

ORDINANCE NUMBER 19-2457

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, a petition signed by **Blackridge Partners, LLC** requesting that certain territory described therein be annexed to the City of Hoover, and

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

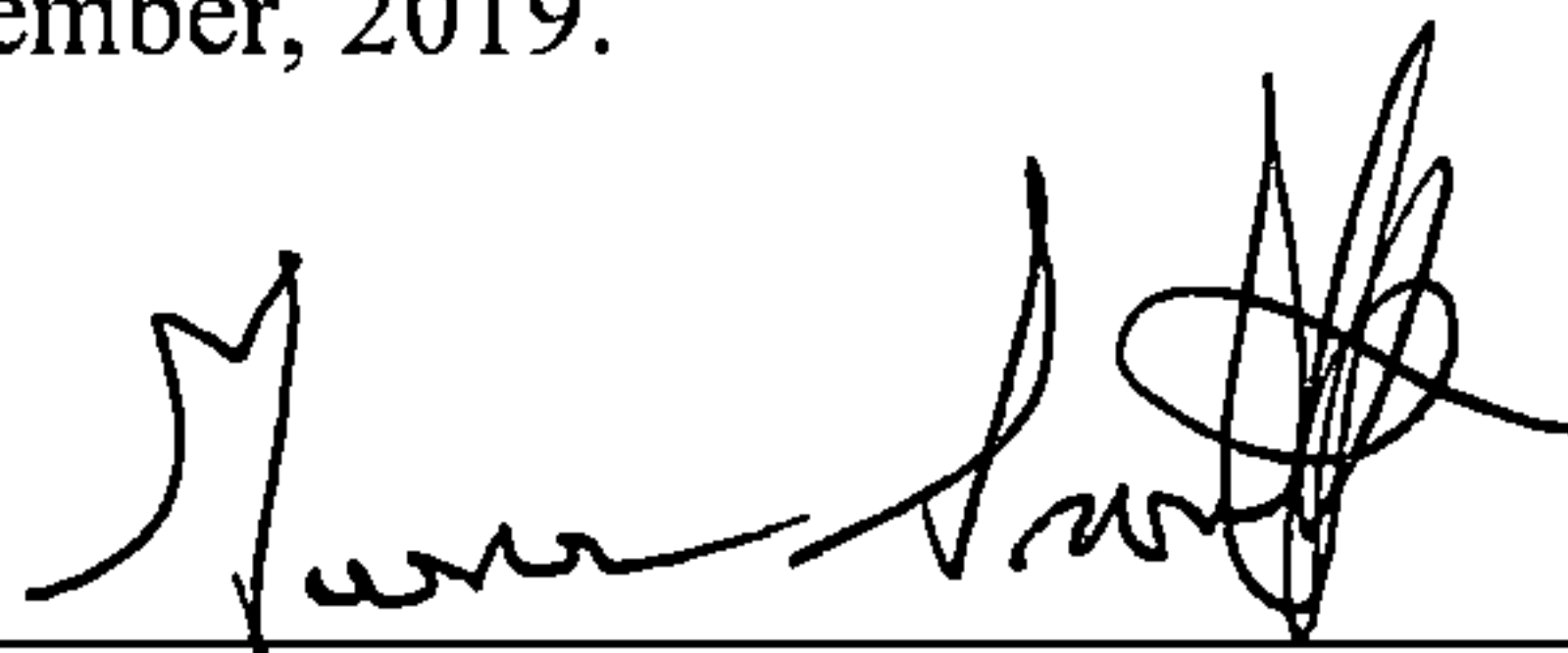
WHEREAS, this Council has determined and found that the matters set forth and alleged in the said petition are true and that it is in the public interest that said property be annexed into the City of Hoover;

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 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"** as **Blackridge Annexation Parcel 4** attached hereto and made a part hereof.

SECTION 2: 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 publish a copy of this ordinance as required by state law.

ADOPTED this the 16th day of September, 2019.



Gene Smith
Council President

APPROVED BY:



Frank V. Brocato
Mayor

ATTESTED BY:



Wendy Dickerson
City Clerk



20191011000376830 2/17 \$70.00
Shelby Cnty Judge of Probate, AL
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EXHIBIT A

LEGAL DESCRIPTION/ MAP/ PETITION



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Blackridge Annexation Parcel 4

