

RESOLUTION NO. 2021-43

RESOLUTION TO ACCEPT DONATION OF BERTOLLA PROPERTY

WHEREAS, the Bertolla family has a long history as successful farmers and business owners in the Town of Loxley that began with a single family farm established in 1902 by Alessandro Bertolla; and

WHEREAS, Alexander A. Bertolla and Bertolla Properties, LLC own real property in the historic heart of the Town of Loxley that were part of the Bertolla family farming and business operations; and

WHEREAS, the Town of Loxley is working towards revitalizing this historic area of Town; and

WHEREAS, Alexander A. Bertolla and Bertolla Properties, LLC desire to donate two parcels of real property to the Town of Loxley in order to perpetuate and honor the longstanding community contributions of the Bertolla family;

WHEREAS, two (2) deeds of gift are attached hereto as Exhibits "A" and "B" by which said property shall be gifted to aid the Town in its revitalization efforts; and

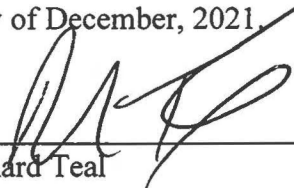
WHEREAS, each deed of gift contains specific covenants and restrictions limiting the use of the parcels; and

WHEREAS, the Town of Loxley desires to accept the donation from Alexander A. Bertolla of the property described in Exhibit A, and desires to accept the donation from Bertolla Properties, LLC, of the property described in Exhibit B, in Baldwin County, Alabama, subject to the covenants and restrictions contained within the said deeds of gift; and

NOW, THEREFORE BE IT RESOLVED, that the Town of Loxley has deemed it necessary and desirable to accept the two parcels of real property from Alexander A. Bertolla and Bertolla Properties, LLC, subject to the covenants and restrictions.

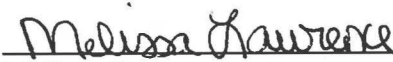
BE IT FURTHER RESOLVED, that the Mayor of the Town of Loxley is hereby authorized to execute any and all documents necessary to effectuate the donations, including but not limited to executing IRS Form 8283 documenting noncash charitable contributions for each parcel.

APPROVED AND ADOPTED, this the 13th day of December, 2021.



Richard Teal
Mayor

Attest:



Melissa Lawrence
Town Clerk/Treasurer

EXHIBIT "A"

REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Ala. Code § 40-22-1 and is verified by the Grantor(s) herein.

Grantor(s) Name: Alexander A. Bertolla

Grantee(s) Name: Town of Loxley,
Alabama

Mailing Address: P. O. Box 1527
Daphne, AL 36526

Mailing Address: _____

Property Address: 2nd Avenue
Loxley, AL 36551

Date of Sale: _____
Purchase Price: \$ _____
Actual Value: \$ 51,000
Assessors Value: \$ _____

PPIN: 36564

STATE OF ALABAMA

DEED OF GIFT

BALDWIN COUNTY

THIS INDENTURE, made and entered into by and between ALEXANDER A. BERTOLLA, a married man, (hereinafter referred to as party of the first part), and TOWN OF LOXLEY, ALABAMA (hereinafter referred to as party of the second part), WITNESSETH:

That for gift, without monetary consideration, party of the first part has and by these presents does hereby REMISE, RELEASE, QUITCLAIM and CONVEY unto the said party of the second part, the following described real property situated in Baldwin County, Alabama, which property does not constitute any part of the homestead of the party of the first part, to-wit:

Part of Lot 15 and all of Lots 16, 17, 18 and 19, Block 2, in the W. C. Dinwiddie Addition to Loxley, Alabama, as recorded in Miscellaneous Book 1, page 110, in the Office

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of the Judge of Probate of Baldwin County, Alabama, being more particularly described as follows: Commence at the Northeast corner of Lot 19, Block 2, in the W. C. Dinwiddie Addition to Loxley, Alabama, as recorded in Miscellaneous Book 1, page 110, in the Office of the Judge of Probate, Baldwin County, Alabama, run South 150 feet to the Southeast corner of said Lot 19, Block 2; thence run West along the South line of said Block 2, 212 feet to a point; thence run North 150 feet to a point; thence run East 212 feet to the Point of Beginning.

SUBJECT, HOWEVER, to the following covenants and restrictions:

1. The above described land shall only be used for Town of Loxley municipal public purposes, which shall not include jail facilities, housing of detainees or inmates, rehabilitation facilities of any kind, firing ranges, garbage facilities, or fleet parking. Fleet parking is defined as outdoor, or partially indoor (covered) parking of ten (10) or more self-propelled vehicles, owned or operated by the Town of Loxley, which are not currently in service.

