

ORDINANCE # 07-13-02 AMENDING ORDINANCE # 06-12-02
AN ORDINANCE CORRECTING ERROR IN EXTENSION OF
CONSTRUCTION TIME

WHEREAS, the City of Columbiana, Alabama, conveyed certain real property to the Shelby County Arts Council (SCAC) by deed dated August 8, 2008; and

WHEREAS, one of the conditions in the deed and in the ordinance approving the deed was that the construction of a fine arts building on the property be completed within five years of the date of the deed; and

WHEREAS, at the request of SCAC, the City Council of Columbiana, Alabama, extended the time period to complete the building by three years; and

WHEREAS, the ordinance approving the extension (Ordinance # 06-12-02) contained an error by providing that the building be constructed "within three years of the date of execution of the deed" when it should have stated "within eight years of the date of execution of the deed."

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF Columbiana, ALABAMA, AS FOLLOWS:

Section 1. Section 2 A of Ordinance # 06-12-02 be amended to read as follows:

"A. Subject to the condition that a building of at least 6,000 square feet be constructed and substantially completed on said real property within eight years of the date of execution of the deed, said building to be used as a Center for Fine and Performing Arts to support, nurture and promote arts and cultural organizations and artists in Shelby County, Alabama; to establish a base for arts education; to provide a home for the Shelby County Arts Council; and to provide a central gathering place for cultural programs in Shelby County, Alabama. Should such a building not be constructed and substantially completed within said time, or should the real property not be used for such purposes for a period of six consecutive months following such construction, then title to the real property shall revert to the City of Columbiana."

Section 2. The Mayor shall execute and deliver to SCAC a document amending the conditions contained in the deed to SCAC to reflect the extension of the construction period from five years to eight years.

Section 3. This Ordinance shall become effective upon its passage and publication or posting as required by law.

ADOPTED AND APPROVED THIS 2nd DAY OF JULY, 2013.

Attest:

City Clerk

Mayor, City of Columbiana, Alabama