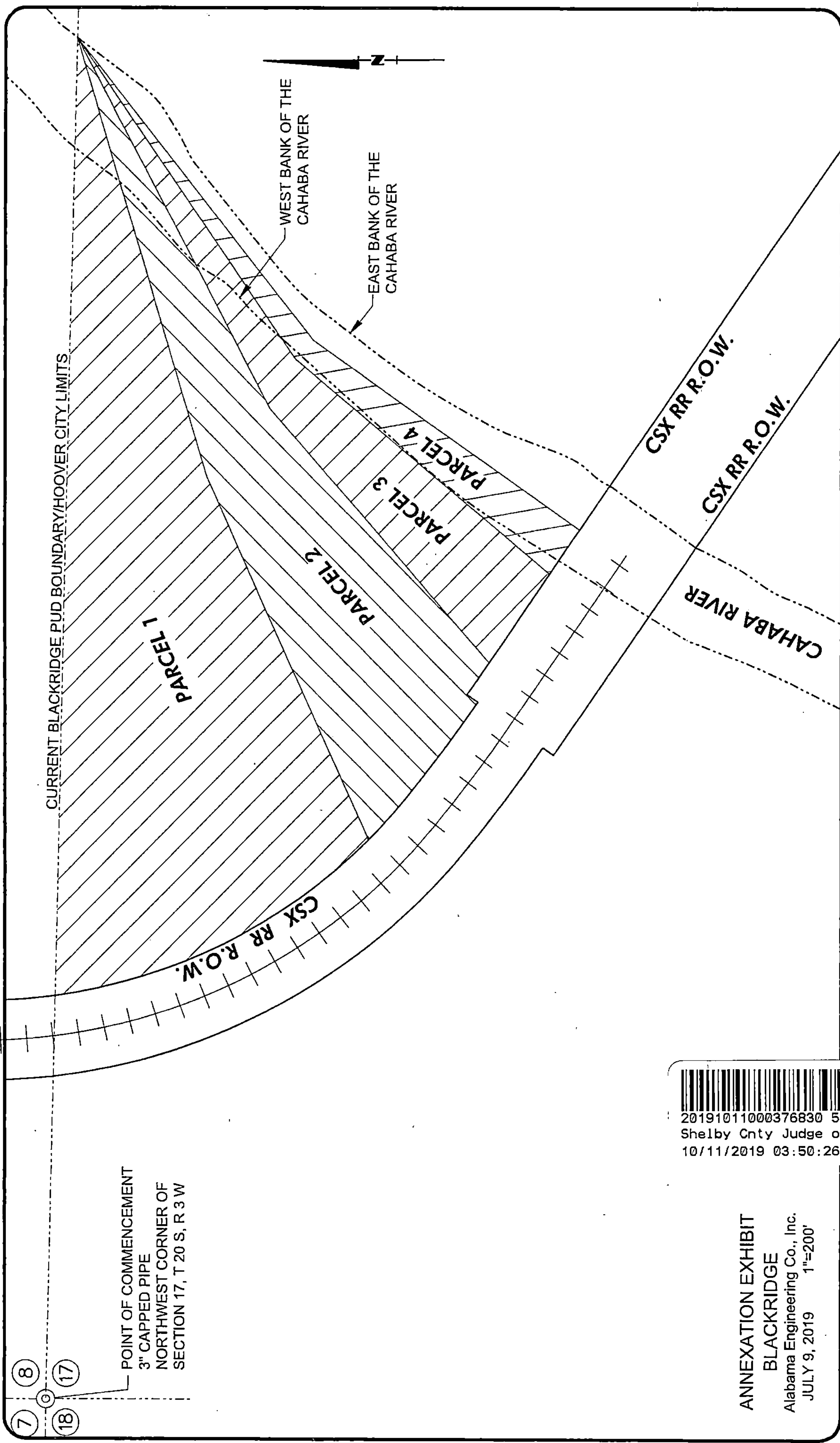
A parcel of land situated in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 20 South, Range 3 West, Shelby County, Alabama, lying West of the Easterly bank of the Cahaba River and East of the Easterly Right-of-Way line of a CSX Railroad being more particularly described as follows:

COMMENCE at a 3 inch capped pipe that is locally accepted as the Northwest corner of Section 17, Township 20 South, Range 3 West; thence run in an Easterly direction along the North line of said Section for a distance of 763.05 feet to a point, said point being the point of intersection of said Section line and the Easterly right-of-way line of a CSX Railroad, said right-of-way line being 75.00 feet East of and parallel to the centerline of the original main line as shown on the Right-of-Way and Track Map Atlanta, Birmingham and Atlantic Railroad Company Dated June 30, 1914, map number V06036 thence continue along the previously described course and along said Section line for a distance of 1796 feet (more or less) to the POINT OF BEGINNING, said point being the point of intersection of said Section line and said Easterly bank of the Cahaba River; thence turn a deflection angle to the right of $143^{\circ}56'52''$ and run in a Southwesterly direction for a distance of 730.75 feet; thence turn a deflection angle to the left of $15^{\circ}30'05''$ and run in a Southwesterly direction for a distance of 629.10 feet to a point on said Easterly right-of-way line of a CSX Railroad; thence turn a deflection angle to the left of $95^{\circ}06'09''$ and run in a Southeasterly direction along said right-of-way for a distance of 100.92 feet; thence leaving said Easterly right-of-way turn a deflection angle to the left of $89^{\circ}44'33''$ and run in a Northeasterly direction for a distance of 618.31 feet; thence turn a deflection angle to the right of $16^{\circ}34'29''$ and run in a Northeasterly direction for a distance of 723.18 feet to the POINT OF BEGINNING

Said parcel containing 1.5 acres, more or less.



