

MINUTES

Montevallo City Council Work Session

October 23, 2023

5:30 p.m. at City Hall

Present: Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords, Council Member Martha Eisenberg. Quorum present.

Work Session called to order at 5:30 p.m. by Mayor Nix.

Mayor Nix called for Discussion of New Business Items on Agenda:

New Business:

- **Discussion of Acceptance of Recommendation** from the Montevallo Historic Commission for Historic Markers on the Montevallo African American Heritage Trail at The Mason Hall located at 160 Commerce Street and The Little School in Jacksonville located at 1025 Island Street.
- **Discussion of Ordinance 10232023-223** An ordinance assenting to a Certain Petition for Annexation of a certain property of approximately 6 acres of undeveloped property identified by Parcel Identification Number: 27.6.14.0.000.008.001 for annexation into the City of Montevallo Corporate Limits and Zoned A-R (Agricultural- Residential) in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo. Property has no 911 Address and is located on Spring Creek Road and is contiguous to property located in the Corporate Limits of Montevallo. (First Reading)
- **Discussion of Resolution 10232023-225** A resolution authorizing funding for ARSEA/APEAL Second Chance Retiree Bonus via Act# 2023-107 of the Alabama Legislature in the Amount of \$5,020.00. Funding to be derived from ARPA Funds as a one-time payment.
- **Discussion of Request to Transfer ABC License 011202658 from Tommy Robertson to The Dive Bar, LLC** located at 721 Middle Street for Lounge Retail Liquor- Class 1.
- **Discussion of Resolution 10232023-226** A Resolution authorizing MDCD funding for construction of New Restrooms at Orr Park in the amount of \$85,000 in conjunction with Shelby County Park and Recreation Grant.
- **Discussion of Resolution 10232023-227** A Resolution authorizing MDCD funding for repairs to Pavilion and Gazebo Roofs in Orr Park in the amount of \$9,500 in conjunction with Shelby County Park and Recreation Grant.

Discussion of Old Business: Resolution 10092023-146 A Resolution to grant access to Right of Way to Yellowhammer Networks, LLC the right of way for fiber optic network to provide Internet to residential and business subscribers.

Discussion of Other Business: Acceptance of a Performance Bond from LGI Homes-Alabama, LLC for Lexington Parc Phase 4 for Asphalt Wearing Surface in the amount of three hundred forty nine thousand one hundred seventy-four dollars and fifty cents.

Audit booklets were presented to Council for review. There will be a vote on the audit at the next City Council meeting.

Mayor Nix called for Committee Reports:

Public Health & Safety: (Police, Fire, Code Enforcement, Housing Abatement and Planning & Zoning) Mayor Nix called on Council Member King for Public Health & Safety. Council Member King called on Chief Littleton for the Police Department report. Chief Littleton reported there were 54 cases in October and 873 Total Cases year to date. See Appendix 1.

Council Member King called on Chief Davis for the Fire and EMS Department Report. Chief Davis Reported 69 Calls for the first half of October. Chief Davis reported there was a Burn Ban still in effect statewide. See Appendix 2.

Sustainability: (Streets & Sanitation, Recycling, Arbor & Beautification, ValloCycle, Environmental Preservation Initiatives, and Historical Commission) Mayor Nix called on Council Member Dukes for the Sustainability Report. Council Member Dukes reported Kirk Hamby, Head of Public Works was unable to attend and no verbal or written report. Council Member Dukes reported all is going well with the Public Works Department.

Recreation, Preservation and Community Development (Parks & Recreation, Youth Athletics, Trails, Annexations) Mayor Nix called on Council Member Eisenberg for the Recreation, Preservation and Community Development Reports. Council Member Eisenberg called on Shane Baugh, Head of Parks and Recreation. Shane reported a tournament is being held this weekend; Basketball registration will be held this week; Haunted Hay Rides will be held Saturday and Sunday this weekend at Shoal Creek Park and it's a family-friendly event.

Education, Arts & Outreach (Schools, Library, UM, Boys & Girls Club, American Village, Sister City Commission, Artwalk, IMPACT) Mayor Nix called on Council Member Mitchell for the Education, Arts and Outreach Committee Reports. Council Member Mitchell called on Marissa Wilson, Director of the Parnell Memorial Library. Marissa advised October has been great for the library – they gave out all of their pumpkins for the Pumpkin Decorating Contest; Homeschool Hub was held today with 51 in attendance; November 2nd will be their inaugural Touch-A-Truck/ Read-A-Book event; reminded everyone they are in need of snacks for their snack pantry. See Appendix 4.

Council Member Mitchell called on Sarah Hogan, Program Director of Impact Montevallo. Sarah reported the 4th Annual Chief's Challenge will be held at Montevallo High School October 24 and invited everyone to come; Impact participated in National Night Out and it was a huge success; Sarah also gave the report for the Montevallo Junior City Council (MJCC).

Finance, Economic Development & Tourism (Finance, MDCD, IDB, Chamber, Main Street) Mayor Nix called on Council Member Swords for the Finance, Economic Development & Tourism Reports. Council Member Swords reported there will be a Finance Committee meeting this Wednesday at City Hall at 5:30 p.m. and is open to the public.

Council Member Swords called on Courtney Bennett, Montevallo Main Street. Courtney reported there will be a celebration for the CO.STARTERS graduates on October 24; Main Street will be participating in Montevallo Art Stalk and will be selling their collectible Christmas ornaments, Shining Star t-shirts, and is honored to book live music at Owl's Cove Park during the event; she invited everyone to the inaugural Dia de los Muertos (Day of the Dead" festival on November 1. See Appendix 5.

Council Member Swords called on Adele Nelson, Executive Director Montevallo Chamber of Commerce. Adele reported the Chamber participated in National Night Out and promoted multiple business at the vendor table; she reported the event was very successful; November Chamber Chatter will be delivered Friday; Montevallo

Hometown Halloween will be Tuesday, October 31; the Chamber is honored to provide the Montevallo Leaders of Tomorrow an excursion on November 16 with a Montevallo Business Tour and Lunch. See Appendix 6.

Montevallo City Council Meeting

October 23, 2023

6:00 p.m. at City Hall

Present: Mayor Rusty Nix, Council Member David King, Council Member Lelia Mitchell, Council Member Kenneth Dukes, Council Member Sonya Swords, Council Member Martha Eisenberg. Quorum present.

Pledge of Allegiance

Council Meeting called to order at 6 p.m. by Mayor Rusty Nix.

Mayor Nix advised there is a Public Hearing at Council Meeting and read the Public Hearing - Public Hearing Case: Ordinance 10232023-223 An Ordinance assenting to a Certain Petition for Annexation - This is a request from Scott Lovelady owner of a certain property of approximately 6 acres of undeveloped property identified by Parcel Identification Number: 27.6.14.0.000.008.001 for annexation into the City of Montevallo Corporate Limits and Zoned A-R (Agricultural- Residential) in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo. Property has no 911 Address and is located on Spring Creek Road and is contiguous to property located in the Corporate Limits of Montevallo.

Mayor Nix asked if anyone was in attendance to speak on behalf of the Ordinance. No one came forward. Mayor Nix asked if anyone was in attendance that objects to the Ordinance. No one came forward.

Close of Public Hearing closed at 6:01 p.m. – See Appendix 3.

Approval and or corrections of the Minutes 10.9.23 – Motion by Council Member Mitchell, seconded by Council Member King, All Ayes, Motion passed.

Recognitions / Awards: None

Opportunities for Citizens to speak to the Council: Joyce Lewis 330 Reonda Lane spoke on behalf of the “Cookies with a Cop” event and advised it was a good event for the community.

Consent to Pay the Bills

Mayor Nix asked for a Motion to Pay the Bills. Council Member King made a motion to pay the bills, seconded by Council Member Eisenberg, All Ayes. Motion passed.

New Business:

- **Acceptance of Recommendation** from the Montevallo Historic Commission for Historic Markers on the Montevallo African American Heritage Trail at The Mason Hall located at 160 Commerce Street and The Little School in Jacksonville located at 1025 Island Street. Motion made by Council Member Mitchell, seconded by Council Member Dukes; All Ayes, Motion passed. See Appendix 7.
- **Ordinance 10232023-223** An ordinance assenting to a Certain Petition for Annexation of a certain property of approximately 6 acres of undeveloped property identified by Parcel Identification Number: 27.6.14.0.000.008.001 for annexation into the City of Montevallo Corporate Limits and Zoned A-R (Agricultural- Residential) in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo.

Property has no 911 Address and is located on Spring Creek Road and is contiguous to property located in the Corporate Limits of Montevallo. (First Reading) – No vote. See Appendix 8.

- **Resolution 10232023-225** A resolution authorizing funding for ARSEA/APEAL Second Chance Retiree Bonus via Act# 2023-107 of the Alabama Legislature in the Amount of \$5,020.00. Funding to be derived from ARPA Funds as a one-time payment. Motion made by Council Member Dukes, seconded by Council Member Eisenberg, All Ayes. Motion passed. See Appendix 9.
- **Request to Transfer ABC License 011202658 from Tommy Robertson to The Dive Bar**, LLC located at 721 Middle Street for Lounge Retail Liquor- Class 1. Motion made by Council Member King, seconded by Council Member Dukes, 4 Ayes, 1 Nay – Eisenberg, Motion passed. See Appendix 10.
- **Resolution 10232023-226** A Resolution authorizing MDCD funding for construction of New Restrooms at Orr Park in the amount of \$85,000 in conjunction with Shelby County Park and Recreation Grant. Motion made by Council Member King, seconded by Council Member Eisenberg, All Ayes, Motion passed. See Appendix 11.
- **Resolution 10232023-227** A Resolution authorizing MDCD funding for repairs to Pavilion and Gazebo Roofs in Orr Park in the amount of \$9,500 in conjunction with Shelby County Park and Recreation Grant. Motion made by Council Member Eisenberg, seconded by Council Member King, All Ayes, Motion passed. See Appendix 12.

Old Business: Resolution 10092023-146 A Resolution to grant access to Right of Way to Yellowhammer Networks, LLC for the purpose of constructing, maintaining and operating a fiber optic network to provide internet and related services over its network to residential and business subscribers within the City of Montevallo, Alabama. Motion made by Council Member King, seconded by Council Member Dukes, All Ayes, Motion passed. See Appendix 13.

Board Appointments: None

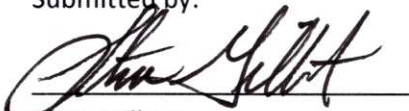
Other Business: Acceptance of a Performance Bond from LGI Homes-Alabama, LLC for Lexington Parc Phase 4 for Asphalt Wearing Surface in the amount of three hundred forty nine thousand one hundred seventy-four dollars and fifty cents. Motion made by Council Member King, seconded by Council Member Dukes, 4 Ayes, 1 Nay – Council Member Eisenberg; Motion passed. See Appendix 14.

