



## **MEMORANDUM**

**DATE:** May 19<sup>th</sup>, 2026

**TO:** Planning Commission

### **PLANNING COMMISSION MEETING**

May 19<sup>th</sup>, 2026

Pre-Meeting – 3:00 p.m.

Meeting – 3:30 p.m.

**City Council Chambers**

# Agenda

## Planning Commission

City of Decatur, AL

May 19<sup>th</sup>, 2026

Time: 3:30 PM

City Council Chambers

**Gary Borden, Chairman; Eddie Pike, Vice-Chairman; Larry Waye, Secretary; Barry Bullard; Frances Tate; Ross Terry; Myrna Burroughs; Forrest Temple, Steven Mosher**

<b>CALL MEETING TO ORDER</b>
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<b>Public Meeting</b>
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<b>Consent Agenda</b>
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### Site Plans

- A. Site Plan 730-26
- B. Site Plan 731-26

Pugh Wright McAnally  
Bryan S. Pressnell

### PAGE NO.

3-8  
9-17

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### Other Business

- A. Vacation 601-26

Cook Properties LLC

### PAGE NO.

18-27

# Planning Commission Staff Report



**FILE NAME:** Site Plan 730-26 - 4th Ave Parking Deck

**MEETING DATE:** May 19th, 2026

**A. BACKGROUND:**

<b>Applicant/Representative:</b>	Pugh Wright McAnally
<b>Owner:</b>	City of Decatur
<b>Property Location:</b>	4th Ave & Holly Street
<b>Request:</b>	Approve Site Plan to construct a new parking deck
<b>Property Size (Acres):</b>	
<b>Future Land Use Map (FLUM) Designation:</b>	Urban Core Downtown
<b>Current Zoning District:</b>	Community Commercial (CC)
<b>Existing Land Use:</b>	Parking Lot

**B. DEVELOPMENT STATUS & HISTORY:**

<b>Previous Requests:</b> 5/19/26 <i>May not be exhaustive</i>	Vacation 601-26~Proposed Vacation of Holly Street
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**C. SURROUNDING LAND USE AND ZONING:**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Commercial	CC (Community Commercial)
South	Commercial	CC (Community Commercial)
East	Commercial Parking	CB (Central-Business)
West	Commercial Parking	CC (Community Commercial)

**D. EVALUATION/COMMENTS:**

**Street Connectivity:** As part of the project, Holly Street is proposed to be vacated, with the proposed parking deck providing connectivity to 4th Avenue NE.

**Water/Sewer:** Water and sewer are available

**District Standards:** Community Commercial

*Lot requirements for uses in CC (Community Commercial)*

	Community Commercial
Minimum Lot Size	Lots shall be of sufficient size so that the allowed use can reasonably locate on the site and comply with all applicable standards in this Ordinance.
Maximum Lot Coverage	40% of Lot
Front Setback	60(ft)   25(ft)
Rear Yard	20(ft)
Side Yards	None

### **Planning Comments:**

This site plan proposes the construction of a parking deck as part of a multi-phase development. The overall project includes a hotel and an expansion of the Cook Museum of Natural Science. As part of the development, Holly Street, along which the parking deck will have frontage, is proposed to be vacated and converted into a private street.

In addition, landscaping must be provided in accordance with applicable requirements, including frontage, perimeter, and foundation plantings. The applicant will need to submit detailed landscaping calculations demonstrating the required landscaping and the amount proposed for installation.

**Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.**

### **Engineering Comments:**

1. C1.10:
  - Demo entire elevated crosswalk area.
  - When demoing storm structures, where will water go?
    - Relocation able to be done prior? (POI)
2. C3.01:
  - Can we get a copy of the "Plumbing Plans" referenced on this sheet?
  - Need conflict box between STR101 and STR102 where 6" SS crossing is located.
3. C3.10:
  - P200 is shown as an 18" RCP at station 0+00. Pg. 3.01 shows it as a 24"RCP.
    - Which is correct?
4. C4.00:
  - Check conflicts between "OWS" line and storm lines.
5. C5.01:
  - Protection needed for trench gates at this stage?
6. C5.10:
  - Need grate inlet protection detail.
7. ADEM construction general permit is required if more than an acre is disturbed. (POI)

### **Fire Comments:**

1. 20' alley must have 'No Parking' striping or signage along both sides (see IFC 2021, 503.2.1 Dimensions; D103.6 Signs; D103.6.1 Roads 20 to 26 feet in width.
2. 26' of road width is required at hydrants located on apparatus access roads (see IFC 2021, D103.1 Access road with a hydrant.
3. No parking striping or signage must be provided at the hydrant location.