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ANNEXATION EXHIBIT
BLACKRIDGE
Alabama Engineering Co., Inc.
JULY 9, 2019 1"=200'

PETITION FOR ANNEXATION TO THE
CITY OF HOOVER, ALABAMA

RECEIVED
APR 22 2019
CITY OF HOOVER

To the Honorable and City Council of the City of Hoover, Alabama:

The undersigned, BLACKRIDGE PARTNERS, LLC, an Alabama limited liability company d/b/a/ SIGNATURE HOMES (the "Petitioner") hereby petitions and requests that the CITY OF HOOVER, an Alabama municipal corporation (the "City") annex the herein after described real property pursuant to, and subject to, *Al. Code* (1975) §§ 11-42-21 and 11-52-85. In support of such petition and request, the Petitioner hereby makes the following:

R E C I T A L S

WHEREAS, Petitioner is the fee simple owner of that certain real property (the "Helena Property") consisting of approximately twenty-four (24) acres more or less, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference; and

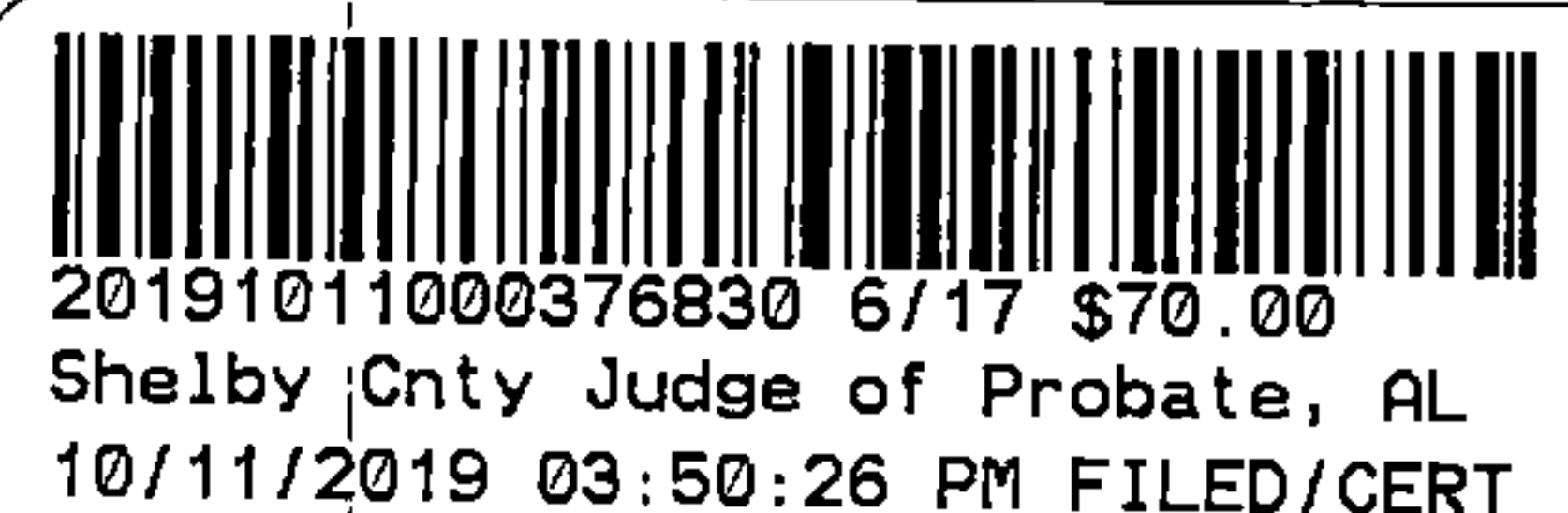
WHEREAS, The Helena Property was deannexed from the City of Helena, Alabama by the Helena City Council in Ordinance No. 862-18-DA on December 10, 2018 and recorded in the Office of the Judge of Probate for Shelby County, Alabama as Instrument No. 20181219000443040 attached hereto as Exhibit B and incorporated herein by reference. The Helena Property is currently in unincorporated Shelby County; and

WHEREAS, The Helena Property is situated wholly within Shelby County, Alabama and is contiguous to the existing corporate limits of the City as shown in Exhibit C attached hereto and incorporated herein by reference; and

