

ORDINANCE NO. 264

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 # 1995-03595

02/09/1995-03595
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 23.50

Ken Maynard a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 264, hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Jim Phillips, a member, and upon a roll call vote was unanimously passed. The vote on said motion was as follows:

Bobby Hayes
Mayor

yes

Willard Payne
Council Member

yes

Connie LaBue
Council Member

yes

Ken Maynard
Council Member

yes

Karyl Rice
Council Member

yes

Jim Phillips
Council Member

yes

THEREUPON Ken Maynard a member moved and Jim Phillips, 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 Feb 19 95.

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

Cezzy Bate
City Clerk

A. Lichtenstein Co., Inc.

2320 Highland Avenue, South
Birmingham, Alabama 35205
Off. (205) 930-9466
Res. (205) 967-1945
FAX (205) 933-2584

The Mayor and the City Council
City of Pelham
P.O. box 1419
Pelham, Alabama 35724

Gentlemen:

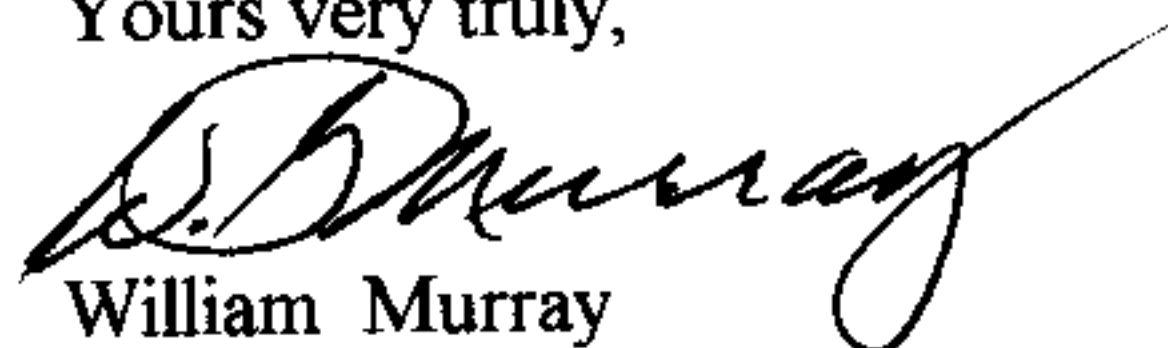
I am the owner of a parcel of land in Shelby County that lies adjacent to the City limits of Pelham. I have contracted to sell approximately 1.41 acres of this land to Lisa and James N. Holmes. This 1.41 acre lot is contiguous to their residential lot in the Brook Ridge Estates subdivision.

I wish to request that the City of Pelham annex this 1.41 parcel of land, so that the entire residential lot of Mr. and Mrs. Holmes will be in your city limits. We wish to sell this parcel with a metes and bounds description. I have discussed this procedure with Paul Yaeger who had no objections to using a metes and bounds description for the sale.

I am enclosing a legal description of the subject parcel, a vicinity map, and a survey of my property. If further information is needed, or other actions required, please contact Alan Lichtenstein, who is my agent, at the letterhead address.

Thank you for your assistance in this matter.

Yours very truly,


William Murray

MURRAY
REVISED
DESCRIPTION
10/28/95

A parcel of land containing 1.41 Acres more or less, located in the East half of Section 23, Township 19 South, Range 2 West, Shelby County, Alabama; more particularly described as follows:

Commence at the Southeast corner of the NW 1/4 of the SE 1/4 of Section 23, Township 19 South, Range 2 West, Shelby County, Alabama; thence run Northerly along the Quarter line 1050.00 feet to the Point of Beginning; thence an interior angle right of $92^{\circ}25'37''$, 426.13 feet to the Northwest corner of Parcel "D" of Brook Ridge Estates (MB 17, PG 133); thence right $145^{\circ}10'49''$, 504.20 feet; thence right $122^{\circ}23'29''$, 288.15 feet to the Point of Beginning.

