



# CITY COUNCIL MEETING AGENDA

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**Pelham City Hall – Council Chambers  
May 21, 2026 – 5:30 p.m.**

**BY GENERAL CONSENT OF THE COUNCIL, AGENDA ITEMS  
MAY BE ADDED, REMOVED OR CONSIDERED OUT OF ORDER**

Proper notice of the regular scheduled meeting of the Pelham City Council was given in advance of such a public meeting and the notice remained posted throughout the scheduled meeting.

- A. Call to Order
- B. Invocation
- C. Pledge of Allegiance
- D. Record of Attendance
- E. Consent Agenda

A consent agenda is presented by the presiding officer at the beginning of a council meeting. Items presented on the consent agenda are considered routine and/or non-controversial and are organized apart from the rest of the agenda and are adopted by general consent and vote by the City Council without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be taken up either immediately after the consent agenda is approved or placed later on the agenda at the discretion of the presiding officer and City Council.

- 1. Approval of the May 21, 2026 City Council Agenda
- 2. Approval of the May 7, 2026 Regular Council Meeting Minutes
- 3. **Resolution 2026-05-21-01** for consideration to declare certain items (Police vehicles) as surplus personal property and to authorize the disposal of the same
- 4. **Resolution 2026-05-21-02** for consideration to authorize a State of Alabama Tax Abatement Agreement for Coosa Composites Holdings, LLC
- F. Mayor's Report/Comments
- G. Proclamation(s) and Resolution(s) by the Mayor and Others
  - 1. Proclaiming May 2026 as Bike Month in Pelham, Alabama
  - 2. Proclaiming May 2026 as Stroke Awareness Month in Pelham, Alabama

- H. Report by the City Manager
- I. Report by the City Attorney
- J. Public Hearing(s) – None
- K. Request(s) to Address the Council – None
- L. Old Business / Resolutions / Ordinances / Orders and Other Business – None
- M. New Business / Resolutions / Ordinances / Orders and Other Business

1. **Resolution 2026-05-21-03** for consideration to accept real property and easements associated with the Holland Lakes Subdivision sewer lift stations rehabilitation and improvement project

N. Public Comments

Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may, after being recognized, approach the podium, and state their name and physical address prior to making their comments in a respectful manner.

Please note, the public comment period is intended for comments only. It is not a public hearing, nor is it a time for dialogue, debate, or questions to the City Council. Any questions or requests for additional information will be noted and may be addressed by the appropriate City staff or officials at a later time.

O. City Council Comments

P. Public Announcements

1. Pelham City Offices will be closed on Monday, May 25, 2026 in observance of Memorial Day.
2. The Pelham Police Department is excited to announce the upcoming Pelham PD Youth Academy Summer Camp on June 8-12, 2026. This is a unique opportunity for local students to learn about law enforcement, leadership, teamwork, and public safety in a fun and engaging environment. Campers will gain valuable life skills while building confidence, responsibility, and positive relationships with law enforcement personnel. The camp is free for kids aged 12-15, but space is limited. Registration ends on Sunday, May 31, 2026. For more information visit [www.pelhamalabama.gov](http://www.pelhamalabama.gov).
3. The City of Pelham will hold a public hearing during the regular City Council meeting on June 4, 2026 at 5:30 p.m. in the Council Chambers at Pelham City Hall, 3162 Pelham Parkway, Pelham, AL 35124 to consider the following request: Rezoning application for property located off State Park Road, changing the present zoning A-1, B-1, R-1, and R-3 to PUD-R. All interested parties are encouraged to attend and provide input. Individuals with disabilities needing special services to participate in applications, activities, programs or services are requested to coordinate their needs in advance. If special accommodation is required, please contact us at 205.620.6404.

4. The City of Pelham will celebrate Flag Day as part of its America 250 Celebration on Saturday, June 14, 2026, beginning with a Flag Retirement Ceremony at 1:00 p.m. at Pelham City Cemetery. Residents may drop off old, faded, or tattered American flags at The Home Depot or any Pelham fire station before the event. The celebration continues with Together Under One Flag at Pelham City Park from 3:00 p.m. to 6:00 p.m., featuring live music by Act of Congress, bounce houses, patriotic crafts, games, a balloon artist, photo opportunities, food trucks, and recognition of United States military members.

Q. Executive Session

R. Adjournment

**THE COUNCIL MEETING IS OPEN TO THE PUBLIC BUT IS NOT A PUBLIC HEARING**



# CITY COUNCIL MEETING MINUTES

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**Pelham City Hall  
City Council Chambers  
May 7, 2026 – 5:30 p.m.**

Proper notice of the regularly scheduled meeting of the Pelham City Council was given in advance of such a public meeting and the notice remained posted throughout the scheduled meeting.

**Date:** May 7, 2026  
**Time:** 5:30 p.m.  
**Place:** Pelham City Hall – City Council Chambers  
**Present:** President of the Council Chad Leverett  
Councilmember Michelle Power  
Councilmember Christine Townes  
Councilmember Markus Hal Snowden  
Councilmember Michael Harris  
Mayor Rick Wash

## CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE

Council President Leverett called the meeting to order at 5:30 p.m. Councilmember Townes led the invocation. The Pledge of Allegiance was led by Councilmember Power.

## RECORD OF ATTENDANCE

The City Clerk/Treasurer recorded the attendance of the elected officials and announced a quorum was present. City Manager Gretchen DiFante and City Attorney Josh Arnold were present.

## CONSENT AGENDA

A consent agenda is presented by the presiding officer at the beginning of a council meeting. Items presented on the consent agenda are considered routine and/or non-controversial and are organized apart from the rest of the agenda and are adopted by general consent and vote by the City Council without debate. Items may be removed from the consent agenda on the request of any one member. Removed items may be taken up either immediately after the consent agenda is approved or placed later on the agenda at the discretion of the presiding officer and City Council.

1. Approval of the May 7, 2026 City Council Agenda
2. Approval of the April 23, 2026 Regular Council Meeting Minutes
3. **Resolution 2026-05-07-01** for consideration to accept a proposal from and enter into an agreement with Engineering Design Group, LLC for survey services related to the Indian Crest Waterline Extension and Backup Project. This project was budgeted for FY2026.
4. **Resolution 2026-05-07-02** for consideration to authorize a lighting services agreement with Alabama Power Company for streetlights within the Silver Ridge Subdivision Phases 1a and 2a.
5. **Resolution 2026-05-07-03** for consideration to accept a proposal from and enter into an agreement with Skipper Consulting, Inc. for traffic signal design and intersection improvements at CR-11 and Grey Oaks Parkway. This project was budgeted for FY2026.
6. **Resolution 2026-05-07-04** for consideration to accept the annual Municipal Water Pollution Prevention (MWPP) Program Report
7. **Resolution 2026-05-07-05** for consideration to authorize an engagement agreement with Copperwing Design, LLC for 2026 Summer Marketing Support. This expense was budgeted for FY2026.

Council President Leverett stated the complete text of the agenda, minutes, ordinances, and resolutions are available at Pelham City Hall and online at [www.pelhamalabama.gov](http://www.pelhamalabama.gov).

Councilmember Snowden made a motion to adopt the Consent Agenda as presented by Council President Leverett. Councilmember Power seconded the motion.

There being no further discussion, Council President Leverett asked the City Clerk/Treasurer for a roll call vote. The vote to adopt the Consent Agenda was recorded as follows:

Chad Leverett, Council President	<u>Yes</u>
Michelle Power, Council Member	<u>Yes</u>
Christine Townes, Council Member	<u>Yes</u>
Markus Hal Snowden, Council Member	<u>Yes</u>
Michael Harris, Council Member	<u>Yes</u>

The motion to adopt the Consent Agenda passed unanimously by roll call vote of those members present and the President of the Council declared the same passed and adopted.

MAYOR'S REPORT/COMMENTS – None

PROCLAMATION(S) AND RESOLUTION(S) BY THE MAYOR AND OTHERS – None

REPORT BY THE CITY MANAGER

City Manager Gretchen DiFante made the following comments:

- Noted the U.S. Highway 31 lighting project is progressing well and was happy to report the new light poles started being installed this week. She said they look great and will create a much safer roadway for motorist.
- Reported on the status of the ReAMP project and stated the City is continuing to have positive conversations and meetings with the master developer. She assured the citizens there is work happening behind the scenes and not to get discouraged if there is no construction going on at the former amphitheater site.
- Stated the City is moving as quickly as possible with the CR-52 railroad crossing elimination project in conjunction with the Federal Railroad Administration (FRA). She said the City got a really nice comment from the FRA noting all deadlines are being met ahead of schedule and the requested documents contain great work.
- Concluded by noting the importance of consistent code enforcement across the entire City. She said City staff has a duty to follow through when a violation is brought their attention.

REPORT BY THE CITY ATTORNEY – None

PUBLIC HEARING(S)

1. To consider whether the City of Pelham will assume ownership and maintenance of privately owned sewer lift stations located in the Holland Lakes Subdivision, with costs to be paid by special assessment of property owners in said Subdivision

Councilmember Snowden made a motion to recess the May 7, 2026 city council meeting for the purpose of holding a public hearing, for which proper notice has been given. Councilmember Harris seconded the motion.

There being no further discussion, the motion passed by unanimous voice vote of those members of the city council present and the President of the Council declared the same passed and the city council meeting recessed at 5:41 p.m.

Council President Leverett called the public hearing to order for the purpose of hearing testimony regarding the special assessment.

Assistant City Manager Justin Smith provided background regarding the Holland Lakes sewer lift stations, noting the neighborhood has two privately owned and maintained sewer lift stations installed by the developer, which are the only remaining privately maintained sewer lift stations serving Pelham neighborhoods. Mr. Smith stated the Holland Lakes HOA requested the City begin the process for assuming ownership and maintenance responsibility. Required notices were sent via Certified U.S. Mail to property owners of the 160 affected lots, and notice was published as required by law. Mr. Smith clarified Holland Place residents were mistakenly sent notices due to plat/address list issues, but Holland Place is a separate neighborhood, is not served by these sewer lift stations, and is not subject to any related assessment.

Mr. Smith explained the sewer lift stations must be brought up to City standards before the City can assume responsibility. Per Alabama law, if the HOA does not complete the improvements, the property may be deeded to the City, the City may complete the work, and the cost may be assessed to Holland Lakes property owners following a later hearing to fix the final cost. The estimated cost was \$647,640.00, or slightly more than \$4,000 per property, with installment payments allowed by law. He stated 81 objections, representing 50% plus one of the 160 lots, would be required to stop the improvement unless overridden by a two-thirds vote of the city council.

Assistant City Manager Justin Smith invited Holland Lakes HOA President Kyle Lubsen to the podium who voiced his support of the special assessment and moving forward with the sewer lift station improvements project.

Council President Leverett asked for the applicable residents of Holland Lakes wishing to speak against the special assessment to come forward at this time. He noted only those speaking against the special assessment are needed at this point in the process. He added it is assumed that any resident not speaking against the special assessment is in favor of moving forward with the improvements.

- Beth Blackburn, 299 Creekside Lane, Pelham, AL 35124

There being no further discussion, Council President Leverett announced the public hearing had concluded.

There being no further discussion, Council President Leverett called the May 7, 2026 city council meeting back to order at 5:53 p.m.

REQUEST(S) TO ADDRESS THE COUNCIL – None

OLD BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS – None

NEW BUSINESS / RESOLUTIONS / ORDINANCES / ORDERS and OTHER BUSINESS

1. **Resolution 2026-05-07-06** for consideration to appoint a citizen to the Pelham Board of Education Place No. 3 was introduced by Council President Leverett.