Citizen Participation: CP Pierson 1131 Oak Street Question about Flag Football asking if it is available. Question answered; Yes, the program will be offered next Fall.

Sherry Vallidez Crestview Circle Addressed library situation – is not acceptable. Please repair. Noted concerns. She advised storage is an issue and asked to take into consideration the building of a structure for storage.

There being no further business before the Council, **Mayor Nix called for a Motion to Adjourn.** Motion to adjourn made by Council Member Mitchell, seconded by Council Member Eisenberg, All Ayes. Meeting Adjourned at 6:53 p.m.

Submitted by:



Steve Gilbert
City Clerk / Treasurer

APPENDIX 1

	January-23	February-23	March-23	April-23	May-23	June-23	July-23	August-23	September-23	October-23	November-23	December-23	Total
Total Reports	93	103	93	100	107	59	87	98	79	54			873
Criminal Cases	61	68	65	55	71	46	62	65	50	35			578
Non-Criminal	32	35	28	45	31	13	25	33	29	19			290
Traffic Accidents	12	18	12	15	15	10	8	13	15	12			130
Traffic Citations	116	100	88	86	135	48	114	98	83	26			894
DUI Arrests	8	11	3	7	7	5	11	4	4	3			63
Public Intox Arr	1	0	2	0	0	2	0	3	2	1			11
Alias Arrests	11	12	11	7	11	6	8	8	3	6			83
Juvenile Arrests	3	3	1	0	0	0	0	1	2	0			10
Misd Arrests	7	3	4	4	7	1	5	12	11	4			58
Felony Arrests	1	3	3	2	4	0	2	1	2	1			19
Total Arrest	31	32	26	20	29	14	31	29	24	15	0	0	251
Auto Thefts	0	0	0	0	0	1	0	0	1	0			2
Burglaries	0	0	2	3	1	1	0	0	4	1			12
Auto Recoveries	0	0	1	0	0	1	0	0	1	0			3
Auto Burglaries	2	0	0	1	1	1	1	0	2	0			8
Criminal Mischief	1	1	0	0	0	0	1	2	1	1			7
DV. Related	2	7	5	5	8	4	5	7	5	2			50
Assaults	1	1	2	2	5	1	2	0	2	1			17
Fraud/Forgery	3	2	2	1	3	0	0	1	1	2			15
Harass / Reck	6	4	4	4	5	1	0	4	8	1			37
Misc. Offenses	29	32	30	27	29	9	23	25	17	15			236
Robberies	2	0	0	0	0	0	0	0	0	0			2
Sex Crimes/Other	0	2	1	3	0	2	0	0	1	0			9
Thefts / Attempts	3	3	7	7	3	7	3	4	9	2			48
Suicide / Attempts	0	0	0	0	0	0	0	0	0	0			0
Deaths	2	0	1	2	0	0	1	1	2	0			9

Fire Department Report City Council 10.23.23
October 1st- October 15th 2023

EMS- 39
Lift assist- 3
Structure Fire- 0
Brush Fire- 11
Electrical Fire - 0
Vehicle Fire- 0
Appliance Fire- 0
Fire Alarm - 9
MVC- 4
Fuel Spill/ gas leak- 0
Assist other agency- 2
Assist Public- 0
Assist Law Enforcement- 0

Total Calls for the first half of September - 69

Brad Davis
Fire Chief
City of Montevallo
Montevallo Fire & Rescue Service
541 Main Street
Montevallo, AL 35115
Office- 205-666-2555. Ext. 705



City of Montevallo
Montevallo City Council
Public Hearing Attendance Record

**Public Hearing Case: Ordinance 10232023-223 - An Ordinance assenting to a
Certain Petition for Annexation**

Date: October 23, 2023

Time: 6:00 PM

Location: City Council Chamber

<u>Name</u>	<u>Address</u>	<u>Signature</u>
-	No one spoke on behalf, for, or against	Ordinance @ Public Hearing -

PARNELL MEMORIAL LIBRARY

OCTOBER 23, 2023

- We have had a great October so far. We have given out all of our pumpkins for the pumpkin decorating contest. You still have time to get your pictures in of your painted pumpkin, just message to Parnell Memorial Facebook Page.
- We had a great homeschool hub today, with 51 in attendance. We will have Ken Jones next week from regions bank to talk about money and banking.
- Tomorrow is Pokémon club, and we will also have snacks and a Pokémon costume contest.
- Thursday, we have a take home pumpkin craft kit.
- Friday is play doh and Lego club at 3:30.
- Halloween, we are showing The Great Pumpkin Charlie Brown at 10:45.
- Kids can come by in your Halloween costume and get some candy.
- Thursday, November the 2nd, is our first Touch-A-Truck, read a book event. The author is from here and wrote a children's book about a firefighter. Partnering with Impact and the fire and police department, the Montevallo Chamber, and Main Street, and to hopefully make this a yearly event.
- The Parnell Memorial Library Foundation is sponsoring a Drama Club at the library, after school from 3:30-5:00, every other Thursday starting on November the 2nd. They will meet during the school year and will hopefully do a spring production.
- When we first started our snack pantry, we had 2 in person programs, and now we have from 5-8 in person programs a week. We are always in need of snacks for our snack pantry. We would still like to offer this to our kids here in the community.
- November 3rd, 4th, and 6, we are having a HUGE book sale in our meeting room. \$5 dollars for a very large bag.



Report to City Council

October 23, 2023

Updates

- Please make plans to join us tomorrow, October 24, from 6-7 PM at the Team Lehman office (620 Valley Street) for a celebration in honor of our fall 2023 CO.STARTERS graduates.
- We look forward to seeing you this Saturday, October 28, from 11 AM – 5 PM for Montevillo Art Stalk. Main Street will have a booth selling our collectible Christmas ornaments and remaining stock of our Shining Star t-shirts, and will also have candy and temporary Halloween tattoos for the kids. Main Street is also honored to book live music at Owl's Cove Park during the event. Ramblin Ricky Tate will perform at 11 AM, Davis Little and Haleigh Black at 1 PM, and Kingfish at 3 PM.
- We also hope to see you at Montevillo's inaugural Dia de los Muertos (Day of the Dead) festival on November 2! Join us on Valley Street from 5-9 PM for a free-admission event that will feature a community altar, music, baile folklorico performances, food, and much more. Find more information on Facebook at "Dia de los Muertos Montevillo."

Courtney Bennett, Executive Director

Chamber / City Council Report**10/23/2023**

- 1) Montevallo Chamber was at **National Night Out** on Tues. Oct 17, 5:30-7:30pm, Pecan Grove @ Orr Park with prizes, free popcorn and Barney ! The Chamber would like to give thanks and recognize the Businesses that contributed to our booth - American Village, Blue Phrog Gallery, Cedar Creek Nursery, Dixie Decorations, Falcon Art Supply, Montevallo Drug, Regions, State Farm, Pic 'n Sav, Slice, and AmStar.
- 2) **November Chamber Chatter** will be distributed Friday October 27, 2023
- 3) **Montevallo "Hometown Halloween"** will be Tuesday October 31, 3:30-5pm, Downtown
- 4) *NEW DATE* Montevallo will be co-hosting- **Washington Update Luncheon**, Senator Katie Britt, Friday Nov. 3rd / 11:45am - 1:15pm / Jeff St. Hoover / RSVP by Oct 31st / Please let Adele know if you plan to attend
- 5) *NEW DATE* **The Jewelry Lady Ribbon Cutting** on Friday Nov. 10th at 12pm (noon) / 619 Main Street
- 6) **Montevallo Chamber Luncheon** Wed Nov. 15th "Volunteer Appreciation" Program- : Volunteer testimonials & Tinglewood Festival Wooden Boat Race winners will be recognized / Parnell Library / Networking 11:30am / Lunch noon \$15 ea / RSVP by Mon 11/13 / Catered by Southern Sweets / Luncheon Sponsor - Rockco Funeral Home
- 7) Montevallo Chamber is honored to provide the **Montevallo Leaders of Tomorrow** an excursion on Thurs. Nov. 16th with a Montevallo Business Tour and lunch.
- 8) **2023 Montevallo Christmas Parade** will be Thursday Nov 30, 6pm Registration packet is available at city hall, by emailing montevallochamber@gmail.com or chamber website -- <https://www.montevallochamberofcommerce.com/christmas-parade>

**Adele Nelson****Executive Director***Montevallo Chamber of Commerce*

P.O. Box 270 Montevallo, AL 35115

205.665.1519 office

www.montevallocc.com



**ALABAMA
HISTORICAL
COMMISSION**
THE STATE HISTORIC PRESERVATION OFFICE

Alabama Historical Commission
468 S. Perry Street
Montgomery, Alabama 36130-0900
Voice: (334)242-3184
Fax: (334)262-1083
www.ahc.alabama.gov

Historical Marker Application

Property Information:

Property Name: The Mason Hall

Street Address: 160 Commerce Street

City: Montevallo

County: Shelby

Zip: 35115

Contact Person Name: James Salter

Contact Phone Number: 205-306-4671

Contact Email Address: james_a_salter@yahoo.com

Contact Mailing Address: P.O. Box 415

City: Montevallo

State: AL

Zip: 35115

Historic Register Information:

Not Listed on a Historic Register

Alabama Register of Landmarks & Heritage

Individually Listed

Historic District

Date of Listing:

Name of Listing:

Name of Historic District:

National Register of Historic Places

Individually Listed

Historic District

Date of Listing:

Name of Listing:

Name of Historic District:

Alabama Historic Cemetery Register

Date of Listing:

Size of Marker Requested (Height by Width):

*Prices effective May 1, 2023 – April 30, 2024

24" x 30"

\$2,110 Same text on both sides

30" x 42"

\$2,950 Same text on both sides

Plaque (16.5" x 16")

\$600

\$2,360 Different text on both sides

\$3,370 Different text on both sides

Size of Post Requested: 7' or 10' (Additional Cost of \$100)

Type of Seal Requested:					
<input type="checkbox"/> Alabama State Seal	<input checked="" type="checkbox"/> Black Heritage Council Seal			<input type="checkbox"/> Cemetery Register Seal	
Optional Items:					
Photograph:					
<input type="checkbox"/> None	<input type="checkbox"/> 4" x 6"	<input type="checkbox"/> 5" x 7"	<input type="checkbox"/> 8" x 10"	<input type="checkbox"/> 11" x 14"	<input type="checkbox"/> 20" x 24"
Etched Plate:					
<input type="checkbox"/> Any size up to 10" x 10"		<input type="checkbox"/> Any size up to 20" x 20"		<input type="checkbox"/> Larger than 20" x 20"	
QR Code:					
<input type="checkbox"/> None		<input type="checkbox"/> QR Code (Please provide code.)			
Proposed Marker Narrative: (use additional sheets if necessary)					
The Mason Hall has been designated as a significant African American historic site by the Black Heritage Council of the Alabama Historical Commission					
Sponsored by the City of Montevallo					
Location of Marker:					
For locational information, please visit Google Maps, search for the street address, then right click on the spot the marker will be placed. Once you do this, Google should provide you the latitude and longitude, which should look like this 32.37203, -86.30751.					
Latitude:			Longitude		
Billing Information:					
A sponsoring individual or organization is required to pay Sewah Studios upon invoice. Do not send money to the AHC.					
Name:					
Address:					
City:		State:		Zip:	
Phone Number:					
Email Address:					
Shipping:					
For historical markers and plaques mounted on posts, prepaid delivery service is curbside delivery to a <u>commercial delivery address ONLY</u> . Plaques can be delivered to a residential or commercial delivery address by UPS. Contact Sewah Studios at (888) 557-3924 for specific shipping questions.					
Ship to the Attention of:					
Company Name:					
Street Address (No P.O. Boxes):					
City:		State:		Zip:	
Phone Number:					

Approval of Property Owner(S):

It is the responsibility of the applicant requesting the marker or plaque to secure approval of the property owner, whether it is privately or publicly (city, county, state, or federal governments or right-of-way) owned. Property owner or designated official's signature(s) must appear below.

