

Submitted by: THE MAYOR
Recommended by: THE MAYOR

ORDINANCE NO. 00-112

**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**

WHEREAS, a certain petition signed by River Ridge Retail Company, L.L.C. by David Silverstein, being the owners of all of the land within the territory therein described and proposed to be annexed to the City, together with a map of said territory showing its relationship to the corporate limits of the City has 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 petition are true, that said territory is contiguous to the corporate limits of the City of Birmingham, and that it is in the public interest that said property be annexed to the City of Birmingham to the extent that such territory lies closer to the present boundary line of the City of Birmingham than to the present boundary line of any other municipality;

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 contiguous territory to the City of Birmingham, Alabama, and the corporate limits thereof are hereby 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 contiguous territory, in addition to the territory already within its present corporate limits, within the corporate area of said City, which said territory, while it may be within police jurisdiction of another municipality, the new boundary line does not lie at any point beyond the point which is equidistant between the old City boundary of the City of Birmingham and the present corporate boundary of any other municipality. Said territory is described in Attachment A hereto.

Inst # 2000-27279

08/10/2000-27279
10:24 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 HWS 18.50

Section 2. The City of Birmingham hereby agrees to comply with those provisions of Act No. 604 enacted at the 1976 Regular Session of the Legislature of Alabama pertaining to the assumption and payment of a fire district's debt by the City, or the payment to said fire district by the City of an amount equal to six times the amount of dues that the portion of a fire district being annexed paid to said fire district during the year preceding the annexation of all or any portion thereof to the City of Birmingham.

Section 3. The provisions of this ordinance are intended to be severable and the invalidity of any provision hereof shall not be deemed to affect the validity of any other provision herein.

Section 4. That the City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed territory, together with a map of such territory with the probate Judge of Shelby County, Alabama, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Birmingham.

ADOPTED BY THE
CITY COUNCIL OF
BIRMINGHAM

APPROVED BY THE
MAYOR
ON

JULY 11, 2000

JULY 17, 2000

Paula R. Smith

CITY CLERK

ATTACHMENT A

PROPOSED ANNEXATION

A portion of land situated in the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 18 South, Range 2 West, consisting of Lot 1 in the defunct Cahaba River Park Subdivision as recorded in Map Book 6 Page 31 and one half the adjacent right-of-way of U. S. Highway No. 280, in Shelby County, Alabama, more particularly described as follows;

Commence at the Southeast corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 35, Township 18 South, Range 2 West, also said point being on the present corporate boundary of the City of Birmingham; thence run North along the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ section to the point of intersection with the most Southeasterly corner of said Lot 1, of the defunct Cahaba River Park Subdivision as recorded in Map Book 6 Page 31, also said point being the point of beginning of the parcel herein described and said point being on the present corporate boundary of the City of Birmingham; thence turn an angle to the left and run in a northwesterly direction along the southwest line of said Lot 1 and the present corporate boundary of the City of Birmingham to the point of intersection with the Southwest corner of said Lot 1; thence turn an angle to the right and run in a northerly direction along West line of said Lot 1 and the present corporate boundary of the City of Birmingham to the point of intersection with the Southwest right-of-way line of U. S. Highway No. 280; thence turn an angle to the right and run in a northeasterly direction perpendicular to the centerline of said highway right-of-way and along the present corporate boundary of the City of Birmingham to the point of intersection with the centerline of said U. S. Highway No. 280; thence turn an angle to right and run in a southeasterly direction along said centerline to the point of intersection with the East line of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 35, Township 18 South, Range 2 West, also said point being on the present corporate boundary of the City of Birmingham; thence turn an angle to the right and run south along said East line and said present corporate boundary of the City of Birmingham to the Point of Beginning.

The above described portion of land contains 7.266 Acres or 0.011 sq. mi., more or less, as shown on attached maps labeled Attachments B, C & D in the Office of the City Clerk of the City of Birmingham.

