

ORDINANCE 2024-01-02-01



20240221000045070 1/4 \$31.00
Shelby Cnty Judge of Probate, AL
02/21/2024 11:53:36 AM FILED/CERT

An Ordinance of the Town of Harpersville, providing that the code of Ordinances, Town of Harpersville, Alabama, Be amended by adding a section to be numbered 2024-01-02-01 providing the following amendment to the zoning ordinance:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HARPERSVILLE, ALABAMA AS FOLLOWS:

1. **Section 1.** The rezoning of property whose parcel(s) identified as 07 4 19 0 000 001.000; 07 9 30 0 000 001.000; 07 9 29 2 001 012.000; 07 4 20 3 001 013.000; 07 4 20 3 001 002.000; 07 4 19 0 000 001.003; 07 4 20 3 001 003.000; 07 4 19 0 000 001.002; 07 4 20 2 000 002.000; 07 4 19 0 000 001.001; and 07 4 20 0 000 004.000. Changing the present zoning A-1 (Agricultural District) to B-2 (General Business District, R-G (Garden Home Residential District), and R-T (Townhouse Cluster Residential District). In addition, donating land to the Town of Harpersville.
2. **Section 2.** Commercial Area being 29.2 acres separated in three individual sections, 280 Town Homes, 697 Single Family Residential lots and 17.3 donated acreage.

Applicant: Golden Eagle Group, Inc

Legal Description attached as Exhibit A.

- Section 2.** Any ordinance or resolution in conflict herewith is repealed as of the effective date of this Ordinance.
- Section 3.** This Ordinance shall become effective upon its passage and publication or posting as required by law.
- Section 4.** The sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgement of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause, or phrase of this Ordinance. The town council declares it is its intent it would not have enacted this Ordinance with such invalid or unconstitutional provisions.

WHEREAS, the Harpersville Town Council heretofore on, to-wit, January 02, 2024, approved the rezoning application of Golden Eagle, of their 401 (+/-) acres, located along Highway 280 and Gallup's Cross Roads

WHEREAS, notice was given by law and a public hearing was held by the Planning and Zoning board at their regular scheduled meeting on the 18th day of December 2023, for consideration to approve the re-zoning application provided by Golden Eagle, Inc. At which time all persons who desired had an opportunity to be heard in opposition of in favor of the re-zoning; and

WHEREAS, it is the policy of the said Planning & Zoning Board to send its decision/ recommendation to the Town Council for a final decision.

Continued...




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NOW, THEREFORE, BE IT RESOLVED by the Harpersville Town Council that said Council hereby approves the rezoning application of Golden Eagle, Inc, of their 401 (+/-) acres, located along Highway 280 and Gallup's Cross Roads

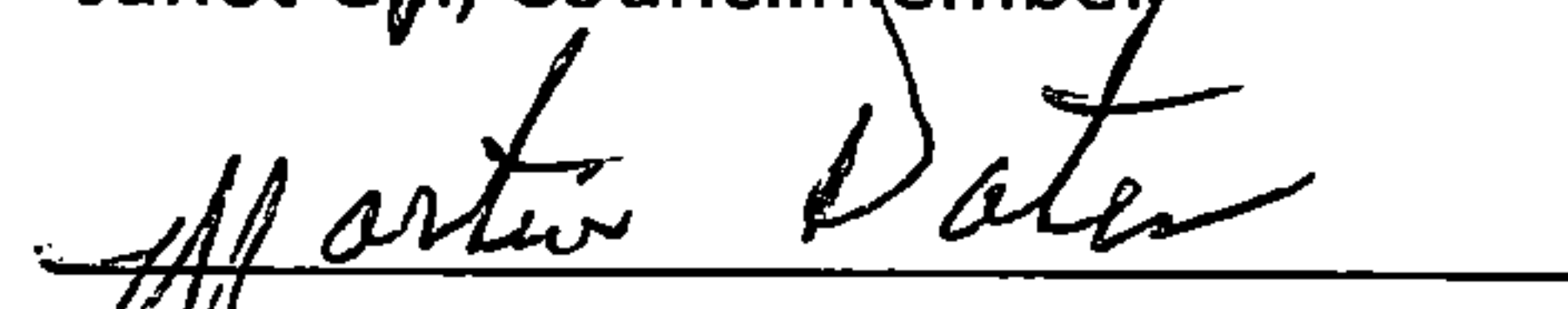
THEREUPON, Martin Dates, a Councilmember, moved and William Carter, a Councilmember, seconded the motion that adoption of said Ordinance 2024-01-02-01 be given a vote. By unanimous voice vote, Mayor declared the Ordinance has passed.