We request that the Alabama Historical Commission approve this Historical Marker and/or Plaque.

Sponsoring Individual or Organization (Please print)

James A. Satter
Property Owner or Authorized Officer (Please print)

Signature of Individual or Official of Sponsoring Organization

J. H. Satter
Signature of Property Owner or Authorized Officer

Date

Date

**Return this Form and Any Attachments to:
Alabama Historical Commission
Attn: Leanne Waller-Trupp
468 S. Perry Street
Montgomery, Alabama 36130-0900
Leanne.Trupp@ahc.alabama.gov**

A Brief History

Of the

“Mason Hall”

By

James A. Salter, W.M.

Stone Mountain Lodge #187 PHA

January 2023

One thing have I desired of the Lord, that will I seek after; that I may dwell in the house of the Lord all the days of my life, to behold the beauty of the Lord, and to enquire in his temple. Psalm 27:4

The Prince Hall affiliated lodge hall located at 160 Commerce Street, Montevallo, Alabama is affectionately known as the “Mason Hall.” The brothers of Montevallo Star Lodge #726 purchased the property for the building in 1938 from W. M. Johnson and his wife, Nettie Johnson for one hundred dollars. It is believed that Montevallo Star Lodge was chartered between 1920-1923. It is also believed that Hobert Harris was the lodge’s first Worshipful Master. The Eastern Star chapter, Harris Pride Chapter #437 was chartered in 1923. Sis. A. R. Gilmore was the first Worthy Matron and Bro. Hobert Harris, the first Worthy Patron.

The building was probably built in 1938 or shortly thereafter. It was a wooden structure until 1992 when vinyl siding was added. Numerous improvements have been made over the years. The hall

have also service the community as a meeting place to hold different functions. It served as one of the sites students attended classes while Prentice High School was being finished between September 1949 through March 1950. It is also believed that it was one of the sites the Suburban League held meetings.

The Mason Hall was home for Montevallo Star Lodge until 2005. Boothton Pride Lodge #720 also met there. In 2005, the brothers of Montevallo Star Lodge joined Stone Mountain Lodge #187 which were meeting in Calera, Alabama at that time. Stone Mountain Lodge was chartered in 1904.

The brothers that served Montevallo Star Lodge #726 as Worshipful Master were:

Hobert Harris -----	1920's
Jesse Ellis Peoples -----	1920's – 1950's
William Mayweather --	1950's – 1960
Redgal D. DuBose -----	1960's
Rev. Albert L. Jones -----	1970's – 1984
Henry L. Tolbert -----	1985 – 1990
James A. Salter -----	1990 – 2005

Some of the brothers that served as Worshipful Master for Boothton Pride Lodge #720 were:

Clifton L. Lacey, Roosevelt Cunningham, and Willie Brantley, Jr.

In 2008, the brothers of Stone Mountain Lodge renovated the hall. It is now home for Stone Mountain and Harris Pride Chapter #437 OES.

Some of the brothers that served as Worshipful Master for Stone Mountain Lodge #187 were:

William A. Lacey ----- 1904 –

Arthur L. Burnice, Sr. – 1960's – 1970's

Lee B. Harris ----- 1970's – 1980's

Danny Williams ----- 1990's – 1995

Rev. Rogers L. White -- 1996 – 2007

James A. Salter ----- 2007 – 6/10/2023

Darius Foster ----- 6/10/2023 – present

Revised July 2023



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Historical Marker Application

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Street Address: 1025 Island Street

City: Montevallo

County: Shelby

Zip: 35115

Contact Person Name: James Salter

Contact Phone Number: 205-306-4671

Contact Email Address: james_a_salter@yahoo.com

Contact Mailing Address: P.O. Box 415

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Size of Post Requested: 7' or 10' (Additional Cost of \$100)

Type of Seal Requested:					
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Optional Items:					
Photograph:					
<input type="checkbox"/> None	<input type="checkbox"/> 4" x 6"	<input type="checkbox"/> 5" x 7"	<input type="checkbox"/> 8" x 10"	<input type="checkbox"/> 11" x 14"	<input type="checkbox"/> 20" x 24"
Etched Plate:					
<input type="checkbox"/> Any size up to 10" x 10"		<input type="checkbox"/> Any size up to 20" x 20"		<input type="checkbox"/> Larger than 20" x 20"	
QR Code:					
<input type="checkbox"/> None		<input type="checkbox"/> QR Code (Please provide code.)			
Proposed Marker Narrative: (use additional sheets if necessary)					
<p>The "Little School" in Jacksonville 1924-1939</p> <p>At this corner stood the first public school for Black children in Montevallo, operating from at least 1924 to 1939. Known affectionately as the "Little School," the two-roomer, built with funds raised by the African American community, was held in trust by "the Colored people of the Town of Montevallo." In 1952, the trustees -- John DuBose, Amos Nix, A. H. Frierson, Jesse E. Peoples, Tom Billingsley, David Nunn, and W. M. Pitts -- transferred the property to Oscar C. and Mary Brazier Mink Cunningham.</p>					
Location of Marker:					
For locational information, please visit Google Maps, search for the street address, then right click on the spot the marker will be placed. Once you do this, Google should provide you the latitude and longitude, which should look like this 32.37203, -86.30751.					
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Proposed Marker Narrative: (use additional sheets if necessary) (continued narrative)					
<p>They converted the abandoned schoolhouse into a family dwelling. It became the home of their daughter, Onnie Dell Fluker, once a student at the "Little School." Her teacher, Anna Peoples, was paid \$45 a month by the Shelby County Board of Education. Peoples and her assistant, Anna Mae Nunn, relocated to the newly opened Almont Negro Elementary School in 1939. The "Little School" served as a community center for the surrounding Black neighborhood, then known as Jacksonville.</p>					
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Proposed Marker Narrative: (use additional sheets if necessary)					
(text for second side)		Onnie Dell Fluker 1918-2015			
Onnie Dell Fluker, educator and historian, taught elementary school children in Shelby County for over 30 years. She was educated in the Shelby County school system and earned degrees at Alabama State University and the University of Montevallo. In 1998, aged 80, she wrote a brief history of "Schools for Blacks in Shelby County" in the 1920s and 1930s. It preserves acts of kindness and sacrifice on the part of teachers, administrators, bus drivers, families, and community members who came together to give African American youngsters a chance for an education.					
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Proposed Marker Narrative: (use additional sheets if necessary) (continued second side text)					
<p>Fluker exemplifies the strength and determination of a generation of Black women teachers who worked tirelessly during the era of racial separation, and after, to create an uplifting legacy for the generations to follow.</p>					
Location of Marker:					
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Approval of Property Owner(S):

It is the responsibility of the applicant requesting the marker or plaque to secure approval of the property owner, whether it is privately or publicly (city, county, state, or federal governments or right-of-way) owned. Property owner or designated official's signature(s) must appear below.

We request that the Alabama Historical Commission approve this Historical Marker and/or Plaque.

Sponsoring Individual or Organization (Please print)

James A. Salter
Property Owner or Authorized Officer (Please print)

Signature of Individual or Official of Sponsoring Organization

James A. Salter
Signature of Property Owner or Authorized Officer

Date

Date

**Return this Form and Any Attachments to:
Alabama Historical Commission
Attn: Leanne Waller-Trupp
468 S. Perry Street
Montgomery, Alabama 36130-0900
Leanne.Trupp@ahc.alabama.gov**

Onnie Dell Fluker,

The Little School,

Shelby County History & Heritage
Spring / Summer 2023
& Jacksonville

By Kathy King

A look at the impact of teachers, schools and community on black education in Montevallo

Onnie Dell Fluker drew upon personal memories of people and places in the 1920s and 1930s when in 1998, at the age of 80, she wrote "Schools for Blacks in Shelby County." Whatever else motivated her, she was determined to preserve the names of the ordinary people who went to extraordinary lengths to educate Black children during the Jim Crow era.

It rests with us to carry on her project of remembrance. A host of untold stories is in Fluker's account for additional research and imaginative re-telling. This issue takes up one of them: the "Little School" in Montevallo's Jacksonville that Fluker attended as a little girl and later made her home during her long and devoted career as a public school teacher.

Onnie Dell Fluker

Let us begin by honoring Onnie Dell Fluker. She was adored by generations of students. One of her former students, Annie McClain, remembers her as half of the "dynamic duo" that shared a classroom at Almont primary school. The other half was Mary Smitherman, mother of state senator Rodger Smitherman. McClain pays tribute to the duo in an email:

"Mrs. Fluker was an intelligent, extraordinary, astonishing lady. She was beautiful on the inside and out, woman-like. Simply a precious jewel that was loved by many. She was an empathetic teacher who cared for her students. Although she taught first and second graders, her academic expectations were very high, and she made that known to the students and their parents. No student was left behind for any



Onnie Dell Fluker

reason. She ensured every student had access to the necessary supplies to excel in her classroom, even if it meant using personal funds to make it happen. Mrs. Fluker was respected by the community and her peers. She was an excellent example for the girls. She worked with them as much as possible, and as much as their young minds could comprehend about being ladies and doing what was expected as they were little girls growing up to be ladies. I guess you would call her a surrogate mother away from home. She was not there for you just academically but in every way possible. I loved Mrs. Fluker. Mary Smitherman was the same."