$\Delta = 20^{\circ}00'$
 $L = 321.80'$
 $Ch = N 56^{\circ}37'45" E, 320.17'$

LOT 2
4.26 ACRES

LOT 3
3.60 ACRES

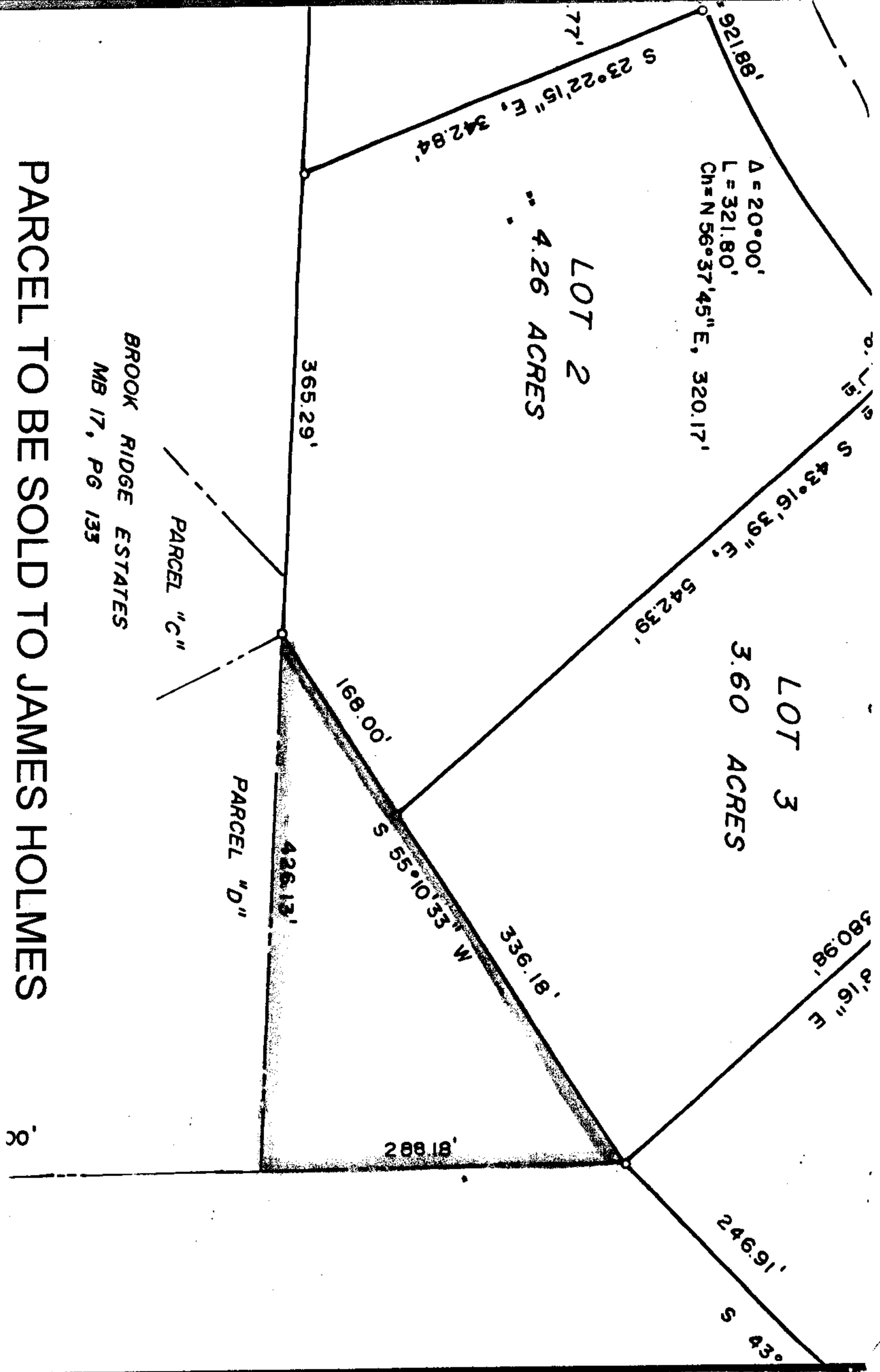
BROOK RIDGE ESTATES
MB 17, PG 133

PARCEL "C"

