

ORDINANCE NO. 86- 159

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATION LIMITS OF THE CITY OF BIRMINGHAM, 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, OF UNITED STATES PIPE AND FOUNDRY COMPANY, EMORY REALTY COMPANY, INC., AND THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM.

WHEREAS, a certain petition signed by United States Pipe and Foundry Company, Emory Realty Company, Inc., and The Water Works Board of the City of Birmingham seeking annexation to the City of Birmingham of that certain territory therein described, 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 Birmingham; 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 Birmingham;

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

Section 1. That said Council hereby assents to the annexation of said territory to the City of Birmingham, 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 or "city boundary" 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:

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City of Bham

PARCEL 1:

- A. The East 1/2 of the N.E. 1/4 and the S.W.1/4 of the N.E.1/4 of Section 9, Township 18 South, Range 1 West, situated in Jefferson county, Alabama.
- B. The East 1/2 of the S.W.1/4 of Section 9, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

LESS AND EXCEPT that part conveyed by Sloss Iron and Steel Company to Jesse H. Purdy by deed dated January 21, 1910 and recorded in Volume 578, Page 320.

- C. The West 1/2 of the S.E.1/4 of Section 9, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

LESS AND EXCEPT that part conveyed by Sloss Iron and Steel Company to Jesse H. Purdy by deed dated January 21, 1910 and recorded in Volume 578, Page 320.

PARCEL 2:

- A. The S.W.1/4 of the N.E.1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

LESS AND EXCEPT that part lying Northwest of Old Valley Road as same existed on November 10, 1881.

ALSO LESS AND EXCEPT that part described in deed to Oak Ridge Stud & Stock Farm, as recorded in Real Volume 36, Page 160.

- B. Part of the S.E.1/4 of the N.E.1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama, more particularly described as follows:

Commence at the Southeast corner of said quarter-quarter section, thence run North along the East line of said quarter-quarter section for a distance of 585 feet, more or less, to a point on the Southeasterly line of that property described in deed to Oak Ridge Stud & Stock Farm, as recorded in Real Volume 36, Page 160; thence turn left and run in a Southwesterly direction along said Oak Ridge tract to a point on the South line of said quarter-quarter section; thence turn left and run East along the South line of said quarter-quarter to the point of beginning.

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- C. The S.E.1/4 of the N.W.1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.
- D. The S.E.1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.
- E. The N.E.1/4 of Section 14, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.
- F. The N.W.1/4 of Section 14, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

LESS AND EXCEPT that part described in deed to Milton D. Jacobson, as recorded in Volume 5756, Page 584.

ALSO, LESS AND EXCEPT that part described in deed to The Birmingham Water Works Company, as recorded in Volume 1784, Page 398.

- G. All that part of the S.E.1/4 of the N.E.1/4 of Section 15, Township 18 South, Range 1 West, situated in Jefferson County, Alabama, lying Southeast of that parcel described in deed to The Birmingham Water Works Company, as recorded in Volume 1784, Page 398, and lying East of that parcel described in deed to William S. Blakemore and Elaine H. Blakemore, as recorded in Real Volume 2541, Page 840.

PARCEL 3:

- A. The S.E.1/4 of the N.E.1/4 of Section 17, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

LESS AND EXCEPT that part conveyed by Sloss Iron and Steel Company to Jesse H. Purdy by deed dated January 21, 1910, and recorded in Volume 578, Page 320.

- B. The N.W.1/4 of the S.E.1/4 of Section 17, Township 18 South, Range 1 West, situated in Shelby County, Alabama.

LESS AND EXCEPT that part conveyed to Jessie Purdy by deed recorded in Deed Book 34, Page 153, in the Probate Office of Shelby County, Alabama.

Section 2. The City of Birmingham hereby agrees to comply with those provisions of Act No. 604 enacted at the 1976 Regular Session of the Legislature of Alabama pertaining to the assumption and payment of an annexed fire district's debt or the payment to said fire district of an amount equal to six times the amount of dues that the portion of said fire district being annexed paid to said fire district during the preceding year.

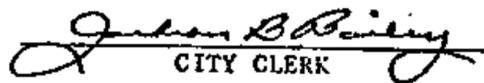
Section 3. That the City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed territory with the Probate Judges of Jefferson County, Alabama, and Shelby County, Alabama (as appropriate), and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Birmingham.

