

Recommended by: Mayor

Submitted by: Mayor

RESOLUTION NO. 1 0 0 2 - 8 6

For the purpose of commencing proceedings under the provisions of Act No. 32 of the 1964 First Extraordinary Session of the Legislature of Alabama to annex to the City of Birmingham the territory described in the attached petition;

BE IT RESOLVED by the Council of the City of Birmingham that the City Clerk be, and he hereby is directed to cause to be published in the Birmingham Post-Herald, a newspaper of general circulation in the City of Birmingham and Jefferson County, a notice in words and figures as follows:

NOTICE

Notice is hereby given that a regular meeting of the Council of the City of Birmingham will be held in the Exhibition Hall, Second Floor, Boutwell Auditorium, in the City of Birmingham, on Tuesday, September 30, 1986, commencing at 9:30 o'clock A.M., at which time said Council will consider the adoption of an ordinance annexing to the City of Birmingham the territory described in the petition of United States Pipe and Foundry Company, Emory Realty Company, Inc., and The Water Works Board of the City of Birmingham, attached hereto as a part hereof:

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City of Bham

PETITION FOR ANNEXATION

BOOK 078 PAGE 473

The undersigned property owners, UNITED STATES PIPE AND FOUNDRY COMPANY (U. S. Pipe), EMORY REALTY, INC. (Emory), and THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM (the Board), being the owners of all of the real property described in Exhibit A hereto, hereby petition the City Council of the City of Birmingham, Alabama, to annex to said City of Birmingham, a municipal corporation, by rearranging and extending the boundaries of the said municipal corporation to include said property, which is contiguous to the corporate limits of said municipal corporation, and which is described in said Exhibit A hereto, and shown on the map attached hereto as Exhibit B, which shows the relationship of the property proposed to be annexed to the corporate limits of the said municipal corporation.

This petition is conditioned upon Emory and the Board, jointly or severally, acquiring the entire interest of U. S. Pipe in said property on or before February 1, 1987, and in the event Emory and the Board, jointly or severally, do not so acquire the entire interest in said property, then this petition and any ordinance or resolution of said City of Birmingham assenting to this petition or the annexation of said property or annexing said property or rearranging the boundaries of said City of Birmingham to include said property shall be null and void and of no further force and effect.

~~This petition is further conditioned upon the granting by the governing body of the City of Birmingham of a fifteen-year tax exemption as provided for in Sections 2, 3, and 4 of Act No. 787 of the 1977 Alabama Legislature (Acts 1977, pp. 1357-1358) with respect to the territory to be annexed. This petition shall be considered the said property owner's petition for such tax exemption.~~

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DATED this 21st day of May, 1986.

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UNITED STATES PIPE AND FOUNDRY
COMPANY, a Corporation

By S. Gurak
Its President

EMORY REALTY, INC.
By John Emory
Its President

THE WATER WORKS BOARD OF THE CITY
OF BIRMINGHAM
By W.D. Wynn
Its Chairman

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for
said County, in said State, hereby certify that S. Gurak,
whose name as President of UNITED STATES PIPE AND FOUNDRY
COMPANY, a corporation, is signed to the foregoing Petition for
Annexation, and who is known to me, acknowledged before me on
this day that, being informed of the contents of the petition,
he, as such officer and with full authority, executed the same
voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 21st
day of May, 1986.

Sealaine B. Duffin
Notary Public
My Commission expires: July 30, 1986

[NOTARIAL SEAL]

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for
said County, in said State, hereby certify that J. Brooks Emory III,
whose name as President of EMORY REALTY, INC., a
corporation, is signed to the foregoing Petition for
Annexation, and who is known to me, acknowledged before me on
this day that, being informed of the contents of the petition,
he, as such officer and with full authority, executed the same
voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 21st
day of May, 1986.

Frank C. Galloway Jr
Notary Public
My Commission expires: Oct. 23, 1986

[NOTARIAL SEAL].

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that DAVID J. VANN, whose name as Chairman of THE WATER WORKS BOARD OF THE CITY OF BIRMINGHAM, is signed to the foregoing Petition for Annexation, and who is known to me, acknowledged before me on this day that, being informed of the contents of the petition, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal, this the 21st day of May, 1986.

Frank C. Halloway Jr
Notary Public
My Commission expires: Oct. 23, 1986

[NOTARIAL SEAL]

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EXHIBIT A

Page 1

PARCEL 1:

The N 1/2 of the NE 1/4 of the NW 1/4; the NW 1/4 of the NW 1/4; the N 1/2 of the N 1/2 of the SW 1/4 of the NW 1/4 of Section 6, Township 18 South, Range 1 East, situated in Jefferson County, Alabama.

PARCEL 2:

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

LESS AND EXCEPT that part conveyed by Sloss Iron and Steel Company to J. T. Foster by deed dated April 22, 1897 and recorded in Volume 218, Page 325.

PARCEL 3:

All that part of the Southwest quarter of Section 1, Township 18 South, Range 1 West, situated in Jefferson County, Alabama, lying Northwest of that property described in deed to Fred L. DeShazo, as recorded in Real Volume 25, Page 839 and lying southeast of the property described in the DeShazo's Farm Subdivision, as recorded in Map Book 67, Page 8, and southeast of the property described in deed to Rufus Brazier as recorded in Volume 872, Page 417.