**Decatur Utilities:**

Gas:

Power:

Waste Water:

**Joe Wheeler Comments:**

<b>Reviewed by:</b>	<b>Tommie Williams</b>
<b>Recommendation from Planning:</b>	<b>Approve</b>

# AERIAL MAP



# ZONING MAP



Site Plan Application  
City of Decatur, Planning & Development Department  
402 Lee Street NE  
Decatur, AL 35601  
(256) 341-4720 / [planning@decatur-al.gov](mailto:planning@decatur-al.gov)



Name of Project: 4th A ve Parking Deck  
Location of Project: 4th Ave & Holly St, Decatur, AL  
Name of Applicant: Pugh Wright McAnally, Inc. Phone: 256-353-3937  
Address: 310 8th Avenue NE, Decatur, AL 35601 Email: jaxsonm@pughwrightmcanally.co

*The applicant will be the point of contact for communication with city staff*

Name of Owner: City of Decatur Phone: 256-957-1288 (Dane Shaw)  
Address: City of Decatur  
Engineer: Nathan Tomberlin / PWM, Inc Phone: 256-353-3937  
Address: 310 8th Avenue NE, Decatur, AL 35601 Email: nathant@pughwrightmcanally.co  
Surveyor: Jon Richards Phone: 256-353-3937  
Address: 310 8th Avenue NE, Decatur, AL 35601 Email: jonr@ pughwrightmcanally.com

Describe the Proposed Project:  
New 6-story parking deck, road improvements, utility relocations/improvements, etc..

In City Limits? Yes  No  Current Zoning: CC Proposed Zoning: N/A Total Acreage: 1.14  
*Any rezoning or annexation requests must be accompanied by appropriate application*

Date of Predesign/Pre-application Meeting: 04/22/2026 / \_\_\_\_\_ *Predesign required unless waived by Planner*

Site Plans are reviewed for compliance with the Zoning Ordinance and assurance of public safety and welfare with respect to traffic, drainage, flooding, fire hazards, compatibility with existing development, and other applicable regulations.

**Required Items for Submission:** *mark if included*

- One (1) Full Civil Set, Paper Copy, Sized 24x36
- Full Civil Set, Site Plan Application, All Supplemental Paperwork, Electronic Copies (PDF, Dropbox, Google Drive, USB, Etc.)
- Completed Site Plan Checklist (page 2 of this document)
- Property Deed & Ownership
- Original Designation of Agent Form (if applicant is not property owner)
- \$250.00 Site Plan Application Check (made payable to City of Decatur)

**Partial or incomplete applications will not be accepted. No work may begin until a permit is issued.**

Our standard site plan review process includes an initial review by all departments. A review letter will be returned to the applicant stating any deficiencies and needed corrections and a request for resubmittal. **Once a resubmittal is received, it will be reviewed once again and will be approved, approved with conditions, or denied.** If denied, applicant will need to begin application process again with new application, submittal, and fees.

**It is strongly recommended that application be submitted well in advance of deadline, especially for new, large, or complex developments. This will give staff time to point out needed corrections and offer any further suggestions.**

I have read the above statements and warrant in good faith that I understand and will comply, that my application is complete, and that the information submitted is true and correct.

JAXSON MCANALLY

Applicant Signature: JAXSON MCANALLY (Apr 29, 2026 11:15:53 CDT)

Date: Apr 29, 2026

## Site Plan Application Checklist

Name of Project: 4th Ave Parking Deck

All items must be marked. **Plans must be fully compliant with the Decatur Zoning Ordinance and other applicable regulations.**  
This checklist is provided as an aid in the process.

**List in the blank the page number where item can be found, 'X' or '✓' if attached or understood, or 'N/A' if not applicable.**

- X Name of project, date, owner & applicant name, designer name, and contact information
- X North arrow, legend (can just mark as included)
- X Standard scale of not less than one inch = 100 feet, shown both graphically and as a written ratio (can just mark as included)
- X Vicinity map
- X Topography at not greater than two-foot contour intervals, or as otherwise required by the City
- X Required yard setbacks
- X The proposed location of all buildings and existing buildings with dimensions shown
- X A description of the use of all buildings and premises
- N/A Required open spaces, if applicable, and Management Plan, if required in accordance with Zoning Ordinance
- X The areas, number of spaces, and dimensions of all parking
- X The location of all streets, driveways, walks, ingresses and egresses, and curb cuts
- X All service and loading spaces
- N/A The location and areas of illumination of all exterior lighting
- X The location, size, number, and character of all exterior signs (signs must still be permitted separately)
- X The location, character, and extent of landscaping, retaining and screen walls, and other treatments
- X The provision for surface drainage of the premises
- TBD Public and private easements, existing and proposed, and their purpose
- X Finished floor elevation, current FEMA FIRM panel information, and the location of any special flood hazard areas on or within 50 ft of the site; if there is no SFHA on or adjacent to the site, a note must be provided stating such
- X The location of all existing and proposed water and sewer (sanitary and storm) lines and location of proposed taps to public lines, as well as other utilities, both underground and overhead
- X The location of fire hydrants and other fire department connections, existing and proposed
- N/A The findings of a registered engineer relative to the probable noise generated by the proposed use. This item is not required unless, in the opinion of the Director, the proposed use is likely to generate excessive noise or if the property upon which the use is to be carried out is adjacent to residential uses or zones.
- X Landscape plan and parking plan, if required
- N/A Floodplain Development Permit Application (required for any development in a Special Flood Hazard Area)
- N/A Grading Permit Application, if required
- TBP Post-construction Stormwater Permit Application, if required
- N/A Certificate of Appropriateness, if located in Historic District
- X I understand that work on the site may not begin until a permit is issued in hand
- X I understand I must comply with the whole Zoning Ordinance and other applicable rules and regulations
- X I understand that a Certificate of Occupancy or other final approval will not be given until ALL work is completed, inspected, and approved