Councilmember Harris made a motion to adopt Resolution 2026-05-07-06. Councilmember Townes seconded the motion.

Council President Leverett noted Robert Plummer's name was moved forward by consensus of the city council on May 5, 2026.

There being no further discussion, the motion to adopt Resolution 2026-05-07-06 passed by a unanimous voice vote of those members present and the President of the Council declared the same passed and adopted.

2. **Resolution 2026-05-07-07** for consideration to condemn substantially damaged buildings located along Chandalar Court in Pelham, Alabama was introduced by Council President Leverett.

Councilmember Power made a motion to adopt Resolution 2026-05-07-07. Councilmember Snowden seconded the motion.

There being no further discussion, the motion to adopt Resolution 2026-05-07-07 passed by a unanimous voice vote of those members present and the President of the Council declared the same passed and adopted.

3. **Resolution 2026-05-07-08** for consideration to revoke the business license for property located at 1902 Highway 31 South currently operating as Siegel Select Birmingham II in Pelham, Alabama was introduced by Council President Leverett.

Councilmember Harris made a motion to adopt Resolution 2026-05-07-08. Councilmember Townes seconded the motion.

There being no further discussion, the motion to adopt Resolution 2026-05-07-08 passed by a unanimous voice vote of those members present and the President of the Council declared the same passed and adopted.

#### PUBLIC COMMENTS

*Public comments are limited to three (3) minutes per speaker. Individuals wishing to address the City Council may, after being recognized, approach the podium, and state their name and physical address prior to making their comments in a respectful manner.*

*Please note, the public comment period is intended for comments only. It is not a public hearing, nor is it a time for dialogue, debate, or questions to the City Council. Any questions or requests for additional information will be noted and may be addressed by the appropriate City staff or officials at a later time.*

- Jeremy Bruster, 1902 Highway 31 South, Pelham, AL 35124 – regarding the revocation of the Siegel Select Birmingham II business license.
- Michael Wallace, 313 Creekside Lane, Pelham, AL 35124 – regarding the Holland Lakes Subdivision sewer lifts stations assessment
- Laura Kutcher, 257 Grey Oaks Court, Pelham, AL 35124 – regarding the traffic signal study and design at the intersection of Grey Oaks Parkway and CR-11.
- Robert Grady, 1902 Highway 31 South, Pelham, AL 35124 – regarding the revocation of the Siegel Select Birmingham II business license.
- Denise Garcia, representing Siegel Select - regarding the revocation of the Siegel Select Birmingham II business license.
- Darla - 1902 Highway 31 South, Pelham, AL 35124 – regarding the revocation of the Siegel Select Birmingham II business license.
- Mark Wilson, candidate for Shelby County District Court Judge, Place No. 3.
- Jason Wingard, 1902 Highway 31 South, Pelham, AL 35124 – regarding the revocation of the Siegel Select Birmingham II business license.
- Jay Welborn, candidate for Shelby County District Court Judge, Place No. 3.

#### CITY COUNCIL COMMENTS

Council President Leverett read Matthew 20:16. He thanked everyone for coming out tonight and who spoke. He said he knows the sewer lift station improvements will take some time in Holland Lakes, but it will be well worth it for the residents and HOA to not have the maintenance burden moving forward.

Councilmember Snowden thanked everyone for coming out tonight. He said the city council considers everything fairly even though some decisions are not the most popular. He thanked the citizens who applied and interviewed for the Pelham Board of Education. He encouraged everyone to be sure they are getting their information from factual sources when it comes to City news.

Councilmember Harris thanked everyone for coming out tonight and encouraged everyone to vote in the upcoming primary election on Tuesday, May 19, 2026.

Councilmember Power thanked everyone for attending tonight's meeting and said the city council listens and values the feedback from those who spoke tonight.

Councilmember Townes thanked everyone for coming out tonight. She thanked those who spoke tonight and said the city council heard your comments. She added the decisions the city council has to make are not taken lightly. She said she is excited to see progress being made on the traffic signal project on CR-11 at Grey Oaks Parkway.

PUBLIC ANNOUNCEMENTS

1. The spring shred and electronic recycling event hosted by Secure Shredding & Recycling and the City of Pelham is scheduled for Saturday, May 16, 2026 from 9:00 a.m. until 12:00 Noon. It will take place in front of City Hall, 3162 Pelham Parkway. Additional details about shredding and electronic recycling are available on the City's website, [pelhamalabama.gov](http://pelhamalabama.gov).
2. The annual Pelham Palooza will be held on Saturday, May 16, 2026 from 10:00 a.m. to 3:00 p.m. at Pelham City Park. This event is free to the public and features local artisans, live music, food trucks, family friendly activities and more.

ADJOURNMENT

With no other business before the city council, Councilmember Snowden moved to adjourn the council meeting and Councilmember Townes seconded the motion. By voice vote the motion passed unanimously by those members present and the meeting was adjourned at 6:22 p.m.

Respectfully submitted this 7th day of May 2026.

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Jonathan Seale, CMC, City Clerk/Treasurer

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Chad Leverett, President of the Council

[SEAL]

# RESOLUTION 2026-05-21-01

## Declaring Surplus Personal Property

**WHEREAS**, the City of Pelham, Alabama, has certain items of personal property which are no longer needed for public or municipal purposes; and

**WHEREAS**, Section 11-43-56 of the Code of Alabama of 1975 authorizes the municipal governing body to dispose of unneeded personal property.

**NOW, THEREFORE, BE IT RESOLVED** by the Pelham City Council as follows:

SECTION 1. That the personal property attached hereto is owned by the City of Pelham, Alabama and is no longer needed for public or municipal purposes.

SECTION 2. The mayor, city manager, and city clerk/treasurer shall be, and they are hereby, authorized and directed to dispose of the personal property owned by the City of Pelham, Alabama, by receiving bids, auctioning, direct selling, or donating such property. Except for the items to be sold or donated as noted in Section 1 above, all such property shall be sold to the highest bidder, provided, however, that the mayor, city manager, and city clerk/treasurer shall have the authority to reject all bids when, in their opinion, they deem the bids to be less than adequate consideration for the personal property. If an item does not receive a bid due to lack of value or condition, the mayor, city manager, and city clerk/treasurer are authorized to dispose of the property.

SECTION 3. All vehicles, items and equipment will be sold or donated “as is” and “where is” with no expressed or implied warranty or guarantee. Buyers are responsible for pick-up and transport of the vehicles, items and equipment from the sale or alternate site. All sales are final. No refunds will be granted. Payment for surplus personal property shall be in the form of cash or an official bank check. In most cases, no personal checks will be accepted.

**THEREUPON** \_\_\_\_\_, a councilmember, moved and \_\_\_\_\_, a councilmember, seconded the motion that Resolution 2026-05-21-01 be given vote, and said Resolution passed by a unanimous vote of the Council present, and the President of the Council declared the same passed and adopted.

**ADOPTED** this 21st day of May 2026.

\_\_\_\_\_  
Chad Leverett, President of the Council

[SEAL]

ATTEST

\_\_\_\_\_  
Jonathan Seale, CMC, City Clerk/Treasurer

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City of Pelham, at a regular meeting of such Council held on the 21st day of May 2026 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 21st day of May 2026.

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Jonathan Seale, CMC City Clerk/Treasurer

[SEAL]



# Pelham

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## M E M O R A N D U M

To: Gretchen DiFante, City Manager

Cc: Jonathan Seale, City Clerk/Treasurer

From: Chief Ed Delmore 

Date: May 13, 2026

Re: Surplus Property

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City Manager DiFante,

The Pelham Police Department currently has five marked 2017 Chevrolet Tahoes in its fleet, and have been a part of our fleet for nine years. The five vehicles are no longer sustainable for the police department due to their age, mileage, and service costs. The department also has a 2018 Tahoe that is no longer operable. We feel it is in the best interest of the City to declare these vehicles surplus property and to request that they be sold at auction.

**Vehicle information:**

1700 - 2017 Chevrolet Tahoe VIN# 1GNLCDEC5HR224748 License Plate 62747MU  
1703 - 2017 Chevrolet Tahoe VIN# 1GNLCDEC7HR224699 License Plate 62746MU  
1704 - 2017 Chevrolet Tahoe VIN# 1GNLCDEC1HR223452 License Plate 62745MU  
1705 - 2017 Chevrolet Tahoe VIN# 1GNLCDEC9HR221741 License Plate 62744MU  
1706 - 2017 Chevrolet Tahoe VIN# 1GNLCDEC1HR220339 License Plate 62743MU  
1804 - 2018 Chevrolet Tahoe VIN# 1GNLCDEC5JR251518 License Plate 64390MU

Thank you for your consideration in this matter.

Ed Delmore  
Police Chief

## RESOLUTION 2026-05-21-02

### Approving Alabama Department of Revenue Tax Abatement Agreement Between the City of Pelham, Alabama and Coosa Composites Holdings, LLC

**WHEREAS**, the City of Pelham, Alabama ( the “*City*”), has been in discussions with Coosa Composites Holdings, LLC, an Alabama Limited Liability Corporation (the “*Company*”) in connection with the Company’s intent to construct a “Major Addition to an Existing Facility” in the form of a newly-constructed addition to an existing facility (the “*Project*”) at the company’s location at 105 Pardue Road, Pelham, Alabama, 35124; and

**WHEREAS**, the Project is located within the jurisdiction of the City; and

**WHEREAS**, the Project is expected to enhance the public benefit and welfare of the citizens of the City by, among other things: promoting of local economic and commercial development and the stimulation of the local economy; increasing employment opportunities and creating jobs in the City; increasing the City’s tax base, which will result in additional tax revenues for the City; and preserving and improving the aesthetic quality of commercial development, insuring the economic health of the City; and

**WHEREAS**, the Company's expansion of its capabilities will better allow them to serve the Southeastern market; and

**WHEREAS**, in light of the foregoing, and after reviewing the Company’s Application to the City for Abatement of Taxes, the City has determined that it is in the City’s best interest to provide certain tax abatements to the Company in connection with the development of the Project, as set forth in the proposed Tax Abatement Agreement attached hereto as Exhibit A (the “*Tax Abatement Agreement*,” which shall become a permanent part of this Resolution).

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pelham takes the following action:

**Section 1.** The City finds that the Project constitutes a “Major Addition to an Existing Facility” under the Tax Incentive Reform Act of 1992, as amended (Sections 40-9B-1 *et seq.*, Code of Alabama, 1975) (the “*Act*”). The City approves the Tax Abatement Agreement and all abatements and incentives to be granted therein to the Company.

**Section 2.** The terms of this resolution (this “*Resolution*”) and the Tax Abatement Agreement shall be deemed a contract with the Company and may not be rescinded or amended by the City without the express, written authority of the Company.

**Section 3.** The various provisions of this Resolution are hereby declared to be severable. In the event any provision hereof shall be held invalid by a court of competent jurisdiction, such invalidity shall not affect any other portion of this Resolution.

**Section 4.** A certified copy of this Resolution, with the Application and Tax Abatement Agreement, shall be forwarded to the Company to deliver to the appropriate local taxing authorities (if applicable) and to the Alabama Department of Revenue in accordance with the Act.

**Section 5.** The City is authorized and directed to execute and deliver the Tax Abatement Agreement and to take all actions necessary or desirable to accomplish the purpose of this Resolution.

