

TUSCALOOSA COUNTY COMMISSION
MEETING
September 7, 2005

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:

Don Wallace
Gary Youngblood
Bobby Miller
Reginald Murray

Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to change the pay classification for Mechanic from Range 44 to Range 46 in an effort to retain trained mechanics in the County Shop. Presently, trained mechanics often leave the county for the private sector or transfer to the county position of Equipment Operator III to improve their salaries.

Commissioner Reginald Murray moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to request all county department heads to fill any vacant temporary positions with evacuees displaced by Hurricane Katrina. The motion also requested that the Civil Service Board accommodate the County Commission in this effort. Personnel Director Melvin Vines will work out the details for the filling of any temporary positions.

Commissioner Bobby Miller moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to allow

Delta Petroleum Corporation to assign all its right, title and interest in and to the County of Tuscaloosa Agreements to Dominion Black Warrior Basin, Inc. Delta is selling their Deerlick Creek properties interest to Dominion.

Exhibit 9-1, Pages 816-817

Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to grant the City of Tuscaloosa a utility permit to open cut County Road 95 (Old Hwy 69) at approximately 1600 L.F. north of Englewood Drive. This facilitates connecting a 12" diameter sewer force main to the existing sanitary sewer manhole in the paved roadway.

Exhibit 9-2, Page 818

Commissioner Gary Youngblood moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to grant Citizens Water Service, Inc. a utility permit to open cut Wallace Chapel Road where Bridle Brook Subdivision is under construction. This will facilitate tying into the existing 6" PVC water main that lies under the southside lane of Wallace Chapel Road.

Exhibit 9-3, Page 819

Commissioner Gary Youngblood moved, seconded by Commissioner Don Wallace, the County Commission voted unanimously to waive the county's sixty-foot right-of-way requirement to permit improvements on Old Foundry Road in Holt and utilize the available twenty-five feet of right-of-way.

Exhibit 9-4, Page 820

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to award the following road project bids to the low bidders as follows:

- A. BASE PROCESSING BIDS OPENED AUGUST 17, 2005
1. Dry Branch Loop and Spencer's Cove Road
Mallory Burkhalter Paving
 2. Brown Road
S.T. Bunn Construction Co.
 3. Calhoun Lane, Fowler Drive and 38th Street
Mallory Burkhalter Paving

4. Old Fayette Road and Woody Skelton Road
S.T. Bunn Construction Co.
5. Elrod, Jackson Johnson, and Sunnybrook Roads
S.T. Bunn Construction Co.
6. Elzie Collins, Samantha Farms, & J.C. Gilliam Roads
S.T. Bunn Construction Co.

B. ROAD CONSTRUCTION PROJECTS BIDS OPENED AUGUST 24, 2005

1. Hargrove Road East
S.T. Bunn Construction Co.

Exhibit 9-5, Pages 821-823

2. Poplar Springs Road and Poplar Springs Cut-Off
S.T. Bunn Construction Co.

Exhibit 9-6, Pages 824-825

Commissioner Don Wallace moved, seconded by Commissioner Gary Youngblood, the County Commission voted unanimously to authorize the execution of a "Road Usage Agreement" with RaCon, Inc. This agreement requires RaCon to return Twin Oaks Drive to the same condition it was in prior to the company beginning operations utilizing said road.

Mr. Kent McCray reported that one hundred and fifty-five individuals collected twenty-two thousand pounds of garbage out of the lake in the first "Renew Our Rivers" Holt Lake clean-up. Mr. McCray thanked the County Commission for being a sponsor of the clean-up and stated that there are plans to conduct the clean-up again next year.

Probate Judge W. Hardy McCollum read into the record a proclamation proclaiming September 26, 2005, as FAMILY DAY - A DAY TO EAT DINNER WITH YOUR CHILDREN, and urged Tuscaloosa County citizens to recognize and participate in observance of this day.

