

ORDINANCE NO. 245

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.

01/18/1994-01785
01:35 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
008 MCD 26.00

Inst # 1994-01785

Karyl Rice, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 245, 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	_____
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	_____

THEREUPON Karyl Rice, a member moved and Connie LaBue a member seconded the 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 6 day of Dec 19 93.

Bobby Hayes
Mayor

Ken Maynard
Council Member

Connie LaBue
Council Member

Karyl Rice
Council Member

Council Member

Council Member

Seal

ATTEST

Cheryl G. Dotson
City Clerk

Shelby Baptist Church

Clayton D. Parrish, Pastor
David L. Davis, Associate Pastor



Dear Mayor Bobby Hayes,

As the new Pastor of Shelby Baptist Church, it is my desire, as well as the congregations that our Church and property be annexed into the city of Pelham. We hope that any problems in the past can be forgotten and a new relationship can be established. We are currently taking steps to prepare our building for annexation.

We are seeking to sell part of our property to help with the expenses of bringing our building up to the city code. As soon as we can sell this portion of our property it is our desire to have the building brought up to code and submitted to the city for annexation.

However, we are currently desiring to have our property annexed into the city, except for the building to enhance our possibilities of selling it. We are seeking to sell only approximately 5-6 acres of the current 13 acres. We have attached a copy of the legal description of our property. If we could have it annexed into the city, except for the building this would save us the cost of a survey. If this is not possible then we are willing to work with you in whatever we have to do to complete this process.

We believe that the Mayor and city officials are our God ordained authorities for our good and we desire to have a good working relationship with you. It's our goal to serve you in making our city a better place to live. We pray for you weekly. May God richly bless you!

Rejoice Always,

Pastor Clay D. Parrish

LEGAL DESCRIPTION

A parcel of land located in the N 1/2 of SE 1/4, Section 11, Township 20 South, Range 3 West, as shown by plat of Shelby Baptist Church Survey as recorded in Map Book 8, Page 148, in probate Office of Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of the NW 1/4 of SE 1/4, Section 11, Township 20 South, Range 3 West and run thence North along the West line of said 1/4-1/4 a distance of 123.87 feet to the point of beginning; thence continue North along said West line of said 1/4-1/4 a distance of 300.0 feet to a point; thence turn an angle of 91 deg. 17 min. 14 sec. to the right and run Easterly a distance of 1323.33 feet to a point; thence turn an angle of 82 deg. 50 min. 47 sec. to the left and run northeasterly 358.45 feet to a point on Bearden Road; thence turn an angle of 140 deg. 21 min. 03 sec. right, a distance of 62.45 feet; thence turn an angle of 90 deg. to the left and run 10.0 feet; thence turn an angle of 90 deg. to the right and run along the Westerly ROW line of said Bearden Road a distance of 721.22 feet to a point; thence turn an angle to the right of 122 deg. 29 min. 46 sec. and run Westerly a distance of 1790.68 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except the following described parcel: A parcel of land located in the N 1/2 of SE 1/4, Section 11, Township 20 South, Range 3 West, as shown by plat of Shelby Baptist Church Survey as recorded in Map Book 8, Page 148 in Probate Office of Shelby County, Alabama, and being more particularly described as follows:

Commence at the Southwest corner of the NW 1/4 of SE 1/4, Section 11, Township 20 South, Range 3 West and run thence North along the West line of said 1/4-1/4 a distance of 123.87 feet to a point. Thence continue North along said West line of said 1/4-1/4 a distance of 300.0 feet to a point; thence turn an angle of 91 deg. 17 min. 14 sec. to the right and run Easterly a distance of 1323.33 feet to a point; thence turn an angle of 82 deg. 50 min. 47 sec. to the left and run northeasterly 358.45 feet to a point on Bearden Road; thence turn an angle of 140 deg. 21 min 03 sec. right, a distance of 62.45 feet; thence turn an angle of 90 deg. to the left and run 10.0 feet; thence turn an angle of 90 deg. to the right and run along the Westerly ROW line of said Bearden Road a distance of 721.22 feet to a point; thence turn an angle to the right of 122 deg. 29 min. 46 sec. and run Westerly a distance of 767.0 feet to the point of beginning; thence turn an angle to the right of 90 deg.-00'-00" and run Northerly 200 feet to a point; thence turn an angle to the left of 90 deg.-00'-00" and run Westerly a distance of 200 feet to a point; thence turn an angle to the left of 90 deg.-00'-00" and run Southerly a distance of 200 feet to a point; thence turn an angle to left of 90 deg.-00'-00" and run Easterly a distance of 200 feet to the point of beginning; being situated in Shelby County, Alabama.