**THEREUPON** \_\_\_\_\_, a councilmember, moved and \_\_\_\_\_, a councilmember, seconded the motion that Resolution 2026-05-21-02 be given vote, and said Resolution passed by unanimous vote of the Council present, and the President of the Council declared the same passed and adopted.

**ADOPTED** this 21st day of May 2026.

\_\_\_\_\_  
Chad Leverett, President of the Council

[SEAL]

ATTEST

\_\_\_\_\_  
Jonathan Seale, CMC, City Clerk/Treasurer

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City of Pelham, at a regular meeting of such Council held on the 21st day of May 2026 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 21st day of May 2026.

\_\_\_\_\_  
Jonathan Seale, CMC City Clerk/Treasurer

[SEAL]

**Exhibit A**  
**Tax Abatement Agreement**



# Pelham

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## MEMORANDUM

**TO:** Gretchen DiFante. City Manager

**FROM:** Justin Smith, Assistant City Manager

**DATE:** May 8, 2026

**SUBJECT:** Coosa Composites Abatement

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Coosa Composites Holdings, LLC, is seeking to construct a major addition to its existing facility at its location located at 105 Pardue Road.

The Company is seeking a Chapter 9B Abatement from the council for the expansion of the manufacturing facility located at the site. The expansion will allow them to produce more and hire/upskill more employees.

The expanded facility will be an approximately 20,000 square foot building and will enable them to hire five (5) new employees over a two-year period once the project is complete. It represents a capital investment in the City of Pelham estimated at \$4,850,000.

The estimated taxes to be abated for the term of this agreement are estimated to total \$487,691:

- Noneducational ad valorem taxes of approximately \$20,966 per year for a period of 10 years beginning after the project is placed in service.
- Construction related transaction taxes, except those construction related transaction taxes levied for educational purposes, estimated to be \$278,031, until the project is places in service.

A Chapter 9B Abatement is a statutory abatement. Under Chapter 9B of Title 40 (also known as the Tax Incentive Reform Act of 1992), cities, counties, and public industrial authorities have the authority to grant the following tax abatements for new and expanding qualifying projects (including upgrades):

- State sales and use taxes;

- Non-educational county and city sales and use taxes;
- Non-educational state, county, and city property taxes – up to 20 years (except data processing centers which can be abated for up to 30 years); and
- Mortgage and recording taxes for which property is conveyed into or out of a public authority, city, or county government.

The Abatement documents were prepared by 58 Inc., and have been reviewed by the City Attorney. No additional incentives are contemplated that might trigger Amendment 772 requirements.

It is requested that this appears on the next available Council work session agenda for discussion, and subsequent approval at the appropriate council meeting is recommended once all final, partially executed documents have been received.

## TAX ABATEMENT AGREEMENT

This TAX ABATEMENT AGREEMENT (this "**Agreement**") is made as of the \_\_\_ day of \_\_\_\_\_, 2026 (the "**Effective Date**"), by and between the CITY OF PELHAM, ALABAMA, a municipal corporation of the State of Alabama (the "**City**"), Coosa Composites Holdings, LLC, an Alabama Limited Liability Company (the "**Company**").

### RECITALS:

**WHEREAS**, the **Company's** principal place of business is located at 105 Pardue Road Pelham, Alabama, 35124;

**WHEREAS**, the **Company's** activities fall within North American Industry Classification System (NAICS) code 326150, which meets the qualifications of an industrial or research enterprise in accordance with Section 40-9B-3(f) of the Act (as defined below);

**WHEREAS**, the **Company** located at 105 Pardue Road within the city limits of the **City**, wherein the **Company** will improve certain industrial real property located within the city limits of the **City**, and will purchase and install certain items of equipment, machinery and related personal property (collectively, the "**Project**");

**WHEREAS**, it is anticipated that the **Project** will be an expanded manufacturing facility for the **Company**, allowing them to produce more and hire/upskill more employees;

**WHEREAS**, the Project completion date is estimated to be December 2027;

**WHEREAS**, pursuant to the Tax Incentive Reform Act of 1992 (Section 40-9B-1 *et seq.*, **Code of Alabama (1975)**) (the "**Act**"), the **Company** has requested from the **City** an Abatement of the following:

- (i) all state and local noneducational ad valorem taxes; and
- (ii) all construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education.

**WHEREAS**, the **City** has considered the request of the **Company** and the completed Application to Granting Authority for the Abatement of Taxes (Form CO:CAA) (the "**Application**," a copy of which is attached hereto as **Exhibit A**) filed with the **City** by the **Company**, in connection with its request; and

**WHEREAS**, the **City** has found the information contained in the **Company's** Application to be sufficient to permit the **City** to make a reasonable cost/benefit analysis of the proposed **Project** and to determine the economic benefits to the community, and has concluded that it is to the advantage of the public that the requested abatements be granted in accordance with this **Agreement**;

**WHEREAS**, at its meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2026, the City Council of Pelham, Alabama, adopted Resolution 2026-\_\_\_\_ approving the **Company's** application for abatement of;

- (i) all state and local noneducational ad valorem taxes; and
- (ii) all construction related transaction sales and use taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education.

**WHEREAS**, the **Project** will consist of private use industrial development property, which is composed of (a) the construction of a building totaling approximately 20,000 square feet as shown on the **Project** plan pages attached as **Exhibit B** hereto designated as "Proposed Building", (b) related fixtures and personal property to be acquired, constructed, and installed thereon, as described in the **Application**, and (c) the acquisition of industrial machinery associated with the business of the **Company** and the **Project**;

**WHEREAS**, the private use industrial development property for which the abatement is applied shall be owned by the **Company** and shall constitute an estimated **\$4,850,000** of capital investment within the **City**;

**WHEREAS**, the **City** does not intend to issue bonds in connection with the private use industrial development property herein described;

**WHEREAS**, for the purposes of abatement of all noneducational ad valorem taxes, it has been determined that no portion of the **Project** has been placed in service or operation by the **Company** or by a related party, as defined in 26 U.S.C. §267, with respect to the **Company** prior to the **Effective Date** of this **Agreement**;

**WHEREAS**, for the purposes of the abatement of all construction related transaction taxes, it has been determined that no portion of the **Project** which has been requested for abatement has been purchased prior to the **Effective Date** of this **Agreement**;

**WHEREAS**, the **Company** are duly qualified to do business in the State of Alabama, and has powers to enter into, and to perform and observe the agreements and covenants on its part contained in this **Agreement**;

**WHEREAS**, the **City** represents and warrants to the **Company** (a) that it has power under that constitution and laws of the State of Alabama (including particularly the provisions of the Act) to carry out provisions of this **Agreement**, and (b) that the execution of this **Agreement** on its behalf has been duly authorized by resolution adopted by the governing body of the **City**; and

**WHEREAS**, it is anticipated that the **Project** will result in the **Company's** hiring of approximately five (5) new employees over a two (2) year period after **Project** completion.

**NOW THEREFORE BE IT RESOLVED**, for and in consideration of the premises and mutual covenants set forth in this **Agreement** and other good and valuable consideration, the receipt and

sufficiency of which are hereby acknowledged, the **City** and the **Company**, in consideration of the mutual promises and benefits specified herein, hereby agree as follows:

1. In accordance with the **Act**, the **City** hereby grants to the **Company** abatement from liability for the following taxes as permitted by the Act:

- (a) Non-educational Ad Valorem Taxes: all ad valorem taxes that are not required to be used for educational purposes or for capital improvements for education; and
- (b) Construction Related Transaction Taxes: the transaction taxes imposed by Chapter 23 of Title 40 **Code of Alabama 1975** on the tangible personal property and taxable services to be incorporated into the **Project**, the cost of which may be added to capital account with respect to the **Project**, except for those local construction related transaction taxes levied for educational purposes or for capital improvements for education.

2. An estimate of the amount of tax abated pursuant to this **Agreement** is set forth below. The **City** and the **Company** hereby acknowledge that this estimate reflects the amount of tax abated for the period stated, under current law, and that the actual abatement for such taxes may be for a greater or lesser amount depending upon the actual amount of such taxes levied during the abatement period as stated.

- (a) Noneducational ad valorem taxes to be approximately **\$20,966** per year on average and the maximum period for such abatement shall be valid for a period of 10 years, beginning on January 1 next occurring after the **Project** is placed in service (such that there are ten full years of abatement of noneducational ad valorem taxes on the entire **Project**); provided, however, the **Company** shall be entitled to have the abatement commence prior to the completion of the **Project** if a substantial portion thereof is placed in service by an applicable January 1 on which the **Company** desires that the abatement commence, by providing written notice to the **City** thereof.
- (b) Construction related transaction taxes, except those construction-related transaction taxes levied for educational purposes or for capital improvements for education, are expected to be approximately **\$278,031**, and such abatement shall not extend beyond the date the **Project** is placed in service.

3. The **Company** warrants that all of the estimates and projections herein are made in good faith. The **Company** hereby make the following good faith projections:

- (a) Total amount to be invested in the Project: **\$4,850,000**;
- (b) Number of individuals hired due to the project Five (5).

4. The **Company** shall file with the Alabama Department of Revenue within ninety (90) days after the date of the Meeting a copy of this **Agreement** as required by Section 40-9B-6(c) of the Act.

5. The **Company** agrees to provide periodic reports to the **City** on the progress of the **Project** and specifically that the employees falling with the category described in Section 3(b) above were retained, trained and elevated into positions of greater responsibility and higher pay.

**Generally**

**6. Compliance.** If the **Company** fails to comply with any provision in this **Agreement** which is not cured within ten (10) days of receipt of written notice from the **City** specifying such failure, or if any of the material statements contained herein are determined to have been misrepresented whether intentionally, negligently, or otherwise, the **City** may terminate this **Agreement** and take such equitable or legal action available to it. If it is determined that certain items, which are identified on the **Application**, are not in compliance with the **Act** or governing regulations, these items may be subject to taxation for all local and state taxing authorities, but without affecting other items which are in compliance.

**7. Binding Agreement.** Each party to this **Agreement** hereby represents and warrants that the person executing this **Agreement** on behalf of the party is authorized to do so and that this **Agreement** shall be binding and enforceable when duly executed and delivered by each party. This **Agreement** shall be binding upon and inure to the benefit of each of the parties and their respective successors and assigns.

**8. Limitations.** Notwithstanding any provision contained herein to the contrary, this **Agreement** is limited solely to the abatement of:

- (i) All state and local non-educational ad valorem taxes, and
- (ii) All construction related transaction taxes, except those construction related transaction taxes levied for educational purposes or for capital improvements for education.


**9. Severability.** This **Agreement** may be amended or terminated upon mutual consent of the **Company** and the **City**. In the event that any provision of this **Agreement** shall violate any applicable statute, ordinance or rule of law in any jurisdiction in which it is used, or is otherwise unenforceable, that provision shall be ineffective to the extent of the violation without invalidating any other provision hereof.

**10. Assignment.** The **Company** shall have the right to assign this **Agreement** to any purchaser of the **Project**.

This Tax Abatement Agreement is executed as of the dates specified below but effective as of the date first above written.

**Coosa Composites Holdings, LLC,**

**CITY OF PELHAM, ALABAMA**

Signed by:  
  
By: \_\_\_\_\_  
2F06782383A04FD...