WHEREAS, As a condition to the annexation of the, the petitioner desires the Helena Property be zoned Planned Residential (PR-1) under the Blackridge Planned Unit Development Application and Development Plan adopted by the City on June 6, 2016 (the, "PUD Plan"); and

WHEREAS, Pursuant to *Al. Code* (1975) § 11-52-85, a municipality may pre-zone property proposed for annexation prior to the effective date of the annexation. Based on that statute the Petitioner has contemporaneously herewith requested that the City zone the Helena Property as part of the PUD Plan pursuant to the Second Amendment to the Blackridge Planned Unit Development Application filed contemporaneously herewith the City (the, "Second Amendment"); and

WHEREAS, Petitioner requests that the Honorable Mayor and City Council of the City doo all things necessary and requisite under the laws of the State of Alabama in connection with



the annexation herein requested and to accept the annexation of the Helena property on the terms and conditions set forth herein.

NOW THEREFORE, Petitioner does hereby petition the City to annex the Helena property into the municipal limits of the City of Hoover, Alabama subject to the City zoning the Helena Property as Planned Residential (PR-1) (as part of the PUD Plan pursuant to the Second Amendment). If for any reason, the Second Amendment is not approved the City within 180 days from the date hereof, then any annexation taken by the City with respect to the Helena Property shall be deemed null and void and all terms and provision of the Agreement shall thereafter be deemed to have been revoked, rescinded and otherwise withdrawn by Petitioner and shall no longer be binding upon Petitioner.

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Exhibit A

LEGAL DESCRIPTION

A parcel of land situated in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 17, Township 20 South, Range 3 West, Shelby County, Alabama, lying West of the Easterly bank of the Cahaba River and East of the Easterly Right-of-Way line of a CSX Railroad being more particularly described as follows:

COMMENCE at the Northwest corner of Section 17, Township 20 South, Range 3 West (3" capped pipe); thence run in an Easterly direction along the North line of said Section for a distance of 763.05 feet to the POINT OF BEGINNING, said point being the point of intersection of said Section line and the Easterly right-of-way line of a CSX Railroad; thence continue along the previously described course for a distance of 1796 feet (more or less) to the point of intersection of said Section line and said Easterly bank of the Cahaba River; thence turning an angle to the right and meandering in a Southwesterly direction along said Easterly bank of the Cahaba River, run for a distance of 1340 feet (more or less) to the point of intersection of said Easterly bank and said Easterly right-of-way line of a CSX Railroad; thence leaving the previously described course, run in a Northwesterly direction along said Easterly right-of-way line for a distance of 477 feet (more or less); thence turn an angle to the left of $90^{\circ}0'0''$ and run in a Southwesterly direction along said Easterly right-of-way line for a distance of 25.00 feet to the P.C. (Point of Curvature) of a curve to the right having a radius of 2591.53 feet and a central angle of $5^{\circ}04'51''$, said curve being 75.00 feet and parallel to the centerline of the original main line as shown on the Right-of-Way and Track Map Atlanta, Birmingham and Atlantic Railroad Company Dated June 30, 1914, map number V06036; thence turn an angle to the right of $90^{\circ}0'0''$ (angle measured to tangent) and run in a Northwesterly direction along the arc of said curve and along said right-of-way line for a distance of 229.81 feet to the P.C. (Point of Curvature) of a curve to the right having a radius of 1051.00 feet and a central angle of $42^{\circ}30'04''$, said curve being 75.00 feet and parallel to the centerline of the original main line as shown on said Track Map; thence run in a Northwesterly direction along the arc of said curve and along said right-of-way line for a distance of 779.62 feet to the POINT OF BEGINNING.

Said parcel containing 23.5 acres, more or less.


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IN WITNESS WHEREOF, Petitioner, BLACKRIDGE PARTNERS, LLC, has caused this
Petition of Annexation to be executed on this the 16th day of April, 2019.

PETITIONER:

BLACKRIDGE PARTNERS, LLC, an Alabama
limited liability company

BY: [Signature]

Jonathan Belcher
Its: President

STATE OF ALABAMA)