Address: U. S. Highway No. 280 (undeveloped)

PID: 58-02-35-1-001-002.000



JEFFERSON COUNTY
SHELBY COUNTY

1-A

03.01
21.35 AC

PROPOSED ANNEXATION

RIVERVIEW
RIVERVIEW PARKWAY

SEC 35 TSP 18S R 2W

CITY OF BIRMINGHAM

CAHABA COMMONS
RESURVEY NO. 1
MB. 15 PG. 27
RESURVEY NO. 2
MB. 15 PG. 45
ST VINCENTS RESURVEY
MB. 16 PG. 72

03
25 AC

2-C

2-E

03.03
24 AC

WATER WORKS AND SEWER
BOARD OF THE CITY
OF BIRMINGHAM

RESURVEY OF LOT 2-B
CAHABA RIVER PARK
MB. 8 PG. 95

RESURVEY OF LOT 2-D
MB. 8 PG. 110

CITY

2-F

04.02
59.6651 AC

AMENDED MAP OF A
RESURVEY OF LOT 2
CAHABA RIVER PARK
MB. 8 PG. 80

1-A
LIMITS

LIMITS

CITY OF BIRMINGHAM

CITY

CAHABA PARK SOUTH
RESURVEY LOT 10 CAHABA PARK
SOUTH MB. 14 PG. 89

JEFFERSON COUNTY

SHELBY COUNTY

A RESURVEY OF LOTS 6&7
CAHABA PARK SOUTH
MB. 10 PG. 28

04.02

245.01

05
19 AC

CAHABA PARK SOUTH
RESURVEY OF LOT 14
CAHABA PARK SOUTH
MB. 10 PG. 15

SEC 36 TSP 18S R 2W

NW 1/4

04.01
10 AC

04
6.4 AC

INVERNESS PARKWAY EAST 60'

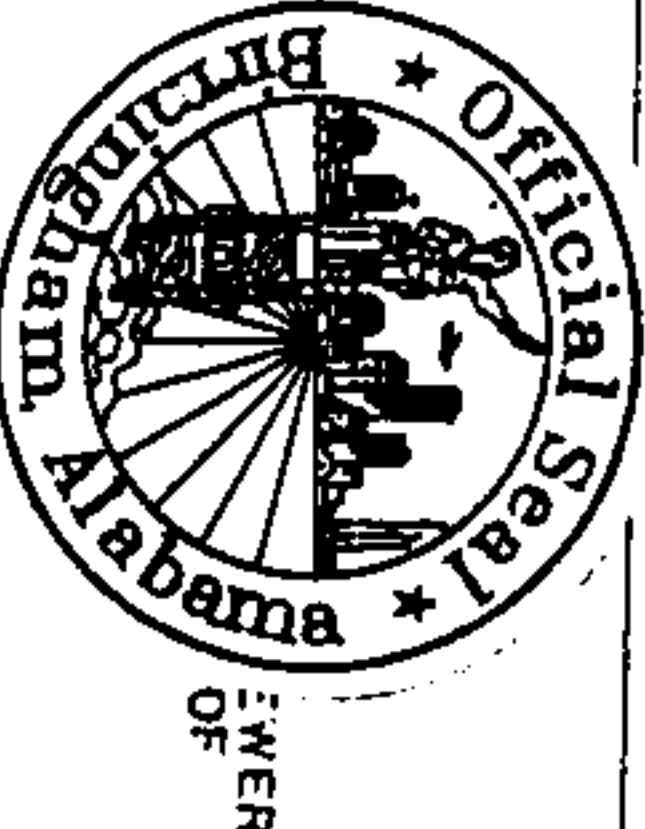
CITY OF BIRMINGHAM
DEPARTMENT OF
PLANNING, ENGINEERING & PERMITS
PLANNING DIVISION

PROPOSED ANNEXATION
ATTACHMENT B

GRAPHIC SCALE



"INSERT"
50' SCALE



03.04
41 AC

1

TRACT 27-B

29.11
10.35321 AC

29.10
12.43656 AC

"INSERT"
50' SCALE

29.12
7.2381 AC