This instrument was prepared by

(name) Coy M. Cooper of HOLT & COOPER
(address) 529 Frank Nelson Building, Birmingham, Alabama 35203

WARRANTY DEED-- LAND TITLE COMPANY OF ALABAMA, Birmingham, Alabama

STATE OF ALABAMA
JEFFERSON COUNTY KNOW ALL MEN BY THESE PRESENTS:

that in consideration of Sixty Thousand and 00/100 (\$60,000.00)-----DOLLARS
and the execution of a purchase money mortgage for Seventeen Thousand Three Hundred Ten
and 00/100 (\$17,310.00) Dollars
the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I
do hereby

COY M. COOPER, as Trustee of the Trust established in Deed Book 226,
Page 473 in Probate Office of Shelby County, Alabama,

herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

SHELBY BAPTIST CHURCH, INC.,

herein referred to as grantee, whether one or more), the following described real estate, situated in
Shelby County, Alabama, to-wit:

A parcel of land located in the N 1/2 of SE 1/4, Section 11, Township
20 South, Range 3 West, as shown by plat of Shelby Baptist Church
Survey as recorded in Map Book 8 Page 148 in Probate Office of Shelby
County, Alabama, and being more particularly described as follows:
Commence at the Southwest corner of the NW 1/4 of SE 1/4, Section 11,
Township 20 South, Range 3 West and run thence North along the West
line of said 1/4-1/4 a distance of 123.87 feet to the point of
beginning; thence continue North along said West line of said 1/4-1/4
a distance of 300.0 feet to a point; thence turn an angle of 91 deg.
17 min. 14 sec. to the right and run Easterly a distance of 1323.33
feet to a point; thence turn an angle of 82 deg. 50 min. 47 sec. to
the left and run northeasterly 358.45 feet to a point on Bearden Road;
thence turn an angle of 140 deg. 21 min. 03 sec. right, a distance of
62.45 feet; thence turn an angle of 90 deg. to the left and run 10.0
feet; thence turn an angle of 90 deg. to the right and run along the
Westerly ROW line of said Bearden road a distance of 721.22 feet to a
point; thence turn an angle to the right of 122 deg. 29 min. 46 sec.
and run Westerly a distance of 1790.68 feet to the point of beginning;
being situated in Shelby County, Alabama.

Subject to: (1) Taxes for the year 1984, and (2) Right-of-Way granted to Shelby County
by instrument recorded in Deed Book 253 Page 536 in Probate Office.

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES,
their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances,
unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our)
heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever,
against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hands(s) and seal(s), this 12th
day of December 19 83 .
PROVED:

Coy M. Cooper (Seal)
Frank Nelson (Seal)
John R. Smith (Seal)
John R. Smith (Seal)

