

TOWN OF CHELSEA, ALABAMA

EXATION ORDINANCE NO. X-98-06-02-075

PROPERTY OWNER(S): PROPERTY:

Alabama Power Company

Parcel #08-9-30-0-000-001-000,

Parcel #08-9-29-0-000-003-000 and

Parcel #08-9-29-0-001-032-000

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

Whereas, a written petition has been signed by an authorized representative of the owner of the property designated in the attached copy of a deed (Exhibit B, pages 1-6) and requesting that the territory in the above-noted three parcels be annexed to the Town of Chelsea; and

Whereas, said petition contains an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of Chelsea; and

Whereas, said petition has been filed with the Chelsea town clerk; and

Whereas, said property is contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation which together is contiguous to the corporate limits of Chelsea; and

Whereas, said territory does not lie within the corporate limits or the police jurisdiction of any other municipality.

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation; and

Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property, and said property shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.

Earl Niven, Mayor

Robert Combs, Council Member

Glen Autry, Jr., Council Member

Earlene Isbell, Council Member

She by Blackerby, Council Member

John Ritchie, Council Member

Passed and approved

day of <u>UNE</u>, 199

Robert A. Wanninger, Town Clerk

10-22-97

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03,

08-9-29-0-001-000-001-000

Town Clerk Town of Chelsea P. O. Box 111 Cheisea, Alabama 35043

PETITION FOR ANNEXATION

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the town of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the town of

Done this 18 TH day of 1	<u>/A-/</u> , 1998.
Witness	FOR ASMINERAND POWER CLANFON, AL Mailing Address
	Property Address(if different) (205) 257-1096 Telephone no
Witness	ALABAMA POWER CO. Owner Mailing Address
	Property Address(if different)
	Telephone no.

revised 2/98

PROPERTY OWNER (S):

Alabama Power Company

PROPERTY:

Parcel #08-9-30-0-000-001-000, Parcel #08-9-29-0-000-003-000 and Parcel #08-9-29-0-001-032-000

PROPERTY DESCRIPTION

The above-noted property, for which annexation into Chelsea is requested in this petition, is the property described in the enclosed portion on page 3 of the attached copy of a deed (Exhibit B, pages 1-6) recorded with the judge of probate of Shelby County as Instument Number 1994-014-09.

Further, the said property for which annexation into Chelsea is requested in this petition is shown on the indicated shaaded area of the attached map (Exhibit C) as Parcels #1, 3, & 32. Said property is contiguous to the differently-shaded parcels 28 and 28.001 which are contiguous to the corporate limits of the Town of Chelsea and which where annexed on the same date as said Alabama Power company property.

The said property, for which annexation into Chelsea is requested in this petition, does not lie within the corporate limits or the police jurisdiction of any other municipality.

THIS INDENTURE, made manufacture many the transfer December, 1993, by and between Kimberly-Clark Corporation, a corporation, hereinafter referred to as "Grantor" and Alabama Power Company, hereinafter referred to as "Grantee",

WITNESSETH

That for and in consideration of the payment of Two Hundred Fifty Thousand Dollars (\$250,000.00), in hand paid by Grantes to Grantor, and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, Grantor does hereby grant, bergain, sell and convey unto the Grantee, the real estate described on Exhibit A hereto, pages I through 2.

SUBJECT, HOWEVER, to the exceptions specified in Exhibit B hereto.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD unto the Grantee, its successors and assigns in fee simple, forever.

IN WITNESS WHEREOF, Kimberly-Clark Corporation has caused these presents

to be executed by J. G. Groskiaus, who is duly authorized thereto.				
ATTEST:	KIMBERLY-CLARK CORPORATION			
By Balana H. Paul Ita Assistant Secretary	J. G. Groskiaus Its: Executive Vice President			
Piease Affix Stal	PROFES E. DOES FILED			
STATE OF GEORGIA)	PRE PRE L			
COUNTY OF FULTON)				
hereby certify that J. G. Groskiaus, whose name Clark Corporation, is signed to the foregoin acknowledged before me on this day that, being he, as such officer and with full authority, executof said corporation.	informed of the contents of the instrument,			
Given under my hand this the 21st day	of December, 1993.			
101.1R	E land thouse & THE			
	Notary Public			
NOTARIAL SEAL	My commission expires: 2/18/96			
The source of the second secon	# · 28 5 -			
THIS INSTRUMENT WAS PREPARED BY:				
Harold Williams, Balch & Bingham, P. O. Box 306, Birmingham,	, Alabama 35201 (205) 226-3412			