By: \_\_\_\_\_

Name: Davis Ozier

Name: Rick Wash

Title: President

Title: Mayor

Date: 5/8/2026

Date: \_\_\_\_\_

**Exhibit A**  
**Application**  
*(next page)*



# ALABAMA DEPARTMENT OF REVENUE Application to Granting Authority for Abatement of Taxes

Under Chapter 9B, Title 40, Code of Alabama 1975

## Noneducational Sales and Use Taxes, Noneducational Property Taxes, and/or Mortgage and Recording Taxes

This form is to be submitted to the granting authority for consideration in granting an abatement of all state and local noneducational property taxes, all construction related transaction (sales and use) taxes, except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or mortgage and recording fees, in accordance with the provisions of Section 40-9B-1 et seq., Code of Alabama 1975.

1a. TYPE OF ABATEMENT APPLYING FOR: <input checked="" type="checkbox"/> Sales & Use Taxes <input checked="" type="checkbox"/> Property Taxes <input type="checkbox"/> Mortgage & Recording Taxes	2. PROJECT NAICS CODE: 3 2 6 1 5 0
---	---------------------------------------

1b. IS APPLICANT REQUESTING PROPERTY TAX ABATEMENT FOR A PERIOD LONGER THAN 10 YEARS? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	3. TYPE OF PROJECT: <input type="checkbox"/> New Project <input checked="" type="checkbox"/> Major Addition To An Existing Facility
--	--

4. DOES MAJOR ADDITION EQUAL THE LESSER OF: (CHECK APPLICABLE BOX)  
 \$2,000,000 - OR -  30% of original cost of existing property, original cost \$ \_\_\_\_\_

5. PROJECT APPLICANT: <b>Coosa Composites Holdings, LLC</b>	DBA: <b>Coosa Composites</b>
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6. ADDRESS OF APPLICANT: <b>105 Pardue Rd</b>	CITY: <b>Pelham</b>	STATE: <b>AL</b>	ZIP CODE: <b>35124</b>
--	------------------------	---------------------	---------------------------

7. NAME OF CONTACT PERSON: <b>Davis Ozier</b>	EMAIL ADDRESS: <b>davis@coosacomposites.com</b>	TELEPHONE NUMBER: <b>(205) 6633225</b>
--	--	---

8. DATE COMPANY ORGANIZED:  
**February 1999**

9. PHYSICAL LOCATION OF PROJECT:  
**105 Pardue Rd**

CITY (IF OUTSIDE CITY LIMITS, PLEASE INDICATE): <b>Pelham</b>	COUNTY: <b>Shelby</b>	ZIP CODE: <b>35124</b>
--	--------------------------	---------------------------

10. BRIEF DESCRIPTION OF PROJECT (ATTACH A COMPLETE AND DETAILED LISTING OF PROJECT PROPERTY COSTS TO ENABLE A COST/BENEFIT ANALYSIS BY GRANTING AUTHORITY):  
**Expand existing facility by 18k sq ft and add new equipment to expand company products and services**

11. ESTIMATED DATE CONSTRUCTION WILL BEGIN: <b>September 2026</b>	12. ESTIMATED DATE CONSTRUCTION WILL BE COMPLETED: <b>July 2027</b>	13. ESTIMATED DATE PROPERTY WILL BE PLACED IN SERVICE: <b>December 2027</b>
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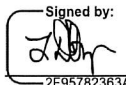
14. HAVE BONDS BEEN ISSUED FOR PROJECT: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes    If yes, date bonds issued:	15. WILL BONDS BE ISSUED FOR PROJECT: <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes    If yes, projected date of issue:
--	--

16. ESTIMATED NUMBER OF NEW EMPLOYEES	17. ESTIMATED ANNUAL PAYROLL OF NEW EMPLOYEES	Estimated Investment for Project	18. COST OR VALUE FOR PROPERTY TAX	19. COST SUBJECT TO SALES TAX
INITIALLY <b>3</b>	INITIALLY <b>\$ 200,000</b>	a. Land (if donated, show market value) .....	18a <b>\$ 0</b>	<b>XXXXXXXXXX</b>
YEAR 1 <b>2</b>	YEAR 1 <b>\$ 100,000</b>	b. Existing Building(s) (if any) .....	18b	<b>XXXXXXXXXX</b>
YEAR 2	YEAR 2	c. Existing Personal Property (if any) .....	18c	<b>XXXXXXXXXX</b>
YEAR 3	YEAR 3	d. New Building(s) and/or New Additions to Existing Building(s) (19d = building materials only) .....	18d <b>\$ 3,000,000</b>	19d <b>\$ 2,000,000</b>
This form may be used as the application to the granting authority required by Section 40-9B-6(a), Code of Alabama 1975. The information requested here is required by Section 40-9B-6 and Section 40-2-11(7), Code of Alabama 1975.		e. New Manufacturing Machinery .....	18e <b>\$ 1,750,000</b>	19e <b>\$ 1,750,000</b>
		f. Other New Personal Property (non-mfg machinery, office equipment, computers, etc.) .....	18f <b>\$ 100,000</b>	19f <b>\$ 100,000</b>
		g. TOTALS (PROPERTY TAX TOTAL MUST EQUAL TOTAL PROJECT INVESTMENT. SALES TAX TOTAL WILL BE LESS.) .....	18g <b>\$ 4,850,000</b>	19g <b>\$ 3,850,000</b>

The abatement of noneducational property taxes is based on the market value of specific assets; therefore, the actual amount of taxes abated is determined each year as the property is assessed and valued. An abatement of noneducational sales and use taxes shall apply only to tangible personal property and taxable services incorporated into private use industrial property, the cost of which may be added to capital account with respect to the property, determined without regard to any rule which permits expenditures properly chargeable to capital account to be treated as current expenses. No abatement of sales and use taxes shall extend beyond the date private use industrial property is placed in service. A verification inspection of qualifying property will be conducted by the Alabama Department of Revenue to insure compliance with Section 40-9B-1 et seq., Code of Alabama 1975, as amended.

I hereby affirm that, to the best of my knowledge and belief, the information in this application and any accompanying statement, schedules, and other information is true, correct and complete.

**Davis Ozier**

Signed by:  NAME (PRINT)  
 \_\_\_\_\_  
 2F95782363A94FD... SIGNATURE

**President**

\_\_\_\_\_  
 TITLE DATE

5/8/2026

## Instructions for Preparing Application to Granting Authority for Abatement of Taxes (Form CO: CAA)

Under Chapter 9B of Title 40, *Code of Alabama 1975*

### GENERAL INSTRUCTIONS

Chapter 9B, Title 40, *Code of Alabama 1975*, provides for an abatement of all state and local noneducational property taxes, all construction related transaction taxes (sales and use taxes), except those local construction related transaction taxes levied for educational purposes or for capital improvements for education, and/or all mortgage and recording taxes relating to mortgages, deeds, and documents used to issue or secure obligations and convey title into or out of the name of a public authority, county or municipal government.

This form is to be submitted to the granting authority for consideration in granting an abatement of noneducational sales and use taxes, noneducational property taxes, and/or mortgage and recording taxes. **If you have any questions about this form or the abatement of taxes in general, please contact the Alabama Department of Revenue at (334) 242-1175.**

**A complete and detailed listing of project costs should be attached to this application in order for the granting authority to make a cost/benefit analysis in accordance with Section 40-9B-6(a).**

### STATUTORY REQUIREMENTS FOR ABATEMENTS

The following are qualifying business activities under Section 40-9B-3, *Code of Alabama 1975*:

- Industrial or Research Enterprise – Any trade or business in the 2007 North American Industrial Classification System (NAICS), promulgated by the Executive Office of the President of the United States, Office of Management and Budget as: Sectors 31 (except National Industry 311811), 32, 33, 55 (if not for the production of electricity), Subsectors 423, 424, 482, 493, 511, 517, 518, 927, Industry Groups 1133, 2121, 4862, 4882, 4883 (other than 48833) 5121 (other than 51213), 5415, 5417, Industries 22111, 48691, 48699, 48819, 51221, 51913, 52232, 54133, 54134, 54138, 56291, 56292, 92811, National Industries 115111, 221330, 541614, 561422 (in bound call centers only), 562213, and 611512.
- Subsector 493, Industry Number 488310, or 488320 when such trade or business is conducted on premises in which the Alabama State Port Authority has an ownership, leasehold, or other possessory interest and such premises are used as part of the operations of the Alabama State Port Authority. These projects require written approval of the Governor, Finance Director, and the Director of the Alabama State Port Authority.
- Headquarters Facility – Any trade or business in the 2007 North American Industrial Classification System (NAICS), promulgated by the Executive Office of the President of the United States, Office of Management and Budget as National Industry 551114 at which at least 50 new jobs are located.
- Data Processing Center – An establishment, at which at least 20 new jobs are located, engaged in the provision of complete processing and specialized reports from data, the provision of automated data processing and data entry services, the provision of an infrastructure for hosting or data processing services, the provision of specialized hosting activities, the provision of application service provisioning, the provision of general time-share mainframe facilities, or some combination of the foregoing, without regard to whether any other activities are conducted at the establishment.
- Research & Development Facility – An establishment engaged in conducting original investigations undertaken on a systematic basis to gain new knowledge and/or applying research findings or other scientific knowledge to create new or significantly improved products or processes.
- Renewable Energy Facility – Any plant, property, or facility that either:
  1. Produces electricity or natural gas, in whole or in part, from biofuels as such term is defined in Section 2-2-90(c)(2) or from renewable energy resources as such term is defined in Section 40-18-1(30) with the exception that hydropower production shall be excluded from such definition; or
  2. Produces biofuel as such term is defined in Section 2-2-90(c)(2).
- Alternative Energy Resources Electricity Production Project - A project owned by a utility described in Section 37-4-1(7)a, Code of Alabama 1975, or owned by a company which is itself owned by a utility, at which the predominant trade or business activity conducted will be the production of electricity from alternative energy resources (coal gasification or liquefaction, nuclear and/or advanced fossil-based generation), the capital costs of which are not less than \$100,000,000.
- Hydropower Electricity Production Project - A project owned by a utility described in Section 37-4-1(7)a, or owned by a company which is itself owned by a utility, at which the predominant trade or business activity conducted will be the production of electricity from hydropower production as defined in Section 40-18-1(16), the capital costs of which are not less than \$5,000,000.
- Tourist Destination Attractions – A commercial enterprise which is open to the public not less than 120 days during a calendar year and is designed to attract visitors from inside or outside of the State of Alabama, typically for its inherent cultural value, historical significance, natural or man-made beauty, or entertainment or amusement opportunities. The term shall include, but not be limited to, a cultural or historical site; a botanical garden; a museum; a wildlife park or aquarium open to the public that cares for and displays a collection of animals or fish; an amusement park; a convention hotel and conference center; a water park; or a spectator venue or arena.
- Any of the 11 targeted business sectors under the Accelerate Alabama Strategic Economic Development Plan adopted in January 2012 by the Alabama Economic Development Alliance, created by Executive Order Number 21 of the Governor on July 18, 2011, which include Advanced Manufacturing in Aerospace/Defense, Automotive, Agricultural Products/Food Production, Steel/Metal, Forestry Products and Chemicals; Technology in Biosciences, Information Technology, Enabling Technologies; Distribution/Logistics and Corporate Operations.

LINE BY LINE INSTRUCTIONS

**Item 1a.** Indicate the type(s) of abatement(s) being requested.

**Sales and Use Taxes** – Chapter 9B, Title 40, *Code of Alabama 1975*, provides for the abatement of certain noneducational sales and use taxes imposed by Chapter 23 of Title 40, *Code of Alabama 1975*. The abatement applies to the tangible personal property and taxable services incorporated into the project, the cost of which may be added to the capital account with respect to the project. However, only the state and local noneducational sales and use taxes may be abated. No sales and use tax abatement shall extend beyond the date the project is placed in service.

