

20040301000104240 Pg 1/7 29.00
Shelby Cnty Judge of Probate, AL
03/01/2004 11:25:00 FILED/CERTIFIED

City of Chelsea

P.O. Box 111
Chelsea, Alabama

Certification
Of
Annexation Ordinance

Ordinance Number: X-04-02-03-235

Property Owner(s): Averyt, A.H.

Property: 15-2-10-001-003.001

I, Robert Wanninger, City Clerk of the City of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the City Council of Chelsea, at the regular meeting held on February 3, 2004, as same appears in minutes of record of said meeting, and published by posting copies thereof on February 4, 2004 at the public places listed below, which copies remained posted for five business days (through February 10, 2004).

Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043

First National Bank of Shelby County, Chelsea Branch, Highway 280, Chelsea, AL 35043

U.S. Post Office, Highway 280, Chelsea, Alabama 35043


Robert A. Wanninger, City Clerk

City Clerk
City of Chelsea
P.O. Box 111
Chelsea, 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 City 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 City of Chelsea to annex said
property into the corporate limits of the municipality.

Done the 31st day of DEC, 2003.

Earl Over
Witness

A.H. AVERY
Owner

100 AUTUMN CREST DRIVE
Mailing Address

SAME / COLUMBIANA AL 35051
Property Address (if different)

205-678-3450
Telephone Number

Witness

Owner

Mailing Address

Property Address

Telephone number

(All owners listed on the deed must sign)

15-2-10-0001-003.001

City of Chelsea, Alabama
Annexation Ordinance No. X-04-02-03-235

Property Owner(s): Averyt, A.H.

Property: 15-2-10-001-003.001

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

Whereas, the attached written petition requesting that the above-noted property be annexed to the City of Chelsea has been filed with the Chelsea City Clerk; and

Whereas, said petition has been signed by the owner(s) of said property; and

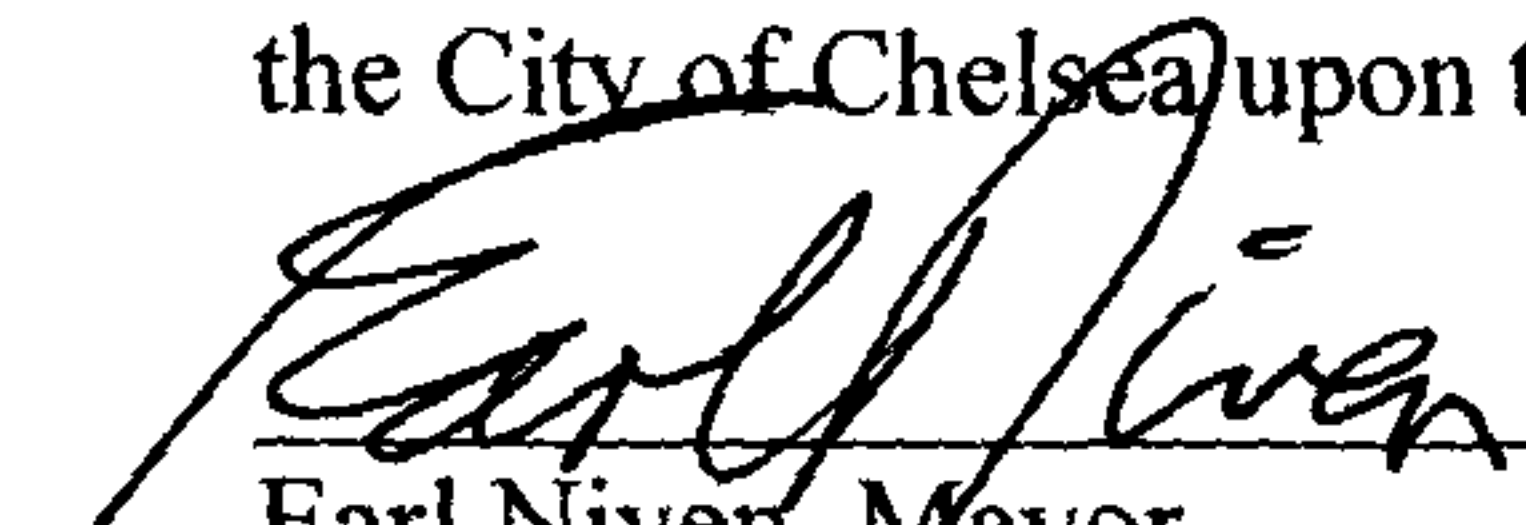
Whereas, said petition contains (as Petition Exhibits A&B) an accurate description of said property together with a map of said property (Exhibit C) showing the relationship of said property to the corporate limits of Chelsea; and

