

Marty B. Handlon
Mayor



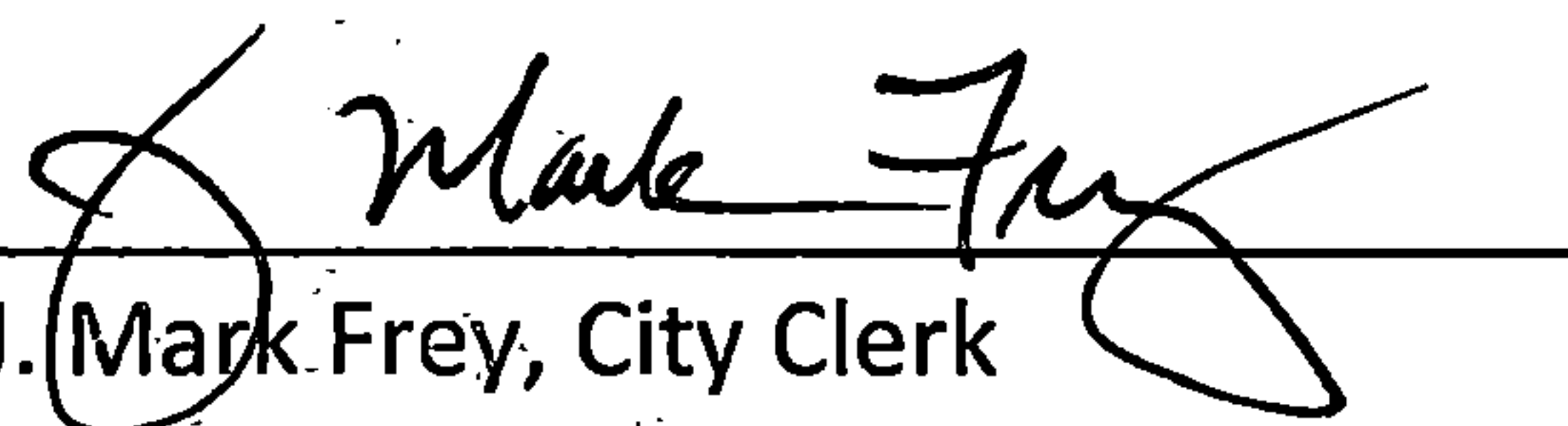
J. Mark Frey
City Clerk


Administration

November 23, 2020

I, J. Mark Frey, as the undersigned qualified Clerk for the City of Alabaster, Alabama, and by State Law, the custodian of all records of the City of Alabaster, Alabama, do hereby certify that the attached, **Annexation Application from WESTERN REI LLC**, also attached hereto, is a true correct copy of the original documents on file in the permanent records of the Clerk's office at City Hall within the corporate limits of the City of Alabaster, Alabama, kept in the ordinary course of business for the City.

In witness whereof, these documents are true and accurate, and I have hereunto set my hand and affixed the official seal of the City of Alabaster, Alabama on this the 19th day of October 2020.


J. Mark Frey, City Clerk


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Shelby Cnty Judge of Probate, AL
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Having previously been introduced at the October 5, 2020 council meeting, with Public Hearing being set for October 19, 2020, Council Member PATE moved the adoption of the following Ordinance, which was seconded by Council Member FARRELL.

Item #2.



ORDINANCE 20-109

**AN ORDINANCE TO ALTER AND REARRANGE THE CORPORATE LIMITS
OF THE CITY OF ALABASTER, ALABAMA**

WHEREAS, on June 23, 2020, **Western REI, LLC** did file with the City Clerk a petition asking that said tracts or parcels of land be annexed to and become a part of the City of Alabaster, Alabama; and

WHEREAS, on the 17th day of August 2020, the City of Alabaster did adopt and approve the pre-zoning of property of PRD-1, Planned Residential Development-1 without condition.

WHEREAS, said petition did contain the signatures of all owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Alabaster; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed into the City of Alabaster and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF ALABASTER, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Alabaster, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Alabaster, Alabama.