PARCEL "D"

PARCEL TO BE SOLD TO JAMES HOLMES

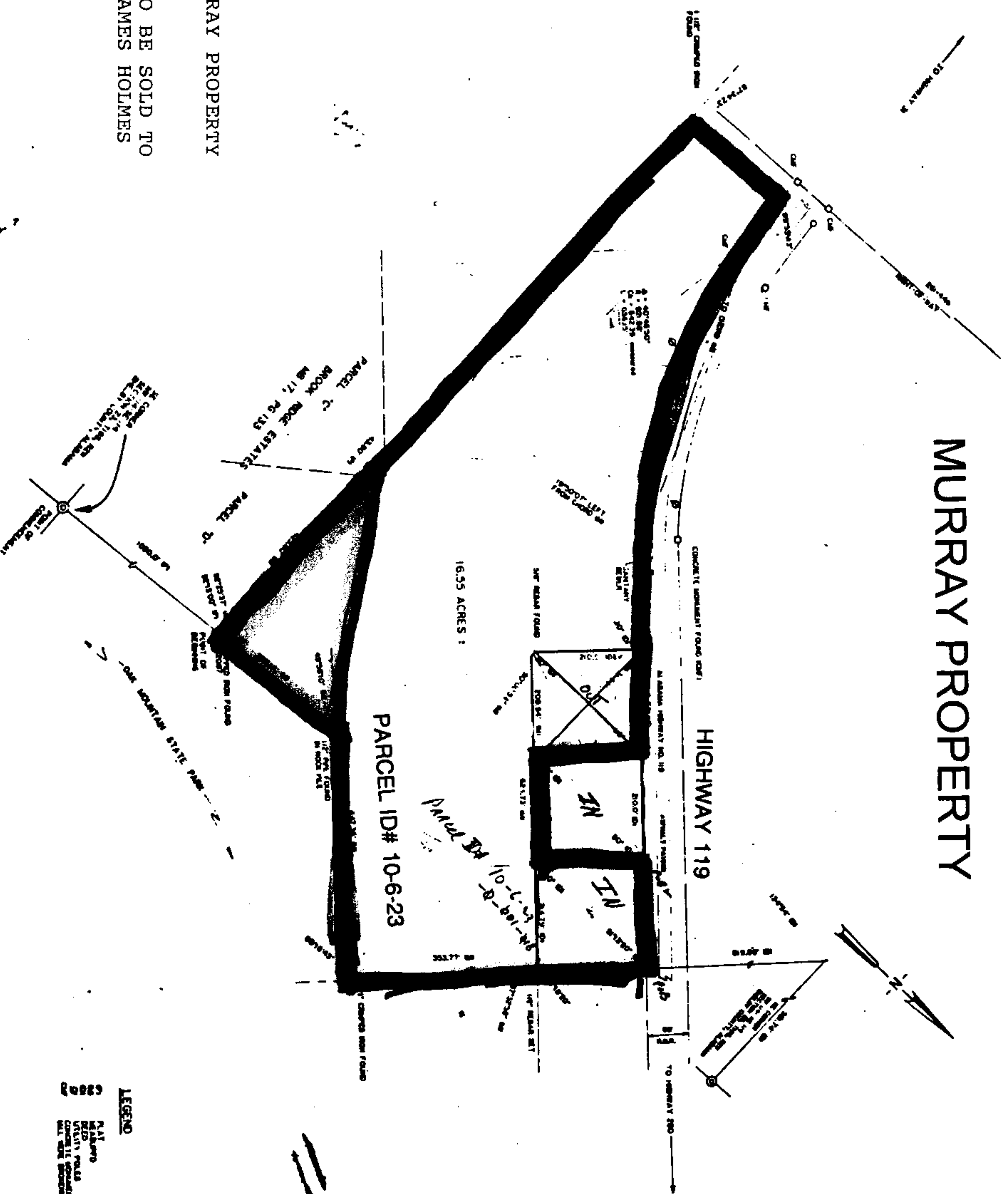
30



MURRAY PROPERTY

3

RED = MURRAY PROPERTY
 GREEN = TO BE SOLD TO JAMES HOLMES