PARCEL 4:

The N 1/2 of the SE 1/4; and that part of the SW 1/4 of the SE 1/4 lying Northwest of the property described in deed to Fred L. DeShazo as recorded in Real Volume 25, Page 839.

PARCEL 5:

The E 1/2 of the NE 1/4; the SW 1/4 of the NE 1/4 of Section 9, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

PARCEL 6:

The E 1/2 of the SW 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 7:

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

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Page 2

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 8:

The SW 1/4 of the NE 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.

PARCEL 9:

Part of the SE 1/4 of the NE 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.

PARCEL 10:

The SE 1/4 of the NW 1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

PARCEL 11:

The SE 1/4 of Section 11, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

PARCEL 12:

The E 1/2 of the NW 1/4 and the SW 1/4 of the NW 1/4 of Section 12, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

PARCEL 13:

The NW 1/4 of the SW 1/4 of Section 12, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

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PARCEL 14:

The NE 1/4 of Section 14, Township 18 South, Range 1 West, situated in Jefferson County, Alabama.

PARCEL 15:

The NW 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.

PARCEL 16:

All that part of the SE 1/4 of the NE 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 17:

The SE 1/4 of the NE 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.

PARCEL 18:

The NW 1/4 of the SE 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.

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 a resolution 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, 1986.

Jackson B. Bailey
CITY CLERK

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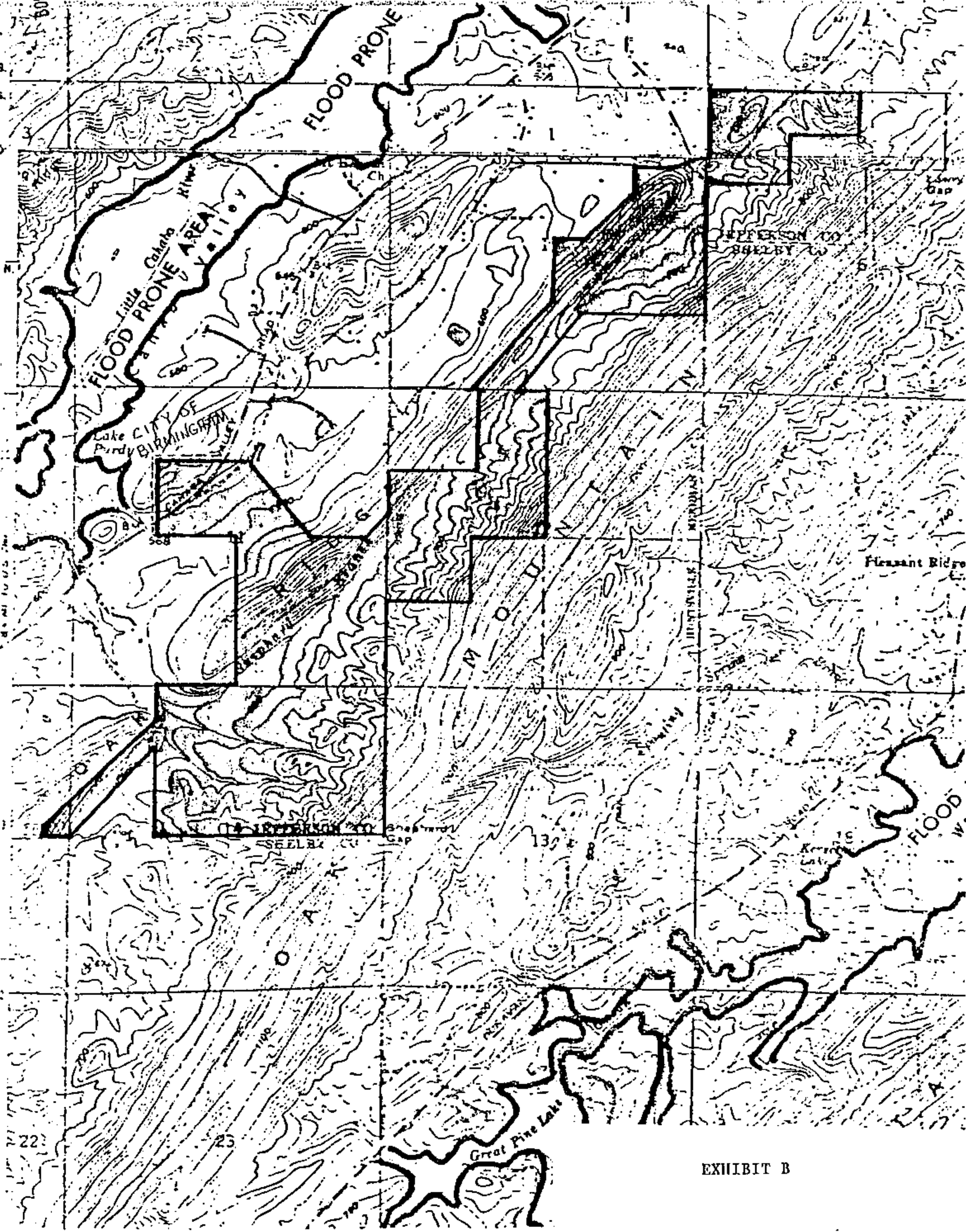
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EXHIBIT B

'01



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

1986 JUN 27 PM 2:35

Thomas G. Swannick, Jr.
JUDGE OF PROBATE

RECORDING FEES

Recording Fee \$ 22.50

Index Fee 1.00

TOTAL \$ 23.50