

2010/111

ORDINANCE NO. O-19-10

**Rezoning Property Located at
419-431 South 5th Street, 500 South 5th Street, and 410-412 Cherry Street**

BE IT ORDAINED BY THE CITY COUNCIL OF GADSDEN, ALABAMA, that the Official Zoning Map of the City of Gadsden adopted by Ordinance No. O-02-82, as amended, is hereby further amended by changing the zoning classification district for the following described property from R-2, Multi-Family Residential District, and O-1, Office District, to B-1, Neighborhood Business District:

Lots 1, 2 & 3 in the 5th Avenue Addition as recorded in Plat Book "A", Page 331, Judge of Probate Office, Etowah County, Alabama; Lots 8, 9 & 10 in the Meeks Addition as recorded in Plat Book "A", Page 136, Judge of Probate Office, Etowah County, Alabama; and unplatted property described as:

Parcel 1: Begin at a point 276.5 feet North of the intersection of the Westerly line of South 5th Street with the Northerly line of Cherry Street; thence Westerly 250 feet parallel with the Northerly line of Cherry Street; thence South 51.5 feet parallel with the Westerly line of South 5th Street to a point in the Northerly line of the alley in Block 1 in the 5th Avenue Addition, as recorded in Plat Book "A", Page 331, in the Probate Office of Etowah County, Alabama; thence Easterly 250 feet parallel to the Northerly line of Cherry Street to a point in the Westerly line of South 5th Street; thence North 51.5 feet to the point of beginning, lying and being in the West ½ of the NE ¼ in Section 9, T-12-S, R-6-E in Gadsden, Etowah County, Alabama; SAVE AND EXCEPT: That certain parcel sold in Doc # D-1997-1556, Probate Office, Etowah County, Alabama.

Parcel 2: Begin at a point in the West line of South 5th Street which said point is 40 feet Northerly, measured along the West line of South 5th Street, from the Northeast corner of Lot 1, Block 1, 5th Avenue Addition, as shown by Plat Book "A", Page 331, Probate Office, Etowah County, Alabama; thence run in a Northerly direction and along the West line of South 5th Street a distance of 35 feet to the Southeast corner of the Cora A. Motley Lot as described in Deed Record "OO", Page 166, said Probate Office; thence in a Westerly direction and along the South line of said Motley Lot a distance of 150 feet; thence Southerly and parallel with the West line of South 5th Street a distance of 35 feet to a point; thence in an Easterly direction a distance of 150 feet to the point of beginning, and being a portion of the SW ¼ of the NE ¼ in Section 9, T-12-S, R-6-E of Huntsville Meridian, in Gadsden, Etowah County, Alabama.

Parcel 3: Begin at the Northeast corner of Lot 1 in the 5th Avenue Addition, as shown by Plat Book "A", Page 331, Probate Office, Etowah County, Alabama and from said Northeast corner run in a Northerly direction and along the Westerly line of South 5th Street a distance of 40 feet; thence run in a Westerly direction and parallel with the Northerly line of said Lot 1 a distance of 150 feet; thence run in a Southerly direction and parallel with the Westerly line of said South 5th Street a distance of 40 feet to the Northwest corner of said Lot 1; thence run in an Easterly direction and along the Northerly line of said Lot 1 a distance of 150 feet to the point of beginning, and being a portion of the SW ¼ of the NE ¼ of Section 9, T-12-S, R-6-E of Huntsville Meridian, in Gadsden, Etowah County, Alabama.

Parcel 4: Begin at the Northeast corner of the Tallman to Melton Lot as recorded in Reference Book "Q", Page 383 in the Probate Office, Etowah County, Alabama; thence Westerly and along the North line of said Lot a distance of 150.43 feet to a point, said point being the point of beginning; thence Westerly and continuing along said North line a distance of 99.72 feet to the West line of said Tallman to Melton Lot; thence Southerly and along the West line of said Lot a distance of 50 feet to the Southwest corner of said Lot; thence Easterly and along the South line of said Lot a distance of 98.73 feet; thence Northerly and parallel with the East line of said Lot a distance of 51.5 feet to the point of beginning.

Parcel 5: Begin at the intersection of the North line of Cherry Street and the West line of South 5th Street, thence run North along said West line 276.5 feet to the Northeast corner of the Tallman to Melton Lot as recorded in reference book "Q", Page 383 in the Probate Office, Etowah County, Alabama, said point being the point of beginning; thence run North along said line a distance 151.50 feet to the Southeast corner of the J.T. Woodliff and J.A. Tallman Lot as recorded in Deed Book 1952, Page 18 in the Probate Office, Etowah County, Alabama; thence run West along the South line of said Woodliff and Tallman Lot a distance of 250 feet; thence run south 151.50 feet to the Northwest corner of said Tallman to Melton Lot; thence run east along the North line of said Tallman to Melton Lot a distance of 250.15 feet to point of beginning. Said Parcel lying in Section 9, T-12-S, R-6-E.

I hereby certify that the above and foregoing was duly adopted by the City Council of Gadsden, Alabama at a meeting held on April 27, 2010.

Iva Nelson, City Clerk

APPROVED on _____, 2010

Sherman Guyton, Mayor