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 is zoned AR which together is contiguous to the corporate limits of Chelsea;

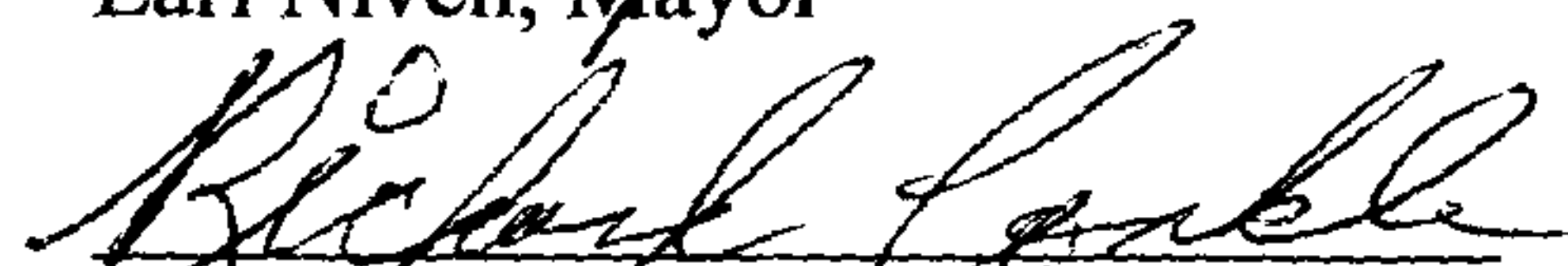
Whereas, said territory does not lie within the corporate limits of any other municipality

Therefore, be it ordained that the City Council of the City 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 City of Chelsea upon the date of publication of this ordinance as required by law.