Exhibit 9-7, Page 826

Commissioner Don Wallace moved, seconded by Commissioner Bobby Miller, the County Commission voted unanimously to grant Attorney Barry Mullins the following waivers for Carmel Bay Subdivision as requested in correspondence dated August 11, 2005: (1) leave sprinklers installed in county right-of-way; (2) leave decorative rock in front yard at Lot 18 on Pebble Beach Circle; (3) waive radius requirement for the cul-de-sac in Spyglass Way; and (4) waive request for vacation of additional area in Spyglass Way cul-de-sac. The

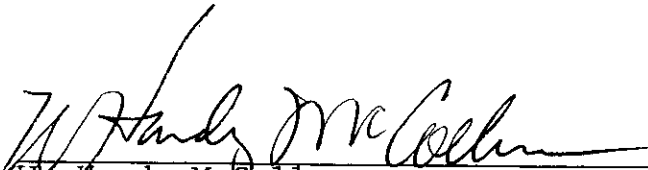
Commission refused to waive the one year maintenance period for roads in Carmel Bay Subdivision. The one year road maintenance period began on June 29, 2005, and will expire June 28, 2006.

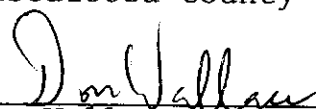
Exhibit 9-8, Pages 827-829


Commissioner Don Wallace moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to implement the National Association of Counties Prescription Drug Card Program. Under this new program, Tuscaloosa County will furnish drug cards to citizens of Tuscaloosa County. With these cards the citizens are eligible for a discount on drugs purchased from participating pharmacies. The initial plan is to permit the citizens to pick up these cards from the County License Department and/or some other county offices beginning November 1, 2005, if possible.

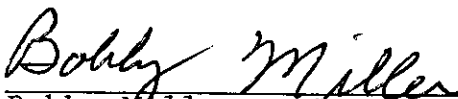
Commissioner Bobby Miller moved, seconded by Commissioner Reginald Murray, the County Commission voted unanimously to authorize road and bridge crews to remove storm (Hurricane Katrina) debris placed on county road rights-of-way.

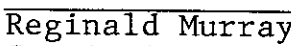
There being no further business to come before the Tuscaloosa County Commission, the meeting adjourned to Wednesday, September 21, 2005.


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


 Don Wallace
 Commissioner - District I


 Gary Youngblood
 Commissioner - District II


 Bobby Miller
 Commissioner - District III


 Reginald Murray
 Commissioner - District IV

August 12, 2005

Bobby Hagler, County ~~Engineer~~ *Engineer*
Tuscaloosa County Public Works
2810 35th Street
Tuscaloosa, AL 35401

Re: Consent to Assign
Agreements
Tuscaloosa County, Alabama

Dear Mr. Hagler:

By Purchase and Sale Agreement dated July 29, 2005, Delta Petroleum Corporation ("Delta"), successor in interest to Castle Exploration Company, Inc., has entered into an agreement with Dominion Black Warrior Basin, Inc. ("Dominion") to purchase all right, title and interest in the Declick Creek properties. The attached County of Tuscaloosa Agreements cover lands subject to the Purchase and Sale Agreement and will be assigned to Dominion effective August 31, 2005. Please allow this letter to serve as Delta's formal request for the County of Tuscaloosa's consent to assign all of its right, title and interest in the attached Limited License Agreements to Dominion.

We respectfully request that you execute both copies of this letter as provided below, indicating the County of Tuscaloosa's consent to allow Delta to assign all its right, title and interest in and to the County of Tuscaloosa Agreements to Dominion. In the event you have any questions concerning our request, please feel free to contact the undersigned.

Very truly yours,

DELTA PETROLEUM CORPORATION

Patty S. Christopher
Landman

Agreed to and accepted this _____ day of August, 2005.

By: 

9-1

AGREEMENTS

Resolution of the Tuscaloosa County Commission dated October 31, 1984, recorded in Book 899, Page 466 of the Deed Records of Tuscaloosa County, Alabama.

Agreement No. 4 for Permit to TRW, Inc., dated October 31, 1984 by the County of Tuscaloosa, Alabama, Grantor, and TRW, Inc., Grantee, recorded in Book 899, Page 456 of the Deed Records of Tuscaloosa County, Alabama.