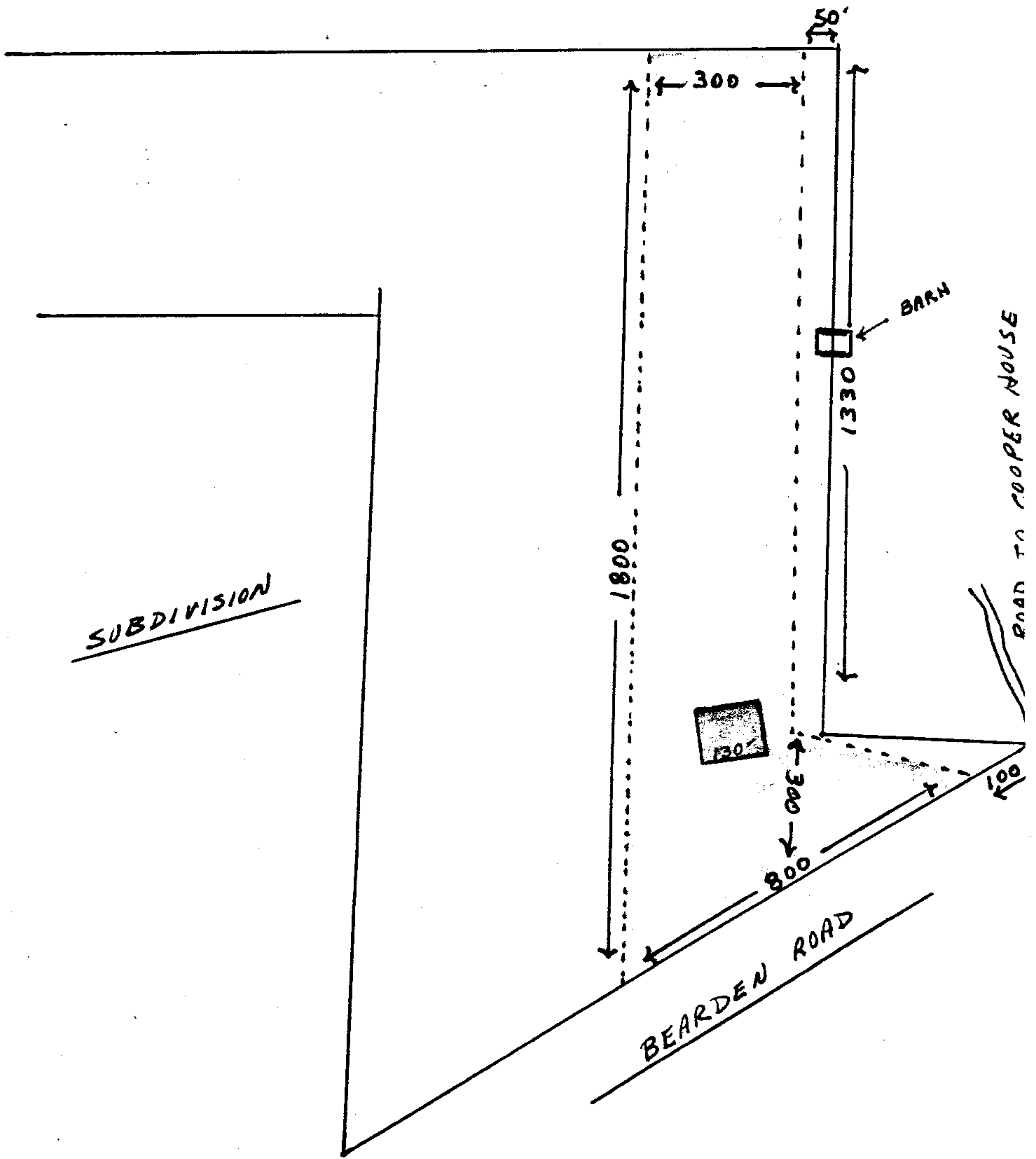
Coy M. Cooper (Seal)
COY M. COOPER, as Trustee
(Seal)
(Seal)