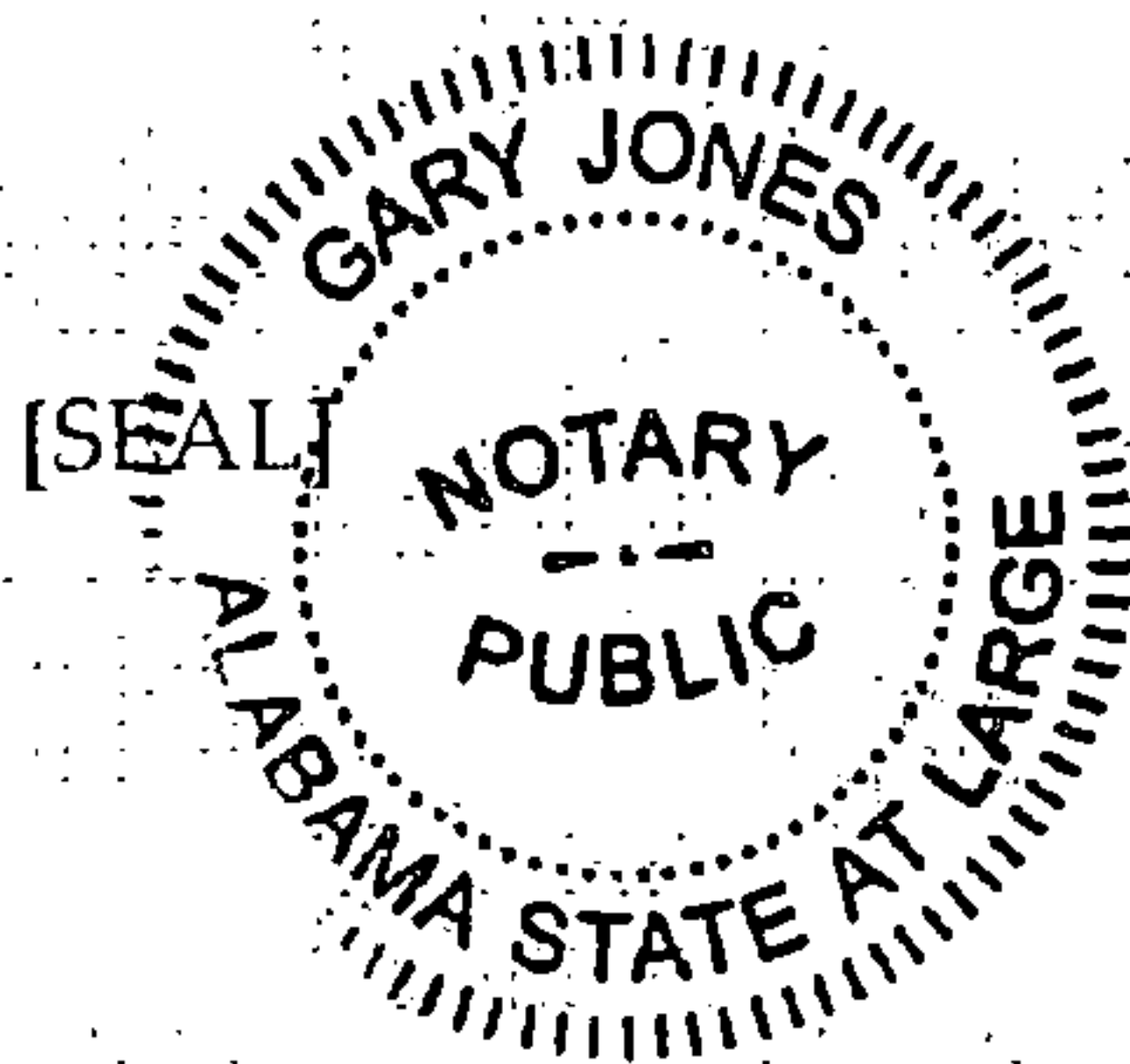
COUNTY OF SHELBY)

I GARY JONES, a Notary Public in and for said County, in said State, hereby
certify that Jonathan Belcher whose name as President of BLACKRIDGE PARTNERS, LLC, an
Alabama limited liability company, 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 said
instrument, he, in such capacity and with full authority, executed the same voluntarily for and
as the act of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this, the 16 day of APRIL, 2019

[Signature]
Notary Public

My Commission Expires: _____



GARY JONES
NOTARY PUBLIC, STATE OF ALABAMA
ALABAMA STATE AT LARGE
MY COMMISSION EXPIRES
APRIL 05, 2020



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Shelby Cnty Judge of Probate, AL
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Exhibit B

Helena City Council in Ordinance No. 862-18-DA, Recorded in the Office of the Judge of Probate for Shelby County, Alabama as Instrument No. 20181219000443040.

See attached



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ORDINANCE NO. 860-18-DA

AN ORDINANCE DE-ANNEXING CERTAIN PROPERTY FROM THE CITY OF HELENA

BE IT ORDAINED by the City Council of the City of Helena, Alabama, in a regular meeting duly assembled, a quorum being present, as follows:

Section 1. Whereas a petition signed by Blackridge Partners, LLC, has been presented to the City Clerk of the City of Helena, copy of which is attached hereto and marked as Exhibit "B", requesting the property described therein be de-annexed from the City of Helena, said property being situated in Shelby County, Alabama, and described as follows:

See attached Exhibit "A"

Section 2. The City Council of the City of Helena hereby finds that said above described property was heretofore annexed into the city limits of the City of Helena and should now be de-annexed, and that it is in the best interest of the City of Helena that said property be de-annexed.