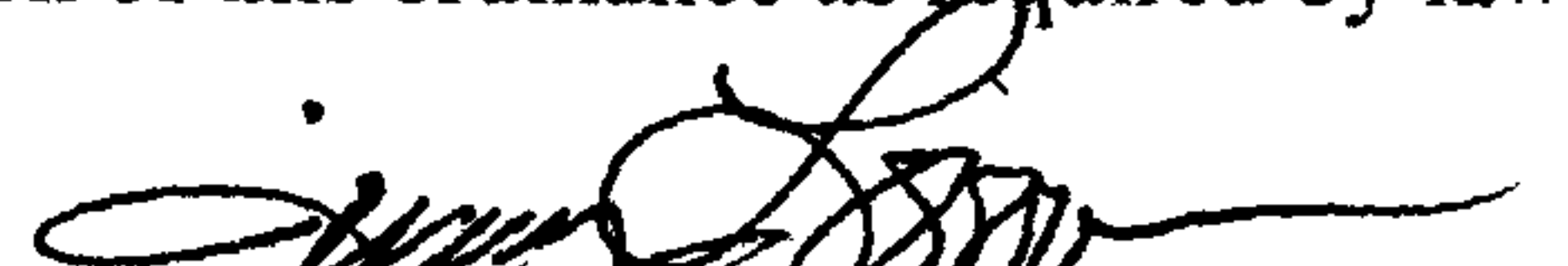
Earl Niven, Mayor



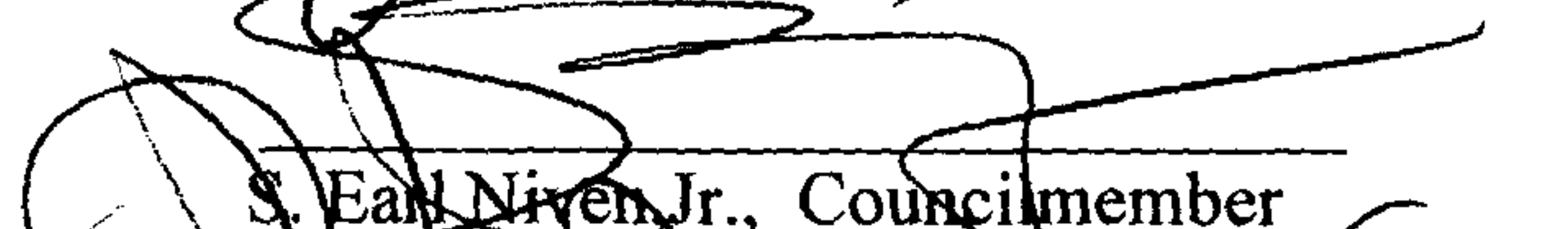
Richard Conkle



Doug Ingram, Councilmember



Jimmy Lovvorn, Councilmember

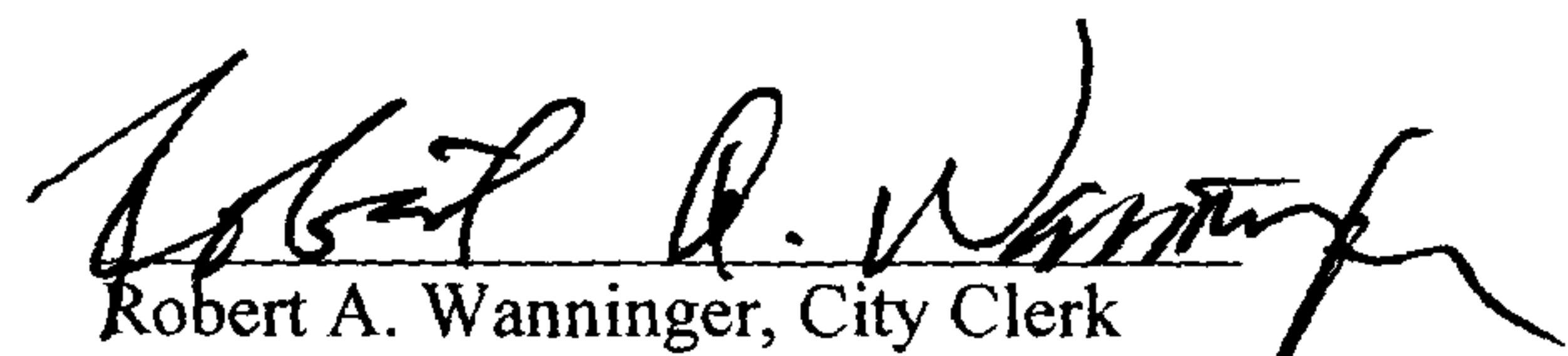


S. Earl Niven, Jr., Councilmember



John Ritchie, Councilmember

Passed and approved 3 day of FEB, 2004.



Robert A. Wanninger, City Clerk

Petition Exhibit A

Property owner(s): Averyt, A.H.

Property: 15-2-10-001-003.001

Property Description

The above-noted property, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Petition Exhibit B) Which was recorded with the Shelby County judge of probate as part of Instrument number 2002-16050.

Further, the said property for which annexation into Chelsea is requested in this petition is shown in the indicated shaded area on the attached map in Petition Exhibit C. Said map also shows the contiguous relationship of said property to the corporate limits of Chelsea.

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

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Highway 280 East, Suite 160
Birmingham, AL 35223

Send Tax Notice To:
A.H. Averyt
3849 SPRING VALLEY ROAD
BIRMINGHAM, AL 35223

STATE OF ALABAMA)
 :)
COUNTY OF SHELBY) **GENERAL WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of One Hundred Ninety Thousand and 00/100 (\$190,000.00), and other good and valuable consideration, this day in hand paid to the undersigned Autumn Crest, LLC, an Alabama limited liability company (hereinafter referred to as GRANTOR), in hand paid by the GRANTEE herein, the receipt whereof is hereby acknowledged, the GRANTOR does hereby give, grant, bargain, sell and convey unto the GRANTEE, A.H. Averyt, (hereinafter referred to as GRANTEE), his heirs and assigns, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

Subject To:
Ad valorem taxes for 2002 and subsequent years not yet due and payable until October 1, 2002. Existing covenants and restrictions, easements, building lines and limitations of record.


