

ORDINANCE NO. 01-1797

An ordinance to alter, rearrange and extend the corporate limits of the City of Hoover, Alabama, so as to embrace and include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous to said City.

WHEREAS, petitions signed by Benner Investment, LLC, by John Benner; McGeever Investments, LLC, by John McGeever; Robertson Investments, LLC, by William R. Robertson; Frank C. Ellis Jr., LLC, by Frank C. Ellis Jr.; Frank C. Ellis, III, LLC, by Frank C. Ellis, III; Joe H. King, Jr.; Eli T. Stevens, President, Eli's Inc.; Eli T. Stevens and Pat Stevens requesting that certain territory described therein be annexed to the City of Hoover, and

WHEREAS, there is attached to the said petitions a map of said territory showing its relationship to the corporate limits of the City; and

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

NOW, THEREFORE, be it ordained by the Council of the City of Hoover as follows:

SECTION 1: That said Council hereby assents to the annexation of said territory to the City of Hoover, Alabama, and the corporate limits of the City of Hoover 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 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 municipal boundaries of another municipality and does not lie at any point more than one-half the distance between the present corporate limits and the corporate limits of any other municipality. Said property is described in Exhibit "A" attached hereto and made a part hereof.

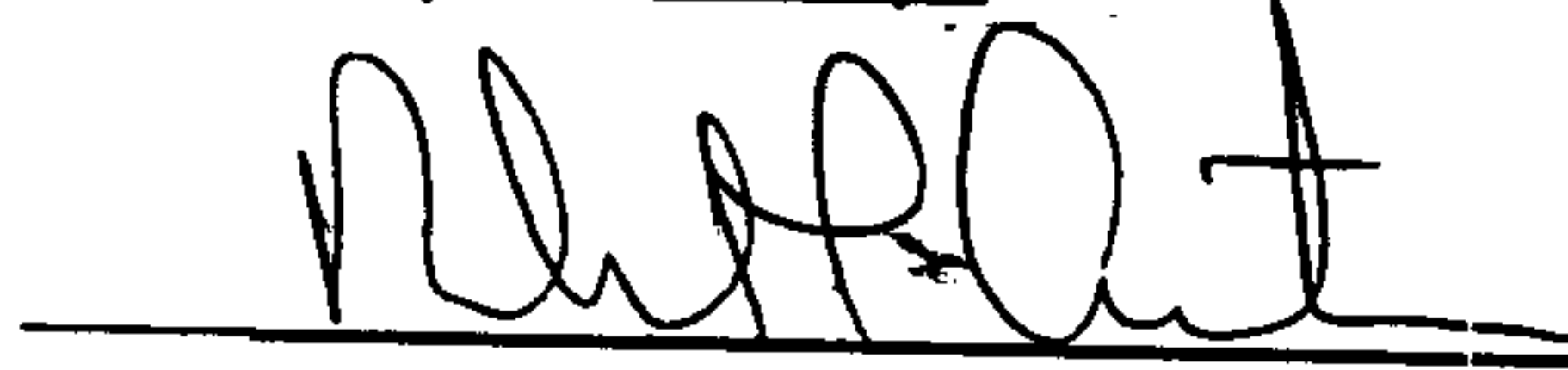
SECTION 2: If Wal-Mart does not purchase and close the sale of the property described in this ordinance, then in such event the City Council shall, upon application of the owner of said property, immediately de-annex said property from the corporate boundaries of the City of Hoover by duly enacted ordinance.

03/16/2001-09634
03:51 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
012 MEL 44.00

Inst # 2001-09634

SECTION 3: The City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed 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 Hoover.

ADOPTED this 21st day of February 2001.

A handwritten signature in black ink, appearing to read "M. P. O. T.", written over a horizontal line.

