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Shelby Cnty Judge of Probate, AL
06/30/2005 03:52:54PM FILED/CERT

ORDINANCE NUMBER 676-05A

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF HELENA, 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 petition signed by Timothy Drummond, the owner 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 Helena; and

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

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

Section 1. That said Council and the City of Helena hereby assent to the annexation of said territory to the City of Helena, 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 of another municipality and the new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any municipality. Said territory is described as follows:

Parcel No. 58-12-7-35-0-000-004.000

Commence at the Northwest corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 20 South, Range 4 West, and run South 89 deg. 36 min. 22 sec. East a distance of 675.60 feet to the point of beginning; thence continue along the last described course a distance of 530.00 feet to a point on the West bank of the Cahaba River; thence South 08 deg. 23 min. 26 sec. West along the West bank of the Cahaba River a distance of 50.49 feet to a point; thence North 89 deg. 36 min. 22 sec. West a distance of 125 feet, more or less, to the existing parking area; thence North 08 deg. 23 min. 26 sec. East a distance of 30 feet; thence North 89 deg. 36 min. 22 sec. West a distance 427 feet, more or less, to a point lying South 31 deg. 08 min. 22 sec. West of the point of beginning; thence North 31 deg. 08 min. 22 sec. East a distance of 20 feet, more or less, to the point of beginning.

Section 2. That 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 posted in three (3) public places in the City of Helena and this ordinance to be sent to the Justice Department for their approval.

STATE OF ALABAMA
SHELBY COUNTY



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I, Peggy C. Dunaway, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of Ordinance Number 676-05A duly adopted by the Council of the City of Helena at its meeting held May 2, 2005, and as same appears of record in the ordinance records of said City, and approved by the Mayor and City Council on May 2, 2005.

Given under my hand and corporate seal of the City of Helena, this the 2nd day of May, 2005.



Peggy C. Dunaway
Peggy C. Dunaway, City Clerk




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CERTIFICATION

I, Peggy C. Dunaway, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number **676-05A** is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, in the BP Coosa Mart in the City of Helena, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 8 day of May 2005, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 2 day of May, 2005.





Peggy C. Dunaway, City Clerk

PETITION



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We, the undersigned property owner, being owners of all of the land within the territory described as follows:

Commence at the Northwest corner of the S ½ of the SW ¼ of the NW ¼ of Section 35, Township 20 South, Range 4 West, and run South 89 deg. 36 min. 22 sec. East a distance of 675.60 feet to the point of beginning; thence continue along the last described course a distance of 530.00 feet to a point on the West bank of the Cahaba River; thence South 08 deg. 23 min. 26 sec. West along the West bank of the Cahaba River a distance of 50.49 feet to a point; thence North 89 deg. 36 min. 22 sec. West a distance of 125 feet, more or less, to the existing parking area; thence North 08 deg. 23 min. 26 sec. East a distance of 30 feet; thence North 89 deg. 36 min. 22 sec. West a distance 427 feet, more or less, to a point lying South 31 deg. 08 min. 22 sec. West of the point of beginning; thence North 31 deg. 08 min. 22 sec. East a distance of 20 feet, more or less, to the point of beginning.

do hereby petition the City of Helena, County of Shelby, Alabama, to annex the above described property into the city limits of the City of Helena. Attached hereto as Exhibit 'A' and made part and parcel hereof as fully as if set out herein, is a map of said property which we own, showing its relationship to the corporate limits of the City of Helena, Alabama, which said map is herewith filed with the City Clerk of the City of Helena, Alabama.

Dated this 29 day of April, 2005.

Parcel # & Address

Name & Phone

Parcel #58-12-7-35-0-000-004.000

[Signature]

289 Cabinview TRAIL

369-2557, 643-5314



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This instrument was prepared by:
William R. Justice
P.O. Box 1144
Columbiana, Alabama 35051

Grantee's address:
317 Joan Avenue
Birmingham, AL 35215

WARRANTY DEED

STATE OF ALABAMA

SHELBY COUNTY KNOW ALL MEN BY THESE PRESENTS,

That in consideration of One Hundred Sixty-five Thousand and no/100 DOLLARS (\$165,000.00) to the undersigned GRANTOR in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, the undersigned B. J. Humphries, married, and Jimmy Humphries, married (herein referred to as GRANTOR, whether one or more) do grant, bargain, sell and convey unto Timothy E. Drummond (herein referred to as GRANTEE, whether one or more) the following described real estate situated in Shelby County, Alabama to-wit:

Commence at the southwest corner of the SW 1/4 of the NW 1/4 of Section 35, Township 20 South, Range 4 West, Shelby County, Alabama, and run thence easterly along the south line of said 1/4 1/4 section a distance of 80.0 feet; thence continue easterly South 89 deg. 38 min. 48 sec. East a distance of 284.54 feet to the point of beginning of the property being described; thence continue along last described course 962.26 feet to a point in the Cahaba River marking the southeast corner of the said SW 1/4 of the NW 1/4 of said Section 35; thence run northerly along the east line of said 1/4 1/4 a distance of 647.11 feet to a point; thence run North 89 deg. 36 min. 22 sec. West a distance of 530.00 feet to a point; thence run South 31 deg. 08 min. 22 sec. West a distance of 58.18 feet to a point; thence run South 37 deg. 12 min. 42 sec. West 114.36 feet to a point; thence run South 17 deg. 15 min. 52 sec. West 89.94 feet to a point; thence run South 9 deg. 04 min. 06 sec. West 260.46 feet to a point; thence run South 35 deg. 11 min. 29 sec. West 76.27 feet to point; thence run South 46 deg. 49 min. 19 sec. West 145.15 feet to the point of beginning.

Less and except the acreage within the Cahaba River.

The above described property does not constitute any part of the homestead of GRANTOR or GRANTOR'S spouses.

\$165,000.00 of the consideration stated above was paid by a purchase money mortgage executed simultaneously herewith.



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Subject to the following:

1. Restrictions, covenants and conditions as set out in instrument recorded in Real Book 164, Page 17, in the Probate Office of Shelby County, Alabama.
2. Rights-of-way recorded in Real Book 164, page 17, and Real Book 26, page 210, in the Probate Office of Shelby County, Alabama.
3. Conveyances, reservations, and/or exceptions of title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges, and immunities relating thereto, including rights set out in Deed Book 349, page 841, in Probate Office of Shelby County, Alabama.
4. Rights of riparian owners in and to the use of Cahaba River.
5. Agreement between Robert C. Milam and Betty H. Milam and Joseph P. Sanders, Helen G. Sanders, Edward E. Blackerby and Joyce J. Blackerby and Allan T. Gray recorded in Misc. Book 55, page 93, in the Probate Office of Shelby County, Alabama.
6. Assessments as to upkeep of easements as set out in Real Book 164, page 17, in the Probate Office of Shelby County, Alabama.
7. Rights of ingress and egress over the rights-of-way described in Misc. Book 55, page 93; Deed Book 352, page 983; and Real Book 164, page 17, in the Probate Office of Shelby County, Alabama.

GRANTOR reserves the use of all easements for ingress and egress in the chain of title of the above described property and an easement for ingress, egress, parking, access to the Cahaba River over and across the north portion of the above described property, said easement being described as follows: Commence at the Northwest corner of the S $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 20 South, Range 4 West, and run South 89 deg. 36 min. 22 sec. East a distance of 675.60 feet to the point of beginning; thence continue along the last described course a distance of 530.00 feet to a point on the West bank of the Cahaba River; thence South 08 deg. 23 min. 26 sec. West along the West bank of the Cahaba River a distance of 50.49 feet to a point; thence North 89 deg. 36 min. 22 sec. West a distance of 125 feet, more or less, to the existing parking area; thence North 08 deg. 23 min. 26 sec. East a distance of 30 feet; thence North 89 deg. 36 min. 22 sec. West a distance 427 feet, more or less, to a point lying South 31 deg. 08 min. 22 sec. West of the point of beginning; thence North 31 deg. 08 min. 22 sec. East a distance of 20 feet, more or less, to the point of beginning.

TO HAVE AND TO HOLD to the said GRANTEE, his, her or their heirs and assigns forever.

And GRANTOR does for GRANTOR and for GRANTOR'S heirs, executors, and administrators covenant with the said GRANTEE and GRANTEE'S heirs and assigns, that GRANTOR is lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that GRANTOR has a good right to sell and convey the same as



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aforesaid; that GRANTOR will and GRANTOR'S heirs, executors and administrators shall warrant and defend the same to the said GRANTEE and GRANTEE'S heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, GRANTOR has hereunto set GRANTOR'S hand and seal, this 1st day of November, 1999.

B. J. Humphries

B. J. Humphries

Jimmy Humphries

Jimmy Humphries

Billy Joe Humphries

Billy Joe Humphries as attorney-in-fact for
Jimmy Humphries

STATE OF ALABAMA
SHELBY COUNTY General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that B. J. Humphries, married, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he/she/they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 1st day of November, 1999.