**I have completed the above and warrant in good faith that I understand and will comply, that my application is complete, and that the information submitted is true and correct.**

Applicant Signature: JAXSON MCANALLY  
JAXSON MCANALLY (Apr 29, 2026 11:15:53 CDT)

Date: Apr 29, 2026

**Planning Commission  
Staff Report**



**FILE NAME:** Site Plan 731-26 - 114-Oxmore Flint road - Flint Volunteer Fire Dept.

**MEETING DATE:** May 19th, 2026

**A. BACKGROUND:**

<b>Applicant/Representative:</b>	Bryan S. Pressnell - Fortydot4
<b>Owner:</b>	Flint City Volunteer Fire Department
<b>Property Location:</b>	114 Oxmore-Flint Road
<b>Request:</b>	Construct a 9,740sqft building as apart of the current Volunteer Fire Department.
<b>Property Size(Acres):</b>	2.0 Acres
<b>Future Land Use Map (FLUM) Designation:</b>	Rural Edge/Agriculture & Residential, Low
<b>Current Zoning District:</b>	Institutional
<b>Existing Land Use:</b>	Institutional

**B. DEVELOPMENT STATUS & HISTORY:**

<b>Previous Requests:</b> 1/20/2026	Rezoning 1143-26 - RS-10 to Institutional
<i>May not be exhaustive</i> 1/20/2026	Minor Plat (CTRL.8690) - Replat of Lots 9-10 Pine Forest

**C. SURROUNDING LAND USE AND ZONING:**

<b>Direction</b>	<b>Land Use</b>	<b>Zoning</b>
North	Residential	RS-10
South	Residential	RS-10
East	Residential	RS-10
West	Residential	RS-10

**D. EVALUATION/COMMENTS:**

**Street Connectivity:** Oxmore-Flint Road SW connects to Margarete Drive, Alberta Drive, Norris Mill Road & Old Highway 31 South.

**Water/Sewer:**

**District Standards:** Institutional (INST)

**Lot requirements for uses in:** Institutional (INST)

	Institutional (INST)
Minimum Lot Size	Lots shall be of sufficient size so that the allowed institutional use can reasonably locate on the site, along with adequate parking and loading space, and any other space required for the normal operation of the allowed use.
Front Setback	25(ft)
Rear Yard	20(ft)
Side Yards	15(ft)   25(ft)

### **Planning Comments:**

The proposed fire station is being developed within an established residential neighborhood, and the site design should be compatible with the surrounding area. The Planning Department has concerns regarding the use of gravel pavement within a developed neighborhood accessed from a paved roadway. In addition, gravel surfacing is not conducive to maintaining clearly defined parking spaces over time.

To ensure compatibility with adjacent residential properties, the applicant will be required to provide landscape buffers along all property lines abutting residential uses. Frontage landscaping along the roadway will also be required. In accordance with the City of Decatur Zoning Ordinance, the applicant must provide a Type C: Semi-Opaque Buffer along all sides adjacent to residential properties.

Additionally, the Flint Fire Department is only supposed to have a maximum number of parking at 17.6 spaces based on the ratio 3.0 spaces per 1,000 sf. The building is 5,300 sq. ft.

### **Planning Condition:**

1. Please replace the gravel with asphalt or a similar like material

**Any relocation of utilities will be at the owner's expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.**

### **Engineering Comments:**

1. Show ROW for Oxmore Flint Rd. SW
2. C0.2:
  - o Show existing storm structures.
3. C5.0:
  - o Inlet protection needed at grate inlets?
  - o Concrete washout location missing.
4. C6.0:
  - o Construction exit pad needs to be 12" in depth and 100' in length.
  - o 18" Curb and Gutter detail is shown on this page. It is not shown on site plan page. Please indicate locations for this.
  - o Need concrete washout detail.
5. ADEM construction general permit is required if more than an acre is disturbed. (POI)

### **Fire Comments:**

#### **Decatur Utilities:**

Gas:

Power:

Waste Water:

### **Joe Wheeler Comments:**

1. Joe Wheel will provide Power. (POI)

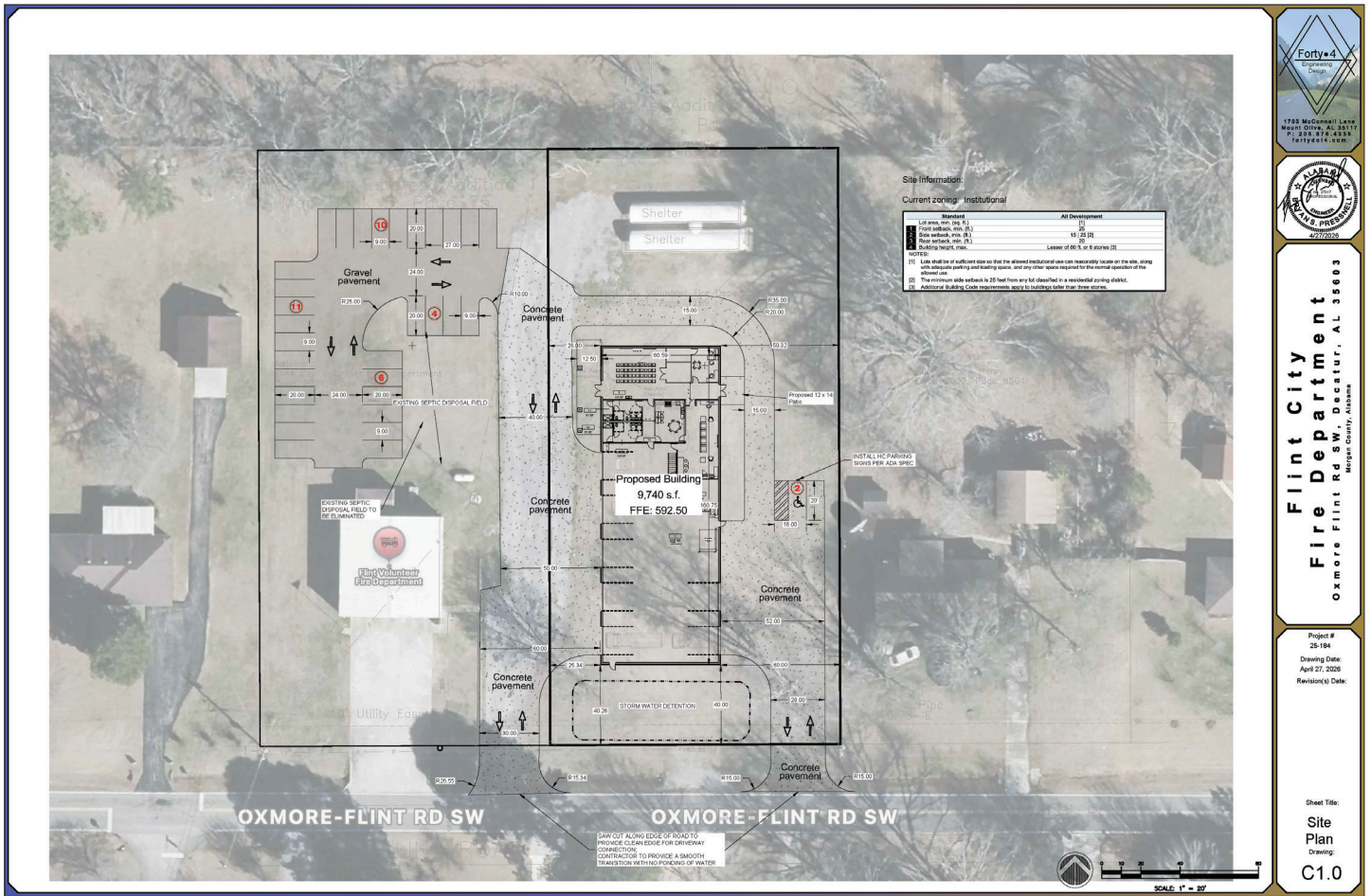
<b>Reviewed by:</b>	Tommie Williams
<b>Recommendation from Planning:</b>	Conditional Approval

# AERIAL MAP





# SITE PLAN



**Flint City Fire Department**  
Oxmore Flint Rd SW, Decatur, AL 35603  
Miguel Contreras, Alabama

Project # 25-184  
Drawing Date: April 27, 2025  
Revision(s) Date:

Sheet Title:  
**Site Plan**  
Drawing:  
**C1.0**

Site Plan Application



City of Decatur, Planning & Development Department
402 Lee Street NE
Decatur, AL 35601
(256) 341-4720 / planning@decatur-al.gov

Name of Project: Flint Fire Department

Location of Project: Oxmore Flint Road SW, Decatur, AL 35603

Name of Applicant: Bryan S. Pressnell Phone: 205-876-4335

Address: 1703 McConnell Lane, Mount Olive, AL 35117 Email: bryan@fortydot4.com

The applicant will be the point of contact for communication with city staff

Name of Owner: Flint City Volunteer Fire Department Phone:

Address: 101 Oxmore Flint Road SW, Decatur, AL 35603

Engineer: Bryan S. Pressnell Phone: 205-876-4335

Address: 1703 McConnell Lane, Mount Olive, AL 35117 Email: bryan @fortydot4.com

Surveyor: Lee Y. Greene & Associates Phone: 256-773-2304

Address: 121 Sparkman Street SW, Hartselle, AL 35640 Email:

Describe the Proposed Project:

Construction of a 9.740 square foot building with associated parking and driveways to serve building; in addition construction of a gravel parking lot to serve the existing storm shelters currently on site.

In City Limits? Yes [X] No [ ]

Current Zoning: Inst Proposed Zoning: n/a Total Acreage: 2.0

Any rezoning or annexation requests must be accompanied by appropriate application

Date of Predesign/Pre-application Meeting: 3 / 18 / 2026 Predesign required unless waived by Planner

Site Plans are reviewed for compliance with the Zoning Ordinance and assurance of public safety and welfare with respect to traffic, drainage, flooding, fire hazards, compatibility with existing development, and other applicable regulations.