Agreement No. 3 for Permit to TRW, Inc., dated July 18, 1984 by the County of Tuscaloosa, Alabama, Grantor, and TRW, Inc., Grantee recorded in Book 899, Page 446 of the Deed Records of Tuscaloosa County, Alabama.

Agreement for Permit to TRW dated June 13, 1984 by the County of Tuscaloosa, Alabama, Grantor, and TRW, Inc., Grantee, recorded in Book 899, Page 434 of the Deed Records of Tuscaloosa County, Alabama.

Resolution of the Tuscaloosa County Commission dated September 11, 1985 recorded in Book 905, Page 501 of the Deed Records of Tuscaloosa County, Alabama.

Agreement No. 1 for Permit to TRW dated September 11, 1985 by the County of Tuscaloosa, Alabama, Grantor, and TRW, Inc., Grantee, recorded in Book 905, Page 491 of the Deed Records of Tuscaloosa County, Alabama.

Resolution of the Tuscaloosa County Commission dated June 13, 1984 and recorded in Book 899, Page 444 of the Deed Records of Tuscaloosa County, Alabama.

Permit Agreement for the Accommodation of Utility Facilities on Public Right-of-Way dated April 2004 by and between the County of Tuscaloosa, Grantor, and Delta Petroleum Corporation, Grantee.

STATE OF ALABAMA

REVISED JANUARY 2000

COUNTY OF TUSCALOOSA

PERMIT NO. _____

PERMIT AGREEMENT FOR THE ACCOMMODATION OF UTILITY FACILITIES ON PUBLIC RIGHT-OF-WAY

THIS AGREEMENT made the ____ day of _____ 20__ between the COUNTY OF TUSCALOOSA, the STATE OF ALABAMA, Hereinafter referred to as "Grantor: and _____ City of Tuscaloosa doing business at 2201 University Blvd., Tuscaloosa, AL 35401 hereinafter referred to as Grantee".

1. RIGHT OF WAY: In consideration of the sum of \$2.00 per linear foot, Grantor hereby grants, permits and conveys to Grantee a permit for the purposes of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting, relocating, and removing Approximately 50 linear feet of 12" diameter sewer force main from the easterly ROW boundary to the existing sanitary sewer manhole in the paved roadway. Open cut of the paved roadway will be required.

_____, at a location and on a route to be selected by the Grantor, on, in, over and through the following described land in Tuscaloosa County, Alabama; generally along County roads as follows: The sewer force main will be located within the County Road 95 (Old Highway 69) ROW at approximately 1,600 L.F. north of Englewood Drive.

_____, all being in Tuscaloosa County, Alabama, more particularly described on the attached map, which said map is on file in the County Engineer's Office, said route to be determined finally by the Grantor herein. At such time as Grantee has decided the final route of said utility, the County Engineer will calculate the total footage of same, and Grantee will pay the cost of same based on such calculation before construction begins thereon. Such road rights-of ways are sometimes referred to herein as the premises.

2. TERM: The rights granted herein shall be possessed and enjoyed by Grantee so long as the utilities and appurtenances constructed pursuant hereto shall be maintained and operated by Grantee

9-2

5

STATE OF ALABAMA

REVISED JANUARY 2000

COUNTY OF TUSCALOOSA

PERMIT NO. _____

PERMIT AGREEMENT FOR THE ACCOMMODATION OF UTILITY FACILITIES ON PUBLIC RIGHT-OF-WAY

THIS AGREEMENT made the 10 day of August 2005 between the COUNTY OF TUSCALOOSA, the STATE OF ALABAMA, Hereinafter referred to as "Grantor: and Citizeer Water Service, Inc. doing business at 15909 Highway 216, Brookwood, AL 35444 hereinafter referred to as Grantee".

1. RIGHT OF WAY: In consideration of the sum of \$2.00 per linear foot, Grantor hereby grants, permits and conveys to Grantee a permit for the purposes of laying, constructing, operating, inspecting, maintaining, repairing, replacing, substituting, relocating, and removing. Laying and connecting a Diesel Tank Water main. We need permission to tie into [redacted] that lies under the southside lane of [redacted] where Bridle Brook Subdivision is under construction. The existing main is approx 4' into the pavement. The contractor would like to open cut the road to the main. If he bores the road he will still be cutting at a location and on a route to be selected by the Grantor, on, in, over and through the following described land in Tuscaloosa County, Alabama; generally along County roads as follows:

See Drawing - Wallace Chapel Road
half or more of the road to set a meter and make the Tap. He will back fill with stone and pave affected area.