Mrs. Fluker occupies a special place in the memories of another Almont student, Ethel

Mae Thompson. When Ethel Mae started school she was scared to speak in front of the class. Mrs. Fluker helped her overcome her fears. She was always there to encourage and comfort: *"It's all right, it's all right baby."* She is described by members of her church, Ward Chapel A.M.E. in Montevallo, as a diminutive person, soft-spoken and calm, but with a voice that commanded respect. That voice is still an object of some awe. As one recalled, *"You had to lean in and listen to Ms. Fluker. She had that power."*

Her nephew James Salter remembers his Aunt Dell in an email as a *"very soft-spoken person and teacher who always found an opportunity to teach a lesson. . . whether it was at home, the school house, or the church house. It is why her hundreds of students loved her."*

The "Little School" in Montevallo

Officially it was the Montevallo School for Negroes. The "Little School," as Fluker affectionately dubbed it, provided the only public education available for Black children in the Montevallo from its opening, probably in 1924, to 1939. It stood at the corner of Island St and the "Little Alley" (the extension of Bloch Street) in an area then known as Jacksonville. It was a two-room wooden structure, without electricity or running water and heated by a couple of pot-bellied stoves: typical of what children of color could expect at this time. It also served as a community center for Jacksonville residents, used for concerts and other events.

Fluker recalls:

"I attended the 'Little School House' in Montevallo and the 'School on the Hill' in Aldrich, Alabama. I must have been an apt child because I was sometimes promoted twice a year. It made me younger than my classmates, even in college. I was always 'too little' for the other children."

She was in fact a very short person but managed somehow to succeed at basketball in college. (Fluker, unpublished "Mini Revelations," courtesy of James Salter; interview with Rance Gaddis, Jan. 7, 2023.)

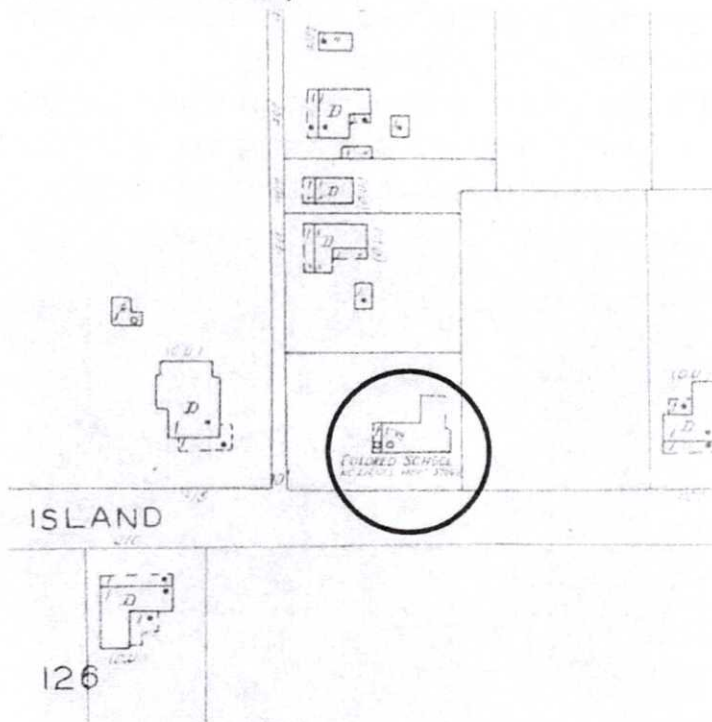
Her ties to the "Little School" go well beyond the fond memories of a precocious pupil. In the late 1940s, long after the school had closed, Fluker's parents -- O. C. and Mary Eliza Brazier Mink Cunningham -- purchased the property and converted the disused building into a family dwelling. Onnie Dell Fluker lived there for the rest of her life. The family dwelling stands still, a 9-room house on Island St across from Montevallo High School and Parnell library. At this time it is home to her grandson, Rance Gaddis, and his family.

The school first appears in the minutes of the Shelby County Board of Education in 1924. It had only one teacher, Mrs. Anna Peoples. She was joined the following year by Bernice Hinton. Over the next fifteen years the "Little School" usually had two teachers. The county at this time allotted teachers of color \$40-60 a month. Mrs. Peoples, who taught the older students and acted as principal, earned \$45. Her assistants were typically paid \$40. The school served Black children from Jacksonville to Evansville to the neighborhood "Cross the Creek." The nearby coal mining community of Aldrich had its own school.

Assistant teachers, usually the first teachers Black children encountered, can now be honored by name: Luvenia K. Hinton, Nannie Douglas, Buena V. Rhoden Rogers, Lillian M. Draper, Alice Johnson, and in its final year, Anna Mae Nunn. Nunn and Peoples transferred to Almont Negro Elementary School in Fall of 1939.

The layout of the "Little School" can be seen from the detail of the 1933 Sanborn Fire Insurance Map (See next page). The dwelling on the other side of the alley was

home to principal teacher Anna Peoples. She lived there with her husband Jessie Peoples, who worked as head cook at the University of Montevallo, and her daughter, Marie, still remembered today, who would also teach at Almont Elementary.



1933 Sanborn Fire Insurance Map showing the location of the colored school

A state survey published in 1932 concluded that, "with few exceptions," schools for children of color in Shelby county were "far from satisfactory." A few schools met with approval. The County Training School in Columbiana (for secondary education) and the primary schools in Boothton, Calera, and Siluria (Alabaster) made the grade. The school in Aldrich was suitable for "temporary retention." But the Montevallo school was marked for "immediate abandonment." It had no desks, apparently, just benches, and it was unpainted both inside and out. The state wanted schools to stand on at least an acre of land, and clearly that was not the case in Montevallo. The report listed other "undesirable features" found at too many of the "colored" schools, including "swamps, cemeteries, coal dumps, ditches, hog pens,



VISIT IN SELMA -A group of retired teachers from Shelby County was entertained recently by the Rev. and Mrs. G. C. Massey in their home, 1405 Washington Street. Mrs. Massey worked with the Shelby County school system before her retirement. Dinner was served buffet style to the visitors, pictured above. Shown left to right are, standing: Miss Mary A. Kelly, Mrs. Hannah C. Harris, Mrs. B. M. Cogger, Mrs. Addie T. Lacey, Mrs. M. M. Smitherman, Mrs. Lola M. Alexander, and the Rev. Massey. Seated: Miss Kathleen Boyd, Mrs. Massey, Mrs. Anna M. Nunn, Mrs. Johnnie C. DuBose, Mrs. Beulah Collins, and, behind Mrs. Collins, Mrs. Larnetta Smelley, and Mrs. O. D. Fluker.

and cow pens" (66). (Report of the Survey of Shelby County Schools 1931-1932. AL Dept of Archives and History, SG 023327.)

It would be some years before abandonment of the "Little School" came to pass, but by the 40s it was "fallen in," a "shanty," a tiny space with a stage at one end, benches, and a blackboard on the wall, according to a Montevallo resident who grew up in Jacksonville. (Interview with Patricia Walker, DATE). It was still a working schoolhouse that horrible morning in April 1939 when a tornado ripped through town, destroying Shiloh Missionary Baptist on Selma Road and one other church, St Andrew's Episcopal. Kathlyn Lathion, a first-grader at the "Little School" that spring, vividly recalls the harrowing walk

home. She was carried on the back of her cousin Willie Bell as he picked his way through downed powerlines. She remembers how scared she was crossing the wooden bridge above Shoal Creek.



Damage from the 1939 tornado

Jacksonville

Jacksonville. No one seems to know how it came by this name, but it brings back warm memories of an established and close-knit community, now vanished, for folks still living in Montevallo. It was just north of downtown Montevallo on both sides of Main St (in the vicinity of Jack's and the old Eclipse), nearly a mile's walk from the so-called "Negro quarters across the creek" off Selma Road. If Jacksonville could be considered the educational center of the Black community in

the 20s and 30s, Selma Road was the town's Black business and entertainment district, Montevallo's small-scale version of Beale St. It was also site of one of its earliest churches, Shiloh Baptist Missionary, and home to the Montevallo Negro High School, opened in 1950 and soon to take on its storied identity as Prentice High School.

Prentice High School was named for the activist pastor and champion of Black education, the Rev. Joseph Sydney Prentice.



The Reverend Prentice & his son

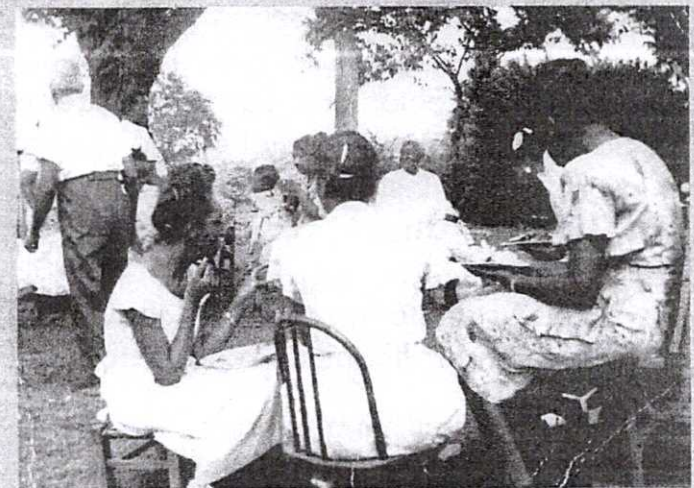
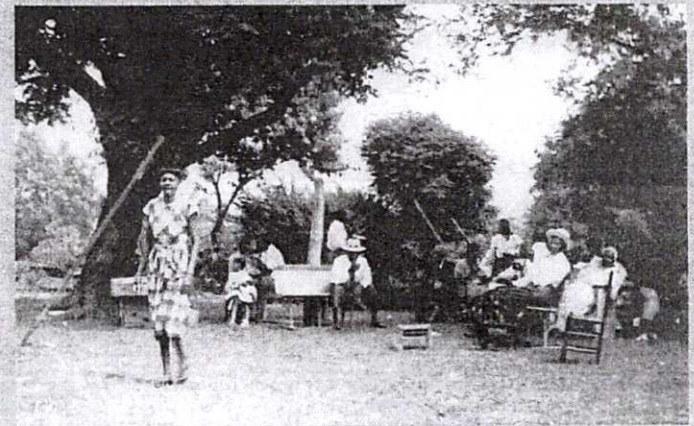
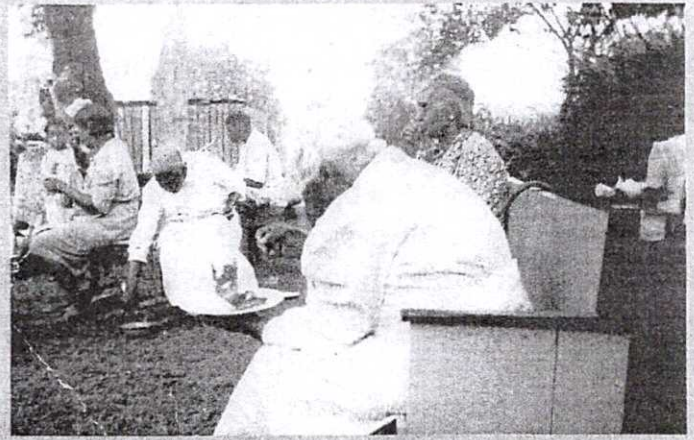
When forced integration came in 1970, Prentice students were absorbed into Montevallo HS. Today the Montevallo Middle School stands at the site of Prentice High School, to this day the pride of the local Black community.

