

2288

Shelby
CO.

ORDINANCE NO. 87-81

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF BIRMINGHAM, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

BOOK 132 PAGE 953
WHEREAS, certain petitions signed by Amsouth Bank N.A., as Ancillary Trustee for NCB National Bank of North Carolina, as Trustee for the Public Employees Retirement System of Ohio, Daniel Meadows II, L.P. and Daniel Realty Corporation requesting annexation to the City of Birmingham of territory described therein and shown on a map showing the relationship to the corporate limits of the city have been filed with the City Clerk of the City of Birmingham; and,

WHEREAS, this Council has determined and found that the matters set forth and alleged in said petitions are true, and that it is in the public interest that said property be annexed to the City of Birmingham;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Birmingham as follows:

Section 1. That said Council hereby assents to the annexation of said territory to the City of Birmingham, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits, within the corporate area of said City, which said territory is not within the corporate limits or police jurisdiction of another municipality. Said territory is described as follows:

City B'ham
City Clerk
No. 20th St.

PARCEL I

A parcel of land 20 feet in width situated in Sections 29, 30 and 31, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Begin at a point lying 10 feet west of the northeast corner of the NW $\frac{1}{4}$ of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, said point being on the center line of a 20 foot strip of land, also said point being on the present city limits to the City of Birmingham; thence run south along said centerline 10 feet west of the east line of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section to the point of intersection of a point lying 10 feet north of the south line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section, also said point being said centerline; thence angle right and run westerly along said centerline 10 feet north of the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section to the point of intersection lying 10 feet west of the east line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 29, also said point being said centerline; thence angle left and run south along said centerline 10 feet west of the east line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 29 to a point lying 10 feet north of the south line of said Section 29, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of and parallel to the south line of said Section 29 to the point of intersection with the west line of said Section 29, also said point being on the east line of Section 30, Township 18 South, Range 1 West, and said centerline; thence continue westerly along said centerline 10 feet north of and parallel to south line of said Section 30 to a point lying 10 feet west of said east line of said Section 30; thence angle left and run south along said centerline lying 10 feet west of and parallel to the said east line of said Section 30 to the point of intersection with the south line of said Section 30, also said point being on the north line of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and said centerline; thence continue south along said centerline lying 10 feet west of and parallel to the east line of said Section 31 to a point lying 813.70 feet south of the north line of said Section 31, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of the south line of Lot 23, Jessica Ingram Survey, as recorded in Map Book 3, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama, to the point of intersection with the easterly right of way line of Shelby County Highway No. 495, also said point being said centerline; thence continue westerly along said centerline along a westerly projection across said Shelby County Highway No. 495 to a point lying 10 feet west of the westerly right of way line of said Highway No. 495, said point being said centerline; thence angle left and run southerly along the said centerline lying 10 feet west of and parallel to the westerly right of way line of said Shelby County Highway No. 495 to a point lying 10 feet north of the south line of Lot 18 of said Jessica Ingram Survey, also said point being said centerline; thence angle right and run westerly along said centerline for a distance of 671.63 feet to a point, also said point being said centerline; thence angle left and run southerly to the point of intersection with the north line of Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, also said point being said centerline; thence continue southerly along said centerline lying 10 feet west of the east line of said Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, to a point lying 10 feet north of the south line of said Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of and parallel to the south line of said Lot 16-B, said Resurvey, to the point of intersection with the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 31, said point being said centerline; thence angle left and run southwesterly for a distance of 79.5 feet to a point, said point being said centerline, also said point lying 10 feet east of a northerly projection of the easterly right of way line of Brook Highland Drive; thence angle left and run southerly along said centerline and said line lying 10 feet east of and parallel of said projection to a point of intersection lying 10 feet east of the easterly right of way line of said Brook Highland Drive, also said point being said centerline; thence continue southerly, southwesterly and southerly along said centerline lying 10 feet east of the said easterly right of way line of said Brook Highland Drive, to the point of intersection with the northerly right of way line of U. S. Highway 280, said point being the point of termination of said described centerline.