_____, all being in Tuscaloosa County, Alabama, more particularly described on the attached map, which said map is on file in the County Engineer's Office, said route to be determined finally by the Grantor herein. At such time as Grantee has decided the final route of said utility, the County Engineer will calculate the total footage of same, and Grantee will pay the cost of same based on such calculation before construction begins thereon. Such road rights-of-ways are sometimes referred to herein as the premises.

2. TERM: The rights granted herein shall be possessed and enjoyed by Grantee so long as the utilities and appurtenances constructed pursuant hereto shall be maintained and operated by Grantee

received
8-12-05

Bobby Hagler

From: James Fuller
Sent: Tuesday, September 06, 2005 2:04 PM
To: Bobby Hagler
Cc: Allan Springer
Subject: COMM. REQUEST 9/7/05

DIST. II

Waive R-O-W requirements to 25 ft. on Old Foundry Road in Holt. NOTE: We can work with this due to the fact that the main road is on the front of the residences. The utilities are located on the front road.

JAMES

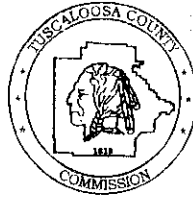
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9-4

09/06/2005

9-4

BOOK 038 PAGE 820



W. HARDY McCOLLUM
CHAIRMAN

ROBERT H. JOHNSTON
CLERK

MEMBERS
DON WALLACE
GARY YOUNGBLOOD
BOBBY MILLER
REGINALD MURRAY

COUNTY COMMISSION

TUSCALOOSA COUNTY ALABAMA
P.O. Box 20113 • 714 GREENSBORO AVENUE
TUSCALOOSA, ALABAMA 35402-0113
205-349-3870
August 15, 2005

Racon Inc.
H&W Construction Inc.
Ryan Shirley Excavating
Fair Contracting
S.T. Bunn Construction Co.
GFC Construction Inc.

Barnes Excavating
Price Contracting
Tomlin Construction
Vinson Trucking & Contracting
Mallory Burkhalter Paving
APAC Alabama

Gentlemen:

Tuscaloosa County will accept bids for construction of Hargrove Road East until 9:00 a.m., Wednesday, August 24, 2005.

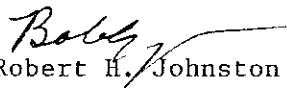
Attached are bid specifications and bid submission form for said project. Direct all inquiries in regard to this bid to County Engineer Bobby Hagler at telephone number (205)345-6600.

Bids can be mailed to: Tuscaloosa County Commission, P.O. Box 20113, Tuscaloosa, AL 35402, or brought to the County Clerk's Office in the Tuscaloosa County Courthouse prior to 9:00 a.m., Wednesday, August 24, 2005.

A word to the wise - MAIL EARLY - overnight mail, including Airborne Express, Federal Express, etc. does not always arrive by 9:00 a.m. the next day.

Please return your bid in the "BID" envelope provided, or use the "BID" envelope to address your bid package to assure that your bid is delivered to the correct office.

Sincerely,


Robert H. Johnston
Clerk

RHJ:lks


encl.

copy: Bobby Hagler
file

**HARGROVE ROAD EAST
PROJECT BID SHEET**

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	BID AMOUNT
600A-000	MOBILIZATION	1	LUMP SUM	2500.00	2500.00
610-C-001	LOOSE RIPRAP CLASS II (contingency item)	400	TON	23.00	9200.00
665J-000	SILT FENCE, TYPE "A"(contingency item)	450	L.F.	4.00	1800.00
301A-106	SOIL AGGREGATE BASE COURSE, TYPE "A", ROAD MIXED, 8" COMPACTED THICKNESS	38,550	SYCIP	4.28 4.21	162,295.50 162,295.50
401A-000	BITUMINOUS TREATMENT TYPE "A")	22,375	SY	.48	10,740.00
401A-014	BITUMINOUS TREATMENT TYPE "KG")	22,375	SY	1.82	40,722.50
658A-000	HYDRO SEEDING AND MULCHING (contingency item)	7.5	ACRE	1100.00	8250.00
Total Bid					235,508.00 235,508.00