2. No buildings with metal cladding or siding shall be constructed or maintained on the above described land.

3. This gift is made, in part, in order to perpetuate the longstanding community contributions of Allesandro Bertolla, who began farming in Baldwin County in 1902 and which farming tradition has been continued by the Bertolla family through the current date. Any building constructed or maintained on the above described land shall be dedicated and named in honor and memory of "The Family of Allesandro Bertolla" by Alexander A. Bertolla.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances

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unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said TOWN OF LOXLEY, ALABAMA, is successors and assigns, FOREVER.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal on this the ____ day of _____, 2021.

Alexander A. Bertolla (SEAL)

STATE OF ALABAMA

COUNTY OF _____

I, _____, a Notary Public, in and for said County in said State, hereby certify that ALEXANDER A. BERTOLLA, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal this ____ day of _____, 2021.

NOTARY PUBLIC
My Commission Expires: _____

This instrument prepared by:

JESSICA M. MCDILL

of the firm of CHASON & CHASON, P.C.
P. O. Box 100
Bay Minette, Alabama 36507
(251) 937-2191

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EXHIBIT "B"

REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Ala. Code § 40-22-1 and is verified by the Grantor(s) herein.

Grantor(s) Name: Bertolla Properties, L.L.C. Grantee(s) Name: Town of Loxley, Alabama

Mailing Address: P. O. Box 1527
Daphne, AL 36526

Mailing Address: _____

Property Address: 4100 2nd Avenue
Loxley, AL 36551

Date of Sale: _____

Purchase Price: \$ _____

Actual Value: \$ 117,000 _____

Assessors Value: \$ _____

PPIN: 62438

STATE OF ALABAMA

DEED OF GIFT

BALDWIN COUNTY

THIS INDENTURE, made and entered into by and between BERTOLLA PROPERTIES, L.L.C., an Alabama limited liability company (hereinafter referred to as party of the first part), and TOWN OF LOXLEY, ALABAMA (hereinafter referred to as party of the second part), WITNESSETH:

That for gift, without monetary consideration, party of the first part has and by these presents does hereby REMISE, RELEASE, QUITCLAIM and CONVEY unto the said party of the second part, the following described real property situated in Baldwin County, Alabama, to-wit:

Lots 1, 2, 3, 4 and 5, Block 5, in the W. C. Dinwiddie Addition to Loxley, Alabama, as recorded in Miscellaneous Book 1, page 110, in the Office of the Judge of Probate, Baldwin County, Alabama.

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Bertolla Properties, L.L.C.
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SUBJECT, HOWEVER, to the following covenants and restrictions:

1. The above described land shall only be used for Town of Loxley municipal public purposes, which shall not include jail facilities, housing of detainees or inmates, rehabilitation facilities of any kind, firing ranges, garbage facilities, or fleet parking. Fleet parking is defined as outdoor, or partially indoor (covered) parking of ten (10) or more self-propelled vehicles, owned or operated by the Town of Loxley, which are not currently in service.

2. No buildings with metal cladding or siding shall be constructed or maintained on the above described land.

3. This gift is made, in part, in order to perpetuate the longstanding community contributions of Allesandro Bertolla, who began farming in Baldwin County in 1902 and which farming tradition has been continued by the Bertolla family through the current date. Any building constructed or maintained on the above described land shall be dedicated and named in honor and memory of "The Family of Allesandro Bertolla" by Alexander A. Bertolla.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said TOWN OF LOXLEY, ALABAMA, is successors and assigns, FOREVER.

IN WITNESS WHEREOF, the party of the first part has caused these presents to be executed on this the _____ day of _____, 2021.

BERTOLLA PROPERTIES, L.L.C.

By: _____
Alexander A. Bertolla,
As Its Sole Member

STATE OF ALABAMA

COUNTY OF _____

I, _____, a Notary Public, in and for said County in said State, hereby certify that Alexander A. Bertolla, whose name as Sole Member of **BERTOLLA PROPERTIES, L.L.C.**, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such member and with full authority, executed the same voluntarily on the day the same bears date for and as the act of said company.

Given under my hand and seal this _____ day of _____, 2021.

NOTARY PUBLIC
My Commission Expires: _____

This instrument prepared by:

JESSICA M. MCDILL

of the firm of CHASON & CHASON, P.C.
P. O. Box 100
Bay Minette, Alabama 36507
(251) 937-2191

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