

**ORDINANCE NO. 271**

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.

07/11/1995-18131  
01:07 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 HCB 23.50

cost # 1995-18131

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. 271, hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Willard Payne, 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 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 10 day of July 19 95.

Bobby Hayes  
Mayor

Ken Maynard  
Council Member

Connie LaBue  
Council Member

Willard C. Payne  
Council Member

Jim Phillips  
Council Member

Karyl Rice  
Council Member

Seal

ATTEST

Gregg G. Batten  
City Clerk

PARSONS & GUYTON  
ATTORNEYS AT LAW  
4507 GARY AVENUE  
P. O. BOX 434  
FAIRFIELD, ALABAMA 35064  
205/786-7084

FRANK B. PARSONS  
(1918-1992)

JACKSON W. GUYTON

June 30, 1995

Ms. Donna Treslar  
Administrative Assistant to the Mayor of the City of Pelham  
3162 Pelham Parkway  
Pelham, AL 352124

Dear Ms. Treslar:

In accordance with my conversation with you today, I represent Archie Phillips, who owns 49.04 acres adjoining the City of Pelham.

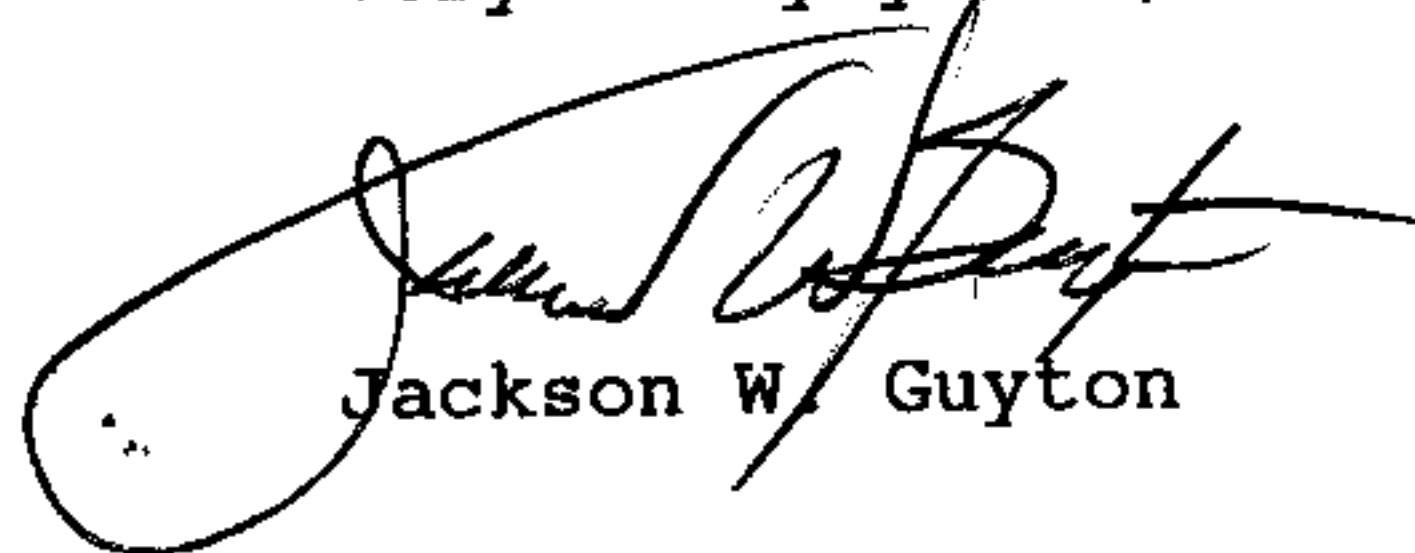
Mr. Phillips desires for the City of Pelham to annex this land into the City of Pelham.

Enclosed is a topo map that has the legal description of the property shown along with a map, shaded in yellow, showing how this land lays with respect to the City of Pelham.

Mr. Phillips desires to get this request placed in the agenda for the next council meeting, which I understand is on July 10, 1995.

Upon receipt of this letter, please call me and notify me if this will be on the agenda for that meeting and inform me if anything else is needed.