Section 3. That the City of Helena does hereby assent to the de-annexation of said property from the City of Helena, Alabama, and said property should be and the same is hereby de-annexed from the City of Helena, Alabama.

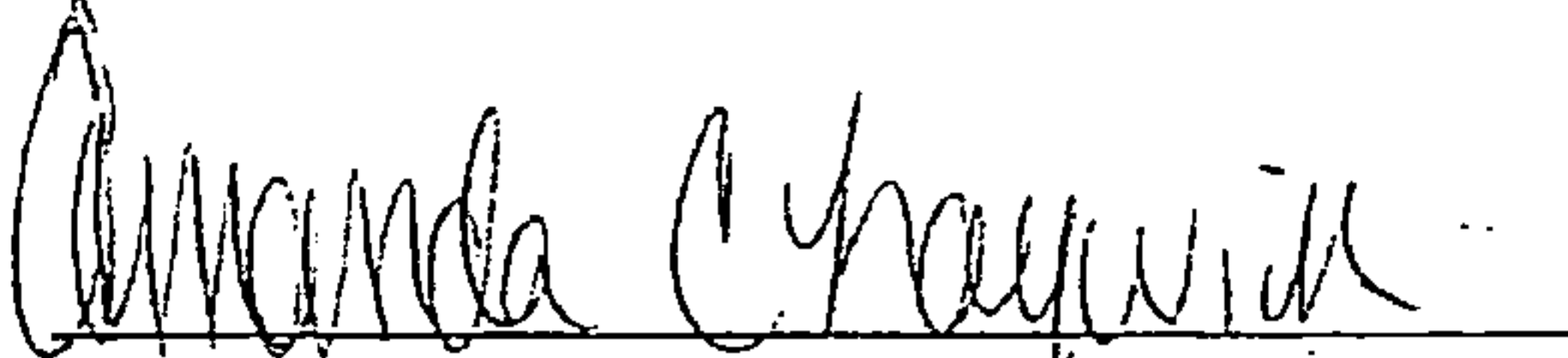
Section 4. That the City Clerk shall file a certified copy of this Ordinance containing accurate description of said de-annexed property with the Probate Judge of Shelby County, Alabama, and shall also cause a copy of this Ordinance to be published by posting at three (3) public places in the City of Helena, and otherwise as provided by law.

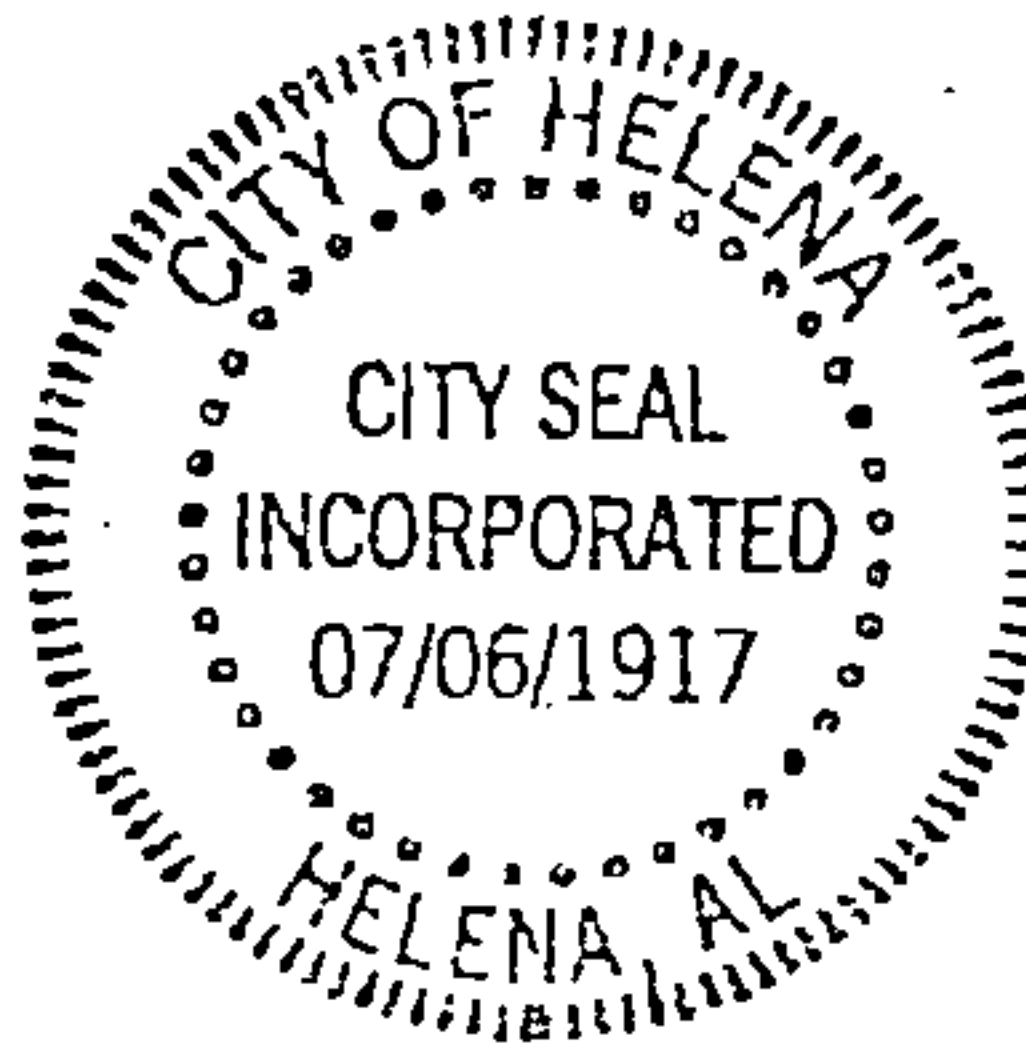
ADOPTED this the 10 day of December, 2018.


