaloosa, Alabama 35401

SOURCE OF TITLE: Deed Book 1237 at Page 611.

STATE OF ALABAMA §
 § DECLARATION OF VACATION
TUSCALOOSA COUNTY §

KNOW ALL MEN BY THESE PRESENTS,

WHEREAS, Westervelt Realty, Inc. (successor to Westervelt Land Co., Inc.), Hoover Universal, Inc., a Michigan corporation and a wholly owned subsidiary of Johnson Controls, Inc., a Wisconsin corporation, and Tuscaloosa County Industrial Development Authority are Owners of (and/or have a right to purchase) all of the land abutting a road right of way, or portion thereof, located in Tuscaloosa County, Alabama, which is more particularly described herein; and

WHEREAS, the said Owners desire to vacate a portion of the road right way as provided under the Section 23-4-20 Code of Alabama 1975; and

WHEREAS, the vacation of the portion of road right of way will not deprive other property owners of reasonable means of ingress and egress to and from their property nor will it adversely affect the interest of the public in anyway; and

WHEREAS, the road right of way is within the County of Tuscaloosa and assent to the vacation of the right of way has been obtained from the Tuscaloosa County Commission as evidenced by a resolution adopted by the Commission at a regular meeting thereof, a certified copy of which is set out herein below.

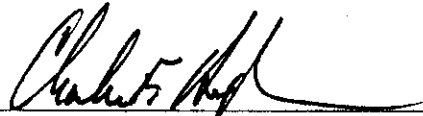
NOW, THEREFORE, pursuant to the provisions of Section 23-4-20, Code of Alabama 1975, the Owners do hereby declare the following portion of the road right of way to be vacated to Westervelt Realty, Inc., as follows, to-wit:

SEE ATTACHED EXHIBIT "A" WHICH IS MADE A PART HEREOF BY THIS REFERENCE.

IN WITNESS WHEREOF, the Owners have hereinto set their hands and seals, on this the 12th day of March, 2003.



DECLARATION OF VACATION
Westervelt Realty, Inc.,
Hoover Universal, Inc., etc. and the
Tuscaloosa County Industrial Development Authority
Page 2

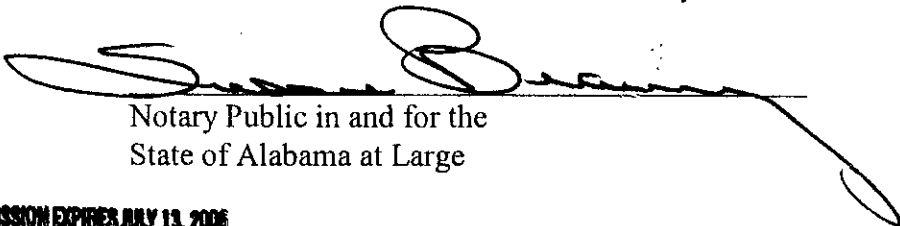


Westervelt Realty, Inc.
By Charles F. Hughen, Vice-President

STATE OF ALABAMA :
:
TUSCALOOSA COUNTY :

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that Charles F. Hughen, as Vice-President of Westervelt Realty, Inc., and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he, as such Vice-President and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 11th day of March, 2003.



Notary Public in and for the
State of Alabama at Large

My commission expires: MY COMMISSION EXPIRES JULY 13, 2006

DECLARATION OF VACATION
Westervelt Realty, Inc.,
Hoover Universal, Inc., etc. and the
Tuscaloosa County Industrial Development Authority
Page 3

Hoover Universal, Inc., a Michigan corporation and
a wholly owned subsidiary of Johnson Controls,
Inc., a Wisconsin corporation
By Robert E. Morris, Facilities Group Manager

STATE OF ALABAMA :
:
TUSCALOOSA COUNTY :

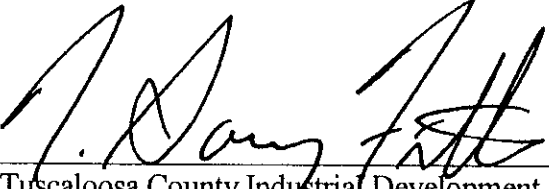
I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that Robert E. Morris, as Facilities Group Manager of Hoover Universal, Inc., a Michigan corporation and a wholly owned subsidiary of Johnson Controls, Inc., a Wisconsin corporation, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he, as such Facilities Group Manager and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this _____ day of March, 2003.

