

ORDINANCE NO. 17 -2356

**AN ORDINANCE TO AMEND
THE TRACE CROSSINGS PLANNED UNIT DEVELOPMENT**


WHEREAS, United States Steel Corporation has submitted the Twelfth Amendment to the Trace Crossings Planned Unit Development (“Twelfth Amendment”) to the City of Hoover (a copy of which is attached hereto as Exhibit A); and

WHEREAS, the Twelfth Amendment proposes to release approximately 13.03 acres of land (described in Exhibit A and hereinafter referred to as the “Property”) owned by Broad Metro, LLC and currently zoned Trace Crossings PUD – Planned Commercial and Planned Industrial; and

WHEREAS, the release of the property under the Twelfth Amendment is to facilitate the inclusion of the property into the proposed Stadium Trace Village PUD, also known as the “Broad Metro PUD.”

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Hoover, Alabama, in regular meeting duly assembled, a quorum being present, that the Trace Crossings Planned Unit Development is hereby amended in accordance with the attached Exhibit A, Twelfth Amendment to the Trace Crossings Planned Unit Development Zoning Application.

ADOPTED, this the 18th day of December, 2017.



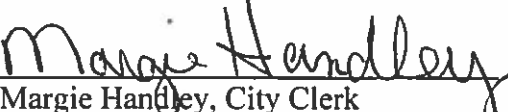
Gene Smith, City Council President

APPROVED:



Mayor Frank V. Brocato

ATTESTED:



Margie Handley, City Clerk

Exhibit A

**TWELFTH AMENDMENT TO THE TRACE CROSSINGS
PLANNED UNIT DEVELOPMENT ZONING APPLICATION**

RECEIVED
OCT 23 2017
CITY OF HOOVER

THIS TWELFTH AMENDMENT TO THE TRACE CROSSINGS PLANNED UNIT DEVELOPMENT ZONING APPLICATION (this "Amendment") is made and entered into as of the 23rd day of October, 2017 by and between UNITED STATES STEEL CORPORATION, a Delaware corporation ("USS"), and BROAD METRO, LLC, a Delaware limited liability company ("Broad Metro").

RECITALS:

USS has heretofore submitted to the City, and the City has approved, The Trace Crossings Planned Unit Development Zoning Application dated September 21, 1987 (and approved by the City in Ordinance No. 87-664), as amended by First Amendment thereto dated January, 1991 (and approved by the City in Ordinance No. 90-978), Second Amendment thereto dated April, 1991 (and approved by the City in Ordinance Nos. 91-1007 and 91-1008), Third Amendment thereto dated July, 1993 (and approved by the City in Ordinance No. 93-1134), Fourth Amendment thereto dated March, 1997 (and approved by the City in Ordinance No. 96-1530, and Zoning Case Z-1196-34), Fifth Amendment thereto adopted by the City Council on July 6, 1998, Sixth Amendment thereto adopted by the City Council on June 7, 1999, Seventh Amendment thereto adopted by the City Council on March 18, 2002 pursuant to Ordinance No. 02-1879, Eighth Amendment thereto dated June 16, 2006 (approved by City Council on July 2, 2007), Ninth Amendment thereto dated May 19, 2008 (approved by City Council on August 18, 2008), Tenth Amendment thereto dated February 18, 2013 (approved by City Council on April 15, 2013), and Eleventh Amendment thereto dated May 2, 2017 (collectively, the "PUD Plan"). *Capitalized terms not otherwise expressly defined herein shall have the same meanings given to such terms in the PUD Plan.*

Broad Metro is the owner of that certain real property (the "Broad Metro Property") containing 13.03 acres, more or less, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference.

The Broad Metro Property is subject to all of the terms and provisions of the PUD Plan.

Broad Metro has contemporaneously herewith filed with the City of Hoover, Alabama, a Planned Unit Development Zoning Application and Development Plan (the "Broad Metro PUD Plan") which includes the Broad Metro Property.

USS has agreed to release the Broad Metro Property from the terms and provisions of the PUD Plan subject to the Broad Metro Property being included within the Broad Metro PUD Plan.

NOW, THEREFORE, in consideration of the premises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto do hereby agree as follows:

1. Release of Broad Metro Property. To the extent the City approves the Broad Metro PUD Plan and the Broad Metro Property is included within the Broad Metro PUD Plan, then the Broad Metro Property shall be, and hereby is, released and removed from all of the terms and provisions of the PUD Plan.