A white memoirist who came of age in Montevallo during Jim Crow days regrets that

separate schools kept him from getting to know Black kids. He could remember Jacksonville, however. "In the late afternoon you could smell all sorts of good food. The only black people other than Hobby Harris and his dry cleaning business that we knew were the ones who worked in homes and others who worked in various places of business." He mentions, among others, "O. C." -- O. C. Cunningham, Onnie Dell Fluker's stepfather, "who, on the hour, rang the bell located on the corner of Reynolds Hall. There was no way to persuade him to alter the time that he kept on his big, round watch." [ILLUSTRATION: Picture of O. C. and his dog Danny]. Other Jacksonville notables included Sally Prentice and her daughter Mary Jones, whom the memoirist calls "the Good Samaritan of Montevallo"; Joe Prentice, chef extraordinaire at the old St. George Hotel and son of the Rev. Joseph Prentice; and Bruce and Annie May Allen. (Robert David Ward, *Time Has Made a Change in Me*, 32)

Those who lived in Jacksonville experienced the joys of growing up among kinfolk and gathering for food and fun on Sunday afternoons. A grandchild of Jesse and Rachel Brazier recorded family memories in 1980. Jesse is well-known among the community elders as the A.M.E. preacher who in 1872 founded Ward Chapel A.M.E. church.

All of Grandpa Jesse's children grew up in Jacksonville, a neighborhood in Montevallo Alabama. Their children married and built their homes and reared their children there. You don't know the fun and joy of growing up with all your cousins, with your aunts having a hand in loving you and punishing you too. Aunt Mary sitting on her back porch seeing everything we kids did and reporting to our mothers if we did wrong. We had birthday parties with lemonade and ginger snaps. The children would always be in our yard. (Brazier Family Reunion, July 16, 1980)



Sunday Afternoons in Jacksonville: Mrs. Patricia Walker recalls that tables set up in the backyards of the Cunningham and McGinnis families would have been loaded with soul food: fried chicken and dressing, collard greens, black-eyed peas, macaroni and cheese, potato salad, cornbread, cake, Kool-Aid and lemonade. James Salter, a descendant of Jesse Brazier, recalls playing hide-and-seek with the Jones children, Herman Jay, Marla, and LuAnn. "We would run from one yard to the other, trying to tag each other. Those were the days!!!"

Two houses on Island Street and one on the Bloch alley are all that remain of Jacksonville, save a few precious photographs and some long memories. The other structures were all removed by the process known as eminent domain. Patricia Walker, one of the forcibly displaced, remembers Jacksonville as a Black neighborhood ringed by white homes and places of business -- including the St. George Hotel and a nearby grocery store called The Rainbow. The community felt "busy," Walker recalls, with a lot of foot and vehicle traffic in the vicinity of the Coach Company (where today the Tavern does a lively business). Her family, headed by Henry Thrift, was one of the Jacksonville families "eminent domained" in the 50s.

Starting in the late 1940s many of the homes owned or rented by Black families were "condemned" to make way for public use, first an all-white FHA project opened in 1953 and later the then all-white Montevallo Elementary School opened in 1964. Montevallo's Jacksonville is one of countless communities of color that saw its residents shoved out by eminent domain. According to research by the Institute for Justice: "Cities often target these communities for condemnations, as government officials know the residents there rarely have the political clout or financial means to fight back."

Commemorating the "Little School" in Jacksonville

The all-but-forgotten "Little School" on Island Street is now the object of a Montevallo-based campaign to recognize this historically significant site with a plaque sponsored by the Alabama Historical Commission and bearing the seal of the Black Heritage Council. The "Little School" has already been identified as a potential site for the Montevallo African American Heritage Trail. Funding for the Heritage Trail was approved by city council in August 2022.

The campaign to install an historical marker at the "Little School" is coordinated by the Montevallo Legacy Project, a citizen's group whose mission is preserve and educate about forgotten, little known, or untold local histories. One of its most successful ventures is the series of Untold Stories of Black Montevallo. These previously untold (or little told) stories, which interweave oral traditions and print sources, have appeared monthly since October 2022 in the Montevallo Chamber Chatter. They can be read online at TheMontevalloLegacyProject.com.

Compilation booklets featuring fifteen of the earliest Untold Stories are available at the Shelby County Museum & Archives and Montevallo's Parnell Library. A donation of \$5 is suggested.

The Legacy Project believes in the life-changing power of stories and story-telling. It is supported by a 501(c)(3) nonprofit organization, Friends of the Montevallo Legacy Project. All are invited to join in the effort of creating narratives that imagine a more inclusive future for members of all communities. Go to their website to learn more about the project and to make a donation: TheMontevalloLegacyProject.com. Or contact them at: MontevalloLegacy@gmail.com.

Acknowledgements

Thanks are due to the Montevallo citizens who entrusted me with their memories of a remarkable teacher and a vanished community. Some of this material originally appeared in another form in Montevallo's Chamber Chatter in the Untold Stories of Black Montevallo series. Special thanks to Anitka Stewart Sims who co-authored the Untold Stories series and gathered information that appears in this article.

Spring/ Summer 2023

SHELBY COUNTY HISTORY & HERITAGE

A PUBLICATION OF THE SHELBY COUNTY HISTORICAL SOCIETY

FEATURED ARTICLE

HOWARD HILL
Shelby County Legend

Untold Stories

OF BLACK MONTEVALLO



Everybody's stories matter. It's not just a matter of nostalgia, it powers us into the present and the future. -- Barack Obama
Vol. 2 No. 12

THE "LITTLE SCHOOL" ON ISLAND STREET

In towns all over the South, the schools in Black communities were a source of pride that inspired loyalty. -- Annette Gordon-Reed, *On Juneteenth*

A small wooden school house for negro children once stood at the corner of Island and Bloch Streets in a Black community then known as Jacksonville. This school, nearly forgotten today, taught some of Montevallo's most admired female teachers, among them Barbara Belisle, the first African American to teach at Montevallo HS, and Kathryn Lathion, a retired special ed teacher, recently honored as a "Hometown Hero." The "little school," as it was affectionately known, set these little girls on a path where they would become outstanding lifelong educators.

Equally deserving of admiration is Onnie Dell Fluker, a "little school" student who would go on to teach and to write a history of early Black education in Shelby County. Her nephew, James Salter, remembers his Aunt Dell as "a very soft-spoken person and teacher who always found an opportunity to teach a lesson . . . whether it was at home, the school house, or the church house. It is why her hundreds of students loved her."



Onnie Dell Fluker, a lifelong teacher, 1918-2015

This soft-spoken teacher exemplifies the fierce pride women of her generation took in their profession. After she retired in 1980, she wrote "Schools for Blacks in Shelby County," most likely because she feared this history might be forgotten. Remarkably, her account has been preserved in a folder of loose papers in the archives in Columbiana, two-and-a-half typewritten pages signed "Onnie Dell Fluker, a retired teacher." She saw to it that the story of Black schools did not go untold.

"Before and during the early twenties," she writes, "there were 'colored' schools dotted all over Shelby County. Most were held in churches. A few had school houses." Montevallo was one of the few. As early as 1924, our town was fortunate to have a two-room school house furnished with potbelly heaters and two salaried teachers paid by the county. (They made \$40-\$45 a month.) The facility was primitive, however. "None of the early schools had running water or indoor plumbing. There were no electric lights.

The building was in such bad shape that in 1932 the state board of education marked it for "immediate abandonment."

It would continue in use through 1939, however, when an elementary school in Almont opened. Until then children from all over Montevallo, even those "across the creek," walked to the school in Jacksonville. Kathryn Lathion remembers vividly the horrible day in April 1939 when a tornado ripped through town, destroying Shiloh Missionary Baptist on Selma Road. There were so many powerlines down she had to be carried home on the back of her cousin Willie Bell. She still recalls the fear of being carried over the wooden bridge above Shoal Creek.



A typical two-room wooden school house like the one on Island St

After 1939, the little wooden school house fell into disuse. Long-time resident Patricia Walker, known to many today as "Miss Trish," remembers how as a curious child she played in the abandoned school house. She describes it as "fallen in," a "shanty," a tiny space with a stage at one end, benches (no desks), and a blackboard on the wall.

In the late 40s, Fluker's parents, O. C. and Mary Eliza Cunningham, were forced to sell their house on Main Street to make way for the FHA housing that opened in 1952. They bought the nearby school house property, added onto and fixed up the building, and turned it into the family dwelling. It seems fitting that for the rest of her life Fluker would make her home in the renovated school house.

The opening of the all-white Montevallo Elementary School across the street in 1964 created provocative ironies. She later reflected on her complicated feelings about integration:

Several years ago, we purchased the 'Little School House' and remodeled it into a dwelling house, where we now live. In front, on a hill, sits a new formerly all-white school. I was often teased about teaching there where I could walk to school. When integration came to the county, I was invited by the Principal and the Supt. to teach there. I was also approached by several business people who suggested that I should be the one to "Cross over" there.

But she would not be the one to "cross over": "I feel that I belong with my people. I understand them and their problems" ("Mini Revelations: A Short Autobiography").

In 2011, aged 93, Onnie Dell Fluker was presented the key to the City of Montevallo, and rightly so. This soft-spoken woman, a lifelong teacher, kept alive her pride in her people and her dedication to the history of their schooling.

Photos courtesy of James Salter.

Submitted by Kathy King & Anita Stewart Sims. Contact us at MoValTrail@gmail.com. We want to hear your stories and welcome correction of any errors of fact or interpretation.

Untold Stories

OF BLACK MONTEVALLO



Vol 2, No. 8

Everybody's stories matter. It's not just a matter of nostalgia, it powers us into the present and the future.
Barack Obama

A CALL TO ACTION!

We are looking for citizen volunteers to help tell the story of an important historic site in Montevallo, the "little school" on Island Street. This two-room wooden schoolhouse, which opened around 1924, was the first public school for Black children in Montevallo. It stood at the corner of Island and Bloch "alley" in a mostly Black community then known as Jacksonville. Black youngsters went to school there until 1939, when the county opened Almont Elementary School.

The schoolhouse also served as a community center for Jacksonville residents, used for meetings, concerts, and other events.

