

IN RE:) IN THE PROBATE COURT OF
CITY OF BIRMINGHAM DEANNEXATION) SHELBY COUNTY, ALABAMA
(RESOLUTION NO. 1504-87)) CASE NO. 27-030

**ORDER OF DEANNEXATION
AFTER HEARING**

The Court heretofore set for hearing on December 3, 1987, the deannexation of certain territory approved by the City of Birmingham in Resolution No. 1504-87 adopted by the Council of the City of Birmingham on September 9, 1987, and certified to this Court by the Mayor of said City, and filed by said Mayor on November 10, 1987, all under the provisions of Article 7, Chapter 42, Title 11, Code of Alabama 1975, pertaining to the following described real property situated in Shelby County, Alabama:

PART I: Public road rights-of-way.

The following public road rights-of-way situated in Shelby County, Alabama:

Begin at the point where the right-of-way of Cahaba Beach Road intersects the boundary of the City of Birmingham along the East line of the Northwest quarter of the Southeast quarter of Section 25, Township 18 South, Range 2 West, and proceed Southeasterly, Southerly and Southwesterly along the meanderings of the public right-of-way of said Cahaba Beach Road to its intersection with U.S. Highway 280 in Section 36, Township 18 South, Range 2 West; and begin at the point on boundary of the City of Birmingham along the boundary of Shelby County and Jefferson County intersects the right-of-way of U.S. Highway 280 and proceed in a Southeasterly direction along the public right-of-way of said U.S. Highway 280 to its intersection with Cahaba Beach Road and Shelby County Road No. 17 (Valleydale Road); thence including all of said intersection of U.S. Highway 280 and said Cahaba Beach Road and Shelby County Road No. 17 (Valleydale Road) continue Southwesterly along the public right-of-way of said Shelby County Road No. 17 (Valleydale Road) to the point at which said right-of-way intersects the Eastern boundary of the property known as Spain Park, more specifically described in Part II of this legal description.

PART II: Spain Park

The following tracts of real property situated in Shelby County, Alabama:

1. The Northwest quarter of the Southwest quarter of Section 11, Township 19 South, Range 2 West, containing 40 acres, more or less;

2. 4.01 acres, more or less, in the Northeast quarter of the Southwest quarter of Section 11, Township 19 South, Range 2 West, which lies North and West of the Valleydale Road;

3. So much of the Southwest quarter of Southwest quarter of Section 11, Township 19 South, Range 2 West as lies South and East of the Valleydale Road, less and except:

One acre in the Southwest quarter heretofore conveyed to John R. Schriver, Jr., more particularly described as follows: Begin at the Southwest corner of said Southwest quarter of Southwest quarter and run North along the West boundary line of said quarter-quarter section 56.61 feet to an iron pin located on the Southeast right-of-way line of Valleydale Road (said right-of-way being 80 feet in width); thence turn right 45 degrees 25 minutes and run in a Northeasterly direction along the Southeast right-of-way line of Valleydale Road 336.67 feet to an iron pin; thence turn right 144 degrees 35 minutes and run in a Southerly direction parallel to the West boundary of said quarter-quarter section 303.19 feet to an iron pin located on the South boundary of said quarter-quarter section; thence turn right 92 degrees 27 minutes and run in a Westerly direction along the South boundary of said quarter-quarter section 240 feet to the point of beginning,

containing 19 acres, more or less;

4. So much of the Southwest quarter of the Southwest quarter of Section 11, Township 19 South, Range 2 West, as lies North and West of the Valleydale Road, containing 20 acres, more or less;

5. The Southeast quarter of the Southeast quarter of Section 10, Township 19 South, Range 2 West, containing 40 acres, more or less;

6. The North half of the Northeast quarter of the Northeast quarter of Section 15, Township 19 South, Range 2 West, containing 20 acres, more or less;

7. The Northwest quarter of the Southeast quarter of Section 10, Township 19 South, Range 2 West, containing 40 acres, more or less;

8. The Northeast quarter of the Southeast quarter of Section 10, Township 19 South, Range 2 West, containing 40 acres, more or less;

9. A part of the Southeast quarter of Northwest quarter of Section 10, Township 19 South, Range 2 West, more particularly described as follows: Commence at the Southeast corner of said forty and proceed Westerly along the South boundary line of said forty 1061.08 feet to a stake on the East boundary of the Caldwell Mill Road; thence turn an angle to the right of 88 degrees 29 minutes and proceed in a Northerly direction along the East boundary of said road 299.37 feet; thence turn an angle to the right of 11 degrees 44 minutes and proceed in the East boundary of said road 292.71 feet; thence turn an angle to the right of 11 degrees 14 minutes and proceed in a Northerly direction in the East boundary of said road 97.16 feet to an iron stake; thence turn an angle to the right of 68 degrees 37 minutes and proceed in an Easterly direction 965.44 feet to an iron stake in the East boundary of said forty; thence turn an angle to the right of 88 degrees 42 minutes and proceed in a Southerly direction along the East line of said forty 677.32 feet to point of beginning, containing 16 acres, more or less;

10. The Southwest quarter of the Northeast quarter of Section 10, Township 19 South, Range 2 West, less and except 16 acres, more or less, described as follows: Commence at the Northwest corner of said forty and proceed in a Southerly direction along the West boundary of said forty 525.70 feet to an iron stake; thence turn an angle to the left of 88 degrees 40 minutes and proceed in an Easterly direction 1328.32 feet to an iron stake in the East boundary of said forty; thence turn an angle to the left of 91 degrees 25 minutes and proceed in a Northerly direction in the East boundary of said forty 527.09 feet to an iron stake at the Northeast corner of said forty; thence turn an angle to the left 88 degrees 40 minutes and proceed in a Westerly direction along the North boundary of said forty 1327.52 feet to the point of beginning, containing 24 acres, more or less;

11. The Southwest quarter of the Southeast quarter of Section 10, Township 19 South, Range 2 West, containing 40 acres, more or less.

Notice of said hearing having been duly served upon all of the residents of the aforesaid territory and no objection having been made by any of said residents to the proposed exclusion of the aforesaid territory from the boundaries of the said City of Birmingham;

It is now, therefore, ORDERED, ADJUDGED and DECREED, pursuant to the provisions of Section 11-42-20, Code of Alabama 1975, that the above-described real property situated in Shelby County, Alabama, should be, and is hereby, excluded from the corporate limits of the City of Birmingham.

DATED this 31 day of DECEMBER, 1987.


PROBATE JUDGE

BOOK 165 PAGE 599

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

87 DEC 31 PM 12:50


JUDGE OF PROBATE

1. Deed Tax	\$	<u> </u>
2. Mtg. Tax		<u> </u>
3. Recording Fee		<u>10.00</u>
4. Indexing Fee		<u>1.00</u>
TOTAL		<u>11.00</u>