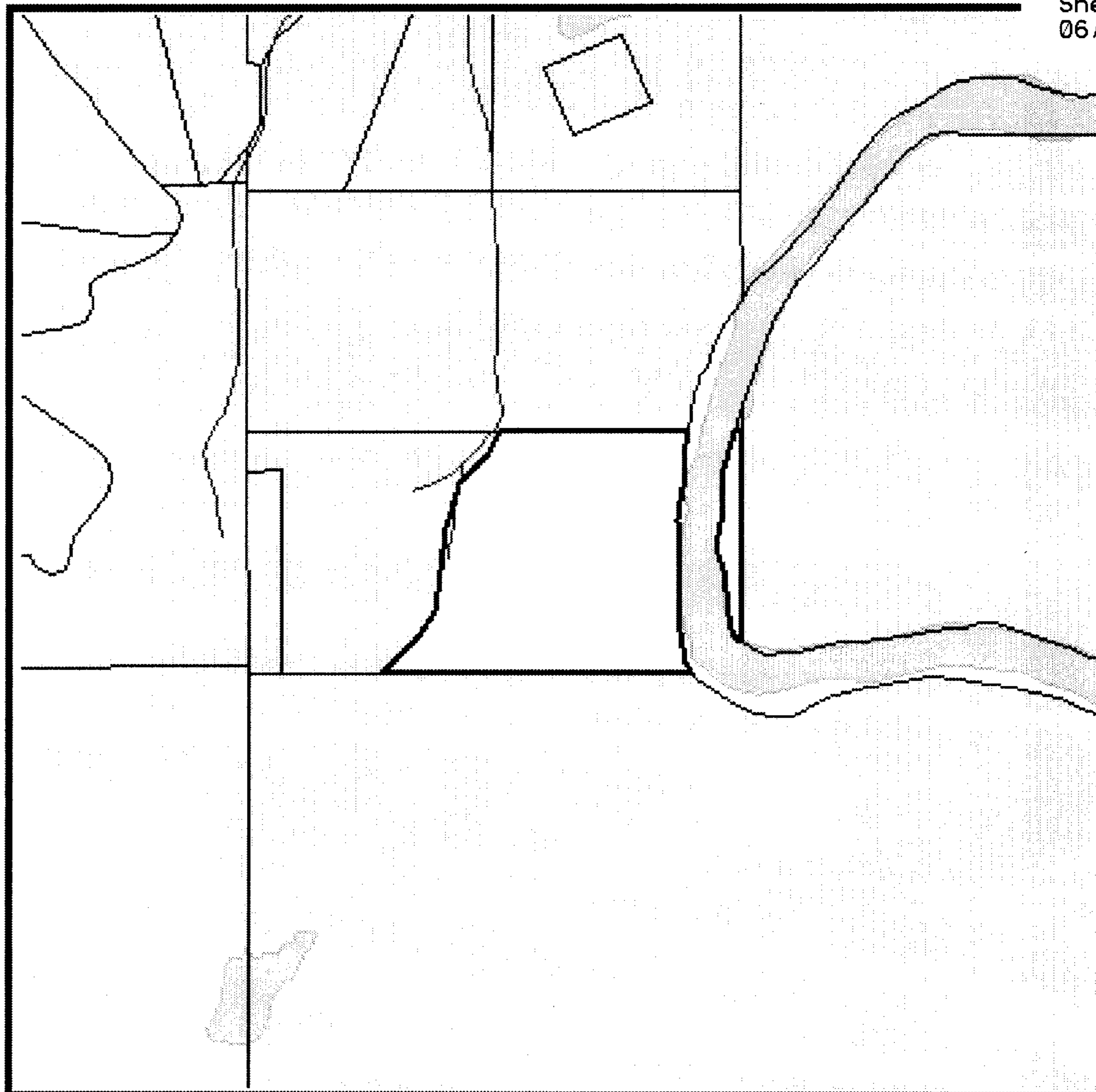
William A. Jentner

Notary Public

Property Information - 12 7 35 0 000 004.000



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Owner Information

Name 1	Name2	Address 1	Address 2	City	State	Zip Code
DRUMMOND TIMOTHY		PO BOX 1033		PELHAM	AL	35124
Subdivision	Primary Lot	Secondary Lot	Block	Section	Township	Range
			000	35	20S	04W
Map Book	Map Page	Lot Dimension 1	Lot Dimension 2	Number of Acres	Square Feet	
0	0	0	0	12	522720	

Description

BEG NE COR S1/2 SW1/4 NW1/4 S660 W950 NELY743.96 E640 TO POB

Document Information

Recorded Date	Recorded Number
19991101	19990004524400000