	Randolph County
TATE OF ALABAMA	hereby certify that the within
PANDOETH COUNTY	was filed in this office for record
been poid on the within	at oick#k M. and
trument as required by law.	recorded in Record
Judge of Probate	Fee S
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Exhibit B Page 1 of 6

BOOK 204 -- 252

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Brhibit A

/HW. DOTAG 20,000

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Rimberly-Clark Corporation - Alabama Power Company

800KO102 PAGE 832

Chilton County, Alabama

Township 23 North, Range 13 East

Section 3:

Et of MEt, less railroad right-of-way Section 4:

Township 24 Morth, Range 13 East

Section 27: NW% of SW4; S% of SW% lying west of the railroad

right-of-way.

Section 28: 84 of SEt Section 33: SEt of NWt; Et less railroad right-of-way.

Section 34: SW4 lying west of U.S. Highway 31; St of NWt lying

west of U.S. Highway 31 less railroad right-of-way; Wi of SEt lying west of U.S. Highway 31; NWt of NWt

lying west of railroad right-of-way.

Township 23 North, Range 15 East Section 14: Ni of Wi; SWi of NEi; SEi of NWi; Ni of SWi of NWi; NE's of SW's.

Township 21 North, Range 16 East Section 5: Ni of Ni; SWi of NEi

Township 22 North, Range 16 East

Section 28: SWi

Section 31: Et except the SWt of SEt

Section 32: NEA; NA of NWA; SWA; NA of SEA.

Claburne County, Blabane

Township 16 South, Range 11 East Section 17: Begin at the intersection of the north boundary line of the REt of Section 17 with the west right-ofway line of a county dirt road; thence run southwesterly along said dirt road approximately 1,060 feet to a county dirt road that turns off to the right and meanders westerly to a point on the north line of the SEt of NWt of Section 17; thence run east to the ME corner of the said SE's of NW's; thence run north along the west line of the NW% of NEt to the NW corner of the NEt; thence, meast along the north boundary line of the NEL to the points

COOSE COUNTY, Alebana

Township 21 Morth, Range 20 East

Section 14: St of Mi; St

PREUITT PROBAT Section 15: By of By lying north of Martin Lake; NW Cof NE

Section 27: Wh of SEA; Eh of SWA

Township 23 North, Range 16 East

All that land in the Sh of SWh lying south of Paint Section 3:

Creek

All that land in the SE's of SE's lying south and east Section 4: of Paint Creek

Et of SEt of NEt; Et of NEt of SEt; SEt of SEt; Section 9: southeast corner of SWi of SEi

Section 10: Wh

Section 15:

Et of NEt; Nt of NEt of SEt; St of SEt; St of SWt; Section 16:

NW t of SWt; SWt of NWt

Section 17: St lying south of Lay Lake

Section 20:

MM# of MM# Section 21:

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Cooks County costismed

Township 24 North, Range 16 East

St of SWi; South 24 acres of NEt of SWi; Wi of SEi; Section 4:

SWi of NEi; East 30 acres of Fraction A.

Section 5: SEt lying east of Lay Lake

being County, Mahama

Township 18 South, Range 10 East

Section 34: SEt of SEt

Section 35: BW4 of SW4 less six (6) acres described as follows: Start at the moutheast corner of the SWi of SWi Section 35; thence north 6.15 chains to the point of beginning (POB); thence West for 9.50 chains; thence North for 6.32 chains; thence East for 9.50 chains; thence South 6.32 chains to POB.

Township 19 South, Range 10 East

MN to MN Section 2: Section 3: MEt of MEt

Section 14: SEt of SWt

Section 23: WWW lying east of Harris Lake

Easiby county. Alabama Volue of property \$1,789,789,00

Township 19 South, Range 1 East

Section 23: 5Wh of SEt lying north of U.S. Highway 280

section 24: swi of sel; sel of swi lying north of U.S. Highway

Si of SWi of HWi; Wi of NWi of SWi lying north of

U.S. Highway 280

Section 30: No of SEt lying north of U.S. Highway 280; NEt of swi lying north of U.S. Highway 280

Township 19 South, Range 1 West Section 25: 8% of 8% of NW% lying north of U.S. Highway 280

Talladega County, Blabens

Township 17 South, Range 7 East Wi lying east of railroad right-of-way, and south of o Section 8: ယ