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Parcel II

That part of the South 1/2 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, lying north of U. S. Highway 280, West of Shelby County Highway No. 495 and east of Brook Highland Drive.

Parcel III

Beginning at the center of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama; thence in a northerly direction along the west line of the NE 1/4 of said Section 31, for a distance of 355.06 feet to a point; thence directly west a distance of 116.86 feet to the easterly right of way line of Brook Highland Drive; thence along said easterly right of way line of Brook Highland Drive in a southerly and southwesterly direction to the intersection of said easterly right of way line of Brook Highland Drive and the north line of the South 1/2 of said Section 31; thence east along the said north line of the South 1/2 of said Section 31 to the point of beginning.

Parcel IV

A parcel of land situated in the SW 1/4 of the NE 1/4, the NW 1/4 of the SE 1/4, and the SW 1/4 of the SE 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the east line of said NW 1/4 for a distance of 2305.56 feet to a point, said point being the point of beginning; thence angle left $90^{\circ}39'45''$ and run easterly for a distance of 1331.86 feet to point of intersection with the westerly right of way line of Cahaba Valley Road; thence angle right and run southwesterly along said right of way line for a distance of 2026.74 feet to a point; thence angle right $96^{\circ}0'16''$ and run northwesterly for a distance of 497.09 feet to the point of intersection of the west line of the NW 1/4 of the SE 1/4 of said Section 29; thence angle right and run north along the west line of said NW 1/4 of the SE 1/4 and the west line of the SW 1/4 of the NE 1/4 of said Section 29 for a distance of 1547.09 feet to the point of beginning.

Parcel V

A parcel of land situated in the NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4, Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the east line of the said NW 1/4 to a point lying 600 feet north of the SE corner of said NW 1/4, said point being the point of beginning; thence continue southerly along said east line to the said SE corner; thence continue southerly along the east line of the NE 1/4 of the SW 1/4 of said Section to the SE corner of said quarter-quarter section; thence angle right and run westerly along the south line of said quarter-quarter section to the SW corner of said quarter-quarter section; thence angle right and run northeasterly to the point of beginning, less and except that portion of the above described parcel to be included in a lakesite on the northwesterly portion thereof.

Parcel VI

A portion of land situated in the NW 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NW corner of said Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the west line of said Section 32 for a distance of 470 feet to the point of beginning; thence angle right $75^{\circ}39'15''$ and run southeasterly 1353.62 feet; thence angle right $24^{\circ}37'54''$ and run southeasterly 651.27 feet to the northwest right of way of Cahaba Valley Road; thence angle right and run southwesterly along said northwest right of way 1286.23 feet; thence angle right $86^{\circ}25'45''$ and run northwesterly 765.11 feet; thence angle left $80^{\circ}55'45''$ and run southwesterly 568.27 feet; thence angle right $60^{\circ}04'07''$ and run westerly 284.05 feet to the west line of said Section 32; thence angle right $91^{\circ}13'07''$ and run north along the west line of said Section 32, 1804.98 feet to a point; thence continue last described course north along said west line, 353.7 feet to the point of beginning.

Section 2. Pursuant to the provisions of Sections 2, 3, and 4 of Act No. 787 of the 1977 Regular Session of the Legislature of Alabama(Alabama Acts 1977 pp. 1357-1358), all property, real or personal, having situs in said territory annexed shall be exempt from ad valorem property taxes levied by the City of Birmingham, and from the present and any future occupational license tax of said city based on wages or salaries received by persons working or employed by any business company or other professional, business, or commercial entity for services performed within the territory annexed, for a period of fifteen years commencing May 12, 1985.

Section 3. The City of Birmingham hereby agrees to comply with those provisions of Act No. 604 of the 1976 Regular Session of the Legislature, to the extent applicable, which pertain to the assumption of debt of an annexed fire district or to the payment of an amount equal to six times the dues paid by the territory annexed during the preceding year.

Section 4. The City Clerk shall file a certified copy of this ordinance with the Probate Judge of Shelby County, Alabama, and also cause a copy of the this ordinance to be published in a newspaper of general circulation in the City of Birmingham.