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: ST Burr Const. Co. Inc.
Mailing Address: 1904 University Blvd Tuscaloosa, AL 35401
Telephone: 205 752 8195
Name: ST Burr Jr. 
Title: President
Date: 8/25/2005

HARGROVE ROAD EAST
PROJECT BID SHEET

ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	BID AMOUNT
600A-000	MOBILIZATION	1	LUMP SUM	2500.00	2,500.00
610-C-001	LOOSE RIPRAP CLASS II (contingency item)	400	TON	36.00	14,400.00
665J-000	SILT FENCE, TYPE "A"(contingency item)	450	L.F.	6.00	2,700.00
301A-106	SOIL AGGREGATE BASE COURSE, TYPE "A", ROAD MIXED, 8" COMPACTED THICKNESS	38,550	SYCIP	4.42	170,391.00
401A-000	BITUMINOUS TREATMENT TYPE "A")	22,375	SY	0.77	17,228.75
401A-014	BITUMINOUS TREATMENT TYPE "KG")	22,375	SY	2.77	61,978.75
658A-000	HYDRO SEEDING AND MULCHING (contingency item)	7.5	ACRE	1,200.00	9,000.00
)				
Total Bid					281,198.50

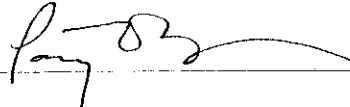
The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: MALLORY BURKHALTER PAVING, INC.

P.O. BOX 350

Mailing Address: NORTHPORT, AL 35476

Telephone: 205/758-2274

Name:  PATTY O. BURKHALTER

Title: SECRETARY/TREASURER

Date: 8-24-05

RP

W. HARDY McCOLLUM
CHAIRMAN

ROBERT H. JOHNSTON
CLERK



MEMBERS
DON WALLACE
GARY YOUNGBLOOD
BOBBY MILLER
REGINALD MURRAY

COUNTY COMMISSION

TUSCALOOSA COUNTY ALABAMA
P.O. BOX 20113 • 714 GREENSBORO AVENUE
TUSCALOOSA, ALABAMA 35402-0113
205-349-3870

August 15, 2005

Racon Inc.
H&W Construction Inc.
Ryan Shirley Inc.
Fair Contracting
S.T. Bunn Construction Co. Inc.
GFC Construction Inc.

Barnes Excavating
Price Contracting
Tomlin Construction LLC
Vinson Trucking & Contracting
Mallory Burkhalter Paving Inc.
APAC Alabama

Gentlemen:

Tuscaloosa County will accept bids for construction of Poplar Springs Road and Poplar Springs Cut-Off until 9:00 a.m., Wednesday, August 24, 2005.


Attached are bid specifications and bid submission form for said project. Direct all inquiries in regard to this bid to County Engineer Bobby Hagler at telephone number (205)345-6600.

Bids can be mailed to: Tuscaloosa County Commission, P.O. Box 20113, Tuscaloosa, AL 35402, or brought to the County Clerk's Office in the Tuscaloosa County Courthouse prior to 9:00 a.m., Wednesday, August 24, 2005.

A word to the wise - MAIL EARLY - overnight mail, including Airborne Express, Federal Express, etc. does not always arrive by 9:00 a.m. the next day.

Please return your bid in the "BID" envelope provided, or use the "BID" envelope to address your bid package to assure that your bid is delivered to the correct office.