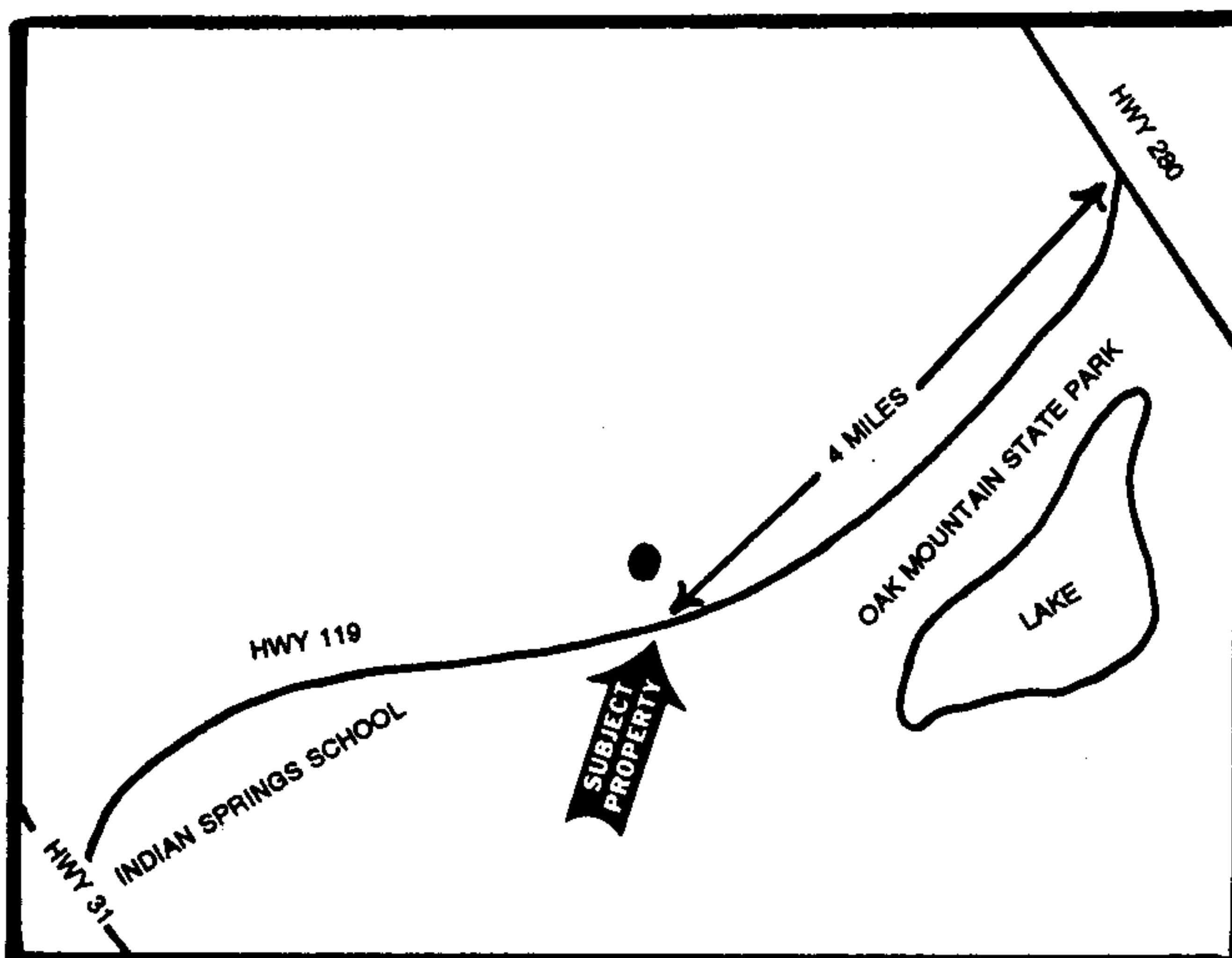


LEGEND
 PLAT
 RED
 GREEN
 CONCRETE MONUMENT ROAD CORNER
 1/2\"/>

A. LICHTENSTEIN CO. INC. 244 GOODWIN CREST DRIVE
BIRMINGHAM, AL. 35209
