

ORDINANCE NO. 91-297

AN ORDINANCE TO AMEND ORDINANCE NO. 87-187
TO STATE THE TAX EXEMPTIONS REFERRED TO
THEREIN AS CONDITIONS OF THE PETITION FOR
ANNEXATION.

BE IT ORDAINED by the Council of the City of
Birmingham as follows:

Section A. Ordinance No. 87-187 adopted December
22, 1987, and approved by the Mayor on December 28,
1987, is hereby amended nunc pro tunc to state on the
face of the ordinance the tax exemptions originally
granted in said ordinance by reference to the conditions
of the petition of annexation:

"ORDINANCE NO. 87-187

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

"WHEREAS, a certain petition signed by Crow Wood
Springs Associates, Ltd., requesting that territory therein
described be annexed to the City, 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 Birmingham; and,

"WHEREAS, this 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 Birmingham;

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

"Section 1. That said Council hereby assents to the
annexation of said territory to the City of Birmingham,
Alabama, the corporate limits of the City to be extended

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and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-20 through 11-42-23, 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 and the new boundary lines does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any other municipality. Said territory is described as follows:

**EXHIBIT A
LEGAL DESCRIPTION**

All that tract or parcel of land being a part of Lot 1-A, Cahaba River Park First Addition as recorded in Map Book 8, Page 62, in the office of the Judge of Probate of Shelby County, Alabama and being more particularly described as follows:

BEGINNING at the N.W. corner of the N.W. 1/4 of the N.E. 1/4 of Section 35, Township 18 South, Range 2 West and run South along the West line of said 1/4-1/4 section a distance of 285.00 feet to a point; thence 90°00' to the left in an Easterly direction a distance of 240.00 feet to a point; thence 50°29'05" to the right in a Southeasterly direction a distance of 508.99 feet to the P.C. (point of curve) of a curve to the left having a radius of 177.38 feet and a central angle of 39°05'50"; thence Southeasterly along the arc of said curve a distance of 257.51 feet to a point; thence from the tangent of said curve, turn 64°32'40" to the right to the tangent of a curve to the left having a radius of 75.00 feet and a central angle of 151°29'13"; thence Southeasterly, Easterly and Northeasterly along the arc of said curve a distance of 198.30 feet to a point; thence from the tangent of said curve, turn 67°00'38" to the right and run in a Northeasterly direction a distance of 185.79 feet to the P.C. (point of curve) of a curve to the right having a radius of 197.54 feet and a central angle of 37°15'; thence Northeasterly, Easterly and Southeasterly along the arc of said curve a distance of 128.43 feet to the P.T. (point of tangent) of said curve; thence Southeasterly on the tangent to said curve a distance of 14.52 feet to a point on the Northwesterly right-of-way line of Riverview Road; thence 89°38'40" to the left to the tangent of a curve to the left having a radius of 3779.83 feet and a central angle of 4°09'57"; thence Northeasterly along the arc of said curve and along said right-of-way line a distance of 274.82 feet to the P.T. (point of tangent) of said curve; thence Northeasterly on the tangent to said curve and along said right-of-way line a distance of 13.75 feet to the P.C. (point of curve) of a curve to the right having a radius of 613.69 feet and a central angle of 17°26'30"; thence Northeasterly along the arc of said curve and along said right-of-way line a distance of 186.82 feet to the P.T. (point of tangent) of said curve; thence Northeasterly on the tangent to said curve and along said right-of-way line a distance of 157.71 feet to the P.C. (point of curve) of a curve to the right having a radius of 613.69 feet and a central angle of 18°32'30"; thence Northeasterly along the arc of said curve and along said right-of-way line a distance of 198.59 feet to the P.T. (point of tangent) of said curve; thence Northeasterly on the tangent to said curve and along said right-of-way line a distance of 45.55 feet to the point of intersection of said right-of-way line with the Southwesterly right-of-way line of Old U.S. Highway No. 280; thence 106°40'15" to the left in a Northwesterly direction along the Southwesterly right-of-way line of Old U.S. Highway No. 280 for a distance of 126.72 feet to a point on the North line of the N.E. 1/4 of the N.E. 1/4 of said Section 35; thence west along said 1/4-1/4 section line and along the North line of the N.W. 1/4 of the N.E. 1/4 of said Section 35 for a distance of 1691.00 feet to the POINT OF BEGINNING; being designated Phase I per plat of survey by Walter School Engineering Company dated December 2, 1985, revised December 12, 1985 and last revised August 20, 1986, bearing the seal and certification of Walter School, Jr., Alabama Registration No. 1092.

Less and except a strip of land twenty (20) feet in width running along and immediately adjacent to the Northwesterly right-of-way line of Riverview Road and contained within and running along the perimeter of the above-described real property tract situated in Shelby County, Alabama.

"Section 2. That pursuant to the provisions of Sections 2, 3 and 4 of Act No. 787 of the 1977 Regular Session of the Legislature of Alabama (Alabama Acts 1977, pp. 1357-1358), all property, real or personal, having situs in said territory annexed shall be exempt from ad valorem property taxes levied by the City of Birmingham, and from the present and any future occupational license tax of said city based on wages or salaries received by persons working or employed by any business company or other professional, business, or commercial entity for services performed within the territory annexed, for a period of fifteen years commencing May 12, 1985.

"Section 3. That the City Clerk shall file a certified copy of this ordinance 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 Birmingham."

Section 8. That the City Clerk shall file a certified copy of this ordinance 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 Birmingham.

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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 an ordinance duly adopted by the Council of the City of Birmingham at its meeting held 12/10/91, and as same appears of record in Minute Book C-52, of said City, and approved by the Mayor on 12/13/91.

GIVEN UNDER MY HAND AND CORPORATE SEAL of the City of Birmingham, this the 19th day of April, 1994

Jackson B. Bailey
CITY CLERK