Sincerely,


Robert H. Johnston
Clerk

RHJ:lks

encl.

copy: Bobby Hagler
file

9-6

Aug 22 05 09:27a

P. 3

POPLAR SPRINGS ROAD and POPLAR SPRINGS CUT-OFF
PROJECT BID SHEET


ITEM NO.	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	BID AMOUNT
600A-000	MOBILIZATION	1	LUMP SUM	4250.00	4250.00
610-C-001	LOOSE RIPRAP CLASS II (contingency item)	500	TON	22.00	11,000.00
665J-000	SILT FENCE, TYPE "A"(contingency item)	550	L.F.	4.00	2200.00
301A-106	SOIL AGGREGATE BASE COURSE, TYPE "A", ROAD MIXED, 8" COMPACTED THICKNESS	60,475	SYCIP	4.21	254,599.75
401A-000	BITUMINOUS TREATMENT TYPE "A")	41,573	SY	.48	19955.04
401A-014	BITUMINOUS TREATMENT TYPE "KG")	41,573	SY	1.82	75662.86
658A-000	HYDRO SEEDING AND MULCHING (contingency item)	22	ACRE	1100.00	24,200.00
)				
Total Bid					391,862.65

The Bidder understands that the county reserves the right to reject any and all bids and to waive any informalities involved in the bidding process. The quantities listed above are approximate only. There will be no contract adjustments in the unit prices for any increase or decrease in the unit quantities.

Company Name: ST Bunn Construction Co. INC.

Mailing Address: 1904 University Blvd TUSCALOOSA, AL 35401

Telephone: 205 752 8195

Name: ST Bunn Jr. 

Title: President

Date: 8/24/2005

Tuscaloosa County

STATE OF ALABAMA

TUSCALOOSA, ALABAMA

To Whom These Presents Shall Come — Greetings

WHEREAS, the use of illegal drugs and the abuse of alcohol and nicotine constitute the greatest threats to the well-being of America's children; and

WHEREAS, surveys conducted by The National Center on Addiction and Substance Abuse (CASA) at Columbia University have consistently found that the more often children and teenagers eat dinner with their families the less likely they are to smoke, drink and use illegal drugs; and

WHEREAS, teenagers who virtually never eat dinner with their families are 72 percent more likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, teenagers who almost always eat dinner with their families are 31 percent less likely than the average teenager to use illegal drugs, alcohol and cigarettes; and

WHEREAS, the correlation between family dinners and reduced risk for teen substance abuse are well documented, and family dinners have long constituted a substantial pillar of family life in America.

NOW, THEREFORE, we, the members of the Tuscaloosa County Commission do hereby proclaim the fourth Monday in September, September 26, 2005 as

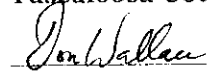
FAMILY DAY - A DAY TO EAT DINNER WITH YOUR CHILDREN

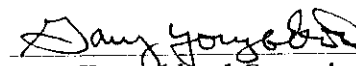
and we urge all citizens to recognize and participate in its observance

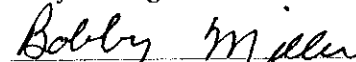
IN WITNESS WHEREOF, we have hereunto set our hands and seals on this the 7th day of September, 2005.




W. Hardy McCollum-Chairman
Tuscaloosa County Commission


Don Wallace-Commissioner


Gary Youngblood-Commissioner


Bobby Miller-Commissioner


Reginald Murray-Commissioner

9-7

9-7

Sep 09 05 01:32p
 AUG 12 05 09:22a

Bobby Hagler
 Mullins and Williams

205-345-6600
 2057526100

P. 2
 P. 2

MULLINS & WILLIAMS
 ATTORNEYS AT LAW
 2600 SIXTH STREET
 TUSCALOOSA, ALABAMA 35401

BARRY L. MULLINS
 CRAIG L. WILLIAMS

TELEPHONE: (205) 345-6643
 TELECOPIER: (205) 752-6100

August 11, 2005

Commissioner Don Wallace
 Courthouse Box
 Tuscaloosa, AL

RE: CARMEL BAY SUBDIVISION

Dear Don:

As I believe you are aware, I developed Carmel Bay Subdivision which is just off Tierce Patton Road on Lake Tuscaloosa and is in your district. I recently met with Mike Henderson to inspect Carmel Bay and I sent you a copy of my letter dated June 29 regarding that inspection. We have had a number of these inspections over the last year and Public Works has take dozens of photographs if you would like to see those.