Tallapoose County, Mahana

CORDED IN BOOK & IN ABOY Township 21 North, Range 22 East 2

Section 3: NW% lying north of Martin Lake RR Section 3: NW% lying north of Martin Lake RR Section 34: NE%; SE% of NW%; Z% of SW% lying enter Township 22 North, Range 22 East Lake; SEt except for the SEt of SEt

Section 35: NWt of SWt

Exhibit B Page 3,0f6

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THE LANDS DESCRIBED ON EXHIBIT A ARE CONVEYED SUBJECT TO EXCEPTIONS (A) THROUGH (LL), AS FOLLOWS:

- (a) Public Road right-of-way of Tallapoosa County, recorded in Tallapoosa County in Deed Book 181 Page 455 in Probate Office.
- (b) Rights of riparian owners in and to the use of the Tallapoosa River.
- (c) Any existing rights of Alabama Power Company to flood along Martin Lake and to flood land which may be entirely surrounded by waters of said Lake or its tributaries, including rights in document recorded in Tailapoosa County in Deed Book 99 Page 229 and the Alabama Power Condemnation proceedings of 1925.
- (d) Such rights as may exist in connection with any cemeteries which might be located on such property.
- (e) Right-of-way of Colonial Pipeline recorded in Talladega County in Deed Book 379 Page 371 and Deed Book 225 Page 173.
- (f) Right-of-way of Plantation Pipe Line recorded in Tailadega County in Deed Book 103 Page 530 and Deed Book 327 Page 199.
- (g) Rights of riparian owners in and to the use of Choccolocco Creek and Salt Creek, Talladega County.
- (h) Mineral and mining rights and rights pertaining thereto, set out in Deed Book 80 Page 425, Shelby County as to Section 30, Township 19 South, Range 1 East.
- (i) Transmission Line Permits of Alabama Power Company as set out in Deed Book 112 Page 111 as to property in Sections 29 and 30, Township 19 South, Range 1 East and as set out in Deed Book 119 Page 560 as to property in Section 24, Township 19 South, Range 1 East, all in Shelby County, Alabama.
- (j) Right-of-way of Colonial Pipe Line as set out in Deed Book 222 Page 638 as to property in Section 23, Township 19 South, Range 1 East, Shelby County, Alabama.
- (k) Right-of-way of Shelby County as set out in Deed Book 95 Page 503 as to property in Sections 29 and 30 in Township 19 South, Range 1 East and as to property in Section 25, Township 19 South, Range 1 West in Shelby County, Alabama.
- (1) Right-of-way of Alabama Power Company as set out in Volume 77 Page 561 in the Probate Office of Cleburne County.
- (m) Right-of-way of Southern Natural Gas as set out in Valume 94 Page 154 and Volume 93 Page 188 and Volume 69 Page 42 in the Probate Office of Cleaning County.
- (n) Easement of Cleburne County as set out in Volumes 22 Page 624 in Easement Of Cleburne County.
- (c) Less and except Old Liberty Cemetery Road right-of-way.
- (p) Easement of Alabama Power Company covering perpetual easement as set out in Deed Book 128 Page 531 in the Probate Office, Randolph County.
- (q) Rights of riparian owners in and to the use of Tallapoosa River.
- (r) Any existing rights of Alabama Power Company to flood along Tallapoosa River, or to flood lands which may be entirely surrounded by waters of Tallapoosa River or its tributaries, including Deed Book 128 Page 541 in the Probate Office of Randolph County.
- (s) Prior rights of Alabama Power Company to a parcel in the SE 1/4 of the SE 1/4 of Section 15, Township 21 North, Range 20 East, Coosa County.
- (t) Right-of-way of Coosa County established by Deed Book 49 Page 328 in Probate Office of Coosa County.

Exhibit B
Page 466

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(u) Any existing rights of Alabama Power Company to flood along Coose River, or to flood land which may be entirely surrounded by waters of Coosa River, or its BOOK 0102 PAGE 835 tributaries.

Transmission Line Permit of Alabama Power Company Deed Book 178 Page 395 in Probate Office, Chilton County.