**Property Taxes** – Chapter 9B, Title 40, *Code of Alabama 1975*, provides for the abatement of noneducational property taxes imposed by the state, counties, municipalities and other taxing jurisdictions in Alabama. Only industrial property not previously placed in service in Alabama by the user or a related party may be eligible for an abatement of noneducational property taxes.

**Mortgage And Recording Taxes** – Chapter 9B, Title 40, *Code of Alabama 1975*, provides for the abatement of all taxes imposed by Chapter 22 of Title 40 of the *Code of Alabama 1975*, relating to mortgages, deeds, and documents used to issue or secure obligations and convey title into or out of the name of a public authority.

**Item 1b.** Indicate if applicant is requesting abatement of property taxes for a period longer than 10 years. For any property tax abatement that is granted for over 10 years, the noneducational municipal taxes can only be abated by the City Government, noneducational county taxes can only be abated by the County Government, and state taxes can only be abated by the Governor. The governing body of the municipality and county can authorize a public industrial authority to provide by resolution for such consent on its behalf.

**Item 2.** If the predominant business activity is a headquarters facility, an industrial or research enterprise as defined in *Code of Alabama 1975* Section 40-9B-3(10)(a) or a state docks project as defined in Section 40-9B-3(10)(b), enter the 2007 North American Industrial Classification System (NAICS) code for the project.

**Item 3.** Indicate if project is a new project or a major addition.

**New Project** – Any new business in Alabama at which the predominant trade or business activity conducted will constitute an industrial or research enterprise or other qualifying business activity as described above. If new project, skip Item 4.

**Major Addition** – Pursuant to Section 40-9B-3(11), a major addition is an addition to an existing facility in which the addition equals the lesser of thirty (30) percent of the original cost of the existing land, buildings, and equipment (industrial development property), or \$2,000,000, and at which the predominant trade or business activity conducted in Alabama will constitute an industrial or research enterprise or other qualifying business activity as described above. Capitalized repairs, rebuilds, maintenance, replacement equipment, or costs associated with the renovating or remodeling of existing facilities of industrial development property previously placed in service in Alabama by the Company are not eligible for abatement under Chapter 9B.

**Item 4.** Indicate if major addition is in accordance with Section 40-9B-3(11) requirement as denoted above. If major addition does not meet threshold requirement, project is not qualified to receive abatement. Original cost should include the total cost of existing facilities as of the date of application.

**Item 5.** Enter the name of the private user requesting abatement. If project is doing business under another name, also enter the name of the company under "Doing Business As (DBA)."

**Item 6.** Enter the address of the private user requesting abatement.

**Item 7.** Enter the name, email address and telephone number of the person to which all correspondence should be directed regarding the abatement.

**Item 8.** Enter the date the company was organized.

**Item 9.** Enter the physical location of the project. Please include a detailed location, including the City, County and Zip Code.

**Item 10.** Describe the type of business that the project will be engaged in. For projects that do not require a NAICS code, provide a detailed description that will identify the activities as qualifying activities. Attach additional sheets if necessary.

**Item 11.** Enter the estimated date the construction of the project will begin.

**Item 12.** Enter the estimated date the construction of the project will be completed. A data processing center project's completion date will be the maximum exemption period allowed pursuant to Section 40-9B-3(12)b.

**Item 13.** Enter the estimated date the project will be placed in service. If revenue bonds are issued, "placed in service," for property tax purposes, is determined as of the date of the initial issuance of such bonds. Otherwise, with the exception of a data processing center project, "placed in service" for sales and use tax and property tax purposes is determined as the later of 1) the date on which title to the property was acquired by or vested in a county, city, or public authority, or 2) the date on which the property is or becomes owned, for federal income tax purposes, by a private user. A data processing center project's placed in service date will be the maximum exemption period allowed pursuant to Section 40-9B-3(12)b.

**Item 14.** Indicate if bonds have been issued in financing the project. If bonds have been issued, enter the issuance date.

**Item 15.** Indicate if bonds will be issued for financing the project. If bonds will be issued, enter the projected issuance date.

**Column 16.** Enter the estimated number of new employees to be hired at the project. The law requires the number of employees to be employed at the project initially and in each of the succeeding three years.

**Column 17.** Enter the estimated annual payroll for employees at the project. The law requires the estimated payroll of new employees initially and in each of the succeeding three years.

**Column 18.**

**18a.** Enter all costs or value for project land. If land is donated, enter the market value of the land.

**18b.** Enter all costs or value for existing building(s), if any.

**18c.** Enter all costs or value for existing personal property to be incorporated into project. Only personal property not previously placed in service in Alabama by the private user or a related party can be included. If a private user is including existing equipment from outside of Alabama, the existing equipment should be entered here at its original cost.

**18d.** Enter the total cost for new building(s) and/or new additions to existing building(s). Total cost includes building materials, construction costs, engineering costs, etc. Costs associated with renovating or remodeling existing facilities of an operating industrial or research enterprise do not qualify for abatement.

**18e.** Enter the total cost for new manufacturing equipment to be incorporated into the project. Replacement equipment does not qualify for abate-

ment under Chapter 9B. New equipment that is defined as upgraded equipment may qualify. Upgraded equipment is equipment that replaces existing equipment, and performs not only the same functions, but also an additional function.

**18f.** Enter the total cost for all other new personal property. Other new personal property may include, but is not limited to, non-manufacturing machinery, office equipment, computers, vehicles, etc. Only personal property that is a depreciable item can be included.

**18g.** Add 18a through 18f and enter total here. This is the total amount on which the initial property taxes will be based. This total must be the total value of the cost or investment in the project. This total must agree with the total investment amount in the abatement resolution and the total investment amount in the abatement agreement.

**Column 19.**

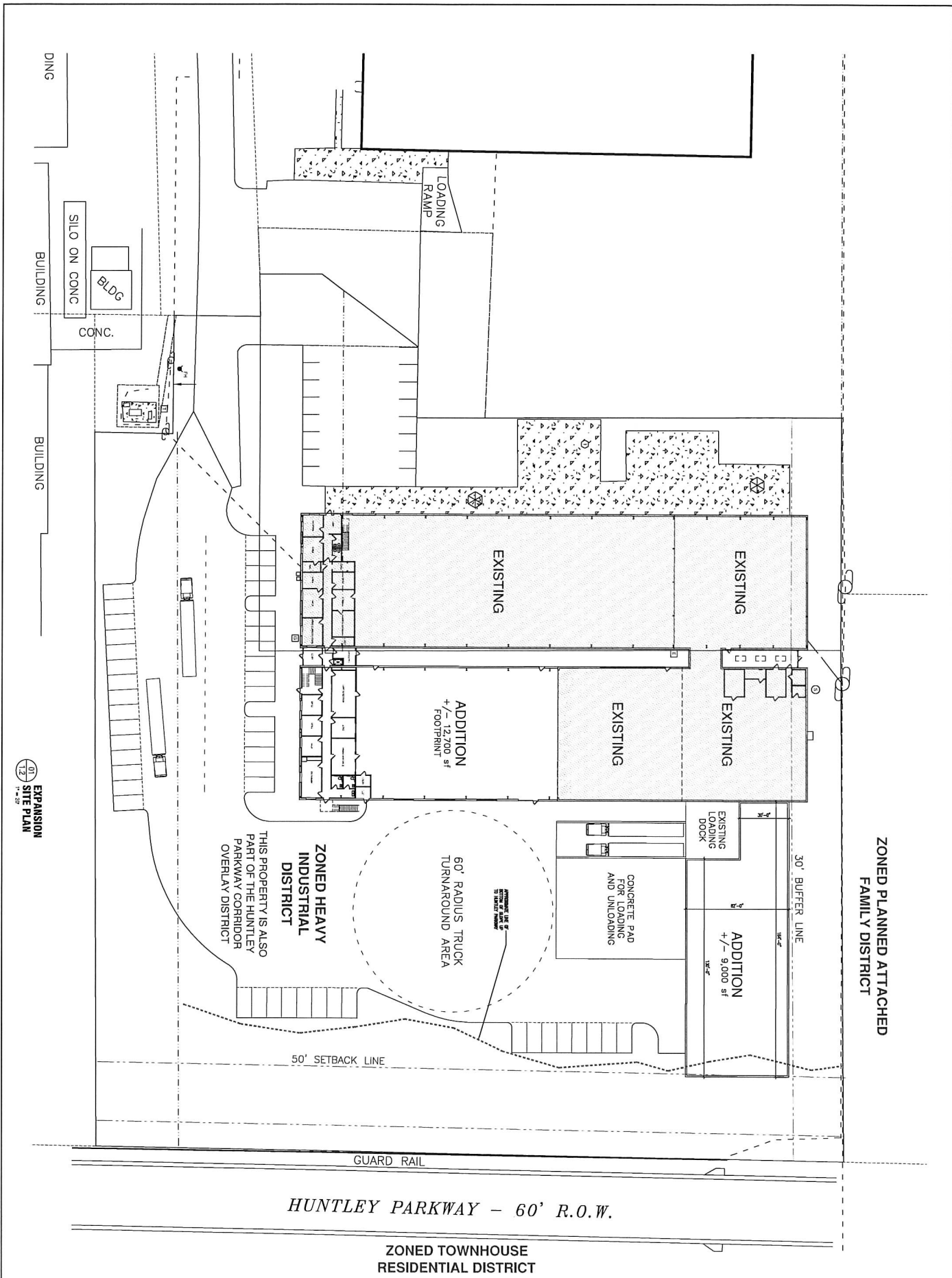
**19d.** Enter the cost of the building materials (subject to sales tax) that become a part of realty for new building(s) and/or new additions to existing building(s). Other building costs (labor, engineering) are not subject to sales tax.

**19e.** Enter the cost of new manufacturing equipment for the project. For sales tax purposes, manufacturing equipment is taxed at a lower rate. Equipment that is purchased used from another company in an isolated transaction is not subject to sales tax and should not be included.

**19f.** Enter the cost of all other new personal property.

**19g.** Add 19d through 19f and enter total here.

**Exhibit B**  
**Proposed New Building**  
*(next page)*



ZONED PLANNED ATTACHED  
FAMILY DISTRICT

THIS PROPERTY IS ALSO  
PART OF THE HUNTLEY  
PARKWAY CORRIDOR  
OVERLAY DISTRICT

ZONED HEAVY  
INDUSTRIAL  
DISTRICT

60' RADIUS TRUCK  
TURNAROUND AREA

50' SETBACK LINE

30' BUFFER LINE

GUARD RAIL

HUNTLEY PARKWAY - 60' R.O.W.

ZONED TOWNHOUSE  
RESIDENTIAL DISTRICT

EXPANSION  
SITE PLAN

**A1.2**

DATE: 08/20/2018 10:58 AM

PROJECT: COOSA COMPOSITES

OWNER: COOSA COMPOSITES

DESIGNER: GREGORY ADAMSON & ASSOCIATES, INC.

SCALE: AS SHOWN

**GA**

REGISTERED PROFESSIONAL ARCHITECT

NO. 10000

DATE: 08/20/2018

**Design Studies for  
COOSA COMPOSITES**

Pelham, Alabama

**PRELIMINARY DESIGN**  
(not for construction)

STATE OF ALABAMA

REGISTERED PROFESSIONAL ARCHITECT

NO. 10000

DATE: 08/20/2018



# Pelham

A path apart.

