

**STATE OF ALABAMA
COUNTY OF GENEVA
CITY OF GENEVA**

ORDINANCE NO. 12-2023-14

**AN ORDINANCE OF THE CITY OF GENEVA, ALABAMA, AUTHORIZING THE
SALE OR EXCHANGE OF REAL PROPERTY**

WHEREAS, the Alabama Code Section 11-47-20 authorizes the sale by municipalities of any real property, capital improvements, or personal property, or interest therein, not needed for public use by sale in the manner provided by law; and

WHEREAS, the City of Geneva, Alabama is the owner of certain land and premises situated in Section 13, Township 1 North, Range 21 East, Geneva County, Alabama, and being listed in the Geneva County Tax Appraisal Office as Parcel No.: 34-1906130000001006 and in Section 24 Township 1 North, Range 21 East, Geneva County, Alabama and being listed in the Geneva County Tax Appraisal Office as Parcel NO. : 34-1906240000004002 and further described as follows:

A parcel of land in Geneva County, Alabama beginning 670' East of the SW corner of the SW $\frac{1}{4}$ of Section 13, Township 1 North, Range 21 East, thence East 1320' thence NE 50', thence NW 362', thence NE 50', thence NW 443', thence NE 89', thence NW 900', thence SW 880', thence SE 710' to the point of beginning.

A parcel of land in Geneva County, Alabama beginning 670' East of the NW corner of the NW $\frac{1}{4}$ of Section 24, Township 1 North, Range 21 East, thence E 1200', thence SW 520', thence SE 375', thence SW 220', thence NW 1250' to the point of beginning.

WHEREAS, the Mayor and Council of the City of Geneva have determined that said land is no longer needed for public use; and

WHEREAS, the City of Geneva desires to make available for sale to GenCre, LLC the above described parcels listed in the Geneva County Tax Appraisal Office as Parcel No. 34-1906130000001006 and Parcel No. 34-1906240000004002 and on the 4th day of December, 2023; and

WHEREAS, the governing body of the City of Geneva, Alabama declares the above described parcels are no longer necessary for public use and continued ownership exposes the city to unnecessary liability; and

WHEREAS, the governing body of the City of Geneva, Alabama desires to authorize such sale and has determined that a public purpose is served; and

NOW THEREFORE BE IT ORDAINED, by the governing body of the City of Geneva, County of Geneva, State of Alabama as follows:

SECTION 1. The City of Geneva hereby authorizes the sale of Geneva County Tax Appraisal Office Parcel No. 34-1906130000001006 and 34-1906240000004002.

SECTION 2. The sale of the property is subject to the following conditions:

- A. This conveyance is subject to the following deed restrictions: Shall be used exclusively for industrial development and industrial activities. The following industrial activities shall be excluded: Activities considered dangerous or unsafe that would expose adjoining lands or other industrial sites to fire, explosives or chemicals. Activities considered objectionable by reason of adverse effect on adjoining units (such as junk or salvage yards). Upon development of any part of the above-described lands for industrial activities, the boundary line between the lands utilized for such activities and the lands of Great Northern Nekoosa Corporation shall be marked by the installation of a permanent metal fence along such boundary line; this fence shall be erected prior to the operation of any industrial activities and shall be at the expense of the industry utilizing such property.
- B. The descriptions of the properties are intended as a general guide only and may not be accurate. **NO REPRESENTATIONS OF ANY KIND ARE MADE BY THE CITY OF GENEVA AS TO THE CONDITIONS OF THE PROPERTY; SAID PREMISES ARE BEING SOLD IN THEIR PRESENT CONDITIONS "AS IS".**
- C. That should the title to the properties prove to be unmarketable for any reason, the liability of the City of Geneva shall be limited to the Geneva County Tax Appraisal value. Notice of any alleged defect in title or claim of unmarketability must be served on the City of Geneva Clerk, by the purchaser, in writing no later than thirty (30) days after the sale is approved by the City of Geneva Council. Failure upon the part of the purchaser to give written notice within said time shall be deemed conclusive proof that the purchaser accepts the title in its present condition.
- D. That the sale is made subject to all applicable laws and ordinances of the State of Alabama and the City of Geneva.
- E. That the City of Geneva shall convey the property by a Quitclaim Deed unless an adequate title binder, sufficient in the sole discretion of the City of Geneva Attorney, which is prepared at the expense of the Purchaser, by a title company licensed to do business in the State of Alabama, is forwarded to the City of Geneva prior to the conveyance, in which case a Warranty Deed will be the form of conveyance.

SECTION 3. The City of Geneva Clerk is hereby authorized and directed to proceed to advertise this exchange and to take all steps necessary to effectuate the purposes of this Ordinance.

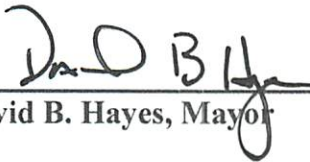
SECTION 4. The Mayor is hereby authorized to sign any documents necessary and to take all steps necessary to effectuate the purposes of this Ordinance.

SECTION 5. All Ordinances of the City of Geneva which are inconsistent with the provisions of this Ordinance are hereby repealed as to the extent of such inconsistency.

SECTION 6. If any section, subsection clause, or phrase of this Ordinance is for any reason held to be unconstitutional or invalid by any Court of competent jurisdiction, such decision shall not affect the remaining portion of the Ordinance.

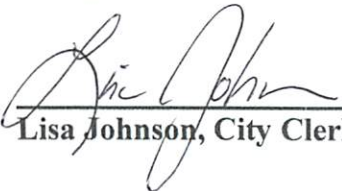
SECTION 7. This Ordinance shall take effect upon proper publishing in the Geneva Ledger, as required by Law.

SECTION 8. ADOPTION: The forgoing ordinance was unanimously adopted this 4th day of December, 2023.



David B. Hayes, Mayor

ATTEST:



Lisa Johnson, City Clerk