

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2024-07**

**AN ORDINANCE AUTHORIZING THE DONATION AND CONVEYANCE OF
CERTAIN REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES
TO THE BALDWIN COUNTY BOARD OF EDUCATION**

WHEREAS, the City of Daphne (the “City”) owns certain real property located in the City, being more particularly described as the westernmost 13.94± acre portion of Lot 2, DISC Subdivision, as recorded as Slides 2568-E and 2568-F in the Office of the Judge of Probate, Baldwin County, Alabama, and identified as Lot 1 and depicted on the subdivision plat attached hereto as Appendix 1 (the “Property”); and

WHEREAS, the Property is adjacent to certain real property owned by the Baldwin County Board of Education (“BCBE”) and operated by BCBE as Daphne High School, a public school located within the corporate boundaries of the City; and

WHEREAS, the City has determined that the Property is no longer needed for municipal purposes; and

WHEREAS, BCBE has expressed a desire to utilize the Property for the expansion of the Daphne High School campus and supporting facilities; and

WHEREAS, according to records of the Baldwin County Revenue Commissioner, the appraised value of the Property is approximately \$0.58 per square foot, or approximately \$355,030.00; and

WHEREAS, Section 16-13-36 of the Alabama Code (1975) authorizes municipalities to provide things of value to a local board of education for the support of new or existing public schools within the jurisdiction of the municipality; and

WHEREAS, the City Council of the City of Daphne wishes to authorize the Mayor to convey title to the Property to BCBE pursuant to a Statutory Warranty Deed substantially in the form attached hereto as Appendix 2 (the “Deed”).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:

1. It is hereby established and declared that the real property of the City of Daphne, Alabama, described and depicted as Lot 1 on Appendix 1 hereto, is no longer needed for municipal purposes.

2. The Mayor and the City Clerk are hereby authorized and directed to execute and attest, respectively, for and on behalf of the City of Daphne, the Deed in substantially the form attached hereto as Appendix 2, subject to final approval by the City Attorney, a fully executed copy of which shall be recorded in the Office of the Judge of Probate of Baldwin County, Alabama,

and on file in the office of the City Clerk, whereby the City shall convey the Property to BCBE at no cost in support of Daphne High School.

3. The Mayor and the City Clerk are hereby authorized to execute any and all other documents and instruments reasonably necessary to complete the conveyance of the Property as requested by BCBE and approved by the City Attorney.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS 1st DAY OF April, 2024.



Robin LeJeune, Mayor

ATTEST:



Candace G. Antinarella, MMC, City Clerk

Appendix 1

Depiction of Property to be Conveyed

(attached)

Appendix 2

Form of Deed

(attached)

STATE OF ALABAMA }
COUNTY OF BALDWIN }

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF DAPHNE, an Alabama municipal corporation (“Grantor”), for and in consideration of the sum of Ten Dollars (\$10.00) cash in hand paid to the Grantor by the BALDWIN COUNTY BOARD OF EDUCATION (“Grantee”), does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lot 1, Re-Sub of Lot 2, DISC Subdivision, a Resubdivision of Lot 2, DISC Subdivision (Slide 2568-E and 2568F), recorded in Slide _____, in the office of the Judge of Probate, Baldwin County, Alabama.

EXCEPTING THEREFROM such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed to others; it being the intention of the Grantor to convey to Grantee only the interest Grantor owns therein, if any.

This conveyance is made subject to the following:

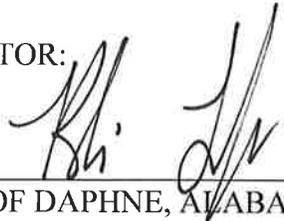
1. All taxes and assessments for the current and subsequent years, which became a lien as of October 1, 2023, but not yet due and payable until October 1, 2024, if any.
2. Easements, reservations, restrictions, rights-of-way and setback lines as reserved and shown on record map of said subdivision.
3. Any and all matters applicable to said property and appearing of record in the Office of the Judge of Probate Court of Baldwin County, Alabama.

TOGETHER WITH ALL AND SINGULAR the rights, privileges, tenements, hereditaments and appurtenances hereunto belonging, or in anywise appertaining;

TO HAVE AND TO HOLD unto the said Grantee, and the successors and assigns of said Grantee, in fee simple, FOREVER.

[Signatures on Following Page]

IN WITNESS WHEREOF, Grantor has set its hand and seal on this the 2nd day of April, 2024.

GRANTOR:


CITY OF DAPHNE, ALABAMA
By: Robin LeJeune
Its: Mayor

ATTEST:


Candace G. Antinarella, MMC, City Clerk

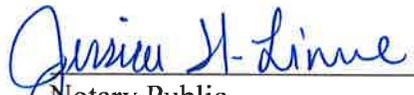
ACKNOWLEDGEMENT

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said county in said state, hereby certify that Robin LeJeune, whose name as Mayor of the CITY OF DAPHNE, an Alabama municipal corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and notarial seal on this 2nd day of April, 2024.

{SEAL}



Notary Public
My Commission Expires: 12-15-2026

Address of Grantor:
City of Daphne
1705 Main Street
Daphne, AL 36526

Address of Grantee:
Baldwin County Board of Education
2600-A North Hand Ave
Bay Minette, AL 36507

THIS INSTRUMENT PREPARED BY:
A. Patrick Dungan, Esq.
Adams and Reese LLP
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Mobile, AL 36602