

ORDINANCE NO. 248

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.

01/18/1994-01786
01:35 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
003 MCD 13.50

Inst # 1994-01786

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 No. 248, 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	_____
Willard Payne Council Member	<u>4</u>
Connie LaBue Council Member	<u>4</u>
Ken Maynard Council Member	<u>4</u>
Karyl Rice Council Member	_____
Jim Phillips Council Member	<u>4</u>

THEREUPON Lisa Phelps, a member moved and Willard Payne, 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 10th day of January 19 94.

Mayor

Ken Maynard
Council Member

Connie LaBue
Council Member

Willard C. Payne
Council Member

Jim Phillips
Council Member

Council Member

Seal

ATTEST

Gleazy P. Baker
City Clerk

STATE OF ALABAMA)

COUNTY OF SHELBY)

PETITION FOR ANNEXATION

We, the undersigned, hereby request and petition the City of Pelham to take whatever action is necessary to cause our property to be annexed into the corporate limits of the City of Pelham.

LEGAL DESCRIPTION:

Beginning at the NE corner of the NE 1\4 of the NE 1\4, Section 31, Township 20 South, Range 2 West; Thence North 89 Degrees 58 Minutes 04 Seconds West, a distance of 1012.53 feet to a point; Thence South 00 Degrees 00 Minutes 37 Seconds West, a distance of 1414.41 feet to a point; Thence North 89 Degrees 59 Minutes 20 Seconds West, a distance of 348.33 feet to a point; Thence South 00 Degrees 01 Minutes 30 Seconds West, a distance of 556.12 feet to a point; Thence South 43 Degrees 23 Minutes 19 Seconds West, a distance of 499.45 feet to a point; Thence South 46 Degrees 36 Minutes 41 Seconds East, a distance of 1142.00 feet to a point; Thence North 43 Degrees 23 Minutes 19 Seconds East, a distance of 847.43 feet to a point; Thence North 25 Degrees 08 Minutes 20 Seconds East, a distance of 1102.85 feet to a point; Thence North 00 Degrees 00 Minutes 37 Seconds East, a distance of 1503.01 feet to a point; Thence North 89 Degrees 58 Minutes 04 Seconds West, a distance of 176.37 feet to the POINT OF BEGINNING.
Containing 3604427.28 square feet or 82.75 acres, more or less.

WEATHERLY JOINT VENTURE, L.L.C.

BY:

Jack H. Harrison

Inst # ~~1994-01786~~ 1994-01786 Managing Partner

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