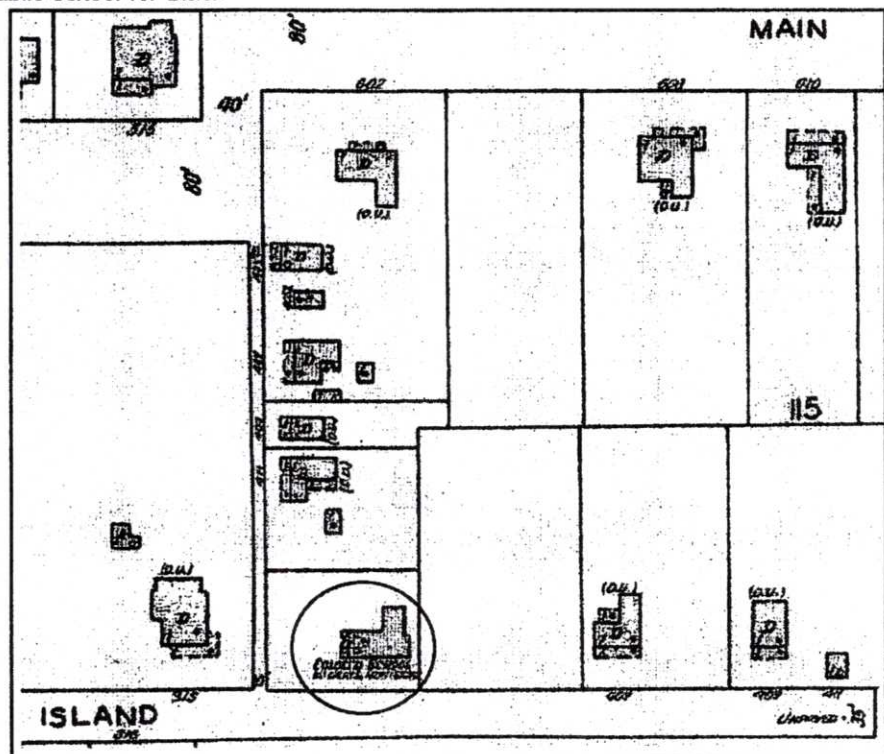
After its closure the schoolhouse fell into neglect. It got new life, however, in the late 1940s, when a Jacksonville family, forced by the city to give up their house on Main Street to make way for a public housing project, bought the property, fixed it up, and added seven rooms. It became the family dwelling first of O. C. and Mary Eliza Brazier Mink Cunningham and then their daughter Onnie Dell Fluker. Ms. Fluker had been a student at the "little school," as she affectionately called it, and she raised her son Franklin in that house. It is now occupied by her grandson, Rance Gaddis, and his family. Mr. Gaddis has expressed support for a marker that would honor his grandmother, the schoolhouse, and the vanished Jacksonville community.

So, this is our call to action. We want to see people of all ages, colors, and backgrounds working together to bring a historic marker to the site of the "little school." This could involve a number of activities, from fund-raising to awareness-raising to raising up those who learned and taught at the school nearly a century ago. One student, Kathlyn Lathion, recently celebrated her 90th birthday. She still remembers

her year at the little wooden schoolhouse. Now is the time to preserve her story and other stories about the Jacksonville community.

In fall of 2022 Mayor Rusty Nix and the city council voted to fund the proposed Montevallo African American Heritage Trail. Hurrah for that! The Trail is intended to promote awareness of the contributions of people of color to our town's history and to honor African American experience in Montevallo. At present the Trail is a glorious possibility. It will take the actions of us, the citizens, to make the dream of a Heritage Trail come true.

What better place to start than the little school in Jacksonville that in the 1920s and 1930s inspired young Black children with a passion for learning and teaching?



Detail of the Sanborn 1933 Fire Insurance Map showing the "Colored School" and part of the surrounding Jacksonville residential area.

To stay informed about the community effort to honor the "little school," email MontevalloLegacy@gmail.com by August 15. You will be placed on a mailing list and invited to an interest meeting in Sept. Submitted by Kathy King and Anita Stewart Sims on behalf of the Montevallo Legacy Project.

Untold Stories

OF BLACK MONTEVALLO



Vol 2, No. 9

Telling the full story isn't just about acknowledging the hard parts. It's also about elevating and illuminating stories of black excellence and achievement that have never received their due.

-- Brent Leggs

HOW THE "LITTLE SCHOOL" GOT BUILT

The schoolhouse that once stood at the corner of Island and Bloch is an example of black excellence and achievement that has not received its due in the Montevallo community. This Untold Story continues the story of the "little school" begun in last month's "A Call to Action!"

The building itself, constructed perhaps in the early 1920s, was modest enough. It was a two-roomed clapboard structure like other such schoolhouses, nothing fancy, just a frame structure. But -- and here the story gets interesting -- it was built to bring a public education to black youngsters. A public education. This was huge! In the previous century it was against state law to teach people of color to read and write, and now the county was paying the salaries of its black teachers.

The school was little but it belonged to a revolutionary school-building movement initiated by Chicago philanthropist Julius Rosenwald in partnership with Tuskegee's Booker T. Washington. They saw rural schoolhouses as a means to lift black children and their descendants out of poverty. Schools built across the rural South in the 1920s and 1930s transformed African American lives and helped give rise to the civil rights movement.

The "little school" was not a Rosenwald school but it was conceived in the Rosenwald spirit. The structure was a local community effort -- planned, funded and doubtless erected by members of the black community. True, the teachers, including lead teacher Anna Peoples, were paid by the county. But other expenses fell to the families and their neighbors and fellow church members. We see an example in nearby Wilsonville. A 1929 article in Shelby County Reporter begins: "The colored people of Wilsonville are greatly interested in a plan to build a new three-room Rosenwald school. At an enthusiastic meeting held Sunday afternoon, it was reported that nearly \$300 had been raised and placed in the bank as a building fund. The amount was raised entirely by the colored people themselves" (14 Feb., p. 1).

The late John Lewis, Alabama-born maker of good trouble, recalls his own Rosenwald school in Pike County. "The teachers' salaries were paid by the county, the only government money that came in support of our school.

Everything else . . . our families provided." He pays tribute to the "parents and neighbors who helped to raise money to build our schools and then each year continued to reach deep to purchase school supplies."

Let us now pay tribute to the black folks in Montevallo who brought the "little school" on Island Street into being and sustained its operation. Some of their descendants are still living in our town. A transaction recently uncovered in the Shelby County archives, dated Sept. 8, 1952, reveals that the school property was owned by a Trust established for "the public schools for the Colored people of the Town of Montevallo." Seven trustees are named, and the family names are still well known in the area: John Dubose, Amos Nix, A. H. Frierson, J. E. Peoples, Tom Billingsley, David Nunn, and W.M. Pitts.



Children playing in rural schoolyard, ca. 1915-17.

They were all community leaders -- deacons in their church, officers in the local Masonic lodge -- and their names stand in for a nearly forgotten legacy of black excellence and achievement in Montevallo. We welcome any additional information that you can offer about this Trust and the families known to have been associated with it.

To stay informed about the community effort to honor the "little school," email [Montevallo Legacy@gmail.com](mailto:MontevalloLegacy@gmail.com). Submitted by Kathy King and Anita Stewart Sims on behalf of the Montevallo Legacy Project.

Sources: Quotes from Brent Leggs and John Lewis are adapted from Andrew Feiler, *A Better Life for their Children: Julius Rosenwald, Booker T. Washington, and the 4,978 Schools That Changed America* (Athens: U GA Press, 2021). The Leggs quote is from the Afterward. Photo is from the digital collection of the AI Dept of Archives & History. The property transaction is recorded in the Recording Office of the Probate Court of Shelby County, Columbiana, vol. 155, p. 561.



ORDINANCE NO. 10232023-223

First Reading
[Signature]

AN ORDINANCE ASSENTING TO A CERTAIN PETITION FOR ANNEXATION

Whereas, the owner(s) of a property located and contained within an area contiguous to the corporate limits of Montevallo, and not within the corporate limits or police jurisdiction of any other municipality, have signed and filed a written petition with the City Clerk requesting that such property or territory be annexed to Montevallo, and

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of Montevallo,

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Montevallo, as and for its governing body, hereby assents to the annexation of that certain land of approximately 6 acres with a physical address of (currently unassigned by 911) but, otherwise identified as Parcel Identification Number: 27.6.14.0.000.008.001, upon the petition of the property owner(s) Scott Lovelady, as provided in §11-42-21 of the *1975 Alabama Code* and other applicable law.

LEGAL DESCRIPTION: See Attached Appendix A

2. That the annexed territory be zoned A-R (Agricultural-Residential) in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo.
3. That the annexed territory be made a part of Council District 5 until such time as Council Districts are redrawn pursuant to the US Census.
4. That the City Clerk is directed to file a copy of this ordinance, including a description of the property or territory annexed, in the office of the Judge of Probate of Shelby County, and to advertise this ordinance as provided by law.

This ordinance shall become effective upon its passage and advertisement as provided by law.

Approved and adopted this day, November 13, 2023.

Mayor Rusty Nix

Attest:

Steve Gilbert, City Clerk / Treasurer

I certify that the attached Ordinance **10232023-223**, adopted by the Montevallo City Council on November 13, 2023, was pursuant to §11-45-8(b) of the *1975 Alabama Code*, posted in conspicuous places within the community:

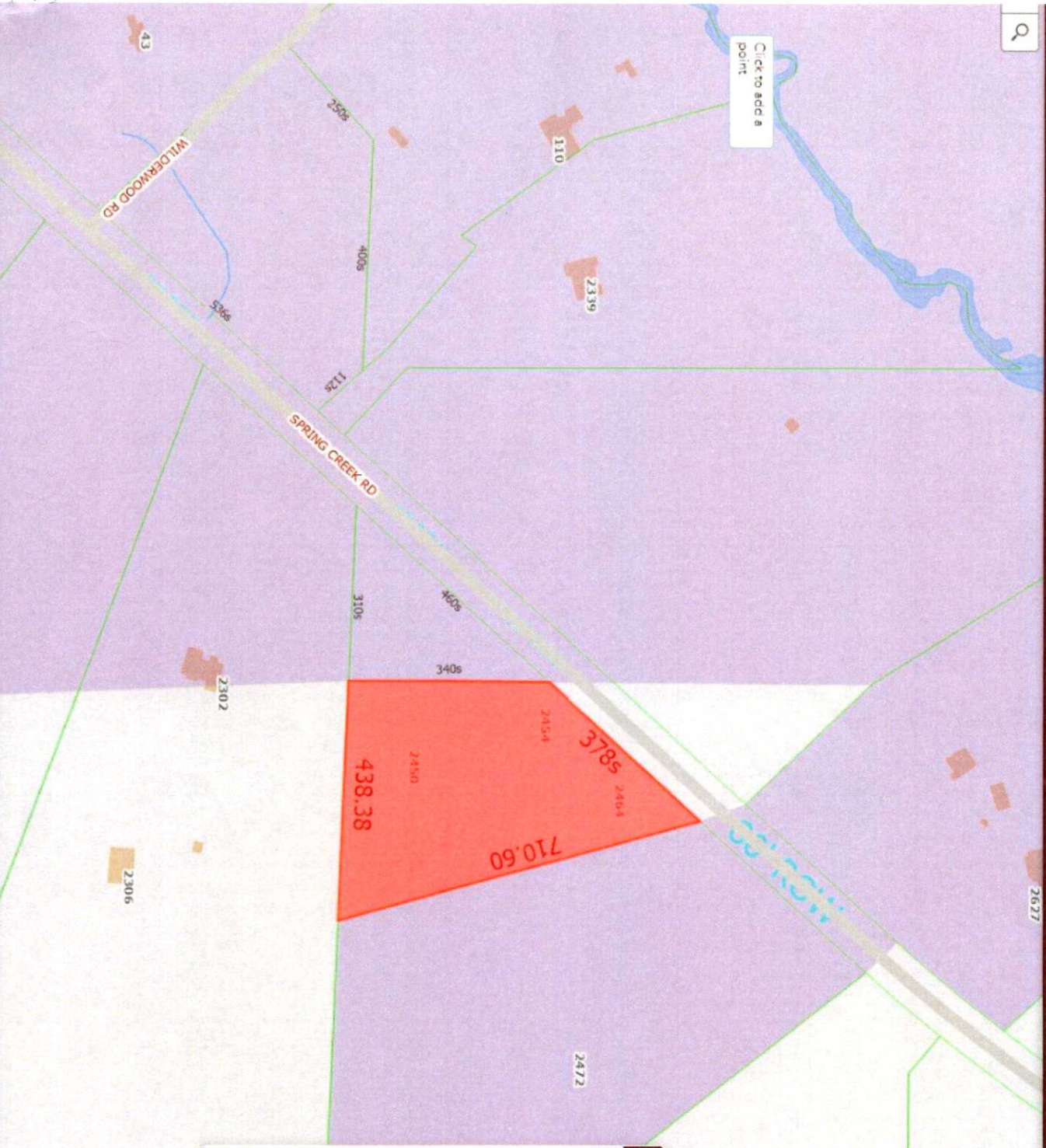
1. Public Outdoor Bulletin Board, City Hall, 541 Main Street, Montevallo.
2. The City Shop, 445 Selma Road, Montevallo.
3. The Park and Recreation Building/Senior Center, Orr Park, 420 Vine Street, Montevallo.
4. The Parnell Memorial Library, 277 Park Drive, Montevallo, beginning November 14, 2023 and continuing for more than four weeks thereafter.

Steve Gilbert

City Clerk / Treasurer



Click to add a point



Enhanced Search

By Shape By Owner/Sub Results

Features selected: 1

Parcel Num: 27 6 14 0 000 008 001
 Name: HOLLAND REAL ESTATE COMPANY LLC
 Address: PO BOX 1008
 Cty: ALABASTER
 Parcel Year: 2012



RESOLUTION 10232023-225 - ACT 2023-107

(Local Unit Retirees and Beneficiaries of Deceased Retirees)

Be it resolved that **The City of Montevallo** through its governing authority, elects to come under the provisions of Section 1 of Act 107 of the Regular Session of the 2023 Alabama Legislature.

The City of Montevallo agrees to provide \$5,020,000 in funds to the State of Alabama Employees' Retirement System to cover the cost of the one-time lump sum payment as provided for by this Act for those eligible retirees and beneficiaries of deceased retirees of **The City of Montevallo**, with the aforementioned one time lump sum payment being paid in December 2023.

NOW THEREFORE BE IT RESOLVED by the Mayor and the Montevallo City Council, as follows:

1. That said funding be derived from The City of Montevallo ARPA Funds Account and paid to the State of Alabama Retirement System for a one time payment to eligible retirees or beneficiaries of deceased retirees.
2. Eligible Retirees are those retired prior to March 1, 2022.

ADOPTED this the 23rd day of October, 2023

APPROVED:

Rusty Nix, Mayor

ATTEST:

Steve Gilbert, City Clerk

CERTIFICATION

I, Steve Gilbert, City Clerk of the City of Montevallo, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Montevallo, Alabama at its regular meeting held on the 23 day of October, 2023, as same appears in the minutes of record of said meeting.

City Clerk



STATE OF ALABAMA
ALCOHOLIC BEVERAGE CONTROL BOARD
Confirmation Number: 20231006143437934



NOTICE OF TRANSFER OF ABC LICENSED BUSINESS

NOTE: A Copy of Operating Agreement Must be Attached To Application

CURRENT LICENSEE:
TOMMY ROBERTSON
Address: 721 MIDDLE STREET
MONTEVALLO, AL 35115
Telephone: 205-703-6875

NEW APPLICANT:
THE DIVE BAR LLC
Address: 721 MIDDLE ST
MONTEVALLO, AL 35115
Telephone: 205-476-8222

Current License No: 011202658

LICENSED PREMISES ADDRESS: 721 MIDDLE ST MONTEVALLO, AL 35115

THE AFORENAMED HEREBY SERVE NOTICE TO THE ABC BOARD OF THE ATTACHED CONTRACTUAL AGREEMENT GOVERNING THE CONTINUATION OF SALES OF ALCOHOLIC BEVERAGES ON THE LICENSED PREMISES.

The Parties to this agreement hereby acknowledge and affirm that the New (Applicant) Licensee will, at all times, act as the AGENT for the Current (Named) Licensee, and the Current Licensee shall act as PRINCIPAL for the purposes of the attached Agreement. The Principal shall be bound by all acts and/or omissions of the Agent in the operation of the licensed premises.

The Current Licensee is now and shall remain liable for any violations of ABC Rules and Regulations or other Alabama Law for the duration of the attached Agreement; and, further, that the Current Licensee has the right and authority, under Alabama Law, to surrender the ABC License to the ABC Board at any time.

The parties acknowledge that the operation of the licensed premises shall remain subject to inspection by ABC Enforcement, and must comply with all State and Local regulations and Laws, and that the local ABC Enforcement District Office must be immediately notified of any change in the attached Agreement.

THE CURRENT LICENSE WILL NOT BE RENEWED.

WITNESS our hands and seals on this the 06 day of October, 2023.

CURRENT LICENSEE (NAMED ON LICENSE)

Tommy Robertson
[Signature]

Print Name:

Title: owner

NEW LICENSEE (APPLICANT)

The Dive Bar LLC
[Signature]

Print Name:

Title: owner

WITNESS: (By ABC Enforcement)

Revised 9/08

[Signature]



Resolution 10232023-226

A Resolution authorizing the expenditure of MDCD Funds for Construction of New Restrooms in Orr Park

WHEREAS, Orr Park is one of the City of Montevallo’s most visited parks and;

WHEREAS, it is necessary to make improvements and maintain park facilities to accommodate the increase in park usage and visitation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA AS FOLLOWS:

Section 1. That the Council hereby authorizes the MDCD to allocate \$85,000 in funds for the purpose of constructing new restroom facilities in Orr Park in conjunction with matching funds from the Shelby County Park and Recreation Grant Program of 2024.

ADOPTED AND APPROVED THIS 23rd DAY OF October 2023.

Signed:

Attest:

Rusty Nix, Mayor

Steve Gilbert, City Clerk



Resolution 10232023-227

A Resolution authorizing the expenditure of MDCD Funds for Repairs to Pavilions and Gazebo in Orr Park

WHEREAS, Orr Park is one of the City of Montevallo's most visited parks and;

WHEREAS, it is necessary to make improvements and maintain park facilities to accommodate the increase in park usage and visitation;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA AS FOLLOWS:

Section 1. That the Council hereby authorizes the MDCD to allocate \$9,500 in funds for the purpose of repairs to the roofs of the Pavilions and Gazebo in Orr Park in conjunction with matching funds from the Shelby County Park and Recreation Grant Program of 2024.

ADOPTED AND APPROVED THIS 23rd DAY OF October 2023.

Signed:

Attest:

Rusty Nix, Mayor

Steve Gilbert, City Clerk

**RESOLUTION NO. 10092023-146****RESOLUTION TO GRANT ACCESS TO RIGHT OF WAY
TO YELLOWHAMMER NETWORKS, LLC**

WHEREAS, Yellowhammer will cover the costs associated with the construction and installation of the network, and provides that the City has no financial obligations to guarantee the debt of Yellowhammer in connection with the project;

WHEREAS, the City finds a public purpose through the provision of affordable fiber-based high speed internet within its corporate limits for its residents and businesses and desires to grant non-exclusive access to the rights-of-way owned and/or controlled by the City for the purpose of building fiber-based high speed internet access to the benefit of its residents and businesses.

BE IT RESOLVED by the Mayor and the Montevillo City Council, in regular meeting duly assembled, a quorum present, as follows:

1. **Access to Right of Way Granted.** There is hereby granted to Yellowhammer the non-exclusive and limited authority to construct, maintain, and operate a fiber-based communications system in, over, under, across, and through the public rights-of-way in the City and any future additions or annexations thereto, as provided in the [Right of Way Access Agreement / Master Development Agreement]¹ attached as Exhibit A.
 2. **Term.** This right-of-way access is granted to Yellowhammer for an initial term of twenty (20) years and will automatically renew thereafter for succeeding terms of up to twenty (20) years each unless Yellowhammer or the City gives written notice to the other at least three hundred and sixty-five (365) days prior to the expiration of any term of its intention not to renew a term.
 3. **Limitations of Right-of-Way Access.** Nothing in this Resolution shall be construed as granting to Yellowhammer an exclusive right-of-way access for the purpose set forth in this Resolution. Identical or similar right-of-way access may be granted by the City to more than one person or entity, within all or any portion of the City.
 4. **Subject to exercise of the City's police power and prior lawful occupancy of the streets.** Yellowhammer shall, at all times during the life of the right-of-way access, be subject to the lawful exercise of the City's police power, and adhere to the City's laws, ordinances and such reasonable regulations as the City Council may subsequently promulgate thereunder. The City reserves the right to make reasonable rules, regulations and restrictions for the protection of persons using the streets, avenues, alleys and/or other public places in the City from injury. Any privileges prescribed by this Resolution shall be subordinate to any prior lawful occupancy of the City's rights-of-way.
 5. **City-wide Access Conferred.** This Resolution grants access to the rights of way within the corporate limits of the City as may be amended from time to time, and the Mayor or his/her designee is authorized to execute
-

the [Right of Way Access Agreement / Master Development Agreement] with Yellowhammer, substantially in the form as attached in Exhibit A.

6. **Severability.** If any section, subsection, sentence, clause or phrase of this Resolution is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Resolution. The City hereby declares that it would have passed this Resolution, and each section, subsection, clauses and phrases thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional. Any provision found herein to be in direct contravention with state law or federal law either presently existing or enacted after the date of passage of this Resolution shall be superseded by such law and rendered unenforceable without effect to those provisions found herein that are no in contravention with state and/or federal law.
7. **Effective Date/Publication and Costs Therefor.** This Resolution will become effective upon publication. This Resolution shall be published by the City in accordance with the applicable provisions of Section 11-45-8 of the *Code of Alabama* (1975). All costs of publication shall be paid by Yellowhammer.