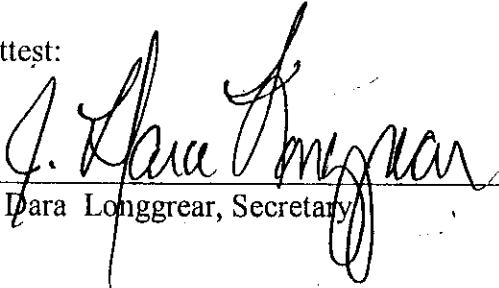
Notary Public in and for the
State of Alabama at Large

My commission expires: _____

DECLARATION OF VACATION
Westervelt Realty, Inc.,
Hoover Universal, Inc., etc. and the
Tuscaloosa County Industrial Development Authority
Page 4


Tuscaloosa County Industrial Development Authority
By Gary Fitts, Vice-Chairman

Attest:

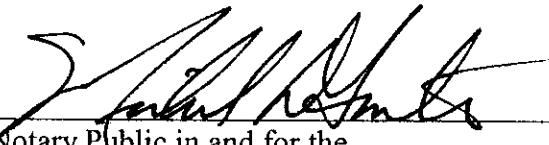

J. Dara Longgrear, Secretary

STATE OF ALABAMA

TUSCALOOSA COUNTY

I, the undersigned authority, a Notary Public in and for said county, in said state, hereby certify that Gary Fitts, as Vice-Chairman of Tuscaloosa County Industrial Development Authority, and who is known to me, acknowledged before me on this day that, being informed of the contents of the foregoing conveyance, he, as such Vice-Chairman and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this 12th day of March, 2003.


Notary Public in and for the
State of Alabama at Large

My commission expires: 3/28/05

EXHIBIT " A "

**LEGAL DESCRIPTION
TUSCALOOSA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
CEDAR COVE TECHNOLOGY PARK
PROGRESS DRIVE RIGHT-OF-WAY VACATION**

A parcel of land located in the west half of the Southeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 25, Township 21 South, Range 8 West in Tuscaloosa County, Alabama and being more particularly described as follows:

As a starting point, start at the Southwest corner of said Section 25; thence run in an Easterly direction along the South boundary of said Section 25 for a distance of 3,570.17 feet to a point; thence with a deflection angle of 90 degrees 00 minutes to the left, run in a Northerly direction for a distance of 1,157.88 feet to the POINT OF BEGINNING of the parcel herein described, said point being on the Southeast Right-of-Way of the existing Progress Drive, a 60 foot Right-of-Way; said point also, being on a curve having a Delta of 19 degrees, 05 minutes and a radius of 498.00 feet; thence with a deflection angle of 38 degrees 05 minutes to the right and to the chord, run in a Northeasterly direction along said curving Right-of-Way for a chord distance of 120.35 feet (arc distance 120.64 feet) to the point of tangency of said curve; thence with an interior angle of 173 degrees 04 minutes from the chord continue in a Northeasterly direction and along said Right-of-Way for a distance of 102.77 feet to the point of curvature of a curve having a delta of 42 degrees 55 minutes and a radius of 438.00 feet; thence with an interior angle of 201 degrees 28 minutes to the chord, continue in a Northeasterly direction along said curving Right-of-Way for a chord distance of 320.47 feet (arc distance 328.09 feet) to the point of tangency of said curve; thence with an interior angle of 201 degrees 28 minutes, continue in a Northeasterly direction along said Right-of-Way for a distance of 311.33 feet to the point of curvature of a curve having a delta of 41 degrees 17 minutes and a radius of 438.00 feet; thence with an interior angle of 200 degrees 38 minutes to the chord, continue in a Northeasterly to Southeasterly direction along said curving Right-of-Way for a chord distance of 308.80 feet (arc distance 315.58 feet) to the point of compound curvature of a curve having a delta of 59 degrees 43 minutes and a radius of 100.00 feet; thence with an interior angle of 230 degrees 30 minutes from the chord and to the chord, continue in a Southeasterly direction along said curving Right-of-Way for a chord distance of 99.56 feet (arc distance 104.22 feet) to the point of reverse curve of a curve having a delta of 234 degrees 11 minutes and a radius of 65.00 feet; thence with an interior angle of 92 degrees 46 minutes from the chord and to the chord, continue in a Southeasterly to Northwesterly direction and along said curving Right-of-Way for a chord distance of 115.74 feet (arc distance 265.66 feet) to the point of tangency of said curve; thence with an interior angle of 62 degrees 55 minutes from the chord, continue in a Northwesterly direction and along said Right-of-Way for a distance of 101.17 feet to the point of curvature of a curve having a delta of 46 degrees 49 minutes and a radius of 498.00 feet; thence with an interior angle of 156 degrees 35 minutes to the chord, continue in a Northwesterly to Southwesterly direction and along said curving Right-of-Way for a chord distance of 395.70 feet (arc distance 406.93 feet) to the point of tangency of said curve; thence with an interior angle of 203 degrees 25 minutes from the chord, continue in a Southwesterly direction and along said Right-of-Way for a distance of 311.33 feet to the point of curvature of a curve having a delta of 2 degrees 48 minutes and a radius of 498.00 feet; thence with an interior angle of 178 degrees 36 minutes to the chord, continue in a Southwesterly direction and along said curving Right-of-Way for a chord distance of 24.26 feet (arc distance 24.26 feet) to a point, said point being on the Southeast Right-of-Way of the proposed Progress Drive extension, a variable width Right-of-Way; thence with an interior angle of 162 degrees 34 minutes from the chord, continue in a Southwesterly direction and along said proposed Right-of-Way for a distance of 133.38 feet to the point of curvature of a curve having a delta of 37 degrees 17 minutes and a radius of 450.00 feet; thence with an interior angle of 161 degrees 21 minutes to the chord, continue in a Southwesterly direction and along said curving proposed Right-of-Way for a chord distance of 230.17 feet (arc distance 234.28 feet) to the point of tangency of said curve; thence with an interior angle of 161 degrees 21 minutes from the chord, continue in a Southwesterly direction and along said proposed Right-of-Way for a distance of 24.44 feet to the point of curvature of a curve having a delta of 27 degrees 04 minutes and a radius of 360.00 feet; thence with an interior angle of 193 degrees 32 minutes to the chord, continue in a Southwesterly direction along said curving proposed Right-of-Way for a chord distance of 168.52 feet (arc distance of 170.09 feet) to the POINT OF BEGINNING of the parcel herein described, at which point the interior angle of 6 degrees 36 minutes from the chord and to the chord. Said parcel containing 1.71 acres.