2. Full Force and Effect. Except as expressly modified and amended herein, all the terms and provisions of the PUD Plan shall remain in full force and effect.

[Signatures on the following pages]

IN WITNESS WHEREOF, the parties hereto have executed this Amendment as of the day and year first above written.

UNITED STATES STEEL CORPORATION, a
Delaware corporation

By: W. L. Silver
Printed Name: W. L. Silver
Title: Director

BROAD METRO, LLC, a Delaware limited liability company


By: 
Printed Name: William Kudish
Title: Director

EXHIBIT A

Legal Description of Broad Metro Property

A parcel of land situated in the West half of Section 27, Township 19 South, Range 3 West, Jefferson County, Alabama, being more particularly described as follows:

Begin at a found 1" crimp being the Southwest corner of the Northwest one-quarter of the Southwest one-quarter of said Section 27, said point also being the Southwest corner of Lot 2-E, Covenant Classical Resurvey, as recorded in Map Book 47, page 47, in the Office of the Judge of Probate, Jefferson County, Alabama; thence run North 00 Degrees 11 Minutes 44 Seconds East along the West line of said Section 27 and along the West line of said Lot 2-E and the extension thereof for a distance of 1710.35 feet to a set 5/8" capped rebar marked GSA, said point being a point on the Southernmost right of way line of Alabama Highway 150 (right of way varies); thence run South 65 Degrees 25 Minutes 02 Seconds East along the Southernmost right of way of said Alabama Highway 150 for a distance of 602.72 feet to a set 5/8" capped rebar marked GSA, said point being the point of commencement of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 83 Degrees 28 Minutes 27 Seconds, a chord bearing of South 25 Degrees 22 Minutes 28 Seconds East for a chord distance of 33.29 feet; thence run along arc of said curve and along the Southernmost right of way of said Alabama Highway 150 for a distance of 36.42 feet to a set 5/8" capped rebar marked GSA, said point being the intersection of the Southernmost right of way of said Alabama Highway 150 and the Westernmost right of way line of Stadium Trace Parkway (100' right of way), also being the point of commencement of a reverse curve to the left, said curve having a radius of 1142.12 feet, a central angle of 16 Degrees 10 Minutes 39 Seconds, a chord bearing of South 08 Degrees 16 Minutes 26 Seconds West for a chord distance of 321.41 feet; thence run along arc of said curve and along the Westernmost right of way of said Stadium Trace Parkway for a distance of 322.48 feet to a set 5/8" capped rebar marked GSA; thence run South 00 Degrees 11 Minutes 07 Seconds West along the Westernmost right of way of said Stadium Trace Parkway for a distance of 236.24 feet to a set 5/8" capped rebar marked GSA, said point being the point of commencement of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 90 Degrees 00 Minutes 00 Seconds, a chord bearing of South 45 Degrees 11 Minutes 07 Seconds West for a chord distance of 35.36 feet; thence run along arc of said curve for a distance of 39.27 feet to a set 5/8" capped rebar marked GSA; thence run South 00 Degrees 11 Minutes 07 Seconds West for a distance of 60.00 feet to a set 5/8" capped rebar marked GSA, said point being the point of commencement of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 90 Degrees 00 Minutes 00 Seconds, a chord bearing of South 44 Degrees 48 Minutes 53 Seconds East for a chord distance of 35.36 feet; thence run along arc of said curve for a distance of 39.27 feet to a point on the Westernmost right of way of said Stadium Trace Parkway; thence run South 00 Degrees 11 Minutes 07 Seconds West along the Westernmost right of way of said Stadium Trace Parkway for a distance of 42.56 feet to a set 5/8" capped rebar marked GSA, said point being the intersection of the Westernmost right of way of Stadium Trace Parkway and the Northernmost right of way line of Emery Drive West (50' right of way) and the point of commencement of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 88 Degrees 57 Minutes 47 Seconds, a chord bearing of South 45 Degrees 05 Minutes 00 Seconds West for a chord distance of 35.03 feet; thence run along arc of said curve and along the Northernmost right of way of Said Emery Drive West for a distance of 38.82 feet to

