

ORDINANCE No. 238

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF PELHAM, ALABAMA SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by the property owners requesting territory therein described be annexed to the City of Pelham, 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 Pelham; and

WHEREAS, the 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 Pelham;

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

Section 1. That said Council hereby assents to the annexation of said territory to the City of Pelham, 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 11-42-43, 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. Said territory is described as follows:

See Attached

Section 2. The City of Pelham 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 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 Judge of Shelby County, Alabama, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Pelham.

Inst # 1993-11091

04/21/1993-11091  
02:54 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MCB 11.50

Willard Payne a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance 238, hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Connie LaBue a member, and upon a roll call vote was unanimously passed. The vote on said motion was as follows:

Bobby Hayes Mayor	<u>yes</u>
Willard Payne Council Member	<u>yes</u>
Connie LaBue Council Member	<u>yes</u>
Ken Maynard Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>
Jim Phillips Council Member	<u>yes</u>

THEREUPON Willard Payne, a member moved and Ken Maynard a member seconded a move that said Ordinance be given vote. Said Ordinance passed by vote of all members of the Council present and the Mayor declared the same passed.

ADOPTED this the 19 day of April 19 93.

Bobby Hayes  
Mayor

Ken Maynard  
Council Member

Connie LaBue  
Council Member

Willard C. Payne  
Council Member

Karyl Rice  
Council Member

Jim Phillips  
Council Member

Seal

ATTEST

Rebecca B. Bate  
City Clerk

05:11 CDM MCD  
SHELBY COUNTY JUDGE OF PROBATE  
02:55 PM CERTIFIED  
16011-6661/12/40

16011-6661 # 15U1

90°30'45" 89°29'14" FOUND 1" OPEN TOP

2634.00'

1317.00'

DESCRIPTION:

The West 1/2 of the Northeast 1/4 of Section 16, Township 20 South, Range 2 West, Shelby County, Alabama, described as follows: Commence at the Northeast corner of said Section 16, and run Westerly along the North line of Section 16 a distance of 1314.47 feet to the Northeast corner of the West 1/2 of the Northeast 1/4 of said Section 16 and the point of beginning of the tract of land herein described; thence continue running Westerly along the North line of said Section 16 a distance of 1314.47 feet to the Northwest corner of said West 1/2 of the Northeast 1/4 of Section 16; thence turn 90°52'41" left and run Southerly along the West line of said 1/2-1/4 section 2634.00 feet to the Southwest corner of said 1/2-1/4 section; thence turn 89°51'11" left and run Easterly along the South line of said 1/2-1/4 section 1312.99 feet to the Southeast corner of said 1/2-1/4 section; thence turn 90°07'05" left and run Northerly 2617.23 feet to the point of beginning.

LESS & EXCEPT: A part of said West 1/2 of the Northeast 1/4 of Section 16, Township 20 South, Range 2 West, Shelby County, Alabama, recorded in Book 039, Page 275, in the Probate Office of Shelby County, Alabama, described as follows: Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of said Section 16; thence run Southerly along the East line of said 1/4-1/4 section 280.56 feet; thence turn 155°42'16" right and run Northwesterly 212.30 feet to a point on the Southeast right-of-way line of Shelby County Highway No. 11; thence turn 68°16'46" (deed 69°23'24") right and run Northeasterly along said Highway right-of-way 126.83 feet (deed 123°32' feet) to the East line of the Northwest 1/4 of the Northeast 1/4 of said Section; thence turn 136°00'58" (deed 89°27'31") right and run Southerly along said 1/4-1/4 Section for 5.82 feet (deed 7.0 feet) to the point of beginning.

ALSO: LESS & EXCEPT: Any part of said land lying in the public road right-of-way, Seaboard Coast Railroad right-of-way and Alabama Power Company right-of-way.