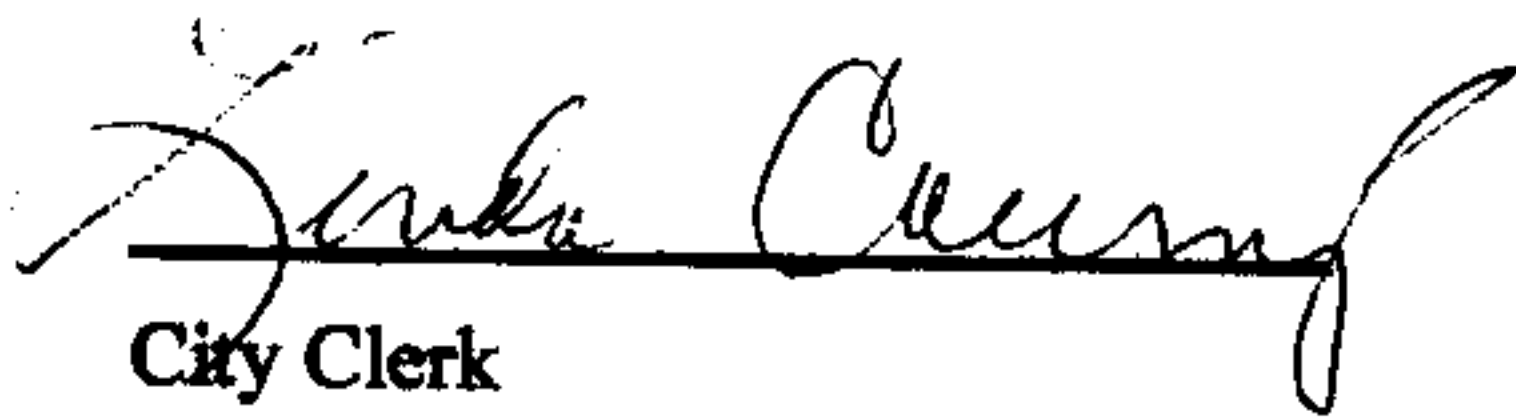
Council President

APPROVED BY:

A handwritten signature in black ink, appearing to read "Barbara B. McCollum", written over a horizontal line.

Mayor

ATTESTED BY:

A handwritten signature in black ink, appearing to read "Linda C. C. C.", written over a horizontal line.

City Clerk

EXHIBIT "A"

Phase III

SOURCE OF TITLE: DEED BOOK 1995, PAGE 07233; DEED BOOK 1998, PAGE 31523; DEED BOOK 80, PAGE 117-119; DEED BOOK 161, PAGE 825; DEED BOOK 1999, PAGE 46826; DEED BOOK 344, PAGE 434; DEED BOOK 338, PAGE 405 AND DEED BOOK 289, PAGE 134, LEGAL DESCRIPTION CONTAINED IN ORDINANCE N° 99-141 ON AUGUST 3, 1999, BY THE COUNCIL OF THE CITY OF BIRMINGHAM.

A parcel of land located in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 31, Township 18 South, Range 1 West in Shelby County, Alabama and being more particularly described as follows:

Commence at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 31; thence run in a Southerly direction along the East line of said Quarter – Quarter Section a distance of 181.95 feet to a point on the City Limits line of the City of Hoover, Alabama, said point being the POINT OF BEGINNING of the herein descried parcel; thence turn deflect to the right 89°11'26" and run to the right in a Westerly direction along the City Limits line of the City of Hoover, Alabama, a distance of 905.59 feet to a point; thence turn an interior angle of 258°38'18" and run to the left in a Southwesterly direction a distance of 430.86 feet to a point; thence turn an interior angle of 190°32'50" and run to the left in a Southerly direction a distance of 219.12 feet to a point; thence turn an interior angle of 56°00'51" and run to the right in a Northwesterly direction for a distance of 83.43 feet to a point; thence turn an interior angle of 213°59'12" and run to the left in a Westerly direction for a distance of 93.87 feet to a point; thence turn an interior angle of 89°59'57" and run to the right in a Northerly direction for a distance of 170.89 feet to a point; thence turn an interior angle of 161°51'22" and run to the right in a Northeasterly direction for a distance of 64.94 feet to a point; thence turn an interior angle of 107°39'40" and run to the right in an Easterly direction for a distance of 61.90 feet to a point; thence turn an interior angle of 270°33'37" and run to the left in a Northerly direction for a distance of 188.64 feet to a point; thence turn an interior angle of 161°46'43" and run to the right in a Northeasterly direction for a distance of 277.73 feet to a point; thence turn an interior angle of 108°42'41" and run to the right in a Easterly direction a distance of 979.10 feet to a point on the East line of said Quarter – Quarter Section; thence turn an interior angle of 89°26'15" and run to the right in a Southerly direction along the East line of said Quarter – Quarter Section a distance of 85.39 feet to the point of beginning of the herein described parcel. Said parcel containing 0.0042 square miles, 2.69 acres or 116963 square feet.

STATE OF ALABAMA SHELBY COUNTY

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners.