a found 5/8" rebar; thence run North 89 Degrees 51 Minutes 41 Seconds West along the Northernmost right of way of said Emery Drive West and along the South line of Part of Lot 1, T.C. Limited Addition to Trace Crossings, as recorded in Map Book 28, page 68, in the Office of the Judge of Probate, Jefferson County, Alabama for a distance of 187.74 feet to a found 5/8" Weygand capped rebar, said point being the Southwest corner of said Part of Lot 1, T. C. Limited Addition to Trace Crossings, a point on the East line of Lot 2-E of said Covenant Classical Resurvey and the point of commencement of a curve to the right, said curve having a radius of 25.00 feet, a central angle of 48 Degrees 11 Minutes 23 Seconds, a chord bearing of North 65 Degrees 37 Minutes 32 Seconds West for a chord distance of 20.41 feet; thence run along arc of said curve, along the Northernmost right of way of said Emery Drive West and along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 21.03 feet to a set 5/8" capped rebar marked GSA, also being the point of commencement of a reverse curve to the left, said curve having a radius of 50.00 feet, a central angle of 206 Degrees 49 Minutes 35 Seconds, a chord bearing of South 35 Degrees 03 Minutes 22 Seconds West for a chord distance of 97.27 feet; thence run along arc of said curve, along the right of way of said Emery Drive West along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 180.49 feet to a found 5/8" Weygand capped rebar; thence leaving the right of way of said Emery Drive West, run South 21 Degrees 29 Minutes 46 Seconds West along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 309.71 feet to a found 5/8" Weygand capped rebar; thence run North 89 Degrees 45 Minutes 15 Seconds West along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 88.55 feet to a found 1/2" rebar; thence run South 00 Degrees 19 Minutes 58 Seconds West along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 149.49 feet to a found 1/2" rebar; thence run South 54 Degrees 59 Minutes 45 Seconds East along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 254.42 feet to a set 5/8" capped rebar marked GSA; thence run South 40 Degrees 54 Minutes 39 Seconds East along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 51.64 feet to a set 5/8" capped rebar marked GSA, said point being a point on the Northernmost right of way line of Magnolia Trace (50' right of way) and the point of commencement of a curve to the left, said curve having a radius of 50.00 feet, a central angle of 17 Degrees 33 Minutes 34 Seconds, a chord bearing of South 39 Degrees 25 Minutes 54 Seconds West for a chord distance of 15.26 feet; thence run along arc of said curve, along the Northernmost right of way of said Magnolia Trace and along the East line of Lot 2-E of said Covenant Classical Resurvey for a distance of 15.32 feet to a set 5/8" capped rebar marked GSA, said point being the Southeast corner of Lot 2-E of said Covenant Classical Resurvey; thence leaving the Northernmost right of way of said Magnolia Trace, run North 88 Degrees 30 Minutes 27 Seconds West along the South line of Lot 2-E of said Covenant Classical Resurvey for a distance of 263.37 feet to the POINT OF BEGINNING. Said parcel contains 567,444 square feet or 13.03 acres more or less.

A part of said property being also known as follows:

Lot 2-E, according to Covenant Classical Resurvey recorded at Map Book 47, Page 47, in the Office of the Judge of Probate of Jefferson County, Alabama (Bessemer Division) and Part of Lot 1, T.C. Limited Addition to Trace Crossings as recorded in the Office of the Judge of Probate Jefferson County, Alabama (Bessemer Division) in Map Book 28, Page 68, being more particularly described as follows:

Commence at the NW corner of the NW 1/4 of the SW of Section 27, Township 19 South, Range 3 West and run South along the West line of said 1/4—1/4 section for 210.01 feet to the NW corner of said Lot 1; thence turn 88 deg. 37 min. 09 sec. left and run East along the North line of said Lot 1 for 298.16 feet to the point of beginning; thence continue along the last described course for 220.00 feet to a point on the Westerly right of way line of Stadium Trace Parkway; thence turn 88 deg. 33 min. 56 sec. right and run Southerly along said road right of way for 380.90 feet to the point of a curve to the right, said curve having a radius of 25.00 feet and run along the arc of said curve for 39.27 feet to a point; said point being on the Northerly right of way line of Emery Drive West; thence run along the tangent to said curve at said point and along said road right of way for 187.49 feet to the point of a curve to the right, said curve having a radius of 25.00 feet and run along the arc of said curve and said road right of way for 7.56 feet; thence turn 72 deg. 40 min. 43 sec. right from the tangent to said curve at said point and run Northerly for 410.27 feet to the point of beginning; being situated in Jefferson County, Alabama