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Jackson B. Bailey, City Clerk of the City of Birmingham, do hereby certify, that the above is a true correct copy of an ordinance duly adopted by the Council of the City of Birmingham at its meeting held 5-26-87, and as same appears of record in Minute Book C-44, of said City, and approved by the Mayor on 5-27-87.

GIVEN UNDER MY HAND AND CORPORATE SEAL of the City of Birmingham, this the 27th day of MAY, 1987.

Jackson B. Bailey
CITY CLERK

PETITION FOR ANNEXATION

The undersigned, irrevocably, for itself, its successors and assigns, does hereby petition the City Council of the City of Birmingham, Alabama to extend its boundaries to include, and thereby to annex, the property described on Exhibit A hereto, owned by the undersigned, said annexation to be conditioned upon the ordinance or resolution effecting such annexation containing the following tax exemption provisions:

That the property annexed, and personal property having situs thereon, shall be exempt from ad valorem property taxes levied by the City of Birmingham, and from the present and any future occupational license tax based on wages or salaries received by persons working or employed by any business company or other professional, business, or commercial entity, for a period of fifteen years commencing from May 12, 1985.

ATTEST:

W. Baker Cross II
Its: Assistant Vice President and Trust Officer

AMSOUTH BANK N.A., AS ANCILLARY
TRUSTEE FOR NCNB NATIONAL BANK OF
NORTH CAROLINA, AS TRUSTEE FOR THE
PUBLIC EMPLOYEES RETIREMENT SYSTEM
OF OHIO

By: [Signature]
Its: Vice President and Estate
Planning Officer

DANIEL MEADOWS II, L.P.,
a Virginia limited partnership

By Daniel Realty Company,
a New York general partnership
Its General Partner

By Daniel Equity Partners, L.P.,
a Virginia limited partnership
Its Managing Partner

By Daniel Equity Corporation I,
a Virginia corporation
Its Managing General Partner

By: [Signature]
Its: Vice Pres

See attached page 2 for consent of Daniel Realty Corporation.

The undersigned Daniel Realty Corporation hereby consents
to the foregoing petition.

Executed on this 22nd day of May, 1987.

ATTEST:

DANIEL REALTY CORPORATION

By: *W. F. Hill*

Its Vice President

Its: _____

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PARCEL I

A parcel of land 20 feet in width situated in Sections 29, 30 and 31, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Begin at a point lying 10 feet west of the northeast corner of the NW $\frac{1}{4}$ of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, said point being on the center line of a 20 foot strip of land, also said point being on the present city limits to the City of Birmingham; thence run south along said centerline 10 feet west of the east line of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section to the point of intersection of a point lying 10 feet north of the south line of the said NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of said section, also said point being said centerline; thence angle right and run westerly along said centerline 10 feet north of the south line of said $\frac{1}{4}$ - $\frac{1}{4}$ section to the point of intersection lying 10 feet west of the east line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 29, also said point being said centerline; thence angle left and run south along said centerline 10 feet west of the east line of the W $\frac{1}{2}$ of the SW $\frac{1}{4}$ of said Section 29 to a point lying 10 feet north of the south line of said Section 29, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of and parallel to the south line of said Section 29 to the point of intersection with the west line of said Section 29, also said point being on the east line of Section 30, Township 18 South, Range 1 West, and said centerline; thence continue westerly along said centerline 10 feet north of and parallel to south line of said Section 30 to a point lying 10 feet west of said east line of said Section 30; thence angle left and run south along said centerline lying 10 feet west of and parallel to the said east line of said Section 30 to the point of intersection with the south line of said Section 30, also said point being on the north line of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, and said centerline; thence continue south along said centerline lying 10 feet west of and parallel to the east line of said Section 31 to a point lying 813.70 feet south of the north line of said Section 31, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of the south line of Lot 23, Jessica Ingram Survey, as recorded in Map Book 3, Page 54, in the Office of the Judge of Probate, Shelby County, Alabama, to the point of intersection with the easterly right of way line of Shelby County Highway No. 495, also said point being said centerline; thence continue westerly along said centerline along a westerly projection across said Shelby County Highway No. 495 to a point lying 10 feet west of the westerly right of way line of said Highway No. 495, said point being said centerline; thence angle left and run southerly along the said centerline lying 10 feet west of and parallel to the westerly right of way line of said Shelby County Highway No. 495 to a point lying 10 feet north of the south line of Lot 18 of said Jessica Ingram Survey, also said point being said centerline; thence angle right and run westerly along said centerline for a distance of 671.63 feet to a point, also said point being said centerline; thence angle left and run southerly to the point of intersection with the north line of Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, also said point being said centerline; thence continue southerly along said centerline lying 10 feet west of the east line of said Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, to a point lying 10 feet north of the south line of said Lot 16-B, Resurvey of Lots 14 and 16 of said Jessica Ingram Survey, also said point being said centerline; thence angle right and run westerly along said centerline lying 10 feet north of and parallel to the south line of said Lot 16-B, said Resurvey, to the point of intersection with the east line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 31, said point being said centerline; thence angle left and run southwesterly for a distance of 79.5 feet to a point, said point being said centerline, also said point lying 10 feet east of a northerly projection of the easterly right of way line of Brook Highland Drive; thence angle left and run southerly along said centerline and said line lying 10 feet east of and parallel of said projection to a point of intersection lying 10 feet east of the easterly right of way line of said Brook Highland Drive, also said point being said centerline; thence continue southerly, southwesterly and southerly along said centerline lying 10 feet east of the said easterly right of way line of said Brook Highland Drive, to the point of intersection with the northerly right of way line of U. S. Highway 280, said point being the point of termination of said described centerline.