Section 2. The boundary lines of the City of Alabaster, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Alabaster, Alabama, and in addition thereto the following described territory, to-wit:

Beginning at a found 3 inch capped pipe corner that represents the southwest corner of the southwest quarter of the northwest quarter of Section 28, Township 21 south, Range 3 west, Shelby County, Alabama and run thence North 01 degree 28 minutes 19 seconds West along the west line of said quarter-quarter a distance of 196.74 feet to a set rebar corner, thence run North 86 degrees 43 minutes 18 seconds East a distance of 635.20 feet to a set rebar corner on the West margin of Shelby County Highway No. 17 in a curve to the left having a central angle of 07 degrees 20 minutes 46 seconds and a radius of 2,147.00 feet; thence run southerly along the arc of said highway curve an arc distance of 275.27 feet to a corner on the south line of said southwest quarter of the northwest quarter; thence run South 89 degrees 51 minutes 00 seconds West along said quarter-quarter line a distance of 666.20 feet to the point of beginning, containing 3.80 acres, more or less.

The property is commonly known as PID# **23 8 28 0 000 012.004**
Located: **near CR 17 and Crossrail Drive**
Property owner: **Western REI, LLC.**

Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified petition of the property owners, shall be filed with the Probate Judge of Shelby County, Alabama.

Section 4. Pursuant to Ordinance No. 20-104, the territory shall come into the city zoned as to PRD-1 and subject to all uses of the property consistent with the respective district, and conditional overlays, pursuant to the laws of the State of Alabama and the Zoning Ordinance of the City of Alabaster, Alabama.

Section 5. The territory is hereby assigned to **Ward 7** for purposes of municipal elections.

Section 6. The territory described in this ordinance shall become a part of the corporate limits of Alabaster, Alabama, upon passage and adoption by the City Council of the City of Alabaster, Alabama and the publication of this ordinance as set forth in Section 3, above.

ADOPTED AND APPROVED THIS 19TH DAY OF OCTOBER 2020.

ATTEST:

CITY OF ALABASTER



Lisa Glasgow, Deputy City Clerk

BY



Scott Brakefield, Council President

APPROVED:



Marty B. Handlon, Mayor



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Alabaster

ANNEXATION APPLICATION

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City Clerk this written petition asking and requesting that our property hereinafter described be annexed into the City of Alabaster, under authority of Sections 11-42-20 through 11-42-24, Code of Alabama, 1975.

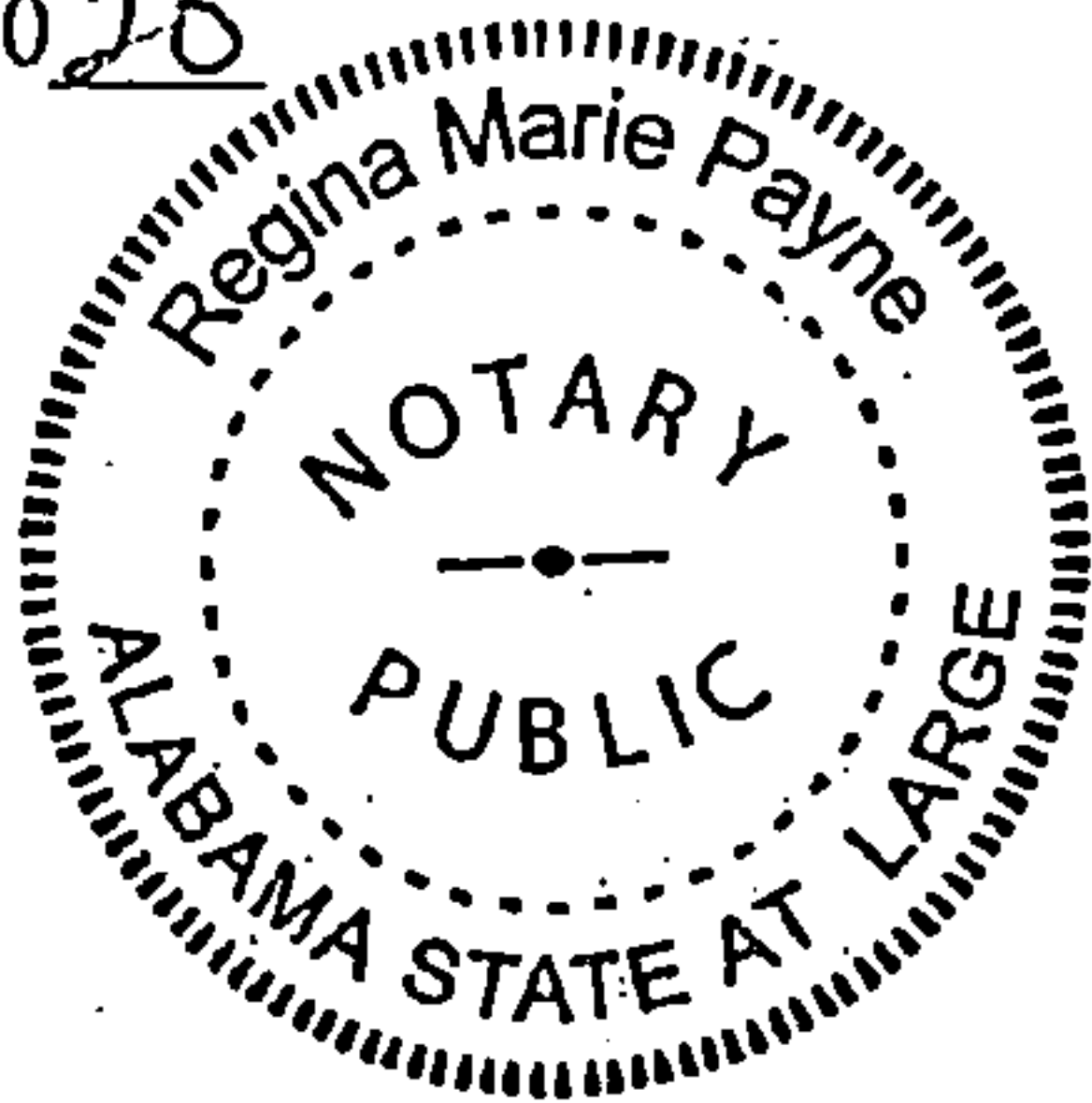
Said property is described as follows (*legal description may be attached, also an MS Word version must be transmitted electronically*):