---

## *PROCLAMATION*

**WHEREAS**, throughout the month of May, the City of Pelham, Alabama will celebrate bicycling and the freedom, joy, and well-being it provides, as well as the positive impact that increased bicycling can have on the quality of life within our community; and

**WHEREAS**, May 11-17, 2026, is recognized as "Bike to Work Week," and May 15, 2026, is recognized as "Bike to Work Day"; and

**WHEREAS**, throughout the month of May, residents of Pelham and visitors to our community are encouraged to experience the benefits and enjoyment of bicycling through recreational rides, commuting, educational opportunities, community events, and by simply choosing to travel by bicycle; and

**WHEREAS**, bicycling has been shown to improve health, well-being, and quality of life, while also supporting local businesses, encouraging tourism, reducing traffic congestion, and lessening the demand for parking on public streets and roads; and

**WHEREAS**, bicycle access and safety are important components of a well-rounded local transportation system, and the City of Pelham recognizes the importance of planning for and supporting transportation options that serve residents, businesses, and visitors; and

**WHEREAS**, local schools, parks and recreation departments, public safety agencies, businesses, civic organizations, and community partners are encouraged to join The League of American Bicyclists in promoting bicycling during the month of May 2026; and

**WHEREAS**, these organizations and community partners also promote the use of bicycles as a means of transportation and recreation throughout the year, helping residents and visitors enjoy Pelham's parks, trails, restaurants, businesses, and community attractions; and

**WHEREAS**, these efforts further promote greater public awareness of bicycle safety, bicycle operation, and shared roadway responsibility in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road.

**NOW, THEREFORE**, I, Rick Wash, by virtue of the authority vested in me as Mayor of the City of Pelham, Shelby County, Alabama, do hereby proclaim May 2026 as **Bike Month** in Pelham, Alabama, and encourage all residents to participate in bicycling activities, promote bicycle safety, and recognize the many benefits bicycling brings to our community.

Given under my hand, in the City of Pelham,  
Alabama this 21st day of May 2026.

-----  
Rick Wash, Mayor



# Pelham

A path apart.

---

## *PROCLAMATION*

**WHEREAS**, stroke is a leading cause of death and long-term disability in the United States, affecting individuals, families, and communities across the nation; and

**WHEREAS**, recognizing the signs and symptoms of stroke and responding quickly can greatly improve outcomes and save lives; and

**WHEREAS**, public education regarding stroke prevention, risk factors, and emergency response is essential to promoting the health and well-being of our residents; and

**WHEREAS**, individuals can reduce their risk of stroke by maintaining a healthy lifestyle, managing blood pressure, controlling cholesterol and diabetes, avoiding tobacco use, and seeking regular medical care; and

**WHEREAS**, Stroke Awareness Month provides an opportunity to increase community awareness, encourage prevention, and support those who have been affected by stroke.

**NOW, THEREFORE**, I, Rick Wash, by virtue of the authority vested in me as Mayor of the City of Pelham, Shelby County, Alabama, do hereby proclaim May 2026 as **Stroke Awareness Month** in Pelham, Alabama, and encourage all residents to learn the warning signs of stroke, act quickly in an emergency, and support efforts to improve stroke prevention, treatment, and recovery.

Given under my hand, in the City of Pelham,  
Alabama this 21st day of May 2026.

-----  
Rick Wash, Mayor

## RESOLUTION 2026-05-21-03

### Accepting Real Property and Easements Associated with the Holland Lakes Subdivision Sewer Lift Stations Rehabilitation and Improvement Project

**WHEREAS**, pursuant to a public hearing held on May 7, 2026 in accordance with Resolution 2026-03-19-09, adopted by the Pelham City Council on March 19, 2026; and

**WHEREAS**, the Pelham City Council certifies that prior to the hearing was conducted, all statutory notice requirements were complied with.

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Pelham, Alabama that upon a properly noticed and held public hearing on May 7, 2026, less than a majority of property owners in the Holland Lakes Subdivision are in objection to the proposal to deed property associated with the described private sewer lift stations to the City of Pelham.

**BE IT FURTHER RESOLVED** that the City Council orders the proposed improvements to proceed.

**BE IT FURTHER RESOLVED** that the City is authorized to accept any real property or easements associated with this project.

**BE IT FURTHER RESOLVED** that the City Engineer shall cause such work to be bid and improvements to commence, and that the City Manager and Finance Director are authorized to approve any budget transactions as necessary for the project to proceed.

**BE IT FURTHER RESOLVED** that upon completion of work and review of proper assessments, that in accordance with Alabama Law, this matter shall be brought back to Council to meet and hear any objections as to the value of assessments on each subject property in the Holland Lakes Subdivision.

**THEREUPON** \_\_\_\_\_, a councilmember, moved and \_\_\_\_\_, a councilmember, seconded the motion that Resolution 2026-05-21-03 be given vote, and said resolution passed by a unanimous vote of those members of the Council present and the President of the Council declared the same passed and adopted.

**ADOPTED** this 21st day of May 2026.

---

Chad Leverett, President of the Council

[SEAL]

ATTEST

---

Jonathan Seale, CMC, City Clerk/Treasurer

I, the undersigned City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 21st day of May 2026 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 21st day of May 2026.

\_\_\_\_\_  
Jonathan Seale, CMC, City Clerk/Treasurer

[SEAL]



# Pelham

A path apart.

## MEMORANDUM

**TO:** Gretchen DiFante, City Manager

**FROM:** Justin Smith, Assistant City Manager

**DATE:** May 8, 2026

**SUBJECT:** Holland Lakes – Sewer Lift Station and Special Assessment

---

Up until recently, there were two neighborhoods in the City of Pelham with private sewer lift stations. Both contacted the City regarding requirements for the City to take over operations and maintenance of the lift stations. One of them – Eagle Cove – has been taken over by the City and work is moving forward toward an assessment. The other case – Holland Lakes – has requested to follow this same process.

On February 17, 2025, City Administration received a memorandum from the City Attorney regarding the process and requirements for the City to be able to take over privately owned lift stations and how costs must be recouped.

At the request of the Holland Lakes HOA, I explained this process as it relates to their two lift stations and the basis for it at their January 29, 2026 HOA meeting. It was well received by the homeowners in attendance and the HOA President asked for a couple of weeks to communicate the information to those that did not attend.

On February 19, 2026, the City received additional communication from the HOA indicating they were ready to move forward with the process for the City to

perform the work to bring the lift stations up to City standards subject to a special assessment to be levied on all homeowners in the neighborhood by the City.

On March 19, 2026, the City set a public hearing to hear objections to the City taking over ownership and maintenance and assessing costs to bring up to standards by special assessment to the Holland Lakes homeowners.

On May 8, 2026, said hearing was conducted. Two objections were received, well below the threshold required to stop the proposed action.

Upon:

- 1.) Request of the HOA
- 2.) Proper notice to all Holland Lakes homeowners
- 3.) Conducting a public hearing to hear objections; and
- 4.) Receiving no substantial objections;

We are requesting that this be placed on the next available work session for advisement to the City Council that the matter is ripe to be formally approved that the corresponding City Council for that week.

## RESOLUTION 2026-03-19-09

### Accepting Property for Sewer Easements and Lift Stations in the Holland Lakes Subdivision, Contingent Upon a Special Assessment

**WHEREAS**, the Holland Lakes Subdivision exists within the Pelham, Alabama corporate limits; and

**WHEREAS**, the development contains two (2) sanitary sewer lift stations privately owned by the Holland Lakes Homeowners Association and not the responsibility of the City of Pelham, as referenced in the documents attached hereto; and

**WHEREAS**, the Holland Lakes Homeowners Association does not have the expertise or means to maintain the sanitary sewer lift stations; and

**WHEREAS**, the Holland Lakes Homeowners Association has made a formal request for the City to be deeded ownership of the sanitary sewer lift stations and accept maintenance responsibility thereof; and

**WHEREAS**, the Holland Lakes Homeowners Association understands that to accept ownership and maintenance of the sanitary sewer lift station, that 1.) work must be performed to bring the lift stations up to the City's standards and 2.) the cost of this work, by law, must be assessed by the City against each property in the subdivision, subject to the relative impact and value of that work to each property; and

**WHEREAS**, the City of Pelham is willing to perform this work and assess the costs as prescribed by law, and accept ownership and maintenance of this sanitary sewer lift stations.

**NOW, THEREFORE, BE IT RESOLVED** by the Pelham City Council that the Council hereby agrees to move forward with the process to accept the property and perform the work subject to a special assessment.

**BE IT FURTHER RESOLVED** by the Pelham City Council that a public hearing be set, with notice to all affected property owners, giving the property owners an opportunity to object to this procedure and assessment. The public hearing shall be held on the 7th day of May 2026, at 5:30 p.m. in conjunction with the regularly scheduled City Council Meeting.

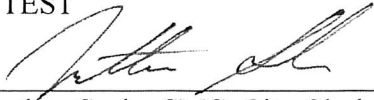
**THEREUPON** Michael Harris, a councilmember, moved and Markus Hal Snowden, a councilmember, seconded the motion that Resolution 2026-03-19-09 be given vote, and said resolution passed by a unanimous vote of all members of the Council present and the President of the Council declared the same passed.

**ADOPTED** this 19th day of March 2026.



Chad Leverett, President of the Council

ATTEST

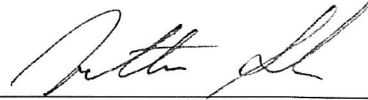


Jonathan Seale, CMC, City Clerk/Treasurer

 **COPY**

I, the undersigned City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution lawfully passed and adopted by the City Council of the City named herein, at a regular meeting of such Council held on the 19th day of March 2026 and that such Resolution is on file in the office of the City Clerk/Treasurer and that no action has been taken to rescind or modify said Resolution.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this 19th day of March 2026.



Jonathan Seale, CMC, City Clerk/Treasurer





# Pelham

A path apart.

## MEMORANDUM

**TO:** Gretchen DiFante, City Manager

**FROM:** Justin Smith, Assistant City Manager

**DATE:** February 20, 2026

**SUBJECT:** Holland Lakes – Sewer Lift Station and Special Assessment

---

Up until recently, there were two neighborhoods in the City of Pelham with private sewer lift stations. Both contacted the City regarding requirements for the City to take over operations and maintenance of the lift stations. One of them – Eagle Cove – has been taken over by the City and work is moving forward toward an assessment. The other case, which will be discussed here – Holland Lakes – has requested to follow this same process.

On February 17, 2025, City Administration received a memorandum from the City Attorney regarding the process and requirements for the City to be able to take over privately owned lift stations and how costs must be recouped.

At the request of the Holland Lakes HOA, I explained this process as it relates to their two lift stations and the basis for it at their January 29, 2026 HOA meeting. It was well received by the homeowners in attendance and the HOA President asked for a couple of weeks to communicate the information to those that did not attend.

On February 19, 2026, the City received additional communication from the HOA indicating they were ready to move forward with the process for the City to

perform the work to bring the lift stations up to City standards subject to a special assessment to be levied on all homeowners in the neighborhood by the City.

The item being prepared for Council consideration is the first step in a multi-part process. The council must pass an ordinance or resolution describing the area to be served by the improvement and set a date and time to hear objections.

Because this resolution and notice of hearing must be both 1.) published once a week for two consecutive weeks in a newspaper published in the city; and 2.) sent by certified mail to all homeowners to be received at least 10 days before the hearing date, we are requesting that this be set far enough out to be administratively feasible – at least 35 days after the adoption of the aforementioned resolution. This allows three weeks to prepare administratively and at 2 weeks on publication and mailings.