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CITY OF BIRMINGHAM
EXISTING CITY LIMITS

BEGIN 20 FOOT STRIP

PARCEL I
(20 ft. strip)

S30-TP168-R1W

S28-TP168-R1W

COLUMBIANA ROAD

PARCEL I

PROPOSED ANNEXATION

ANNEXATION

CANABA VALLEY ROAD

S32-TP168-R1W

PARCEL I
(20 foot strip)

S31-TP168-R1W

PROPOSED ANNEXATION

PROPOSED ANNEXATION

END 20 FOOT STRIP
EXISTING CITY LIMITS

COUNTY OF SHELBY
STATE OF ALABAMA
DEPARTMENT OF REVENUE



PETITION FOR ANNEXATION

The undersigned owner of all of the real property described on Exhibit A hereto and initialed by the undersigned officer of the owner, for itself, its successors and assigns, does hereby petition the City Council of the City of Birmingham, Alabama, to alter and rearrange its boundaries to include and effect the annexation of the property described in said exhibit. This petition is conditioned on the inclusion in any ordinance or resolution of annexation the following exemption provisions:

BOOK 132 PAGE 963 That the property annexed, and personal property having situs thereon, shall be exempt from ad valorem property taxes levied by the City of Birmingham, and from the present and any future occupational license tax based on wages or salaries received by persons working or employed by any business company or other professional, business, or commercial entity, for a period of fifteen years commencing from May 12, 1985.

AMSOUTH BANK N.A., AS ANCILLARY
TRUSTEE FOR NCNB NATIONAL BANK OF
NORTH CAROLINA, AS TRUSTEE FOR THE
PUBLIC EMPLOYEES RETIREMENT SYSTEM
OF OHIO

ATTEST:

W. Baker Crowe Jr.

Its: Assistant Vice President and Trust Officer

By: [Signature]

Its: Vice President and Estate Planning Officer

Parcel 1

That part of the South 1/2 of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama, lying north of U. S. Highway 280, West of Shelby County Highway No. 495 and east of Brook Highland Drive.

Parcel 2

Beginning at the center of Section 31, Township 18 South, Range 1 West, Shelby County, Alabama; thence in a northerly direction along the west line of the NE 1/4 of said Section 31, for a distance of 355.06 feet to a point; thence directly west a distance of 116.86 feet to the easterly right of way line of Brook Highland Drive; thence along said easterly right of way line of Brook Highland Drive in a southerly and southwesterly direction to the intersection of said easterly right of way line of Brook Highland Drive and the north line of the South 1/2 of said Section 31; thence east along the said north line of the South 1/2 of said Section 31 to the point of beginning.