\$169,200.00 of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEE, his heirs and assigns forever.

AND SAID GRANTOR, for said GRANTOR, GRANTOR'S heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTOR is lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTOR will, and GRANTOR'S heirs, executors and administrators shall, warrant and defend the same to said GRANTEE, and GRANTEE'S heirs and assigns, forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTOR has hereunto set his hand and seal this the 1st day of April, 2002.

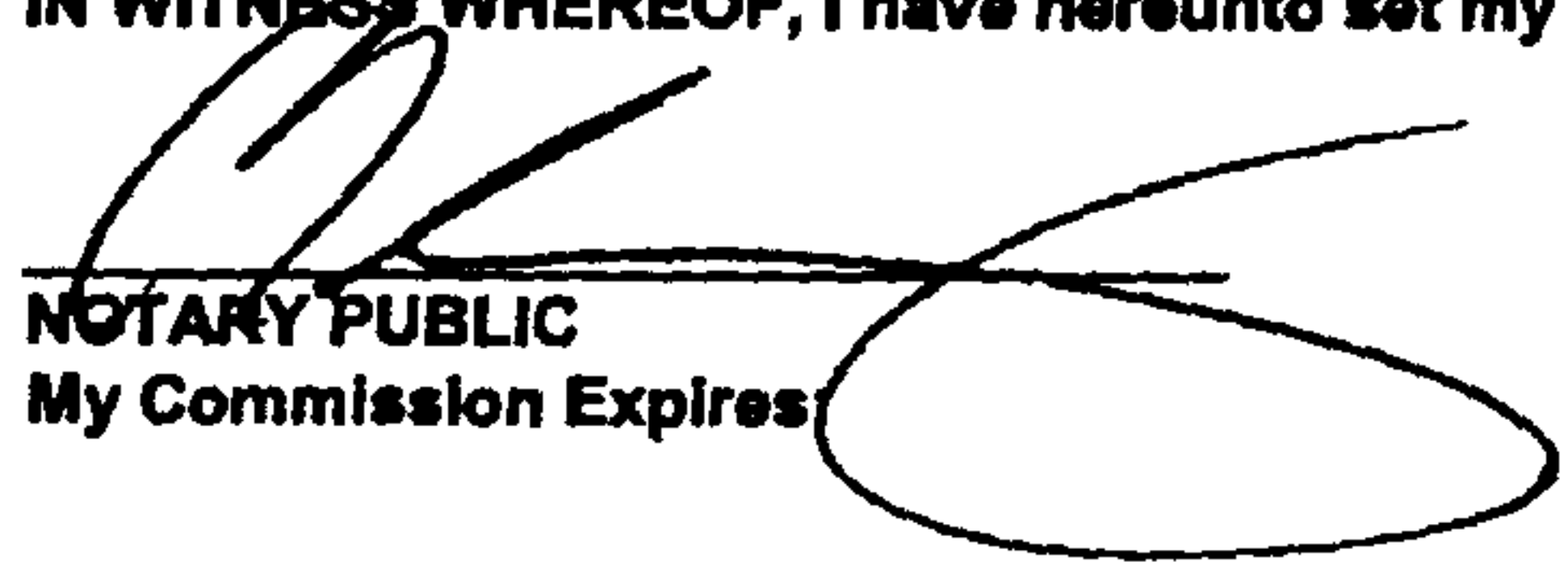
Autumn Crest, LLC


J. Anthony Joseph, Member

STATE OF ALABAMA)
 :)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that J. Anthony Joseph, whose name as Member of Autumn Crest, LLC, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he as such Officer and with full authority, signed the same voluntarily for and as the act of said limited liability company.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 1st day of April, 2002.