Required Items for Submission: mark if included

- x One (1) Full Civil Set, Paper Copy, Sized 24x36
x Full Civil Set, Site Plan Application, All Supplemental Paperwork, Electronic Copies (PDF, Dropbox, Google Drive, USB, Etc.)
x Completed Site Plan Checklist (page 2 of this document)
\* Property Deed & Ownership \* Plat recently approved by city combining properties confirming ownership
x Original Designation of Agent Form (if applicant is not property owner)
x \$250.00 Site Plan Application Check (made payable to City of Decatur)

Partial or incomplete applications will not be accepted. No work may begin until a permit is issued.

Our standard site plan review process includes an initial review by all departments. A review letter will be returned to the applicant stating any deficiencies and needed corrections and a request for resubmittal. Once a resubmittal is received, it will be reviewed once again and will be approved, approved with conditions, or denied. If denied, applicant will need to begin application process again with new application, submittal, and fees.

It is strongly recommended that application be submitted well in advance of deadline, especially for new, large, or complex developments. This will give staff time to point out needed corrections and offer any further suggestions.

I have read the above statements and warrant in good faith that I understand and will comply, that my application is complete, and that the information submitted is true and correct.

Applicant Signature: [Signature] Date: 4 / 27 / 2026

## Site Plan Application Checklist


Name of Project: Flint Fire Department

All items must be marked. **Plans must be fully compliant with the Decatur Zoning Ordinance and other applicable regulations.** This checklist is provided as an aid in the process.

List in the blank the page number where item can be found, 'X' or '✓' if attached or understood, or 'N/A' if not applicable.

- 0.0 Name of project, date, owner & applicant name, designer name, and contact information
- x North arrow, legend (can just mark as included)
- x Standard scale of not less than one inch = 100 feet, shown both graphically and as a written ratio (can just mark as included)
- 0.0 Vicinity map
- 0.2 Topography at not greater than two-foot contour intervals, or as otherwise required by the City
- 1.0 Required yard setbacks
- 1.0 The proposed location of all buildings and existing buildings with dimensions shown
- 1.0 A description of the use of all buildings and premises
- 1.0 Required open spaces, if applicable, and Management Plan, if required in accordance with Zoning Ordinance
- 1.0 The areas, number of spaces, and dimensions of all parking
- 1.0 The location of all streets, driveways, walks, ingresses and egresses, and curb cuts
- 1.0 All service and loading spaces
- n/a The location and areas of illumination of all exterior lighting
- n/ The location, size, number, and character of all exterior signs (signs must still be permitted separately)
- 7.0 The location, character, and extent of landscaping, retaining and screen walls, and other treatments
- 4.0 The provision for surface drainage of the premises
- 0.2 Public and private easements, existing and proposed, and their purpose
- 3.0 Finished floor elevation, current FEMA FIRM panel information, and the location of any special flood hazard areas on or within 50 ft of the site; if there is no SFHA on or adjacent to the site, a note must be provided stating such
- 2.0 The location of all existing and proposed water and sewer (sanitary and storm) lines and location of proposed taps to public lines, as well as other utilities, both underground and overhead
- 2.0 The location of fire hydrants and other fire department connections, existing and proposed
- n/a The findings of a registered engineer relative to the probable noise generated by the proposed use. This item is not required unless, in the opinion of the Director, the proposed use is likely to generate excessive noise or if the property upon which the use is to be carried out is adjacent to residential uses or zones.
- 7.0 Landscape plan and parking plan, if required
- n/a Floodplain Development Permit Application (required for any development in a Special Flood Hazard Area)
- n/a Grading Permit Application, if required
- n/a Post-construction Stormwater Permit Application, if required
- n/a Certificate of Appropriateness, if located in Historic District
- x I understand that work on the site may not begin until a permit is issued in hand
- x I understand I must comply with the whole Zoning Ordinance and other applicable rules and regulations
- x I understand that a Certificate of Occupancy or other final approval will not be given until ALL work is completed, inspected, and approved

I have completed the above and warrant in good faith that I understand and will comply, that my application is complete, and that the information submitted is true and correct.

Applicant Signature:  Date: 4 / 27 / 2026

**Planning Commission  
Staff Report**



**FILE NAME:** Vacation 601-26 - Holly Street NE

**MEETING DATE:** May 19th, 2026

**A. BACKGROUND:**

<b>Applicant/Representative:</b>	Pugh Wright McAnally
<b>Owner:</b>	Cook Properties, LLC
<b>Property Location:</b>	Holly Street NE
<b>Request:</b>	Vacate 0.33 of a Public Street
<b>Property Size(Acres):</b>	0.33 Acres
<b>Future Land Use Map (FLUM) Designation:</b>	Urban Core Downtown
<b>Current Zoning District:</b>	N/A
<b>Existing Land Use:</b>	Public Local Street

**B. DEVELOPMENT STATUS & HISTORY:**

<b>Previous Requests:</b> 5/19/2026 <i>May not be exhaustive</i>	Site Plan 730-26
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**C. SURROUNDING LAND USE AND ZONING:**

Direction	Land Use	Zoning
North	Commercial	CC
South	Commercial & Parking	CC
East	Commercial	CC
West	Parking	CB

**D. EVALUATION/COMMENTS:**

**Street Connectivity:** Holly Street is a Local Street that connects to 4th Ave a Minor Arterial.

Holly Street also connects to 6th Ave NE which is a Principal Arterial.