see attached

We further certify that said property is contiguous to the City of Alabaster and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by Section 11-42-21, Code of Alabama, 1975. A map of said property is hereto attached.

We do hereby request that the City Council and the City Clerk give such notice, hold such hearings and adopt such ordinances and do all such things or acts as is required by law so that the corporate limits of the City of Alabaster shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 8th day of May, 2020



Regina Marie Payne
Notary Public, State of Alabama

My Commission expires on:

4-6-22

Seal:

JASON E Spinks, Manager
Property Owner Print
Western REIT, L.L.C.

[Signature]
Property Owner Signature

Western REIT

Property Owner Print

Property Owner Signature

City of Alabaster
1953 Municipal Way
Alabaster, AL 35007
(205) 664-6800
www.cityofalabaster.com



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This checklist is designed to aid both the Applicant and the City in processing a Petition for Annexation. Specific information relative to Annexation can be found in Sections 11-42-20 through 11-42-24, Code of Alabama, 1975.

- ☒ One completed Planning & Zoning application with an original signature from the Applicant and the Owner(s) (property must be zoned to city use classification)
- ☒ One completed Annexation application check list with an original signature from the Owner(s)
- ☒ One copy of the recorded ownership interests including liens, encumbrances, and title certification in the form of current title policy, title opinion, or title report. Warranty deeds will no longer be accepted for proof of ownership.
- ☐ One current boundary survey of the property containing a complete legal description of the property
- ☐ One current area vicinity map with the subject property marked
- ☐ E-911 Address for all structures on property:

N/A

- ☐ Reason(s) for requesting annexation:

Join existing property to be developed

- ☐ For the area proposed for annexation, please provide the following:

CURRENT NUMBER
RESIDENTS

0 Caucasian
0 Black
0 Indian

0 Hispanic
0 Asian
0 Other

CURRENT NUMBER
REGISTERED VOTERS

0 Caucasian
0 Black
0 Indian


0 Hispanic
0 Asian
0 Other

- ☐ Present use of property proposed for annexation:

3.8 Acres Agricultural
____ Acres Residential
____ Acres Industrial
____ # Dwelling Units
____ Acres General Business
____ # outbuildings/structures

____ Acres Commercial
____ Dwelling size
(minimum dwelling size requirement)
____ Acres Commercial
____ # Mobile Homes
____ # Billboards

City of Alabaster
1953 Municipal Way
Alabaster, AL 35007
(205) 664-6800
www.cityofalabaster.com


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☐ Anticipated future use of property proposed for annexation:

38 Acres Agricultural
 Acres Residential
 # Dwelling Units

_____ Acres Commercial
 _____ Acres Industrial
 _____ Acres General Business

☐ Does anyone, other than you, hold mineral rights to the property? Yes X No

If yes, who: un known

If yes, are ad valorem taxes being paid on the mineral rights? Yes ___ No X

NOTE: If ad valorem taxes are being paid on the mineral rights by an owner(s) other than you, that individual must also sign the Annexation Petition.