LEGAL DESCRIPTION

McGIFFERT AND ASSOCIATES, LLC



CIVIL ENGINEERS

2814 STILLMAN BLVD. • P.O. BOX 20559
TUSCALOOSA, ALABAMA 35402-0559

TEL. 205-759-1521

FAX 205-759-1524

THIS DRAWING AND ALL INFORMATION SHOWN HEREON IS THE PROPERTY OF THE ENGINEER AND MAY NOT BE REPRODUCED OR USED WITHOUT WRITTEN CONSENT OF THE ENGINEER.
COPYRIGHT © 2003 McGIFFERT AND ASSOCIATES, LLC

**TUSCALOOSA COUNTY INDUSTRIAL DEVELOPMENT AUTHORITY
CEDAR COVE TECHNOLOGY PARK
PROGRESS DRIVE R.O.W. VACATION**
TUSCALOOSA COUNTY ALABAMA

OWNER: TUSCALOOSA COUNTY
SOURCE OF TITLE: DB #1237, P #611

REVISION

DATE	DESCRIPTION	BY

FILE NAME: OCTPJCEB53		SHEET No. 1 of 2	
CHECKED BY:	FB.	DRAWN BY: D W H	DWG. No.
P.	JOB NO. 02-2128	DATE: Jan 15, 2003	SCALE: 1"
			57-03

3-2

Appendix A

PLAN OF OPERATION

2003

Law Enforcement Services

Black Warrior and Tombigbee Lakes, Holt Resource Office

Tuscaloosa County Alabama

1. Under terms of this agreement, increased law enforcement services shall be provided for the following Corps of Engineers operated and maintained areas on Oliver and Holt Lakes, Tuscaloosa County, Alabama.

Oliver Lock & Dam Fishing Pier
Rock Quarry Park
Burchfield Branch Park
Old Lock 15 Park

Oliver Lock & Dam Boat Ramp
Rocky Branch Park
Deerlick Creek Park
Blue Creek Park

2. Currently Tuscaloosa County provides only unscheduled patrols of project areas and responds to calls for emergency assistance.
3. The contractor shall provide increased law enforcement services according to the terms of this agreement and Attachment 1. Increased patrols under the terms of this agreement must not exceed 1976 man-hours. Hours of patrol may be adjusted by mutual agreement to allow for special problems or situations. Payment will be made for only man-hours worked.
4. Patrols should be concentrated at Oliver Lock & Dam Fishing Pier, Rocky Branch Park, Burchfield Branch Park, and Deerlick Creek Park during periods of heavy use. Officers must check-in and give park attendants their name at Deerlick Creek Park, Rocky Branch Park, and Burchfield Branch Park when patrolling those areas. Officers must check with that park attendant for any problems that may need their attention.
5. All officers must report to Rocky Branch Park at the start of the patrol shift on Fridays, Saturdays, Sundays and any Holiday to get patrol assignment.
6. Officers should make regular foot patrols of beaches, picnic areas, and fishing piers with special emphasis on alcohol related violations. The possession of alcohol is prohibited in posted areas of Rocky Branch Park, Deerlick Creek Park (beach area), and Burchfield Branch Park. When people are observed with alcohol in prohibited areas, the officer should take the violator's name, address, drivers license number, etc. The violator should then be made to dispose of all alcohol or leave the area. The violator should be advised that they might receive a Corps of Engineers citation by mail. Persons appearing to be under the influence of alcohol/drugs or underage should be arrested at the officer's discretion.
7. Officers should ensure that the Rocky Branch Park Attendant has closed the main gate at 8:30 PM. Officers should then ensure that the Deerlick Creek Park Attendant has closed the Deerlick Creek Beach Gate and check the Deerlick Creek Campground for any problems. Before the end of the patrol shift officers should ensure the Tuscaloosa Police