**Water/Sewer:** Available but must be moved.

**District Standards:** N/A

Lot requirements for uses in: N/A

	N/A	N/A
Minimum Lot Size	N/A	N/A
Minimum Width at Building Line	N/A	N/A
Maximum Lot Coverage	N/A	N/A
Front Setback	N/A	N/A
Rear Yard	N/A	N/A
Side Yards	N/A	N/A

**Planning Comments:**

The applicant is proposing to vacate approximately 0.33 acres of Holly Street to facilitate the expansion of the Cook’s Museum. This request is part of a broader development effort aimed at enhancing the museum’s facilities and overall visitor experience. As part of this expansion, Site Plan 730-26 has also been submitted, which includes the construction of a new parking deck to support increased parking demand associated with the museum’s growth. The proposed street vacation and accompanying site improvements are intended to create a more cohesive and functional campus layout.

**Any relocation of utilities will be at the owner’s expense, and specific timing of relocations will need to be agreed upon between Decatur Utilities and the Developer.**

**Engineering Comments:**

Will the city need easements for the storm structures for the Parking Deck or will this be privately maintained?

**Fire Comments:**

**Decatur Utilities:**

Gas:

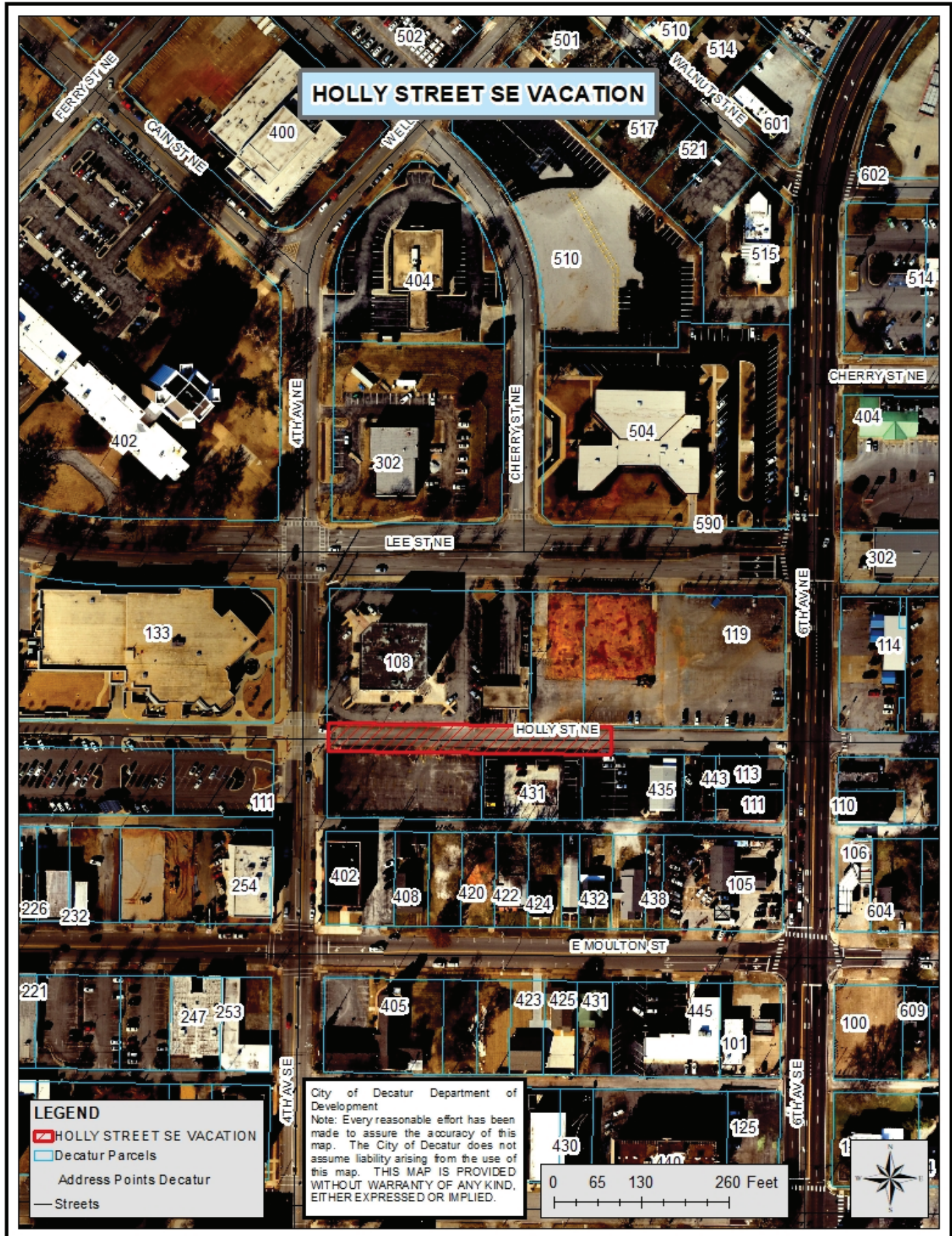
Power:

Waste Water:

**Joe Wheeler Comments:**

<b>Reviewed by:</b>	<b>Tommie Williams</b>
<b>Recommendation from Planning:</b>	<b>Approve</b>

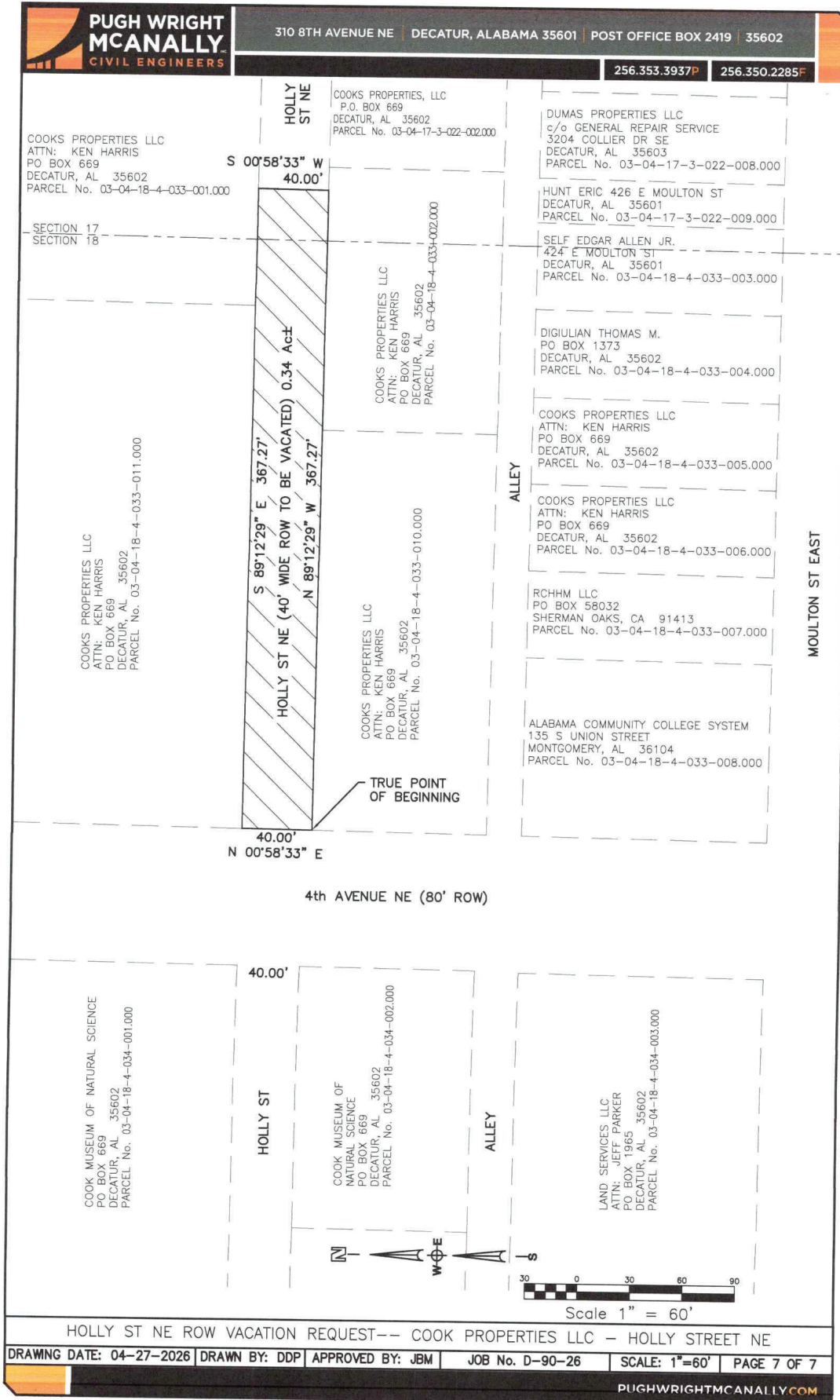
# AERIAL MAP



# ZONING MAP



# SITE PLAN-



DECLARATION OF VACATION

STATE OF ALABAMA )
COUNTY OF MORGAN )

KNOW ALL MEN BY THESE PRESENTS, THAT:

COOKS PROPERTIES, LLC, the owners and interested parties of all the property adjacent to those certain right-of-way easements, hereinafter described and desiring to vacate the same, do hereby declare that the right-of-way easements heretofore granted to the City of Decatur, Alabama, situated in the City of Decatur, Morgan County, Alabama and particularly described as follows, to-wit:

HOLLY STREET NE RIGHT-OF-WAY TO BE VACATED

BEGIN AT THE POINT WHERE THE EAST RIGHT-OF-WAY MARGIN OF 4TH AVENUE NE INTERSECTS THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE AND THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 00 DEGREES 58 MINUTES 33 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY MARGIN OF 4TH AVENUE NE A DISTANCE OF 40.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 12 MINUTES 29 SECONDS EAST ALONG THE NORTH RIGHT-OF-WAY OF HOLLY STREET NE A DISTANCE OF 367.27 FEET TO A POINT; THENCE SOUTH 00 DEGREES 58 MINUTES 33 SECONDS WEST A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE; THENCE NORTH 89 DEGREES 12 MINUTES 29 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE A DISTANCE OF 367.27 FEET TO THE TRUE POINT OF BEGINNING, LYING AND BEING WITHIN SECTION 18 AND SECTION 17, TOWNSHIP 5 SOUTH, RANGE 4 WEST, DECATUR, MORGAN COUNTY, ALABAMA, AND CONTAINING 0.34 ACRES, MORE OR LESS.