Ordinance 2024-01-02-01 passed by unanimous voice vote of those members of the council present and the mayor declared the same.

ADOPTED this 2nd day of January 2024.



Theoangelo Perkins, Mayor


Janet Gill, Councilmember


Martin Dates, Councilmember

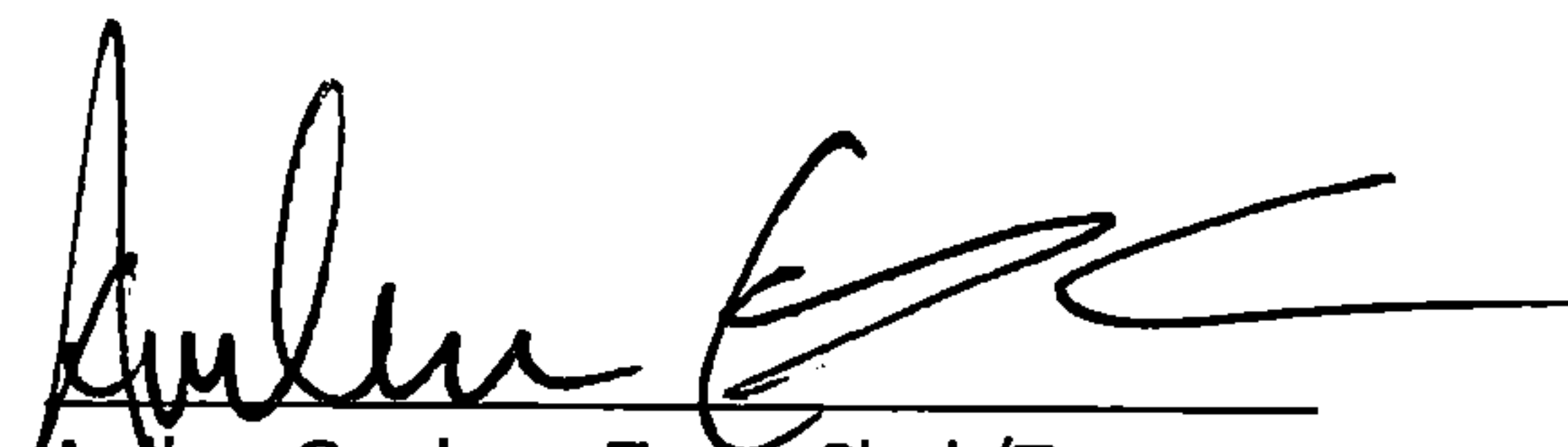

William Carter, Councilmember


Shelia k. Rich, Councilmember



Beverly O. Johnson, Councilmember



ATTEST:


Amber Gardner, Town Clerk/Treasurer

APPROVED:


Theoangelo Perkins, Mayor



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POSTING AFFIDAVIT

I, the undersigned, Clerk of the Town Council of the Town of Harpersville, Alabama, do hereby certify that the above and foregoing ORDINANCE 2024-01-02-01 was duly ordained, adopted, and passed by the Town Council of the Town of Harpersville, Alabama at its regular meeting on the 2nd day of January 2024. I further certify that said Ordinance is on file in the Office of the Town Clerk/Treasurer and a copy of the full Ordinance may be obtained from the Office of the Town Clerk/Treasurer during normal business hours.