205 940 9986 FAX 205 940 9923

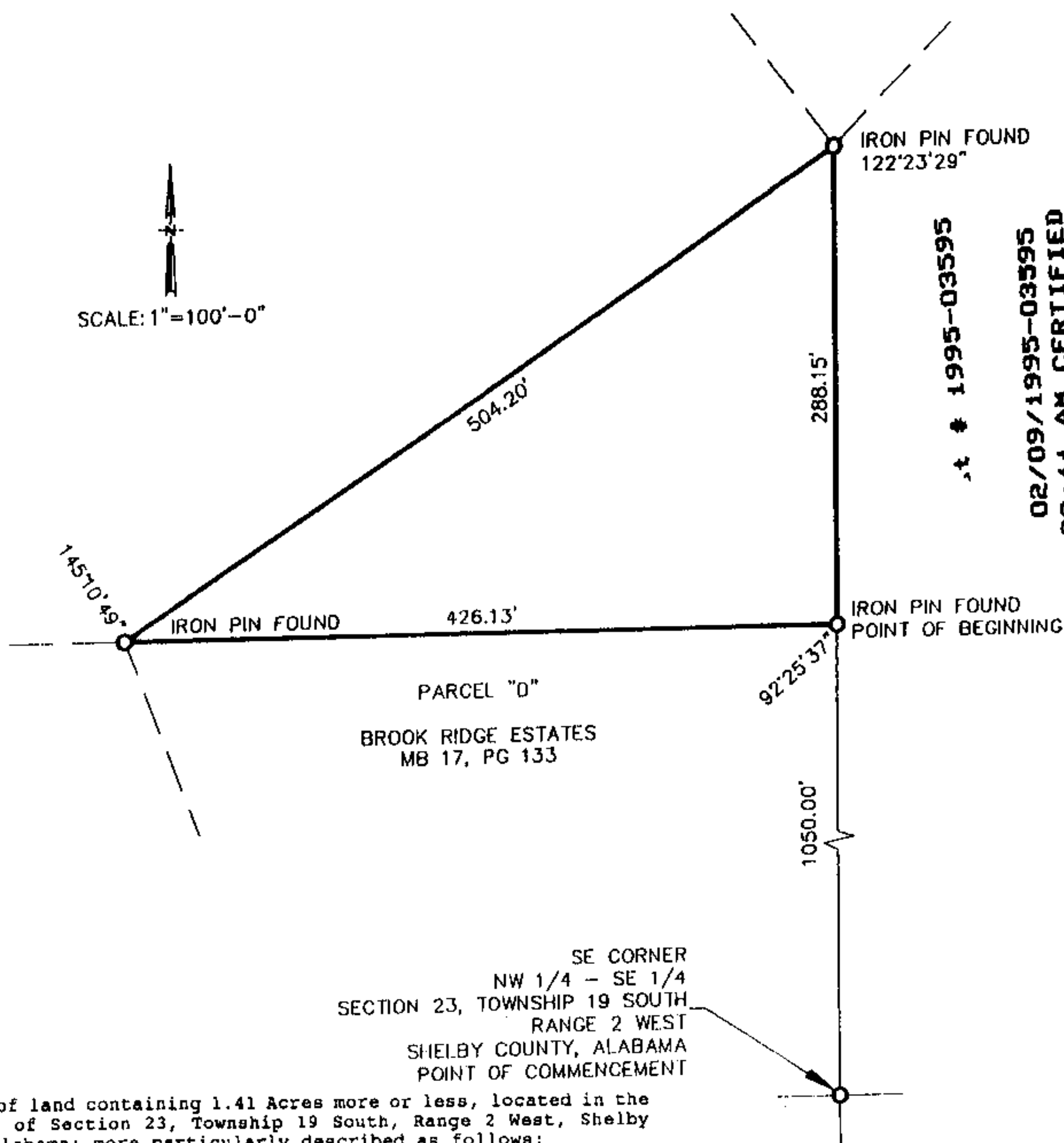
VICINITY MAP

PROPERTY PROPOSED FOR ANNEXATION



FOR ADDITIONAL INFORMATION CONTACT ALAN LICHTENSTEIN

SCALE: 1"=100'-0"