NOTARY PUBLIC
My Commission Expires

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 2002-16050

04/05/2002-16050
01:35 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 35.00

EXHIBIT "A"
LEGAL DESCRIPTION

Commence at the Southeast corner of the NE 1/4 of the NE 1/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama; thence proceed North 88 degrees 43 minutes 04 seconds East along the South boundary of the NW 1/4 of the NW 1/4 of Section 11 and along the North boundary of Tara Drive for a distance of 46.01 feet to its point of intersection with the Westerly right of way of Highway 47; thence proceed North 13 degrees 37 minutes 59 seconds West along the Westerly right of way of said Highway for a distance of 80.73 feet; thence proceed North 07 degrees 25 minutes 53 seconds West along the Westerly right of way of said Highway for a distance of 154.80 feet; thence proceed North 00 degrees 43 minutes 26 seconds East along the Westerly right of way of said Highway for a distance of 186.49 feet; thence proceed North 06 degrees 01 minutes 38 seconds East along the Westerly right of way of said Highway for a distance of 92.01 feet to its point of intersection with the centerline of a 60 foot ingress and egress easement, said point being the point of beginning; from this beginning point, thence proceed South 87 degrees 10 minutes 51 seconds West along the centerline of said easement a distance of 169.64 feet; thence proceed South 72 degrees 03 minutes 42 seconds West along the centerline of said easement a distance of 144.0 feet; thence proceed South 86 degrees 38 minutes 14 seconds West along the centerline of said easement for a distance of 260.71 feet; thence proceed North 63 degrees 19 minutes 14 seconds West along the centerline of said easement for a distance of 259.85 feet; thence proceed North 78 degrees 15 minutes 27 seconds West along the centerline of said easement for a distance of 215.95 feet; thence proceed North 02 degrees 43 minutes 55 seconds West for a distance of 404.68 feet; thence proceed North 88 degrees 23 minutes 55 seconds East for a distance of 1091.11 feet to a point on the Westerly right of way of said Highway 47; thence proceed South 06 degrees 40 minutes 22 seconds West along the Westerly right of way of said highway for a distance of 565.56 feet to the point of beginning. The above described land is located in the NE 1/4 of the NE 1/4 of Section 10 and the NW 1/4 of the NW 1/4 of Section 11, Township 20 South, Range 1 West, Shelby County, Alabama.

ALSO granted a 60 foot ingress/egress easement, being 30 feet in equal width on each side of the following described line:

Commence at the Southeast corner of the NE 1/4 of the NE 1/4 of Section 10, Township 20 South, Range 1 West, Shelby County, Alabama, said point being located on the Northerly boundary of Tara Drive; thence proceed South 88 degrees 43 minutes 04 seconds East along the South boundary of the NW 1/4 of the NW 1/4 of Section 11 and along the Northerly boundary of said Tara Drive for a distance of 46.01 feet to a point on the Westerly right of way of Shelby County Highway No. 47; thence proceed North 13 degrees 37 minutes 59 seconds West along the Westerly right of way of said road for a distance of 80.73 feet; thence proceed North 07 degrees 25 minutes 53 seconds West along the Westerly right of way of said road for a distance of 154.80 feet; thence proceed North 00 degrees 43 minutes 26 seconds East along the Westerly right of way of said road for a distance of 186.49 feet; thence proceed North 06 degrees 01 minutes 38 seconds East along the Westerly right of way of said road for a distance of 92.01 feet to the centerline of said 60 foot easement, said point being the point of beginning. From this beginning point thence proceed South 87 degrees 10 minutes 51 seconds West along the centerline of said easement for a distance of 169.64 feet; thence proceed South 72 degrees 03 minutes 42 seconds West along the centerline of said road for a distance of 144.00 feet; thence proceed South 86 degrees 38 minutes 14 seconds West along the centerline of said easement for a distance of 260.71 feet; thence proceed North 63 degrees 19 minutes 14 seconds West along the centerline of said easement for a distance of 259.85 feet; thence proceed North 78 degrees 15 minutes 27 seconds West along the centerline of said easement for a distance of 215.95 feet; thence proceed North 78 degrees 15 minutes 27 seconds West along the centerline of said easement for a distance of 319.16 feet to a point on the West boundary of said NE 1/4 of the NE 1/4 of said Section 10, Township 20 South, Range 1 West, Shelby County, Alabama.