3-3

Department has closed the gate at Oliver Lock & Dam Fishing Pier. If any of the gates are found open after posted closing hours, the officer should close and lock these gates.

8. Daily reports (Attachment 2) must be completed in "print" with all arrests, citations, warnings, accidents or incidents recorded. Beginning and ending times of each shift must be recorded. Daily log reports will be submitted with monthly invoices to the Corps of Engineers.
9. All fatalities, crimes against persons, theft, vandalism, and other serious incidents **shall be reported to the Corps of Engineers within 24 hours**. A copy of the officers' field report must be furnished to the Corps of Engineers.
10. The per man-hour cost will be \$21.00 which includes \$5.00 per hour for operation, maintenance and repair of equipment necessary for performance of the agreement. This agreement cannot exceed 1976 man-hours. The period of this contract is from the date of execution of agreement by contracting officer or April 1, 2003, whichever is later, through September 15, 2003.
11. Eighty (80) additional/holiday man-hours at \$21.00 per hour may be included in the agreement for unforeseen enforcement problems. These hours will be used for special surveillance activities. These hours will be worked according to Attachment 1 additional/holiday patrol schedule, unless directed otherwise by Resource Management personnel. Eighty-eight (88) hours are included in total man-hours for administration cost.
12. The contracting officer and the contractor shall designate specific individuals who are authorized to issue or receive request for law enforcement services under this agreement.
13. For partial payment, the contractor will submit monthly invoices including total charges, number of man-hours worked, starting and ending dates of billing period and daily reports for all shifts worked. Mail invoices and reports to :

Holt Resource Office
P.O. Box 295
Peterson, Alabama 35478-0295

14. Payments will be made by:

USACE FINANCE CENTER
7800 Third Avenue
Millington, Tennessee 38054-5005

Attachment 1

NORMAL PATROL SCHEDULE

April 1, 2003 - September 15, 2003

Day	Number of Vehicles/Officers	Patrol Areas	Work Hours
Monday -Friday	1 vehicle/officer	All	4PM - 12AM (8hrs)
Saturday	1 vehicle/officer	*	1PM - 9PM (8hrs)
	1 vehicle/officer	*	4PM - 12AM (8hrs)
Sunday	2 vehicle/officer	*	1PM - 9PM (8hrs)

228 eight (8) hour patrols = 1824 normal patrol man-hours

ADDITIONAL/HOLIDAY PATROL SCHEDULE

(These patrols are in addition to the above normal patrol schedule)

Memorial Day Weekend

Friday 5/23/2003	1 vehicle/officer	*	6PM - 2AM (8hrs)
Saturday 5/24/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)
Sunday 5/25/2003	1 vehicle/officer	*	4PM - 12AM (8hrs)
Monday 5/26/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)

Independence Day Weekend

Friday 7/4/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)
Saturday 7/5/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)
Sunday 7/6/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)

Labor Day Weekend

Friday 8/29/2003	1 vehicle/officer	*	4PM - 12AM (8hrs)
Saturday 8/30/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)
Sunday 8/31/2003	1 vehicle/officer	*	4PM - 12AM (8hrs)
Monday 9/1/2003	1 vehicle/officer	*	1PM - 9PM (8hrs)

11 eight (8) hour patrols = 88 additional/holiday patrol man-hours

TOTAL 227 EIGHT (8) HOUR PATROLS + 11 EIGHT(8) HOUR FOR ADMINISTRATIVE PURPOSES + 10 EIGHT(8) ADDITIONAL MAN HOURS FOR UNFORESEEN ENFORCEMENT PROBLEMS = 1984 ESTIMATED MAN-HOURS

(All) Officers scheduled to work Monday through Friday on normal patrol schedule should attempt to make patrols of all areas listed in item 1 of Appendix A.