1995-03595

02/09/1995-03595
09:41 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 NCD 22.50

SE CORNER
NW 1/4 - SE 1/4
SECTION 23, TOWNSHIP 19 SOUTH
RANGE 2 WEST
SHELBY COUNTY, ALABAMA
POINT OF COMMENCEMENT

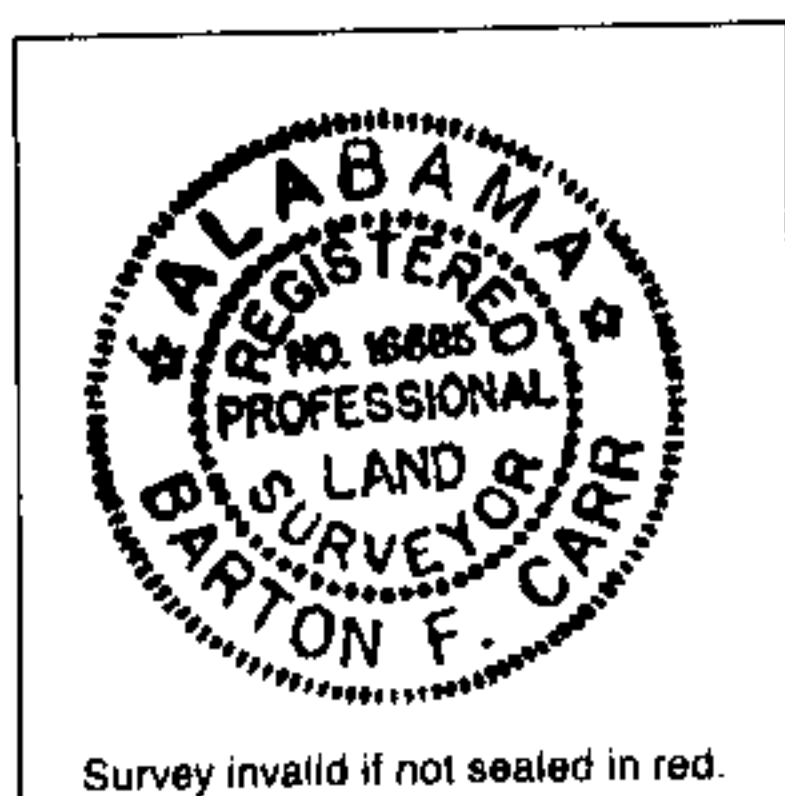
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SHELBY County, Alabama

I, Barton F. Carr, a Registered Surveyor of the State of Alabama, hereby certify that this is a true and correct plat of Lot 1 Block 1 as recorded in Map Volume 1 Page 1, in the Office of the Judge of Probate of SHELBY County, Alabama; that the building now erected on said lot is within the boundaries of the same; that there are no encroachments by buildings of adjoining property; that there are no easements, right-of-ways, or joint driveways over or across said land visible on the surface, except as shown on this plat; that I have consulted the Federal Insurance Administration "Flood Hazard Boundary Map" and found that this property is within Flood Zone "C"; that the correct street address 1050.00 Alabama

According to my survey this 2nd day of February, 19 95



CAE

Barton F. Carr
Carr & Associates Engineers, Inc.
2052 Oak Mountain Drive
Pelham, Alabama 35124
(205) 664-8498

Boundary Survey

Reg. No. 16685

This survey meets or exceeds the Minimum Technical Standards for the Practice of Land Surveying in the State of Alabama