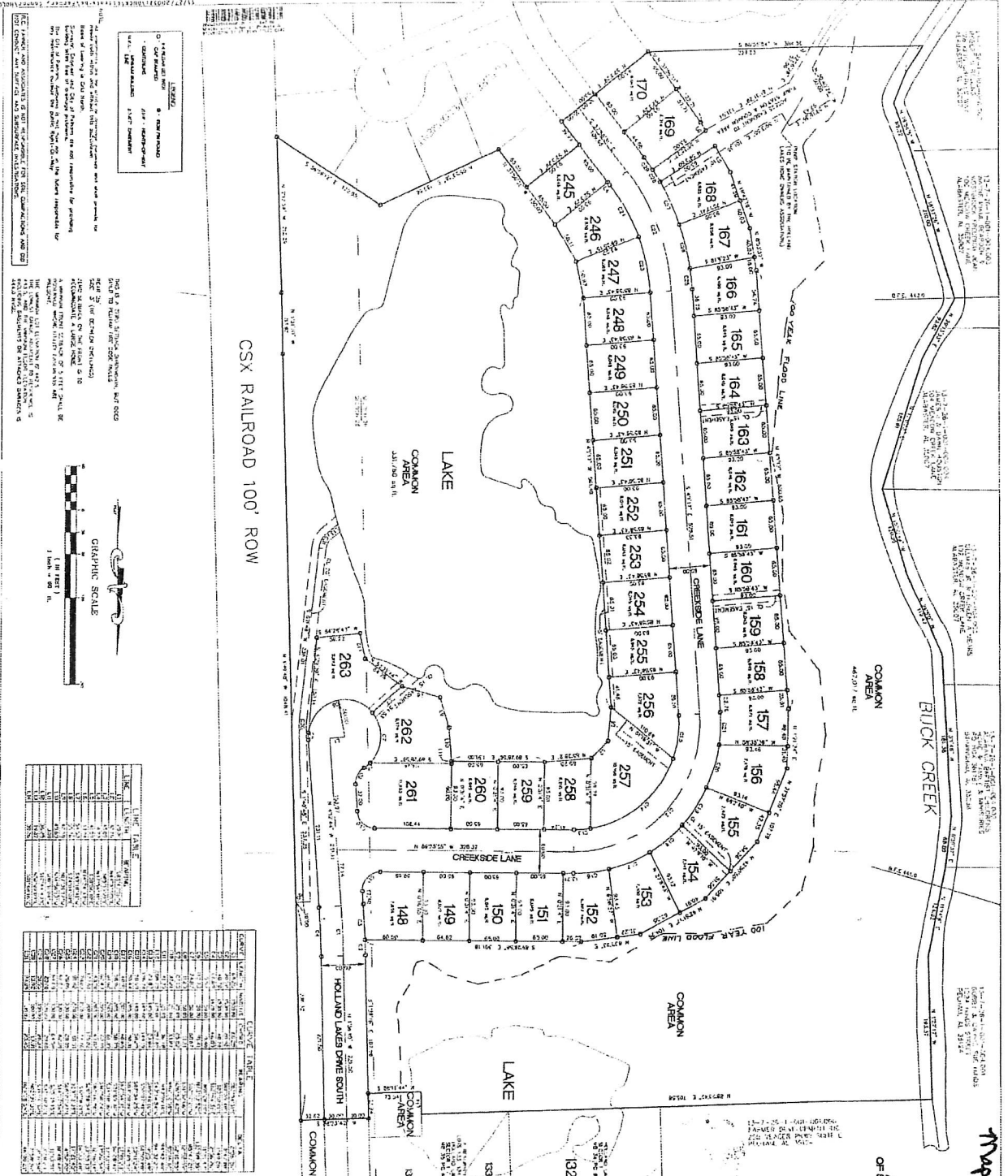
Please place this on the next available work session for discussion to bring this council up to speed on the process so they may be prepared for subsequent submission of the described resolution to set the hearing.

**FINAL PLAT**  
**HOLLAND LAKES**  
**SECTOR 2, PHASE 2**

A BRIDGE FINANCY RESIDENTIAL SUBDIVISION SITUATED IN THE NW 1/4  
 OF SECTION 10, TOWNSHIP 10N, RANGE 10W,  
 3 WEST, CITY OF PELHAM, SHELBY COUNTY, ALABAMA

THRAPTON, INC.  
 421 OFFICE PARK DRIVE  
 BIRMINGHAM, AL 35223

P.C. FARMER AND ASSOCIATES, INC.  
 246 TEACUP PARKWAY  
 PELHAM, AL 35124



LINE 1 TABLE

LINE 1	LINE 2	LINE 3	LINE 4	LINE 5	LINE 6	LINE 7	LINE 8	LINE 9	LINE 10
1	2	3	4	5	6	7	8	9	10
11	12	13	14	15	16	17	18	19	20
21	22	23	24	25	26	27	28	29	30
31	32	33	34	35	36	37	38	39	40
41	42	43	44	45	46	47	48	49	50
51	52	53	54	55	56	57	58	59	60
61	62	63	64	65	66	67	68	69	70
71	72	73	74	75	76	77	78	79	80
81	82	83	84	85	86	87	88	89	90
91	92	93	94	95	96	97	98	99	100

CONTRACT TABLE

CONTRACT NO.	DATE	DESCRIPTION	AMOUNT	STATUS
1	1/15/05	...	...	...
2	2/15/05	...	...	...
3	3/15/05	...	...	...
4	4/15/05	...	...	...
5	5/15/05	...	...	...
6	6/15/05	...	...	...
7	7/15/05	...	...	...
8	8/15/05	...	...	...
9	9/15/05	...	...	...
10	10/15/05	...	...	...
11	11/15/05	...	...	...
12	12/15/05	...	...	...
13	1/15/06	...	...	...
14	2/15/06	...	...	...
15	3/15/06	...	...	...
16	4/15/06	...	...	...
17	5/15/06	...	...	...
18	6/15/06	...	...	...
19	7/15/06	...	...	...
20	8/15/06	...	...	...
21	9/15/06	...	...	...
22	10/15/06	...	...	...
23	11/15/06	...	...	...
24	12/15/06	...	...	...
25	1/15/07	...	...	...
26	2/15/07	...	...	...
27	3/15/07	...	...	...
28	4/15/07	...	...	...
29	5/15/07	...	...	...
30	6/15/07	...	...	...
31	7/15/07	...	...	...
32	8/15/07	...	...	...
33	9/15/07	...	...	...
34	10/15/07	...	...	...
35	11/15/07	...	...	...
36	12/15/07	...	...	...
37	1/15/08	...	...	...
38	2/15/08	...	...	...
39	3/15/08	...	...	...
40	4/15/08	...	...	...
41	5/15/08	...	...	...
42	6/15/08	...	...	...
43	7/15/08	...	...	...
44	8/15/08	...	...	...
45	9/15/08	...	...	...
46	10/15/08	...	...	...
47	11/15/08	...	...	...
48	12/15/08	...	...	...
49	1/15/09	...	...	...
50	2/15/09	...	...	...
51	3/15/09	...	...	...
52	4/15/09	...	...	...
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97	1/15/13	...	...	...
98	2/15/13	...	...	...
99	3/15/13	...	...	...
100	4/15/13	...	...	...

THE CITY OF PELHAM, ALABAMA, HAS REVIEWED THE ABOVE PLAT AND FINDS THAT THE SAME COMES INTO CONFORMANCE WITH THE CITY ORDINANCES AND REGULATIONS RELATIVE TO THE SUBDIVISION OF LAND AND THE RECORDING OF PLATS AND MAPS. THE CITY ENGINEER HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMES INTO CONFORMANCE WITH THE CITY ORDINANCES AND REGULATIONS RELATIVE TO THE SUBDIVISION OF LAND AND THE RECORDING OF PLATS AND MAPS. THE CITY ENGINEER HAS REVIEWED THE PLAT AND FINDS THAT THE SAME COMES INTO CONFORMANCE WITH THE CITY ORDINANCES AND REGULATIONS RELATIVE TO THE SUBDIVISION OF LAND AND THE RECORDING OF PLATS AND MAPS.

*[Signatures and Dates]*

11-25-05

**FINAL PLAT  
HOLLAND LAKES  
SECTOR 1**

OWNER DEVELOPER  
FARMER DEVELOPMENT LLC  
FARMER PARKWAY  
FELLSHAM AL 32824

PLANT BANK  
100 CORPORATE PKWY  
BIRMINGHAM AL 35242

PREPARED BY  
R.C. FARMER AND ASSOCIATES, INC.  
FELLSHAM AL 32824

205-666-2566

CITY OF ALABAMA  
SHERIFF COURT

APPROVED FOR RECORDING  
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MAY 10 2023

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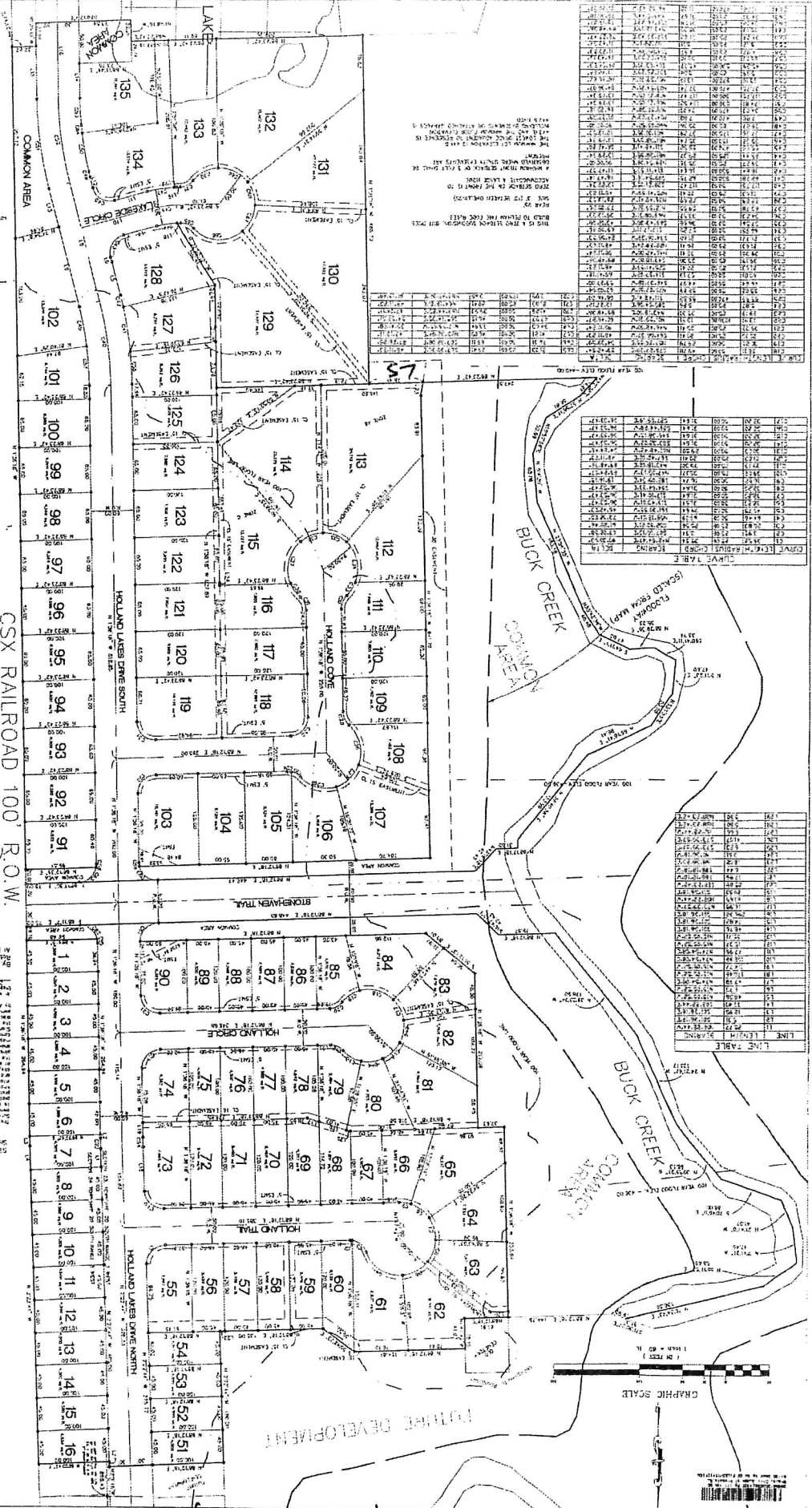
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MAY 10 2023  
MAY 10 2023



FIRST AMENDMENT TO

20050602000267270 2/6 \$41.00  
Shelby Cnty Judge of Probate, AL  
06/02/2005 01:49:20PM FILED/CERT

HOLLAND LAKES

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

THIS FIRST AMENDMENT TO HOLLAND LAKES DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS is made as of the 2<sup>nd</sup> day of June, 2005 by HOLLAND LAKES, INC., an Alabama corporation ("Seller").