NAME	ADDRESS
(Signature of Owners) Frank G. Ellis, Jr. LLC By: <u>[Signature]</u>	<u>5357 Hwy 280 East</u> " " " "
Frank G. Ellis III, LLC By: <u>[Signature]</u>	" " " "
Benner Investments, LLC By: <u>[Signature]</u>	" " " "
Robertson Investments, LLC By: <u>[Signature]</u>	" " " "
McGeever Investments, LLC By: <u>[Signature]</u>	" " " "

Number of Occupants: NONE

Ages of All Children: NONE

LEGAL DESCRIPTION:

**STATE OF ALABAMA
SHELBY COUNTY**

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NAME
(Signature of Owners)

Joe A. King, Jr.

ADDRESS

5319 Highway 280 SE
Birmingham, AL 35242

Number of Occupants: _____

Ages of All Children: _____

LEGAL DESCRIPTION:

**STATE OF ALABAMA
SHELBY COUNTY**

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NAME
(Signature of Owners)

ADDRESS

Patricia M. Stevens

Patricia M. Stevens

Eli T. Stevens

Eli T. Stevens

Number of Occupants: 0

Ages of All Children: _____

LEGAL DESCRIPTION:

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SHELBY COUNTY**

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NAME
(Signature of Owners)

ADDRESS

Patricia M. Stevens

Patricia M. Stevens

Number of Occupants: 0

Ages of All Children: _____

LEGAL DESCRIPTION:

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NAME
(Signature of Owners)

ADDRESS

Ellis Inc

Elis J. Haines Pres.

Number of Occupants: 0

Ages of All Children: _____

LEGAL DESCRIPTION:

**STATE OF ALABAMA
SHELBY COUNTY**

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NAME
(Signature of Owners)

ADDRESS

Eli J. Stevens

Eli J. Stevens

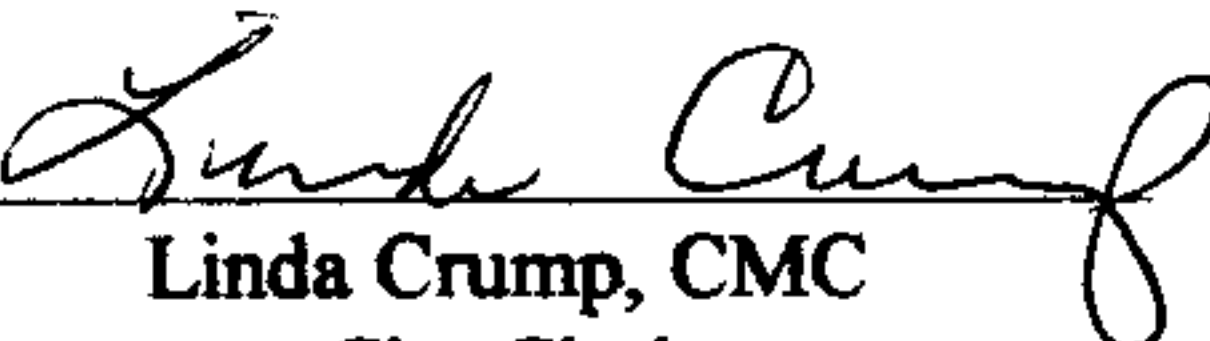
Number of Occupants: 0

Ages of All Children: _____

LEGAL DESCRIPTION:

CLERK'S CERTIFICATION

I hereby certify that the attached is a true and correct copy of a petition(s) presented to the City Council of the City of Hoover by persons whose Name(s) appear thereon, requesting that their property be annexed to the City of Hoover.