STATE OF ALABAMA
JEFFERSON COUNTY

General Acknowledgment

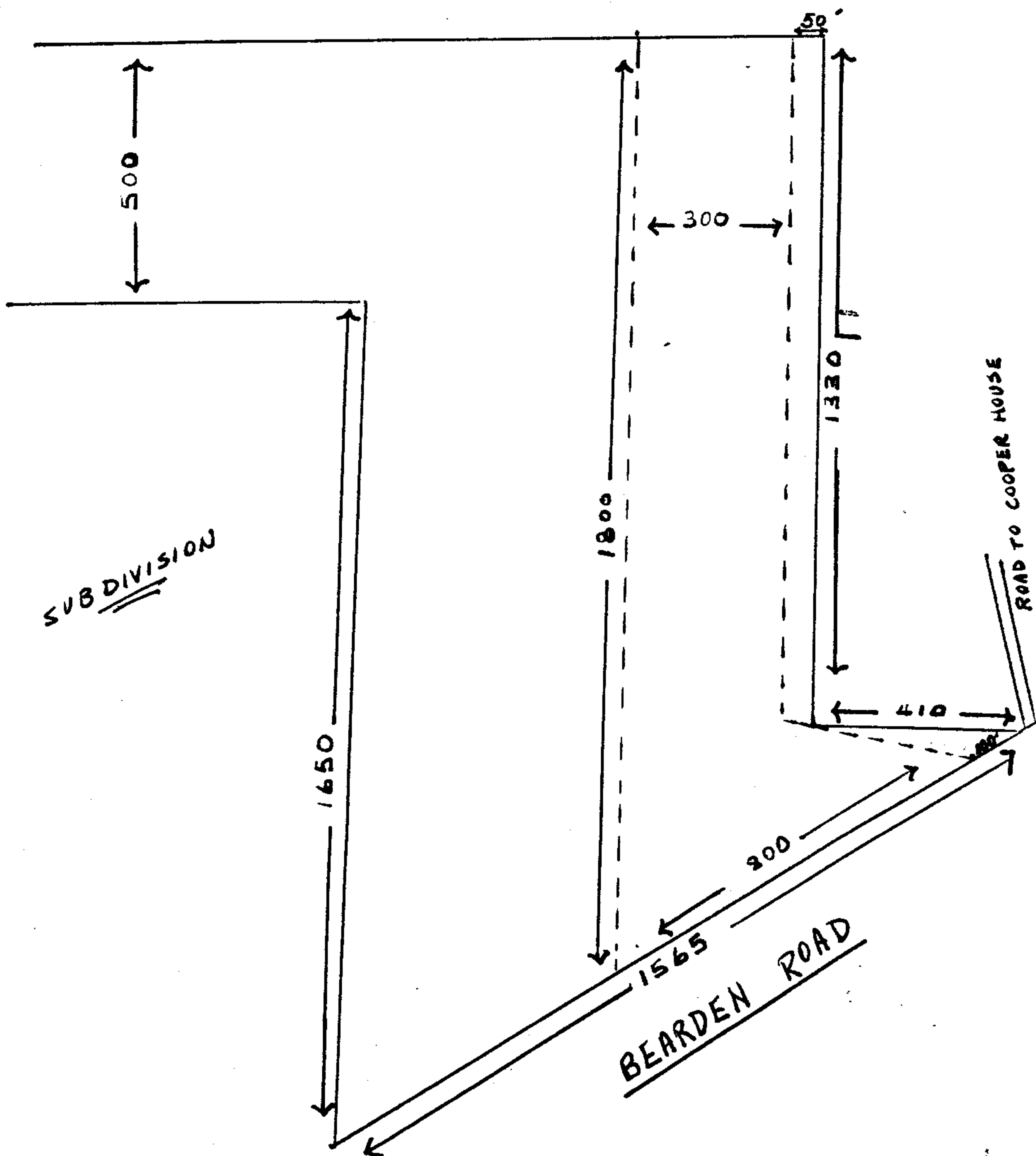
I, the undersigned, a Notary Public in and for said County, in said State,
hereby certify that Coy M. Cooper, as Trustee,
whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me
on this day, that being informed of the contents of the conveyance he executed the same voluntarily
on the day the same bears date.