RECITALS:

Seller has heretofore executed the Holland Lakes Declaration of Covenants, Conditions and Restrictions dated April 22, 2005, and recorded as Instrument #20050425000196100 in the Probate Office of Shelby County, Alabama (the "Declaration"). Capitalized terms not otherwise expressly defined herein shall have the same meanings given to them in the Declaration.

Pursuant to Section 10.2 of the Declaration, Seller hereby desires to amend Article VII thereof with regard to certain maintenance responsibilities of the Holland Lakes Owners Association, Inc. (the "Association") and the Owners.

**NOW THEREFORE**, Seller does hereby amend the Declaration as follows;

1. **Maintenance Responsibilities**. Article VII of the Declaration is hereby deleted in its entirety and the following is substituted in lieu thereof:

**"ARTICLE VII  
MAINTENANCE RESPONSIBILITIES**

7.1 **Responsibilities of Owners**.

(a) Unless specifically identified herein as being the responsibility of the Association, the maintenance and repair of all Lots, all Dwellings, all other Improvements situated thereon or therein and all lawns, landscaping and grounds on or within a Lot or Dwelling up to the curb within the adjacent right-of-way shall be the responsibility of the Owner of such Lot. Each Owner shall be responsible for maintaining his Lot or Dwelling, as the case may be, in a reasonably neat, clean and sanitary condition, both inside and outside of any Dwellings or Improvements thereto. No exterior changes, alterations or Improvements shall be made to any Lot or Dwelling without first obtaining the prior written approval of the same from the ARC.

(b) Each Lot shall be landscaped in accordance with plans and specifications submitted to and approved by Seller or the ARC pursuant to Section

5.6 above. All areas of any Lot which are not improved by the construction of a Dwelling thereon shall at all times be maintained by the Owner up to the curb within the adjacent right-of-way in a landscaped condition utilizing ground cover and/or shrubbery and trees. Grass, hedges, shrubs, vines and any other vegetation of any type on any Lot shall be cut and trimmed at regular intervals at all times in order to maintain the same in a neat, safe and attractive condition. Trees, shrubs, vines, plants and other vegetation which die shall be promptly removed and replaced with living plants of like kind and quantity. Dead vegetation, stumps, weeds, rubbish, debris, garbage and waste material shall be promptly removed from any Lot and properly disposed of outside of the Development.

(c) No Owner shall (i) change or otherwise alter the appearance of any portion of the exterior of a Dwelling or the landscaping, grounds or other Improvements within a Lot unless such change or alteration is first approved, in writing, by the ARC as provided in Sections 5.5 and 5.6 above or (ii) do any work which, in the reasonable opinion of the ARC, would jeopardize the soundness and safety of the Development, reduce the value thereof or impair any easement or hereditament thereto, without in every such case obtaining the prior written approval of the ARC.

## 7.2 Responsibilities of Association.

(a) The Association henceforth shall maintain and keep in good repair and condition all portions of the Common Areas, whether owned by Developer, Seller or the Association, which responsibility shall include the maintenance, repair and replacement of (i) walks, trails, paths, walkways, bicycle and jogging paths and lanes, parking lots, landscaped areas, recreational areas and other Improvements made by Developer, Seller or the Association within any of the Common Areas, or within any of the easements encumbering the Lots as provided in Article III above, (ii) such entrance gates and utility lines, pipes, plumbing, wires, conduits and related systems, appurtenances, equipment and machinery which are a part of the Common Areas and which are not maintained by a public authority, public service district, public or private utility, or other person, (iii) all lawns, trees, shrubs, hedges, grass and other landscaping situated within or upon the Common Areas, and (iv) all lakes, streams, ponds and other water areas and facilities constructed by Developer, Seller or the Association, wherever located (either within or outside of the Development so long as the same are utilized for the benefit of the Development), including, without limitation, implementing and maintaining siltation, soil erosion and sedimentation programs and otherwise dredging, cleaning and maintaining all siltation ponds and appurtenances thereto as may be necessary or otherwise required by any Governmental Authorities. Neither the Association, Developer nor Seller shall be liable for injuries or damage to any person or property (1) caused by the elements, acts of God or any Owner or other person, (2) resulting from any surface or subsurface conditions which may at any time affect any portion of the Property, (3) caused by rain or other surface water which may leak or flow from any portion of the Common Areas onto a Lot or Dwelling or (4) resulting from thief, burglary or other illegal entry into the Development, or any Lot or Dwelling thereof. No diminution or abatement of Assessments shall be claimed or allowed by reason of any alleged

failure of the Association to take some action or perform some function required to be taken by or performed by the Association hereunder or for inconvenience or discomfort arising from the making of improvements or repairs which are the responsibility of the Association or from any action taken by the Association to comply with any requirements of the Governmental Authorities.

(b) In addition to the maintenance responsibilities set forth in Section 7.2(a) above, the Association henceforth shall maintain and keep in good repair and condition the sanitary sewer pump station which serves the Development and is situated near the side and rear boundaries of Lots 113 and 130 thereof. The Association's responsibility shall include the maintenance, repair and replacement of the sanitary sewer pump station and such utility lines, pumps, pipes, plumbing, wires, conduits and related systems, appurtenances, equipment and machinery which are part of such pump station but not maintained by a public authority, public service district, public or private utility, or other person. In the event the Association fails to maintain the sanitary sewer pump station and its related facilities as required hereby, the City of Pelham, Alabama reserves the right to take over the maintenance, repair and replacement thereof and assess the cost thereof to the Association. In such event, each Owner covenants and agrees to pay to the Association as a Special Assessment their prorata share of such City of Pelham assessments in the manner prescribed by Sections 8.3 above.

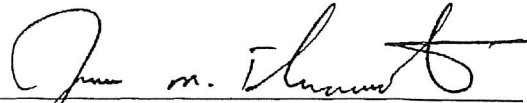
(c) In the event that the Board determines that (i) any Owner has failed or refused to discharge properly his obligations with regard to the maintenance, cleaning, repair or replacement of items for which he is responsible hereunder or (ii) any maintenance, cleaning, repair or replacement for which the Association is responsible hereunder is caused by the willful or negligent act or omission of an Owner or Occupant, or their respective family members, guests, servants, employees, invitees or contractors, and the costs of such maintenance, cleaning, repair or replacement are not paid in full from insurance proceeds, if any, received by the Association with respect thereto, then, in either event, the Association, in addition to the exercise of any of the rights and remedies set forth in this Declaration, may give such Owner written notice of the Association's intent to provide such necessary maintenance, cleaning, repair or replacement, at the sole cost and expense of such Owner, and setting forth in reasonable detail what action is deemed necessary. Except in the event of emergency situations, such Owner shall have fifteen (15) days within which to complete the same in a good and workmanlike manner or, if the same is not capable of completion within such fifteen (15) day period, to commence such maintenance, cleaning, repair or replacement and to proceed diligently with the completion of the same in a good and workmanlike manner. In the event of emergency situations or the failure by any Owner to comply with the provisions hereof after such notice, the Association may provide (but shall not be obligated to provide) any such maintenance, cleaning, repair or replacement at the sole cost and expense of such Owner and said cost shall be a personal obligation of such Owner, shall constitute an Individual Assessment to such Owner and shall be subject to the lien and foreclosure rights granted pursuant to Section 8.8 below."

2. **Full Force and Effect.** Except as specifically modified and amended hereby, all of

the terms, provisions, restrictions and conditions of the Declaration shall remain in full force and effect.

IN WITNESS WHEREOF, Seller has caused this First Amendment to the Holland Lakes Declaration of Covenants, Conditions and Restrictions to be duly executed as of the day and year first above written.

HOLLAND LAKES, INC., an Alabama corporation

By:   
James M. Thornton  
Its President

STATE OF ALABAMA            )  
  )  
COUNTY OF JEFFERSON    )

I, the undersigned, a notary public in and for said County in said State, hereby certify that James M. Thornton, whose name as President of Holland Lakes, Inc., an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of said instrument, he, as such officer and with full authority executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 2<sup>nd</sup> day of June, 2005.

  
Notary Public

[SEAL]

My Commission Expires: **NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 21, 2008  
BONDED THRU NOTARY PUBLIC UNDERWRITERS**

  
20050602000267270 5/6 \$41.00  
Shelby Cnty Judge of Probate, AL  
06/02/2005 01:49:20PM FILED/CERT

CONSENT OF MORTGAGEE

Compass Bank, as the holder of that certain Accommodation Future Advance Mortgage, Assignment of Rents and Leases and Security Agreement dated as of January 21, 2005 and recorded as Instrument No. 20050204000058820 in the Office of the Judge of Probate of Shelby County, Alabama, (the "Mortgage"), as such Mortgage may be amended or modified from time to time, which Mortgage secures the real property made the subject of the Holland Lakes Declaration of Covenants, Conditions and Restrictions (the "Declaration"), does hereby consent to the execution and filing of this First Amendment to the Declaration and all of the terms and provisions set forth therein; provided, however, that such consent shall not be deemed a consent to any further amendment to the terms and provisions of the Declaration.

Dated as of the 2nd day of June, 2005.

COMPASS BANK

By:

*[Handwritten Signature]*  
Jeff Schneider  
Vice President

STATE OF ALABAMA     )  
JEFFERSON COUNTY    )

I, the undersigned, a Notary Public in and for said county in said state, hereby certify that Jeff Schneider, whose name as Vice President of Compass Bank, 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 said instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Bank.


Given under my hand and official seal, this the 2nd of June, 2005.

*[Handwritten Signature]*  
Notary Public

[SEAL]

My commission Expires:  
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**NOTARY PUBLIC STATE OF ALABAMA AT LARGE  
MY COMMISSION EXPIRES: May 31, 2008  
BONDED THROUGH NOTARY PUBLIC UNDERWRITERS**

  
20050602000267270 6/6 \$41.00  
Shelby Cnty Judge of Probate, AL  
06/02/2005 01:49:20PM FILED/CERT