The most recent visit resulted in the letter dated August 4 from Bobby Hagler and I am enclosing a copy of that for you. It addresses most of the same items as the earlier letters except that a "willow tree" needs to be trimmed. We trim trees regularly and this will not be a problem.

I would like to request the waivers that appear in these letters and I will discuss each of them briefly here.

1. The Homeowners Association and some of the lot owners have sprinklers outside the curbs which are actually in the ROW. Without these sprinkler heads the grass would die during the summer and this situation is common in almost every subdivision both in the County and the cities. I know I have sprinkler heads at my house in the City of Tuscaloosa which are located between the sidewalk and the curb. If I did not have those, my grass would probably die. The City does not object and, in fact, I maintain the lawn as will the lot owners in Carmel Bay. In other words, this should pose no problem, ever, and I request a waiver to leave the sprinkler heads where they are.

2. There is a large decorative rock in the front yard of Lot 18 on Pebble Beach Circle. It has been there for over five years and has posed no traffic hazzard whatsoever. It is only approximately three feet high and there is no problem with sight distance. It has the address of the house on it and is located within a flower bed. Bobby has requested that it be removed and I request a waiver since it appears to pose no problem.

3. The cul-de-sac in Spyglass Way was not actually platted that way. The City required

August 11, 2005
Commissioner Don Wallace
Page 2

that the street be stubbed at the boundary line of the subdivision and we simply extended the pavement to allow traffic to turn around. It is therefore not actually a cul-de-sac but we have maintained it as such. There is not enough ROW for a radius of forty feet and the actual radius is about twenty-five feet. When I met Mike Henderson to inspect this location, he suggested that we extend it a few feet on the south side so that garbage trucks would not damage the edge, and we have done that. I request a waiver from the radius requirement.

4. Also in this cul-de-sac Bobby has now requested that an additional area should be vacated. This is a new request and one which I thought I had taken care of last year when I vacated a twenty foot portion at the end which was not paved. This area serves two lots, one has a house and the other is vacant. I request a waiver, if one is required, so that I do not have to vacate another lengthy stretch of this street. I am not sure why Bobby requested this but I will talk to him about it further.

5. As I told Bobby and both Bob McEachern and Mike Henderson, I had ordered stop signs. Since then, they arrived last week and will be installed in the next week or two when I can arrange a contractor to do it. Keep in mind, these sign are not your ordinary signs. They cost me over \$800 and are decorative to match everything else in the subdivision. I do not know why there were not installed originally, but at this point it does not matter.

I find it interesting that there has been so much effort to inspect my subdivision. I think I know why, but each of these matters needs to be addressed. I believe you will find that Carmel Bay has been constructed in a manner that would rival any subdivision in the County or in either Tuscaloosa or Northport. We have underground utilities, two fishing lakes, a generous common area for boats, swimming, etc., curb and gutter, a guard house entrance, and extensive landscaping throughout. The waivers I am requesting will not affect safety or maintenance by the County. In fact, the only maintenance by the county will be potholes and resurfacing many years from now. The lot owners and the Homeowners Association will be maintaining all of the areas we are discussing and have been doing that for over fifteen years.

That brings me to my last waiver request which Bobby indicated in his letter he would not recommend. I put the final layer of plant mix down early in 2004, over a year ago. It was inspected by Mike Henderson and I have corrected two minor problems but no other concerns related to the paving except the cul-de-sac issue. I request a waiver from the one year maintenance period since I have maintained the pavement for a period substantially in excess of that already. I also am concerned that an inspection one year from now would result in a longer list of these types of items again.

Sep 09 05 01:32p

Bobby Hagler

205-345-6600

p. 4

Aug 12 05 09:22a

Mullins and Williams

2057526100

p. 4

August 11, 2005
Commissioner Don Wallace
Page 3

I would like to show you this subdivision as I would hope you agree it is an asset in your district.

I will try to call you before you get this letter and look forward to discussing this further.

Sincerely,

MULLINS AND WILLIAMS


Barry L. Mullins

BLM/ke

enclosures

cc: Bob McEachern (fax copy: 345-6600)
Mike Henderson (fax copy: 345-6600)
Bobby Hagler (fax copy: 345-6600)

wallace.ltr