ADOPTED this the 23rd day of October, 2023.

APPROVED:

Rusty Nix, Mayor

ATTEST:

Steve Gilbert, City Clerk

CERTIFICATION

I, Steve Gilbert, City Clerk of the City of Montevallo, Alabama, hereby certify that the above to be a true and correct copy of a resolution adopted by the City Council of the City of Montevallo, Alabama at its regular meeting held on the 23rd day of October, 2023, as same appears in the minutes of record of said meeting.

City Clerk



**SUBDIVISION IMPROVEMENTS
PERFORMANCE BOND**

APPENDIX 14



Bond No. 0842164
Initial Premium \$ 4,539.00
Subject to Renewal

KNOW ALL MEN BY THESE PRESENTS: That we, LGI Homes - Alabama, LLC as Principal, and Harco National Insurance Company, a corporation duly authorized under the laws of the State of Illinois to become surety on bonds and undertakings, as Surety, are held and firmly bound unto City of Montevallo, Alabama, as Oblige in the full and just sum of ~~Three Hundred Forty Nine Thousand One Hundred Seventy Four Dollars 50/100~~ Three Hundred Forty Nine Thousand One Hundred Seventy Four Dollars 50/100 Dollars, (\$349,174.50) lawful money of the United States of America, to be paid to the said Oblige, successors or assigns; for which payment, well and truly to be made, we bind ourselves, our heirs, executors, successors, administrators and assigns, jointly and severally, firmly by these presents.

THE CONDITION OF THE OBLIGATION IS SUCH THAT:

Whereas, the Principal and Oblige have entered into an agreement whereby principal agrees to install and complete certain designated public improvements, which said agreement, dated _____, and identified as project Lexington Parc 2 Asphalt Wearing Surface, is hereby referred to and made a part hereof; and

Whereas, said Principal is required under the terms of said agreement to furnish a bond for the faithful performance of said agreement.

Now, Therefore, the condition of this obligation is such that if the above bounded Principal. its heirs executors, administrators, successors or assigns, shall in all things stand to and abide by, and well and truly keep and perform the covenants, conditions and provisions in the said agreement and any alteration thereof made as therein provided, on their part, to be kept and performed at the time and in the manner therein specified, and in all respects according to their true intent and meaning, and shall indemnify and save harmless the Oblige, its officers, agents and employees, as therein stipulated, then this obligation shall become null and void; otherwise it shall be and remain in full force and effect.

As Part of the obligation secured hereby and in addition to the face amount specified therefor, there shall be included costs and reasonable expenses and fees, including reasonable attorney's fees, incurred by Oblige in successfully enforcing such obligation, all to be taxed as costs and included in any judgement rendered.

The surety hereby stipulates and agrees that no charge, extension of time, alteration or addition to the terms of the agreement or to the work to be performed thereunder or the specifications accompanying the same shall in anywise affect its obligations on this bond, and it does hereby waive notice of any such change, extension of time, alteration or addition to the terms of the agreement or to the work or the specifications.

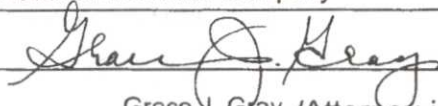
IN WITNESS WHEREOF. the seal and signature of said Principal is hereto affixed and the corporate seal and the name of the Surety is hereto affixed and attested by its duly authorized Attorney-In Fact this 5th day of October,

20 23

LGI Homes - Alabama

Principal

By: 
Charles Merdian, Chief Financial Officer
Harco National Insurance Company

By: 
Grace J. Gray /Attorney-in-Fact

POWER OF ATTORNEY

Bond # 0842164

**HARCO NATIONAL INSURANCE COMPANY
INTERNATIONAL FIDELITY INSURANCE COMPANY**

Member companies of IAT Insurance Group, Headquartered: 4200 Six Forks Rd, Suite 1400, Raleigh, NC 27609

KNOW ALL MEN BY THESE PRESENTS: That HARCO NATIONAL INSURANCE COMPANY, a corporation organized and existing under the laws of the State of Illinois, and INTERNATIONAL FIDELITY INSURANCE COMPANY, a corporation organized and existing under the laws of the State of New Jersey, and having their principal offices located respectively in the cities of Rolling Meadows, Illinois and Newark, New Jersey, do hereby constitute and appoint

ERIC P. PRATT, GRACE J. GRAY, KATHLEEN M. O'BRIEN, DONNA M. BISHOP

North Adams, MA

their true and lawful attorney(s)-in-fact to execute, seal and deliver for and on its behalf as surety, any and all bonds and undertakings, contracts of indemnity and other writings obligatory in the nature thereof, which are or may be allowed, required or permitted by law, statute, rule, regulation, contract or otherwise, and the execution of such instrument(s) in pursuance of these presents, shall be as binding upon the said HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY, as fully and amply, to all intents and purposes, as if the same had been duly executed and acknowledged by their regularly elected officers at their principal offices.

This Power of Attorney is executed, and may be revoked, pursuant to and by authority of the By-Laws of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY and is granted under and by authority of the following resolution adopted by the Board of Directors of INTERNATIONAL FIDELITY INSURANCE COMPANY at a meeting duly held on the 13th day of December, 2018 and by the Board of Directors of HARCO NATIONAL INSURANCE COMPANY at a meeting held on the 13th day of December, 2018.

"RESOLVED, that (1) the Chief Executive Officer, President, Executive Vice President, Senior Vice President, Vice President, or Secretary of the Corporation shall have the power to appoint, and to revoke the appointments of, Attorneys-in-Fact or agents with power and authority as defined or limited in their respective powers of attorney, and to execute on behalf of the Corporation and affix the Corporation's seal thereto, bonds, undertakings, recognizances, contracts of indemnity and other written obligations in the nature thereof or related thereto; and (2) any such Officers of the Corporation may appoint and revoke the appointments of joint-control custodians, agents for acceptance of process, and Attorneys-in-fact with authority to execute waivers and consents on behalf of the Corporation; and (3) the signature of any such Officer of the Corporation and the Corporation's seal may be affixed by facsimile to any power of attorney or certification given for the execution of any bond, undertaking, recognizance, contract of indemnity or other written obligation in the nature thereof or related thereto, such signature and seals when so used whether heretofore or hereafter, being hereby adopted by the Corporation as the original signature of such officer and the original seal of the Corporation, to be valid and binding upon the Corporation with the same force and effect as though manually affixed."

IN WITNESS WHEREOF, HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY have each executed and attested these presents on this 31st day of December, 2022



STATE OF NEW JERSEY
County of Essex

Kenneth Chapman

Kenneth Chapman

Executive Vice President, Harco National Insurance Company
and International Fidelity Insurance Company

STATE OF ILLINOIS
County of Cook



On this 31st day of December, 2022, before me came the individual who executed the preceding instrument, to me personally known, and, being by me duly sworn, said he is the therein described and authorized officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY; that the seals affixed to said instrument are the Corporate Seals of said Companies; that the said Corporate Seals and his signature were duly affixed by order of the Boards of Directors of said Companies.

IN TESTIMONY WHEREOF, I have hereunto set my hand affixed my Official Seal, at the City of Newark, New Jersey the day and year first above written.



Shirelle A. Outley

Shirelle A. Outley a Notary Public of New Jersey
My Commission Expires April 4, 2023

CERTIFICATION

I, the undersigned officer of HARCO NATIONAL INSURANCE COMPANY and INTERNATIONAL FIDELITY INSURANCE COMPANY do hereby certify that I have compared the foregoing copy of the Power of Attorney and affidavit, and the copy of the Sections of the By-Laws of said Companies as set forth in said Power of Attorney, with the originals on file in the home office of said companies, and that the same are correct transcripts thereof, and of the whole of the said originals, and that the said Power of Attorney has not been revoked and is now in full force and effect.

IN TESTIMONY WHEREOF, I have hereunto set my hand on this day, October 05, 2023

Irene Martins

Irene Martins, Assistant Secretary

**SUBDIVISION REGULATIONS
of
Montevallo, Alabama**

AGREEMENT

THIS AGREEMENT entered into and between CGI Homes - Alabama, LLC
hereinafter called the Subdivider, and the Montevallo City Council, hereinafter called the Council.

WITNESSETH

WHEREAS, the Subdivider has submitted a final plat of a proposed development to be known as Lexington Parc Phase 4 and the City Engineer has decided in accordance with Appendix C Section 14 of its Subdivision Regulations that, conditioned upon the agreement and bond of the Subdivider hereinafter set out and provided for, the requirements set out in Appendix C Section 14 need not be met prior to approval of said final plat.

NOW, THEREFORE, the Subdivider agrees with the Commission as hereinafter set forth in paragraphs 1, 2, 3, and 4 hereof.

1. The Subdivider shall by October 1, 2028 construct and install in or with respect to said proposed subdivision all improvements and utilities as defined by maps and resolutions of the Planning Commission dated May 20, 2021.

2. In the event the Subdivider shall fail in whole or in part to complete within said time (or such additional time, if any, as may be granted) the construction and installation provided for by paragraph 1. above, the Council shall have the right at the cost and expense of the Subdivider to complete the same or cause the same to be completed, and the Subdivider hereby grants unto the Council all rights necessary or appropriate to enable the Council so to do.

3. In consideration of the premises and of the foregoing agreement of the Subdivider and of the furnishing of proper bond (the amount of which is to be determined by the City Engineer) to secure the faithful performance of such agreement and the actual construction and installation of the aforesaid improvements and utilities within the time specified, the Council agrees that it will not require installation or construction of the aforesaid improvements and utilities prior to approval of said plat, but that in lieu of the completion of such improvements and utilities prior to approval of said final plat it will accept the aforesaid agreement of the Subdivider and the aforesaid performance bond of the Subdivider and by its surety.

4. The consideration for this agreement by the Subdivider is to induce the Council to grant final approval of said subdivision or plat prior to the completion of the work above described. Said Subdivider further recognizes that said consideration is full, complete, and sufficient as stated and further said Subdivider recognizes the authority of said Council to enter into and execute this agreement and further recognize the authority of said Council to require the improvements and work as set out in said Agreement.

ENTERED into this 18th day of Oct. 2023.

Attest: [Signature] (NOT INDIVIDUAL) CGI HOMES
LAND DEVELOPMENT MANAGER

Subdividers:
CGI Homes - Alabama, LLC

Jeff Mullins / JM Mullins officer
(Print and Sign Name)

Montevallo City Council
By Montevallo City Clerk

By: _____
Montevallo City Clerk

<p>Please Print Contact Information: Responsible Party: <u>Jeff Mullins</u> Address: <u>2700 Cumberland Pkwy</u> <u>Atlanta, GA</u> Phone: <u>678-982-5712</u></p>