ADDITIONAL NOTES:

[illegible]

**City of Alabaster
1953 Municipal Way
Alabaster, AL 35007
(205) 664-6800
www.cityofalabaster.com**



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This instrument was prepared by:
Justin Smitherman, Esq.
173 Tucker RD STE 201
Helena, AL 35080

Send Tax Notice to:
Western REI, LLC
3360 Davey Allison BLVD
Hueytown, AL 35023

STATE OF ALABAMA
SHELBY COUNTY

}

WARRANTY DEED


KNOW ALL MEN BY THESE PRESENTS: That, for and in consideration of FIFTY FIVE THOUSAND (\$55,000.00) DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned GRANTORS, **Claude R. Williams and Doris Jeannine Houston Williams**, husband and wife (hereinafter referred to as GRANTORS), the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEE, **Western REI, L.L.C.**, an Alabama Limited Liability Company (hereinafter referred to as GRANTEE), in fee simple, together with every contingent remainder and right of reversion, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

Beginning at a found 3 inch capped pipe corner that represents the southwest corner of the southwest quarter of the northwest quarter of Section 28, Township 21 south, Range 3 west, Shelby County, Alabama and run thence North 01 degree 28 minutes 19 seconds West along the west line of said quarter-quarter a distance of 196.74 feet to a set rebar corner; thence run North 86 degrees 43 minutes 18 seconds East a distance of 635.20 feet to a set rebar corner on the West margin of Shelby County Highway No. 17 in a curve to the left having a central angle of 07 degrees 20 minutes 46 seconds and a radius of 2,147.00 feet; thence run southerly along the arc of said highway curve an arc distance of 275.27 feet to a corner on the south line of said southwest quarter of the northwest quarter; thence run South 89 degrees 51 minutes 00 seconds West along said quarter-quarter line a distance of 666.20 feet to the point of beginning, containing 3.80 acres, more or less.


Subject to existing easements, current taxes, restrictions and covenants, set-back lines and rights of way, if any, of record.

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.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEE, and with GRANTEE'S heirs and assigns, that GRANTORS are 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


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Shelby County, AL 03/06/2020
State of Alabama
Deed Tax: \$55.00


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Shelby Cnty Judge of Probate, AL
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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 GRANTORS will, and GRANTORS' 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 GRANTORS have hereunto set their hands and seals this the 4 day of MARCH, 2020.

