

ORDINANCE NO.12-4110

WHEREAS, the City of Decatur, Alabama on December 21, 1981 with the passage of Ordinance No. 2293 granted to the United States of America a non- exclusive permanent easement for the use of the Tennessee Valley Authority as part of the Prompt Notification System in the area surrounding the Browns Ferry Nuclear Facility consisting of a series of siren structures located in Morgan, Lawrence, and Limestone Counties; and

WHEREAS, the City has been requested by TVA to extend the length of the easement for an additional forty (40) years; and

WHEREAS, The City finds and determines that the public interest and welfare is served by the continued location of the siren structure in this non-exclusive permanent easement;

THEREFORE, BE IT ORDAINED by the City Council of the City of Decatur, Alabama that there is hereby granted, under the same terms and conditions as the original grant on December 21, 1981, to the United States of America (hereinafter referred to as "Grantee"), for an extension period of forty (40) years from this approval date, non-exclusive permanent easement rights for the following purposes, namely: the perpetual right to enter at any time and from time to time and to erect, maintain, repair, rebuild, operate, and patrol a prompt notification system as described in Section 2, City Ordinance 2293, adopted on December 21, 1981 (hereinafter referred to as "Ordinance"), together with the right of ingress and egress to and from each structure and tie-in facilities, such ingress and egress at a location that has been mutually agreed upon by the City of Decatur and the Grantee as per Ordinance and the right to clear and dispose of such brush and trees as is deemed necessary by Grantee to protect the structure and the tie-in electric power circuits; the location of said structures and facilities in Decatur, Morgan County, Alabama, being according to the description contained in Ordinance.

Adopted this _____ day of May 2012.

Approved this _____ day of May 2012.

Attest:

City Clerk

Mayor