APPROVED:


Mark R. Hall, Mayor

ATTEST:


Amanda C. Traywick, City Clerk




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Shelby Cnty Judge of Probate, AL
10/11/2019 03:50:26 PM FILED/CERT


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I, the undersigned, do hereby certify the above and foregoing Ordinance No. 860-18-DA was duly introduced and unanimously adopted by the Mayor and City Council of the City of Helena at its regular meeting held on this 10 day of December, 2018.


Mark R. Hall, Mayor

ATTEST:


Amanda C. Traywick, City Clerk





Vacant Seat, Council Member

Laura Joseph, Council Member


Harold Woodman, Council Member


Leigh Hulsey, Council Member


Alice Lobell, Council Member



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CERTIFICATION

I, Amanda C. Traywick, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance No. 860-18-DA is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three (3) public places in said City, being on the bulletin board of the City Hall, the BP Coosa Mart, and the Jane B. Holmes Library, that said Ordinance shall become a duly lawful Ordinance of said City on the 15 day of December, 2018, 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 10 day of December, 2018.

[SEAL]



Amanda C. Traywick
Amanda C. Traywick, City Clerk



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Blackridge - Helena

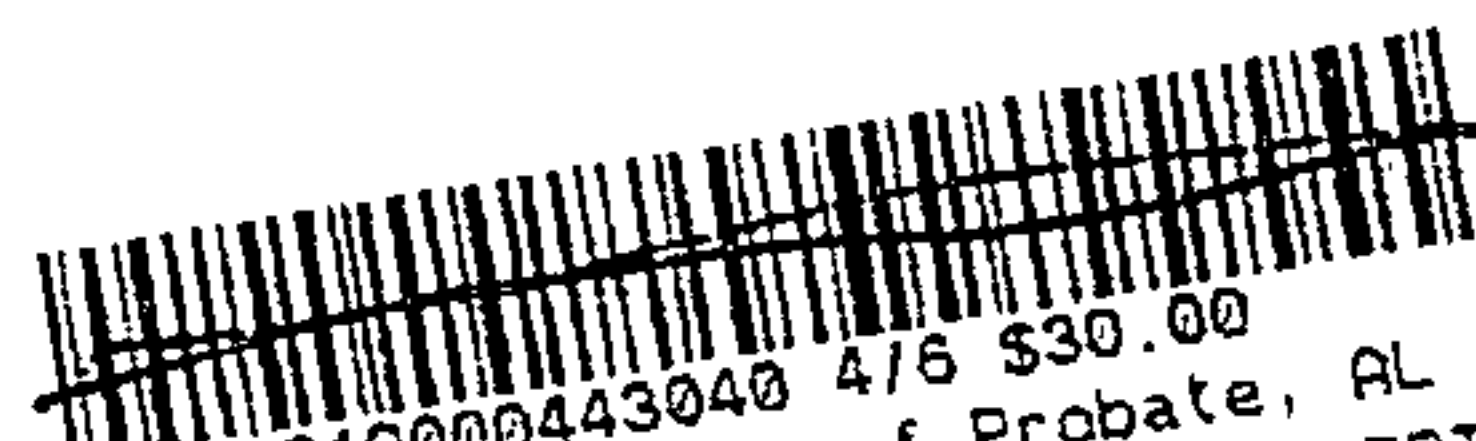
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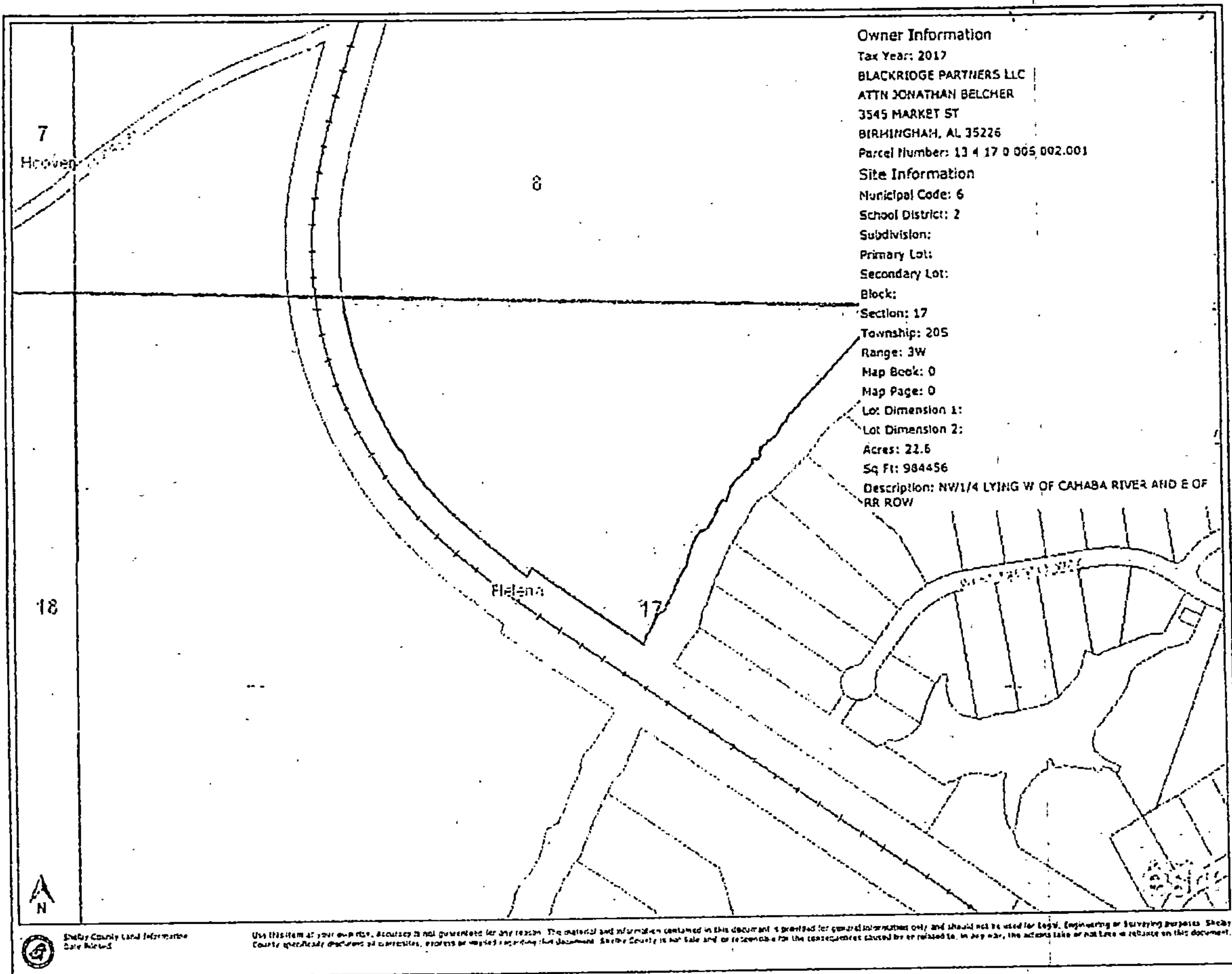
Said parcel containing 23.5 acres, more or less.



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 Shelby Cnty Judge of Probate, AL
 12/19/2018 09:13:22 AM FILED/CERT

STATE OF ALABAMA)
 :
COUNTY OF SHELBY)

We, the undersigned hereby request and petition the City of Helena, Alabama to take whatever action is necessary to cause our property, legally described below, to be de-annexed from the corporate limits of the City of Helena.

NAME/ADDRESS
Blackridge Partners, LLC
3545 Market Street
Hoover, AL 35226

By: [Signature]
Its: VP

Legal Description:

See Attached



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Comes the undersigned and states that the foregoing petition contains the signature of all the owners of the property on attached exhibit, which exhibit is attached hereto and made a part hereof.

BLACKRIDGE PARTNERS, LLC

By: [Signature]
Its: VP



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VICINITY MAP