Claude R. Williams
Claude R. Williams

Doris Jeannine Houston Williams
Doris Jeannine Houston Williams

STATE OF ALABAMA
SHELBY COUNTY

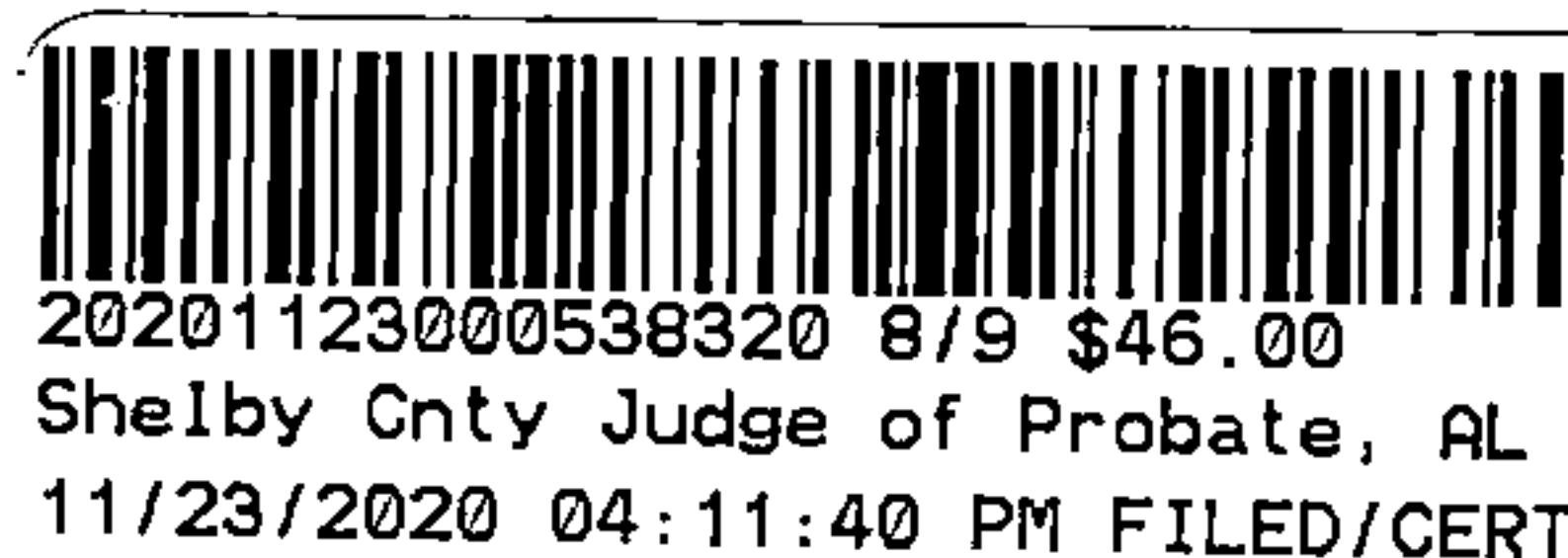
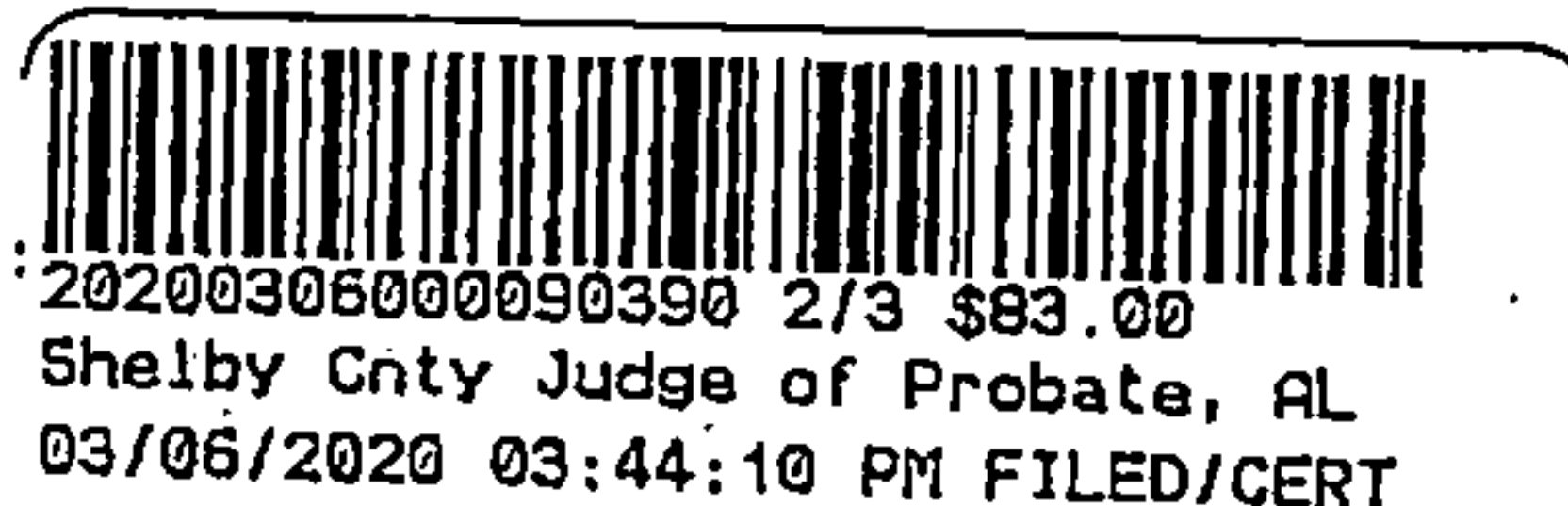
SS:

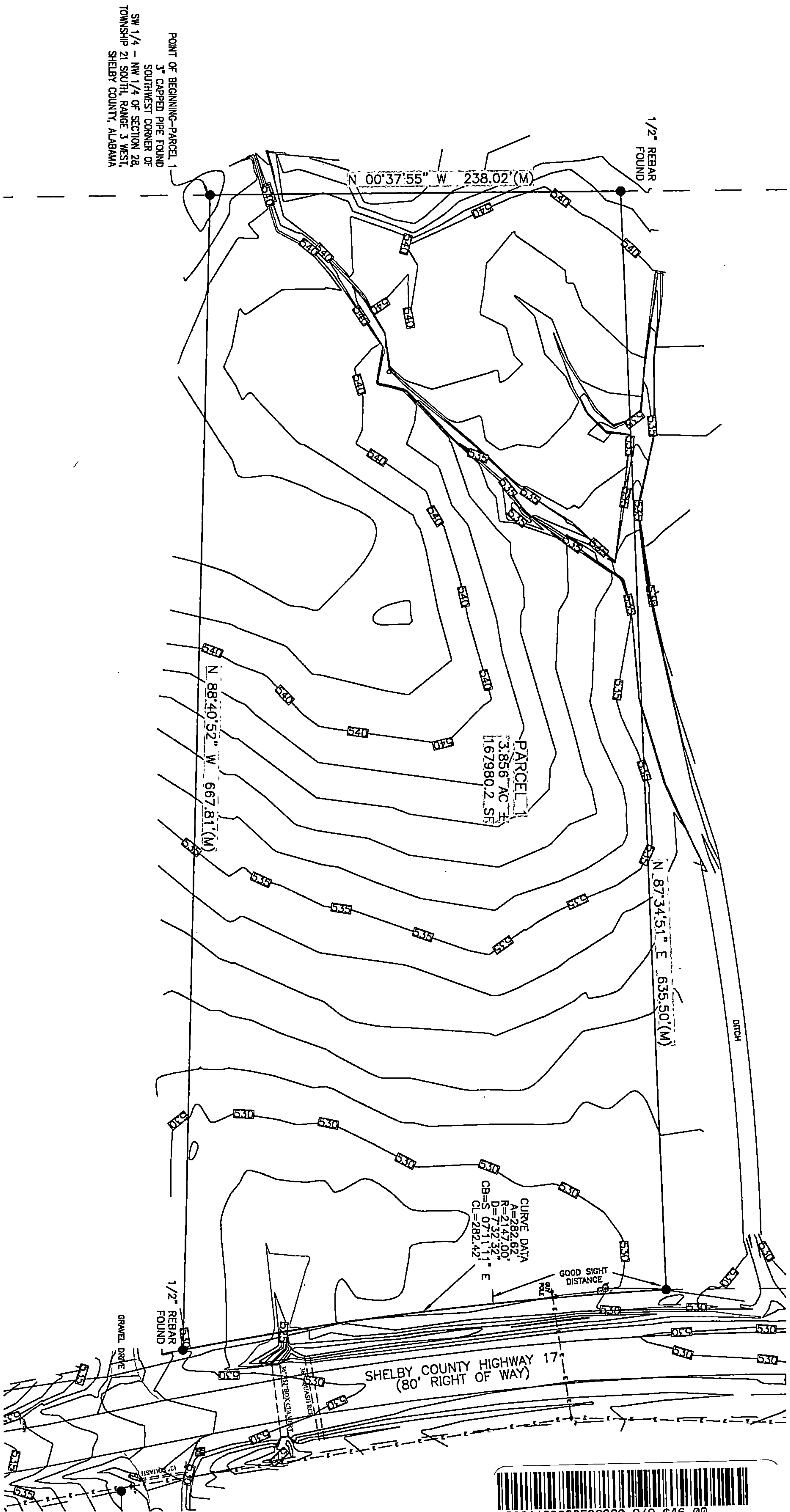
I, the undersigned, a Notary Public, in and for said County and State, hereby certify that **Claude R. Williams** and **Doris Jeannine Houston Williams**, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the Instrument, they signed their names voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 4 day of MARCH, 2020.

[Signature]
Notary Public

My Commission Expires: JULY 22, 2023





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