

ARTICLE X

SALE AND DELIVERY OF THE WARRANTS

Section 10.1 Sale of the Warrants. The warrants are hereby sold to Andresen and Company at and for a purchase price equal to 97% of the face value thereof, viz., the sum of \$46,500, plus accrued interest thereon to the date of payment therefor. The warrants shall be issued in the name of S. Malone, the nominee of the said purchaser in accordance with directions given by said purchaser.

Section 10.2 Delivery of the Warrants. The mayor of the town is hereby authorized and directed to deliver the warrants, together with all coupons applicable thereto, to the said purchaser thereof upon payment to the town of the said purchase price.

Adopted and approved this 20th day of April, 1964.

s/ R. G. Stephenson, Mayor

Authenticated:

s/ J. I. Vardaman, Town Clerk

Alderman Stoucenmire moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Alderman Baker and upon the said motion being put to vote the following vote was recorded: Yeas: Mayor Stephenson and Aldermen Baker, Bolton, Stoudenmire and Whitten; Nays: None. The mayor thereupon declared that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried. Alderman Bolton then moved that the said ordinance be finally adopted, which motion was seconded by Alderman Whitten, and upon the said motion being put to vote the following vote was recorded: Yeas: Mayor Stephenson and Aldermen Baker, Bolton, Stoucenmire and Whitten; Nays: None. The mayor thereupon announced that the motion for adoption of said ordinance had been unanimously carried, and he thereupon signed the said ordinance.

Alderman Bolton introduced the following ordinance which was read to the meeting:

AN ORDINANCE ADOPTING AND READOPTING  
THAT CERTAIN ORDINANCE OF THE TOWN OF  
WILSONVILLE, ALABAMA, ADOPTED APRIL 6,  
1934, LEVYING A TAX ON THE BUSINESS OF  
SELLING GASOLINE, NAPHTHA AND OTHER  
FUELS USED IN COMBUSTION ENGINES

BE IT ORDAINED by the Mayor and Town Council (herein called "the council") of the Town of Wilsonville (herein called "the town"), Alabama, as follows:

(1) The council hereby finds and declare as follows: at a duly convened meeting of the council of the town held on April 6, 1934, the council adopted the ordinance hereinafter set forth; and the council now desires to adopt, readopt, ratify and confirm the said ordinance.

(2) The council hereby adopts, readopts, ratifies and confirms the following ordinance, which was originally adopted as aforesaid on April 6, 1934:

ORDINANCE NO. 21A

BE IT ORDAINED by the Town Council of the town of Wilsonville, Alabama, as follows:

SECTION 1. As used in this ordinance the term "gasoline" shall include, gasoline, naphtha, and other liquid and motor fuels used in combustion engines, provided that nothing contained in this ordinance shall apply to the products commonly known as kerosene oil, distillate oil, gas oil, or crude oil. The word "person" means and includes every person, corporation, copartnership, company, agency, or association. The term "distributor" shall include any person who shall engage in the selling or delivery of gasoline, as herein defined, in the corporate limits of the town of Wilsonville, Alabama, or the police jurisdiction thereof, by wholesale, in domestic trade, but shall not apply to any transaction by such distributor in interstate commerce.

SECTION 2. Every distributor of gasoline shall pay to the Town of Wilsonville, Alabama, as a license tax one cent per gallon for all gasoline sold or delivered within the corporate limits of said Town, and shall pay one half cent per gallon for all gasoline sold or delivered within the police jurisdiction of said Town; provided that in no event shall any gasoline sold in interstate commerce be taxed.

SECTION 3 On or before the 10th of each month after this ordinance is effective, every distributor of gasoline shall render to the Mayor of the Town of Wilsonville, Alabama, a true and correct statement of all gasoline sold or delivered, by such distributor during the calendar month next preceding, and shall state whether said gasoline was sold or delivered within the corporate limits of said town, or within the police jurisdiction thereof. Said statement on the part of the distributor shall show the date and amount of such sales or deliveries and the person to whom the same was sold or delivered.

SECTION 4 Said distributor shall pay to the Town Treasurer of said town, at the time of making said monthly report, an amount equal to the license tax herein laid and levied.

SECTION 5. The statement hereinbefore required by SECTION 3 of this ordinance, shall be sworn to by the distributor of said gasoline, or some officer, agent or employee, having personal knowledge of the facts set forth therein, and shall be sworn to before some officer authorized to administer oaths.

SECTION 6. It shall be unlawful for any distributor of gasoline having no place of business in the corporate limits of the Town of Wilsonville, Alabama, to make any sale or delivery of gasoline within the corporate limits of said Town, or the police jurisdiction thereof, without first obtaining from the Town Clerk a written permit to do so.

SECTION 7. Any distributor of gasoline who shall fail to make the statements hereinabove provided for, or who shall fail to pay such license at the time prescribed, or who, not having a place of business within the corporate limits of said Town, shall fail to obtain a permit from the Town Clerk, as provided for in this ordinance, or who shall sell or deliver gasoline within the corporate limits of said Town, or the police jurisdiction thereof, contrary to the provisions of this ordinance, shall be guilty of an offense against the town of Wilsonville, Alabama, and, on conviction, shall be fined not less than one or more than one hundred dollars, and may also be imprisoned in the Town jail, or sentenced to hard labor for the Town of Wilsonville, Alabama, for not more than six months, and in addition to such punishment, such license tax shall be increased twenty-five per cent as a penalty, which shall be payable and collectable in the same manner as the original license is payable and collectable.

SECTION 8. Any acceptance of any amount paid for license tax provided for in this ordinance shall not preclude the collection of the amount actually due. However, the amount actually paid shall constitute a credit against the amount actually due.

SECTION 9 If any provision of this ordinance shall be declared invalid it shall not affect the remainder of such ordinance.

(3) This ordinance shall be posted in the following three public places located within the corporate limits of the town: the Mayor's office, the United States Post Office, and Blankenship's Barber Shop, and shall remain so posted for not less than five complete and consecutive days.

Adopted and approved this 20th day of April, 1964

s/ R G Stephenson, Mayor

Authenticated

s/ J I Vardaman, Town Clerk

CERTIFICATE OF PUBLICATION BY POSTING

I, J I Vardaman, as Town Clerk of the Town of Wilsonville, Alabama, hereby certify that the foregoing ordinance was published by posting a copy thereof in each of the following three public places within the corporate limits of the said town: the Mayor's office, the United States Post Office, and Blankenship's Barber Shop, that said posting was commenced on the 21 day of April, 1964 and that the copies so posted remained continuously posted in each of said public places until and including the 29 day of April, 1964. Dated this 30 day of April, 1964.

s/ J I Vardaman, Town Clerk

Alderman Baker moved that unanimous consent be given for immediate consideration of and action on said ordinance, which motion was seconded by Alderman Stoudenmire, and upon the said motion being put to vote the following vote was recorded: Yeas: Mayor Stephenson and Aldermen Baker, Bolton, Stoudenmire, and Whitten, Nays: None. The Mayor thereupon declared that the motion for unanimous consent for immediate consideration of and action on said ordinance had been unanimously carried. Alderman Whitten then moved that the said ordinance be finally adopted, which motion was seconded by Alderman Stoudenmire, and upon the said motion being put to vote the following vote was recorded: Yeas: Mayor Stephenson and Aldermen Baker, Bolton, Stoudenmire and Whitten, Nays: None. The Mayor thereupon announced that the motion for adoption of said ordinance had been unanimously carried, and he thereupon signed the said ordinance.