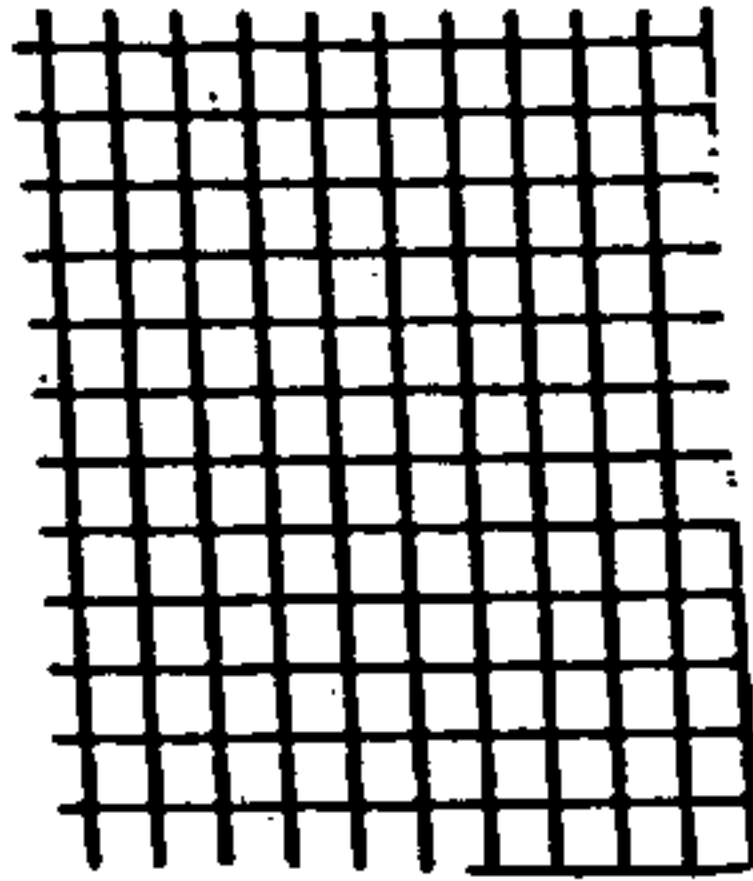
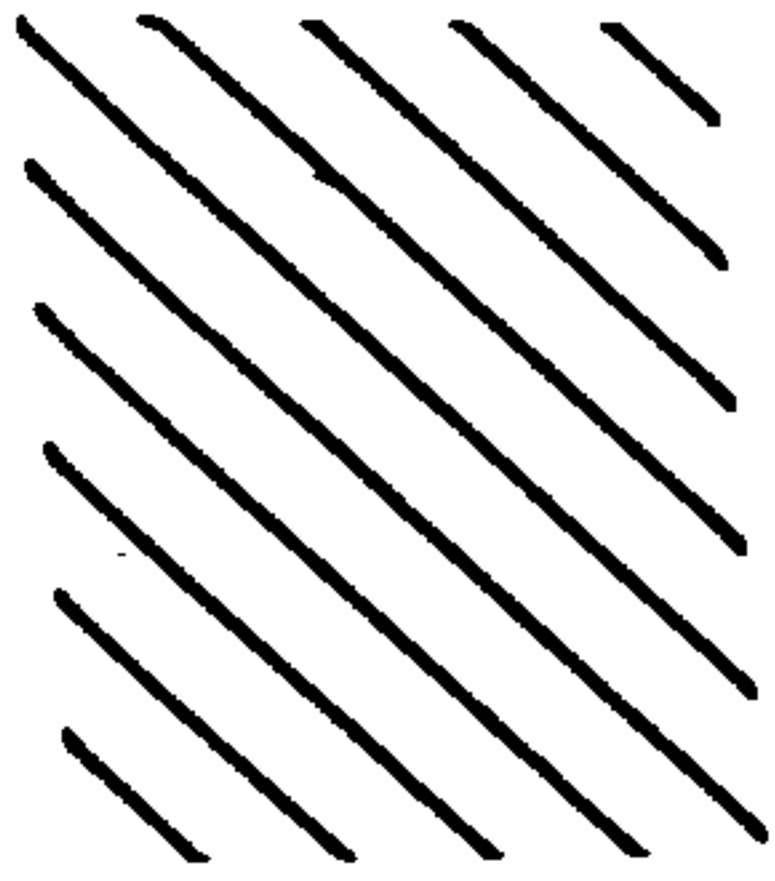
Inst # 2002-16050

04/05/2002-16050
01:35 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CH 35.00