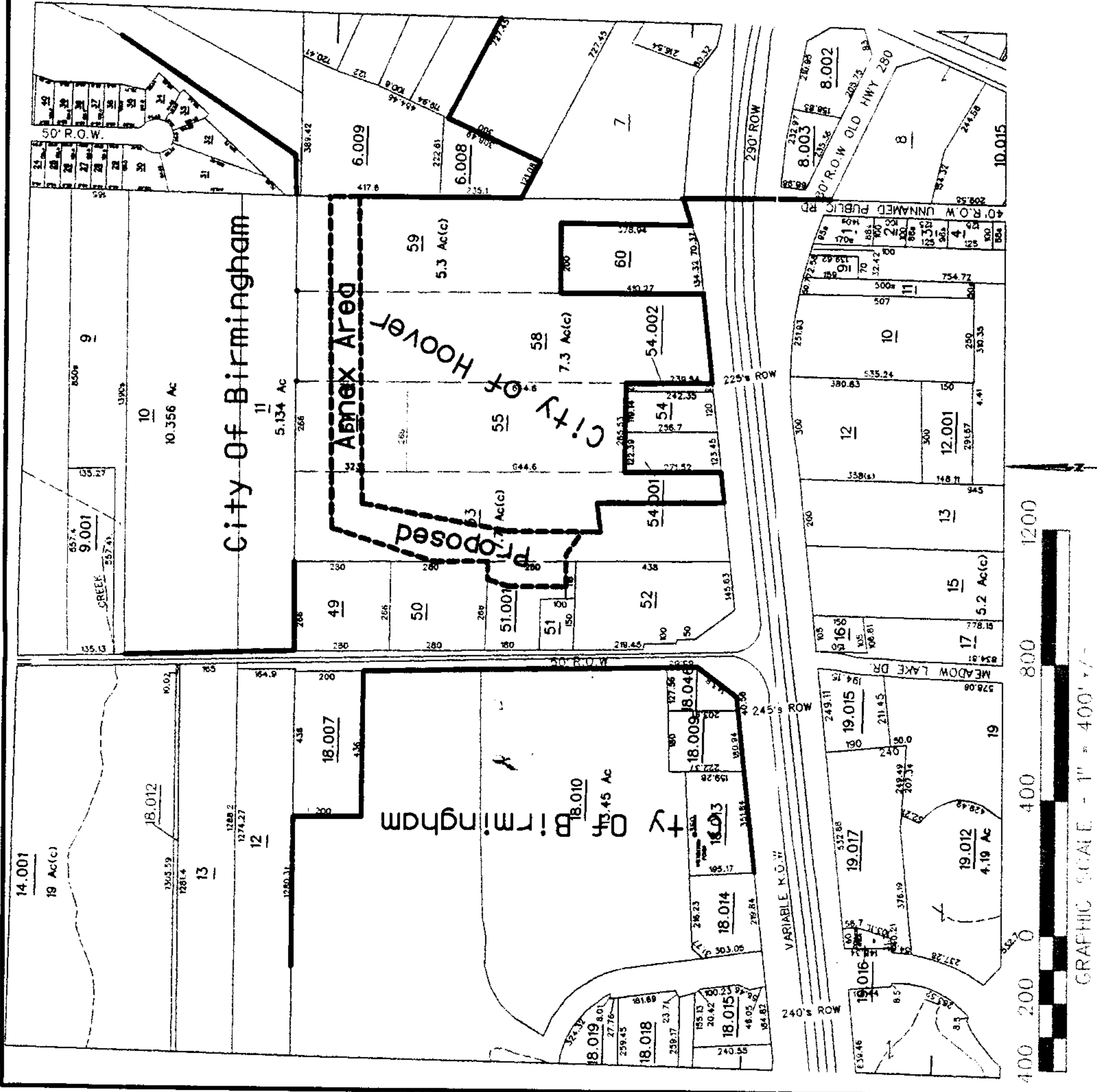
Linda Crump, CMC
City Clerk

STEP # ANNEXATION
LEGAL DESCRIPTION
February 9, 2001

SOURCE OF TITLE: DEED BOOK 1995, PAGE 07233; DEED BOOK 1998, PAGE 31523; DEED BOOK 80, PAGE 117-119; DEED BOOK 161, PAGE 825; DEED BOOK 1999, PAGE 46826; DEED BOOK 344, PAGE 434; DEED BOOK 338, PAGE 405 AND DEED BOOK 289, PAGE 134. LEGAL DESCRIPTION CONTAINED IN ORDINANCE N° 99-141 ON AUGUST 3, 1999, BY THE COUNCIL OF THE CITY OF BIRMINGHAM.

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VIREXAS, partners signed by Bazar Investments, L.L.C. by John Bazar; McGeever Investments, L.L.C. by John McGeever; Robertson Investments L.L.C. by William R. Robertson; Park C. Ellis, Jr., L.L.C. by Frank C. Ellis, Jr.; Frank C. Ellis, L.L.C. by Frank C. Ellis, Jr.; J. H. Kling, Jr., El T. Stevens, Prudential, Inc.; El T. Stevens and El Stevens requested that their territory

EX-107
PHOTOGRAPH
SOURCE: WILL DEED BOOK
196, PAGE 283; DEED BOOK
197, PAGE 283; DEED BOOK
20, PAGE 283; DEED BOOK
121, PAGE 283; DEED BOOK
199, PAGE 283; DEED BOOK
241, PAGE 283; DEED BOOK
237, PAGE 283; DEED BOOK
283, PAGE 134; LEGAL
DESCRIPTION CONTAINED IN

CLERK'S CERTIFICATION

the City Council of the City of Hoover, Alabama, on the 21st day of February 2001.

Sandra Canning
City Clerk
Inst # 2001-09634

03/16/2001-09634
03:51 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
44 00

012 MEL 44.00