Very truly yours,



Jackson W. Guyton

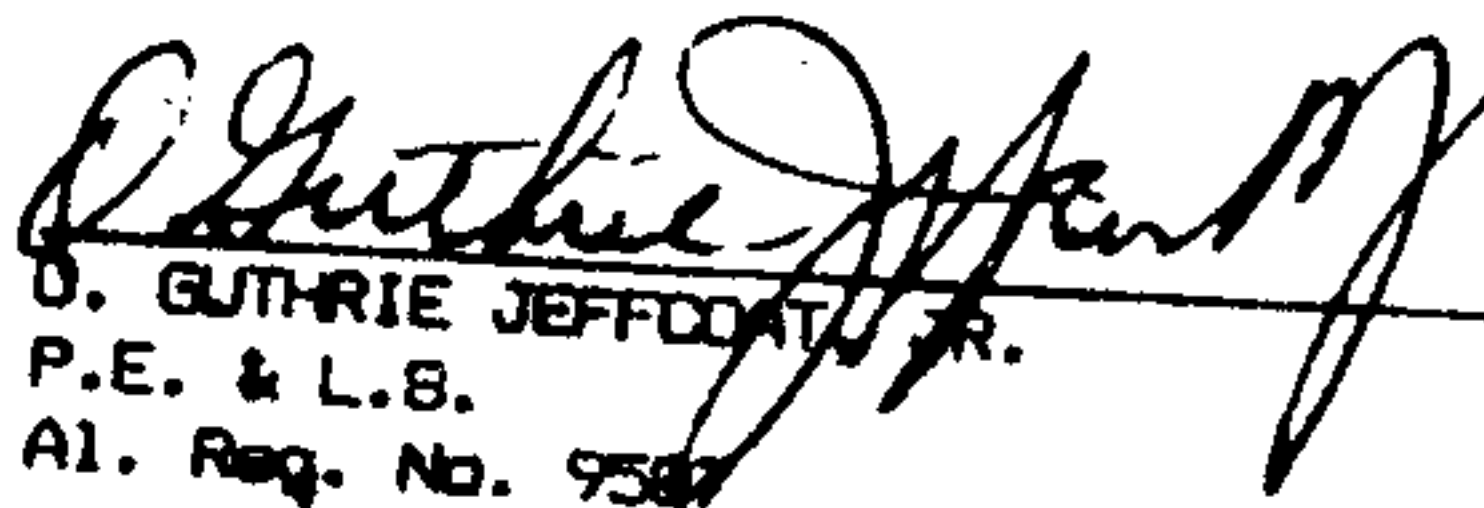
JWG/fs

Enclosures

cc: Archie Phillips

STATE OF ALABAMA  
SHELBY COUNTY

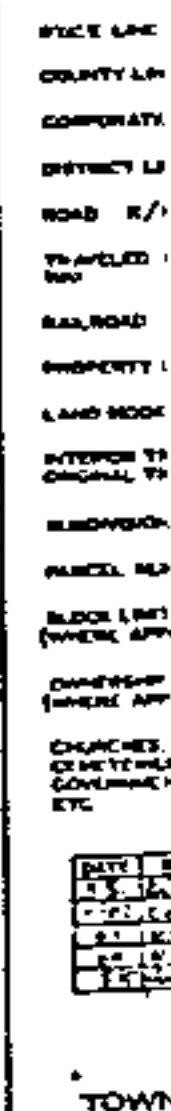
I, O. Guthrie Jeffcoat, Jr., a Registered Professional Engineer and Land Surveyor of the State of Alabama, do hereby certify that I have surveyed the property shown on this map, and that to the best of my knowledge and belief, the map is true and correct, that all parts of this survey and drawing have been completed in accordance with the minimum technical standards for the practice of land surveying in the State of Alabama, this the 31<sup>st</sup> day of Oct., 1994.

  
O. GUTHRIE JEFFCOAT, JR.  
P.E. & L.S.  
Al. Reg. No. 9587

LEGAL DESCRIPTION:

Begin at the SE corner of the NE 1/4 of the NE 1/4 of Section 30, T-20-S, R-2-W, Shelby County, Alabama and run N 89°29'43" W, 990.43 feet; Thence N 36°18'16" E, 1040.02 feet; Thence N 52°29'35" W, 473.71 feet to a point on the east R.O.W. of Shelby County Highway No. 11; Thence along said R.O.W. N 37°30'37" E, 60.00 feet; Thence leaving said R.O.W. S 52°29'35" E, 422.00 feet to point on a curve concave northerly; Thence along said curve (Radius = 251.02 feet, Delta = 56°11') at a chord S 80°35'05" E, Ch.=236.40 feet; Thence leaving said curve N 71°19'25" E, 117.00 feet; Thence N 00°12'30" W, 410.13 feet; Thence S 89°32'54" E, 48.20 feet; Thence S 00°28'21" W, 326.78 feet; Thence S 89°37'24" E, 1365.73 feet; Thence S 00°28'21" W, 393.06 feet to a point on the north R.O.W. of Seaboard Coastline Railroad; Thence along said R.O.W. S 44°45'53" W, 1957.25 feet; Thence leaving said R.O.W. N 00°30'17" E, 784.05 feet to the Point of Beginning. All lying in the NE 1/4 of Section 30, T-20-S, R-2-W, Shelby County, Alabama and containing 49.04 acres more or less.

BOUNDARY & TOPOGRAPHICAL SUR  
FOR:





THIS SHEET

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