Area to be Annexed

Corporate limits
of Chelsea

20040301000104240 Pg 7/7 29.00
Shelby Cnty Judge of Probate, AL
03/01/2004 11:25:00 FILED/CERTIFIED



Reference Shelby County
Tax Map #58-15-2

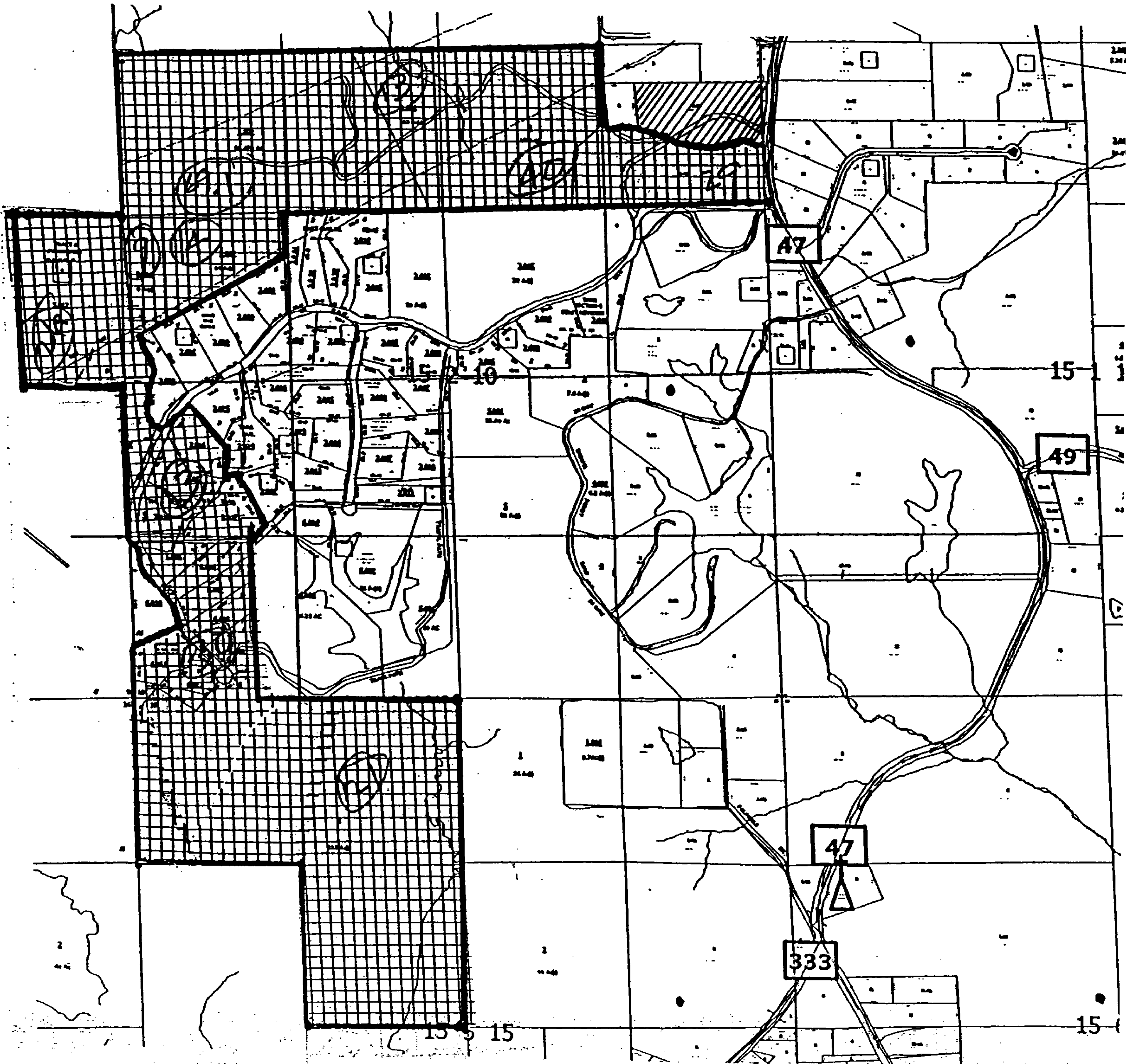


EXHIBIT 1

EXHIBIT 1

EXHIBIT 1