- Right-of-way of Chilton County in Deed Book 496 Page 623 (covers E 1/2 of NE 1/4 of said Section 4), Deed Book 559 Page 181 (covers NW 1/4 of SE 1/4 of said Section 34) in Chilton County.
- Right-of-way of AT&T recorded in Chilton County in Deed Book 38 Page 498 (covers said Section 33, Township 24 North, Range 13 East).
- Right-of-way(s) of Chilton County recorded in Deed Book 303 Page 438 (covers property in Sections 27 and 34 in Township 24 North, Range 13 East) in Probate Office, Chilton County.
- Right-of-way of VanDervere recorded in Chilton County in Deed Book 48 Page 235 (across N 1/2 of Section 34, Township 24 North, Range 13 East).
- (aa) Right-of-way of Plantations Pipe Line recorded in Deed Book 313 Page 70 (across E 1/2 of NW 1/4 of said Section 33) in Chilton County.
- (bb) Any existing rights of Alabama Power Company to flooding along Mitchell Lake, or to flood land which may be entirely surrounded by waters of said Lake or its tributaries.
- (cc) Mineral and mining rights set out in the Probate Office of Chilton County in Deed Book 90 Page 37, Deed Book 551, Page 578 (SE 1/4 of NW 1/4, Section 3, Township 23 North, Range 13 East), and Deed Book 441 Page 552 (Section 27, Township 24 North, Range 13 East). Further, there is excepted the mineral rights to the following parcels in Chilton County: S 1/2 of SW 1/4 lying West of the Railroad right-of-way; N 1/2 of N 1/2 and SW 1/4 of NE 1/4, Section 5, Township 21 North, Range 16 East; E 1/2, except the SW 1/4 of SE 1/4 of Section 31, Township 22 North, Range 16 East; NE 1/4, SW 1/4 and N 1/2 of SE 1/4 of Section 32, Township 22 North, Range 16 East.
 - (dd) Right-of-way of L & N Railroad, wherever located, and including the rights set out in Deed Book 60 Page 226, Deed Book 60 Page 76, and Deed Book 320 Page 410 in Probate Office of Chilton County.
 - all easements, restrictions, rights-of-way for roadways, utilities and-other easements, by prescription or otherwise which affect such preperty; <u>111</u>
 - mineral and mining rights owned by others; and (ff)
 - (gg) liens for all ad valorem taxes as may be assessed or become due after medate hereof, including such taxes due in 1993 and those assessed october 1, 1993 which are due October 1, 1994 and become delinquent if not page october January 2, 1995, all of which shall be paid by Grantor. Any tax based on the assessment of the ands on a current use basis shall be paid by Grantee. 5 m 9
 - (hh) Public road right-of-ways to Coosa County, as recorded in: Deed Book 53 Page 464 (across NW 1/4 of NW 1/4, Section 21 and N 1/4 of Section 20, both in Township 23 North, Range 16 East). Deed Book 60 Page 167 (across E 1/2 of SW 1/4 and SW 1/4 of SE 1/4 Section 4, Township 24 North, Range 16 East).
 - Transmission Line Permit to Alabama Power Company recorded in Deed Book 72 Page 233 (across NW 1/4 of NW 1/4, Section 21, Township 23 North, Range 16 East), Coosa County.
 - Such rights as may exist in connection with any cemeteries located on any of subject property, including the cemetery set out in deed by J. W. Bailey and wife, to Ralph Lumber Company recorded in Deed Book 14 Page 72 in Coosa County.
 - (kk) Mineral and mining rights and reservations set out in Deed Book 23 Page 46 covering E 1/2 of NW 1/4 of NE 1/4 of SW 1/4, and W 1/2 of W 1/2, all Section 10, Township 23 North, Range 16 East, and in the deed from O. Anderson, et al. to Coosa River Newsprint recorded Deed Book 17 Page 193, covering properties in Sections 3, 4, 16, 10, 15, 17, 20 and 21, all in Township 23 North, Range 16 East, all in Coosa County.

Exhibit B Page 3 of 6

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(II) Any existing rights of Alabama-Rower Company to flooding along Coosa River, or which may be entirely suprefinded by waters of Coosa River or its tributaries, including Deed Book 58 Page 141, Deed Book T Pages 167, and 267, Deed Book 35 Page 404, Deed Book 23 Page 369, Deed Book 17 Page 250 in Coosa County.

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Exhibit B Page-6066

STATE OF ALA. CHILTON CO I CERTIFY THIS INSTRUMENT THIS FILED

1994 JAN 12 PH 3: 02

UCC FILE NUMBER OR REC. BX. & PAGE AS SHOWN ABOVE

Robert M. Martin

CLEBURNE COUNTY, ALABAMA

94 JEN 12 RECORDED IN ABOVE DEED BOOK & PAGE NO. JAMES E. PREUITT JUDGE OF PROBATE FILED ON RM 11 29

State Of Alpha Inc Sollowing I Uspent so requ	me, Tultodogo Co. (haroly nor bee here book collected on th had by law	in inter-
Deed The	48.50	
Wits Tex		
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