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STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Jackson B. Bailey, City Clerk of the City of Birmingham, do hereby certify that the above is a true correct copy of an ordinance duly adopted by the Council of the City of Birmingham at its meeting held 6-24-86, and as same appears of record in Minute Book C-42 of said City, and approved by the Mayor on 6-25-86.

GIVEN UNDER MY HAND AND CORPORATE SEAL of the City of Birmingham, this the 27th day of June, 19 86.


CITY CLERK

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED

1986 JUN 27 PM 2:34

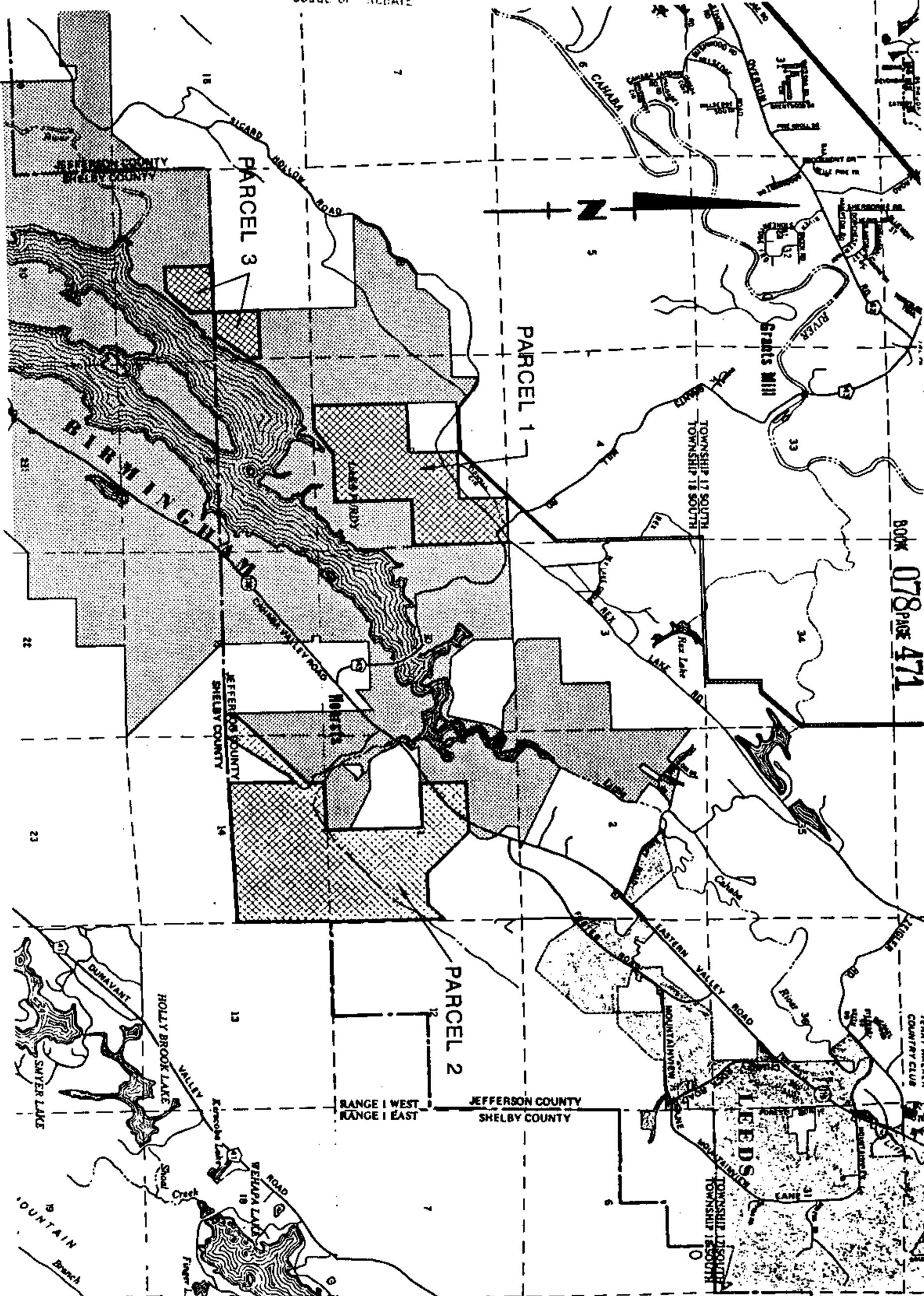
Thomas A. Swannick, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$1250

Index Fee 100

TOTAL \$1350



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LENTI WALKER
COUNTY CLUB