

**RESOLUTION NO. \_\_\_\_\_**

**WHEREAS**, The City of Dothan is interested in acquiring a utility easement on property owned by William J. and Brenda J. Smith located on Earline Road in the City of Dothan, Houston County, Alabama; and

**WHEREAS**, this easement is the desired location for a new gravity sanitary sewer line which will allow abandonment of the Indian Hills Lift Station; and

**WHEREAS**, the City of Dothan and William J. and Brenda J. Smith have agreed on a price of \$8,500.00 and future in-kind utility installations including a fire hydrant, three water meters, and three sewer services: and

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the City of Dothan, Alabama, as follows:

**Section 1.** That the City of Dothan acquire and accept a utility easement from William J. and Brenda J. Smith across Houston County Parcel Number 09-08-28-3-000-002-001 being approximately 0.81 acres, with all appurtenances, as is, for the price of \$8,500.00 and future in-kind utility installations including a fire hydrant, three water meters, and three sewer services, which said utility easement follows:

# EASEMENT

## THE STATE OF ALABAMA, HOUSTON COUNTY

KNOW ALL MEN BY THESE PRESENTS, that We, William J. and wife Brenda J. Smith, the owners of the hereinafter-described real estate, for and in consideration of One Dollar, and other valuable consideration, to me in hand paid by the City of Dothan, Alabama, a Municipal Corporation, receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey unto said City of Dothan, Alabama, the right, privilege and authority to **construct necessary improvements and appurtenances to existing utility facilities**: over, across and upon the following described real estate:

**A 50 foot wide Sewer Easement in the City of Dothan, Houston County, Alabama and being more particularly described as follows: Commencing at an existing iron pipe being the Southwest corner of the Northwest 1/4 of the Southwest 1/4 of Section 28, Township 3 North, Range 26 East; said point is also the southwest corner of grantor's property as being recorded in Deed Book 804 at Page 132 in the Office of the Judge of Probate, Houston County Alabama; thence along the south property line S89°30'04"E a distance of 309.79 feet to the POINT OF BEGINNING; thence departing said south property line N17°53'12"W, a distance of 246.68 feet; thence N13°24'05"W, a distance of 397.34 feet; thence N29°58'01"W, a distance of 59.65 feet to a point on the north property line of grantor; thence along said north property line S89°22'59"E, a distance of 58.08 feet; thence departing said north property line S29°58'01"E, a distance of 37.38 feet; thence S13°24'05"E, a distance of 402.66 feet; thence S17°53'12"E, a distance of 261.34 feet to a point on the south property line; thence along said south property line N89°30'04"W, a distance of 52.69 feet to the POINT OF BEGINNING.**

Said easement is located in and being a part of Section 28, Township 3 North, Range 26 East in Dothan, Houston County, Alabama, and containing 0.81 acres, more or less.

Together with the right to enter upon said premises to install, and maintain, repair and upgrade said **utility facilities** to have and to hold unto said City of Dothan, Alabama afore granted easement for the purpose set out above.

**Compensation for this easement will be \$8,500.00, installation of one fire hydrant, three water meters, three sanitary sewer laterals, and a manhole on the Grantor's property.**

IN WITNESS WHEREOF, We, William J. and wife Brenda J. Smith, hereunto set our hands and seal this 29 Day of January, 2021.

William J. Smith (L. S.)  
William J. Smith  
Brenda J. Smith (L. S.)  
Brenda J. Smith

## THE STATE OF ALABAMA, HOUSTON COUNTY

I, JAMES L. LOFTON, a Notary Public in and for said County in said State hereby certify that William J. and wife Brenda J. Smith whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, have executed the same voluntarily on the day the same bears date. Given under my hand and seal of office this 29<sup>th</sup> day of JANUARY, 2021.

James L. Lofton

**Resolution No.** \_\_\_\_\_, acquiring and accepting a utility easement from William J. and Brenda J. Smith, continued.

**Section 2.** That the sum of \$8,500.00 be appropriated in FY 2021 to the Utility Fund/Dothan Utilities-WWC/Capital Outlay/Land, Account Number 401-8460-584.60-61, for the purchase of property for a new gravity sanitary sewer line which will allow abandonment of the Indian Hills Lift Station. This appropriation is to be funded by increasing the Utility Fund/Non-Revenue Resources/Utilization of Fund Balance, Account Number 401-0000-391.01-00 by the sum of \$8,500.00.

**PASSED, ADOPTED, AND APPROVED ON** \_\_\_\_\_.

**ATTEST:**

\_\_\_\_\_  
**City Clerk**

\_\_\_\_\_  
**Mayor**

\_\_\_\_\_  
**Associate Commissioner District 1**

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**Associate Commissioner District 2**

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**Associate Commissioner District 3**

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**Associate Commissioner District 4**

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**Associate Commissioner District 5**

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**Associate Commissioner District 6**  
**BOARD OF CITY COMMISSIONERS**