Amber Gardner, Town Clerk/Treasurer

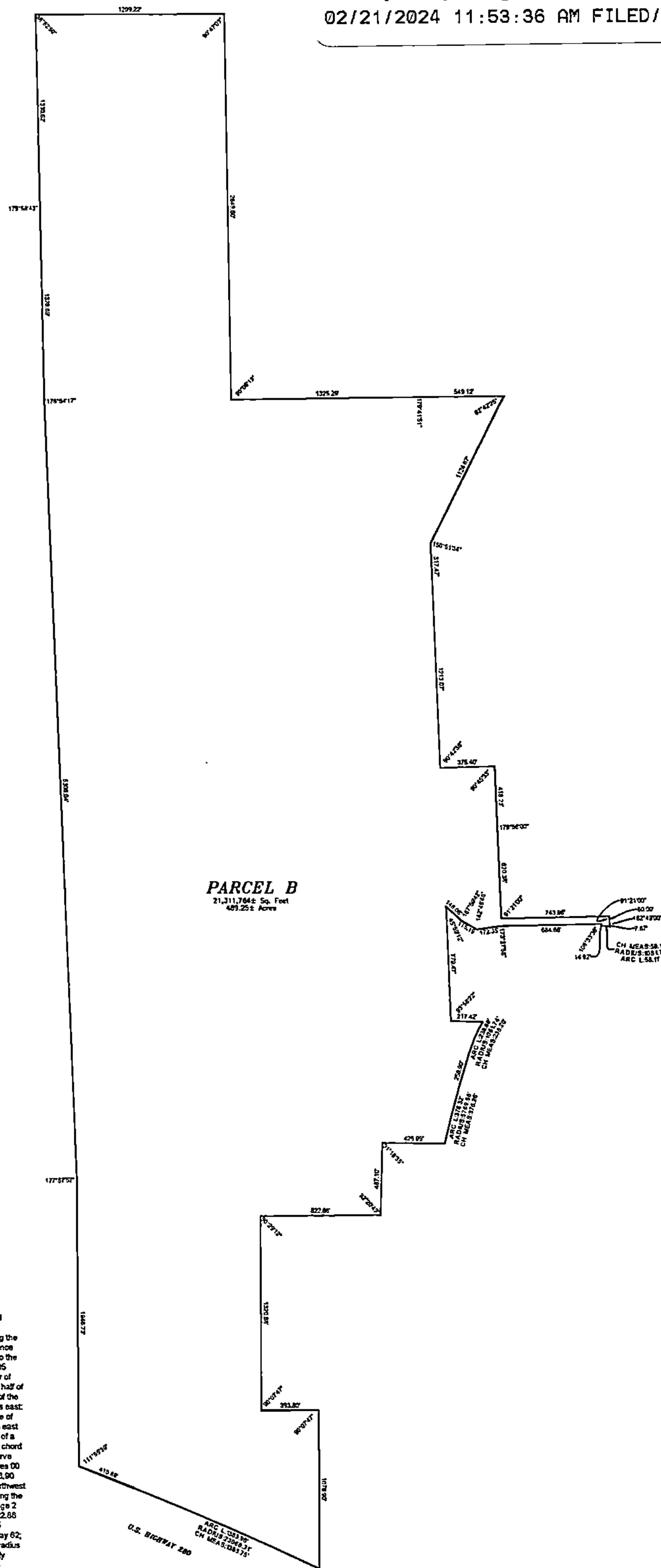


Exhibit A



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0 300 600 900



LEGAL DESCRIPTION:

Begin at the southeast corner of Section 18, Township 19 South, Range 2 East; thence run north 0 degrees 48 minutes 14 seconds west along the east line of said Section for a distance of 2849.60 feet to the northeast corner of the northeast one-quarter of the southeast one-quarter of said section 10; thence run north 89 degrees 59 minutes 11 seconds west along the north line of said quarter-quarter Section for a distance of 1299.22 feet to the northwest corner of said quarter-quarter; thence run south 1 degree 05 minutes 21 seconds east along the west line of said quarter-quarter for a distance of 1330.82 feet to the northwest corner of the southeast one-quarter of the southeast one-quarter of said section 18; hence run south 1 degree 05 minutes 04 seconds east along the west line of said quarter-quarter for a distance of 1328.69 feet to the southwest corner of said quarter-quarter Section; thence run south 2 degrees 10 minutes 47 seconds east along the west line of the east one-half of the east one-half of Section 18, Township 19 South, Range 2 East for a distance of 5306.04 feet to the southwest corner of the southeast one-quarter of the southeast one-quarter of said Section 19 thence run south 0 degrees 05 minutes 44 seconds east along the northeast right-of-way of U.S. Highway NO. 280 for a distance of 110.88 feet to the point of commencement of a curve to the right, said curve having a central angle of 3 degrees 26 minutes 15 seconds and a radius of 23,068.31 feet, a chord of 1383.75 feet with a chord bearing of south 77 degrees 47 minutes 35 seconds east; thence run along the arc of said curve and the northeasterly right-of-way line of U.S. Highway NO. 280 for a distance of 1383.98 feet; thence run north 00 degrees 00 minutes 25 seconds west parallel with the west line of Section 29, Township 19 South Range 2 East for a distance of 1076.90 feet; thence run north 89 degrees 52 minutes 38 seconds west along the north line of the southeast one-quarter of the northwest one-quarter of said section 29 for a distance of 333.50 feet; thence run north 00 degrees 00 minutes 26 seconds west along the west line of said Section 29 for a distance of 1320.81 feet to the southwest corner of Section 20, Township 19 south, Range 2 East; thence run north 89 degrees 30 minutes 23 seconds east along the south line of said Section 20 for a distance of 822.58 feet; thence run north 1 degree 51 minutes 12 seconds east for a distance of 487.10 feet thence run south 89 degrees 25 minutes 23 seconds east for a distance of 428.98 feet to a point on the westerly right-of-way line of Shelby County Highway 62; thence run along the arc of a curve to the right (said curve having a central angle of 3 degrees 58 minutes 20 seconds, a radius of 5769.58 feet, a chord of 599.92 feet and a chord bearing of north 06 degrees 06 minutes 42 seconds east) and the westerly right-of-way line of said highway 62 for a distance of 390.88 feet to the end of said curve; thence run north 10 degrees 05 minutes 52 seconds east along the northeasterly right-of-way line of Shelby County Highway NO. 67 for a distance of 258.90 feet to the point of commencement of a curve to the right, said curve having a central angle of 12 degrees 38 minutes 31 seconds, a radius of 1081.74 feet, a chord of 238.20 feet and a chord bearing of north 16 degrees 25 minutes 07 seconds east; thence run along the arc of said curve and the northeasterly right-of-way line of Shelby County Highway NO. 62 for a distance of 238.80 feet to the end of said curve; thence run north 88 degrees 18 minutes 00 seconds west for a distance of 217.42 feet to the northwest corner of the northeast one-quarter of the southwest one-quarter of section 20, Township 19 South, Range 2 East; thence run north 2 degrees 16 minutes 22 seconds west along the east line of the northwest one-quarter of the southwest one-quarter of said Section 20 for a distance of 779.17 feet; thence run south 45 degrees 15 minutes 34 seconds east for a distance of 148.06 feet; thence run south 60 degrees 16 minutes 52 seconds east for a distance of 115.19 feet; thence run north 02 degrees 30 minutes 54 seconds east for a distance of 172.35 feet; thence run north 80 degrees 02 minutes 58 seconds east for a distance of 684.66 feet; thence run south 19 degrees 30 minutes 40 seconds east for a distance of 14.92 feet to a point on the westerly right-of-way line of Shelby County Highway NO. 62, said right-of-way being situated on a curve to the right, having a central angle of 3 degrees 01 minutes 11 seconds, a radius of 1081.74 feet, a chord of 238.20 feet and a chord bearing of north 02 degrees 13 minutes 52 seconds east; thence run along the arc of said curve and said right-of-way line for a distance of 56.11 feet; thence run north 19 degrees 30 minutes 40 seconds west for a distance of 67 feet; thence run north 2 degrees 19 minutes 40 seconds west for a distance of 60.00 feet; thence run south 80 degrees 01 minutes 20 seconds west for a distance of 743.68 feet; thence run north 2 degrees 19 minutes 40 seconds west for a distance of 620.38 feet to a point on the north line of the northeast one-quarter of the southwest one-quarter of said section 20; thence run north 2 degrees 15 minutes 40 seconds west for a distance of 416.23 feet; thence run south 88 degrees 29 minutes 53 seconds west for a distance of 375.40 feet; thence run north 2 degrees 12 minutes 43 seconds west along the east line of the west one-half of the west one-half of said Section 20 for a distance of 1211.07 feet; degrees 55 minutes 43 seconds east for a distance of 1124.67 feet; thence run north 28 degrees 38 minutes 08 seconds west along the north line of the northeast one-quarter thence run south 89 degrees 59 minutes 11 seconds west along the north line of said quarter-quarter for a distance of 1329.29 feet to the northwest corner of said Section 20 and the point of beginning.

WEYGAND SURVEYORS, INC.
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JULY 18, 2023
This is NOT a survey.