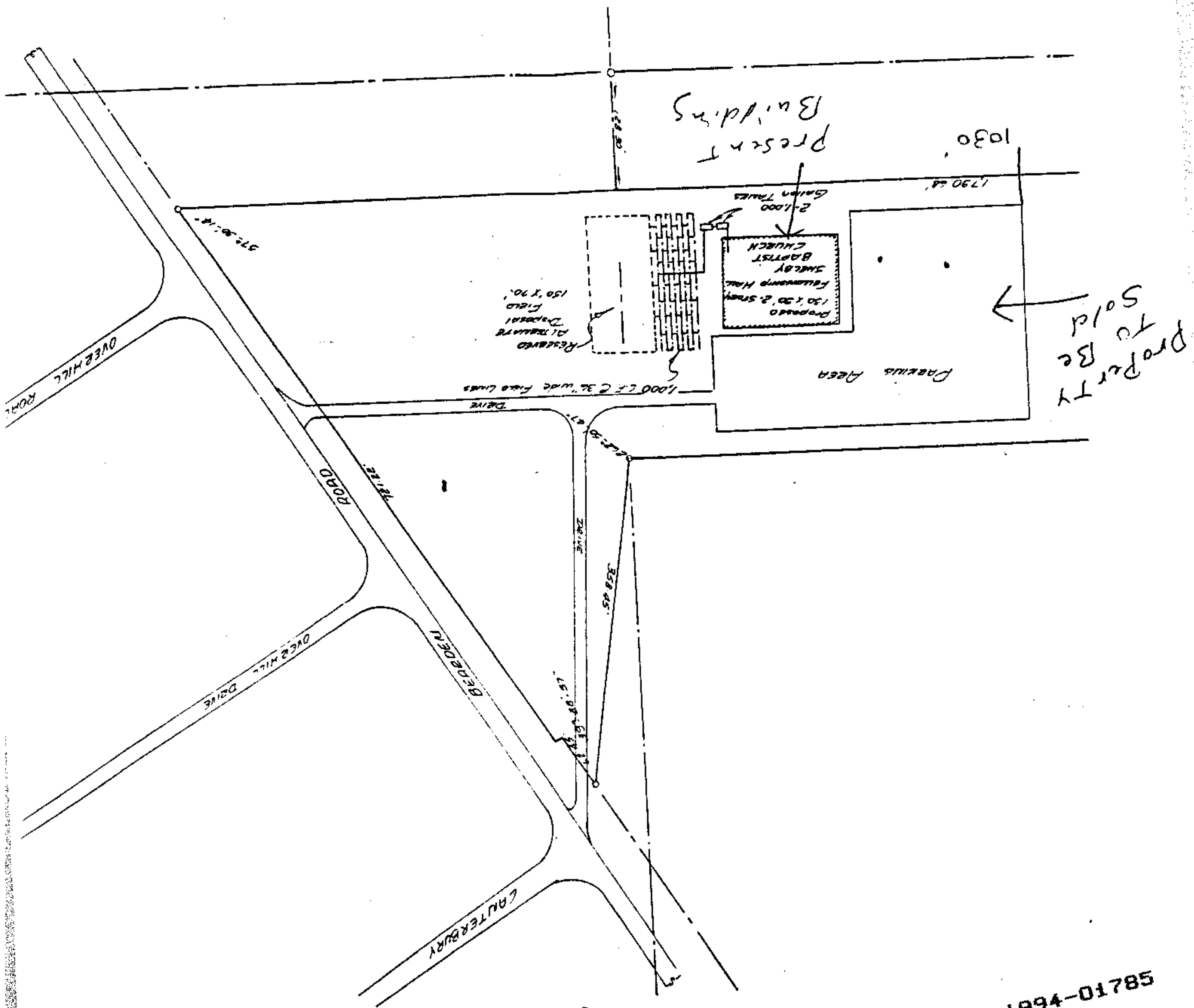
Given under my hand and official seal this 12th day of December A. D. 19 83
Betty J. Runyan
Notary Public



APPROXIMATELY 13 acres

DRAW ①





Inst # 1994-01785

01/18/1994-01785
 01:35 PM CERTIFIED
 SHELBY COUNTY JUDGE OF PROBATE
 008 MCD 26.00