be and the same is hereby vacated;

It is further declared that the assent to the foregoing vacation be procured from the City Council of the City of Decatur, the governing body of the municipality in which such easement was located, and shall be assented to by a resolution adopted by said City Council, a copy of which, certified by the City Clerk of the City of Decatur, Alabama shall be attached to, and filed and recorded with this written Declaration of Vacation, and further that the assent of the City of Decatur Planning Commission to the foregoing vacation shall be procured, and said assent to be evidenced by a resolution adopted by the said City of Decatur Planning Commission, a copy of which, certified by the Secretary thereof, shall be attached to and filed and recorded with this written Declaration of Vacation.

IN WITNESS WHEREOF, Brian C. Cook, whose name as Member of COOKS PROPERTIES, LLC, has caused this instrument to be executed in its duly authorized officer, effective as of the 28th day of April, 2026.

COOKS PROPERTIES, LLC

BY: Brian C. Cook  
Brian C. Cook, as Its Member

STATE OF Alabama)  
COUNTY OF Morgan)

I, the undersigned authority, a Notary Public in and for said county in said state, hereby certify that Brian C. Cook, whose name as Member of **COOKS PROPERTIES, LLC**, 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, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 28th day of April, 2026.

**Donna D. Puckett**  
Notary Public, Alabama State at Large  
My Commission Expires February 18, 2029

Donna D. Puckett  
Notary Public  
My Commission Expires: 2/18/2029

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PLANNING COMMISSION RESOLUTION

STATE OF ALABAMA )
COUNTY OF MORGAN )

BE IT RESOLVED by the City of Decatur Planning Commission, that, in accordance with Article 3 of Chapter 2 of Title 35 of the Code of Alabama, 1975, determination has been made upon presentation of material facts submitted by the adjacent owners of certain real property COOKS PROPERTIES, LLC, that the right-of-way easements contained within the boundaries of the hereinafter described property, to-wit:

HOLLY STREET NE RIGHT-OF-WAY TO BE VACATED

BEGIN AT THE POINT WHERE THE EAST RIGHT-OF-WAY MARGIN OF 4TH AVENUE NE INTERSECTS THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE AND THE TRUE POINT OF BEGINNING OF THE TRACT HEREIN DESCRIBED; THENCE FROM THE TRUE POINT OF BEGINNING NORTH 00 DEGREES 58 MINUTES 33 SECONDS EAST ALONG THE EAST RIGHT-OF-WAY MARGIN OF 4TH AVENUE NE A DISTANCE OF 40.00 FEET TO A POINT; THENCE SOUTH 89 DEGREES 12 MINUTES 29 SECONDS EAST ALONG THE NORTH RIGHT-OF-WAY OF HOLLY STREET NE A DISTANCE OF 367.27 FEET TO A POINT; THENCE SOUTH 00 DEGREES 58 MINUTES 33 SECONDS WEST A DISTANCE OF 40.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE; THENCE NORTH 89 DEGREES 12 MINUTES 29 SECONDS WEST ALONG THE SOUTH RIGHT-OF-WAY MARGIN OF HOLLY STREET NE A DISTANCE OF 367.27 FEET TO THE TRUE POINT OF BEGINNING, LYING AND BEING WITHIN SECTION 18 AND SECTION 17, TOWNSHIP 5 SOUTH, RANGE 4 WEST, DECATUR, MORGAN COUNTY, ALABAMA, AND CONTAINING 0.34 ACRES, MORE OR LESS.

It is hereby acknowledged that the following language is contained within the Declaration of Vacation:

It is hereby declared that the said vacation does not interrupt public streets, and that the right-of-way easements so vacated are excessive to the needs of the City of Decatur as a public easement; and

BE IT FURTHER RESOLVED that the City of Decatur Planning Commission does hereby recommend to the City Council of Decatur, the governing body of the municipality having interest and jurisdiction in said right-of-way easements that said governing body adopt and place on file and of record in the Office of the Judge of Probate, Morgan County, Alabama, a duly certified resolution effecting the abandonment and vacation of any and all rights and interests under the Laws of Alabama to those certain right-of-way easements as described above.

ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

STATE OF ALABAMA     )

COUNTY OF MORGAN    )

I, \_\_\_\_\_, the duly elected, qualified Chairman of the City of Decatur Planning Commission, hereby certify that the above and foregoing is a true and correct copy of a resolution adopted by the City of Decatur Planning Commission at a meeting held thereof on the \_\_\_\_\_ day of \_\_\_\_\_, 2026, as the same appears on file and of record in the minutes of said City of Decatur Planning Commission.

IN WITNESS whereof, I hereby affix my hand as Chairman of the City of Decatur Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_, 2026.

\_\_\_\_\_  
\_\_\_\_\_, Chairman  
City of Decatur, Planning Commission

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