Parcel 3

A parcel of land situated in the SW 1/4 of the NE 1/4, the NW 1/4 of the SE 1/4, and the SW 1/4 of the SE 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the east line of said NW 1/4 for a distance of 2305.56 feet to a point, said point being the point of beginning; thence angle left $90^{\circ}39'45''$ and run easterly for a distance of 1331.86 feet to point of intersection with the westerly right of way line of Cahaba Valley Road; thence angle right and run southwesterly along said right of way line for a distance of 2026.74 feet to a point; thence angle right $96^{\circ}0'16''$ and run northwesterly for a distance of 497.09 feet to the point of intersection of the west line of the NW 1/4 of the SE 1/4 of said Section 29; thence angle right and run north along the west line of said NW 1/4 of the SE 1/4 and the west line of the SW 1/4 of the NE 1/4 of said Section 29 for a distance of 1547.09 feet to the point of beginning.

Parcel 4

A parcel of land situated in the NE 1/4 of the SW 1/4 and the SE 1/4 of the NW 1/4, Section 29, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NE corner of the NW 1/4 of Section 29, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the east line of the said NW 1/4 to a point lying 600 feet north of the SE corner of said NW 1/4, said point being the point of beginning; thence continue southerly along said east line to the said SE corner; thence continue southerly along the east line of the NE 1/4 of the SW 1/4 of said Section to the SE corner of said quarter-quarter section; thence angle right and run westerly along the south line of said quarter-quarter section to the SW corner of said quarter-quarter section; thence angle right and run northeasterly to the point of beginning, less and except that portion of the above described parcel to be included in a lakesite on the northwesterly portion thereof.

JAB

Parcel 5

A portion of land situated in the NW 1/4 of Section 32, Township 18 South, Range 1 West, Shelby County, Alabama, more particularly described as follows:

Commence at the NW corner of said Section 32, Township 18 South, Range 1 West, Shelby County, Alabama; thence run south along the west line of said Section 32 for a distance of 470 feet to the point of beginning; thence angle right $75^{\circ}39'15''$ and run southeasterly 1353.62 feet; thence angle right $24^{\circ}37'54''$ and run southeasterly 651.27 feet to the northwest right of way of Cahaba Valley Road; thence angle right and run southwesterly along said northwest right of way 1286.23 feet; thence angle right $86^{\circ}25'45''$ and run northwesterly 765.11 feet; thence angle left $80^{\circ}55'45''$ and run southwesterly 568.27 feet; thence angle right $60^{\circ}04'07''$ and run westerly 284.05 feet to the west line of said Section 32; thence angle right $91^{\circ}13'07''$ and run north along the west line of said Section 32, 1804.98 feet to a point; thence continue last described course north along said west line, 353.7 feet to the point of beginning.

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JAB

CITY OF BIRMINGHAM-
EXISTING CITY LIMITS



S30-TP188-R1W

01
89.42 AC

02.01
02.02

02
8.487 AC

COLUMBIANA ROAD

S29-TP188-R1W

03.02
58 AC

01
DEACE
BIRMINGHAM WATER WORKS CO
EXP

EXISTING

Parcel 3

PROPOSED ANNEXATION

Parcel 4

20 FOOT STRIP

11
11 AC

12
8 AC

13
8 AC

14
9 AC

30.75 ANNEXATION

PROPOSED ANNEXATION

Parcel 5

CANABA VALLEY ROAD

S32-TP188-R1W

S31-TP188-R1W

Parcel 2

PROPOSED ANNEXATION

Parcel 1

END 20 FOOT STRIP

EXISTING CITY LIMITS

COUNTY OF SHELBY

STATE OF ALABAMA
DEPARTMENT OF REVENUE
AD VALOREM TAX DIVISION

ISSUED BY
SHELBY COUNTY CLERK

RECORDED

INDEXED

FILED

1967 MAY 29 AM 11:01

Rec 3500
Ind 100
3600



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