

ORDINANCE NUMBER 489-96

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND
THE CORPORATE LIMITS OF THE CITY OF HELENA,
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 petition signed by the owners of all of the land within the territory therein described and proposed to 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 Helena; 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 Helena;

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

Section 1. That said Council and the City of Helena hereby assent to the annexation of said territory to the City of Helena, 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 11-42-23, 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 of another municipality and the new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any municipality. Said territory is described as follows:

The South $\frac{1}{2}$ of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama (less Parcel Number 12-7-26-0-000-001).

The East $1\frac{3}{4}$ inches of the West $3\frac{1}{4}$ inches of the North $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama.

That parcel of land East of Ridgemont Drive (being part of Parcel #03.03), the West $2\frac{1}{4}$ feet of the East $4\frac{1}{2}$ feet being part of the NE $\frac{1}{2}$ of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, Township 20 South, Range 4 West, Shelby County, Alabama.

The East $1\frac{1}{4}$ feet of the West $2\frac{1}{2}$ feet of the West $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20 South, Range 4 West, Shelby County, Alabama.

The West $1\frac{1}{8}$ inches of the East $2\frac{1}{4}$ inches of the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, Township 20 South, Range 4 West, Shelby County, Alabama.

The West $3\frac{1}{4}$ inches of the East $7\frac{1}{2}$ inches of the East $\frac{1}{2}$ of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 25, Township 20 South, Range 4 West, Shelby County, Alabama.

The East $32\frac{1}{2}$ feet of the West 75 feet of the South $\frac{1}{2}$ of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 34, Township 20 South, Range 4 West, Shelby County, Alabama.

The West $\frac{1}{2}$ of Parcel Number 01.09 (30 acres) Shelby County Tax Map Number 58-12-06, situated in the NW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 23, Township 20 South, Range 4 West, Shelby County, Alabama.

Section 2. 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 posted in three (3) public places in the City of Helena.

05/21/1996-16455
12:49 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
007 MCD 23.50

1996-16455

STATE OF ALABAMA
SHELBY COUNTY

I, Frances Parrish, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of an ordinance duly adopted by the Council of the City of Helena at its meeting held March 18 1996, and as same appears of record in the ordinance records of said City, and approved by the Mayor on March 18, 1996.

Given under my hand and corporate seal of the City of Helena, this the 18 day of March, 1996.

Sherry Oglesby, Deputy Clerk
City Clerk

CERTIFICATION

I, Frances Parrish, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 489-96 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, in the Police Dept. in the City of Helena, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 25 day of March, 1996, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 18 day of March, 1996.


City Clerk

PETITION

We, the undersigned property owner, being owners of all of the land within the territory described as follows:

The South ½ of the East ½ of the NE 1/4 of the NE 1/4 of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama (less Parcel Number 12-7-26-0-000-001)

do hereby petition the City of Helena, County of Shelby, Alabama, to annex the above described property into the city limits of the City of Helena. Attached hereto as Exhibit 'A' and made part and parcel hereof as fully as if set out herein, is a map of said property which we own, showing its relationship to the corporate limits of the City of Helena, Alabama, which said map is herewith filed with the City Clerk of the City of Helena, Alabama.

Dated this 5th day of March, 1996.

Parcel # & Address

Name & Phone

Martin & Kay Malizio
117 Hicks Drive
Helena AL 35080

Mart Malizio 424-8407
Kay Malizio

Date:

10/3/55

City of Helena

Attention: Gary Carter

Ref: Annexation of approximately
35 acres ±

See attached map

58-12-06 TP. 26S 2.4W

SEC. 23 Parcel # 01.09

As owners of the above referenced property, it is our desire to annex into the City of Helena.

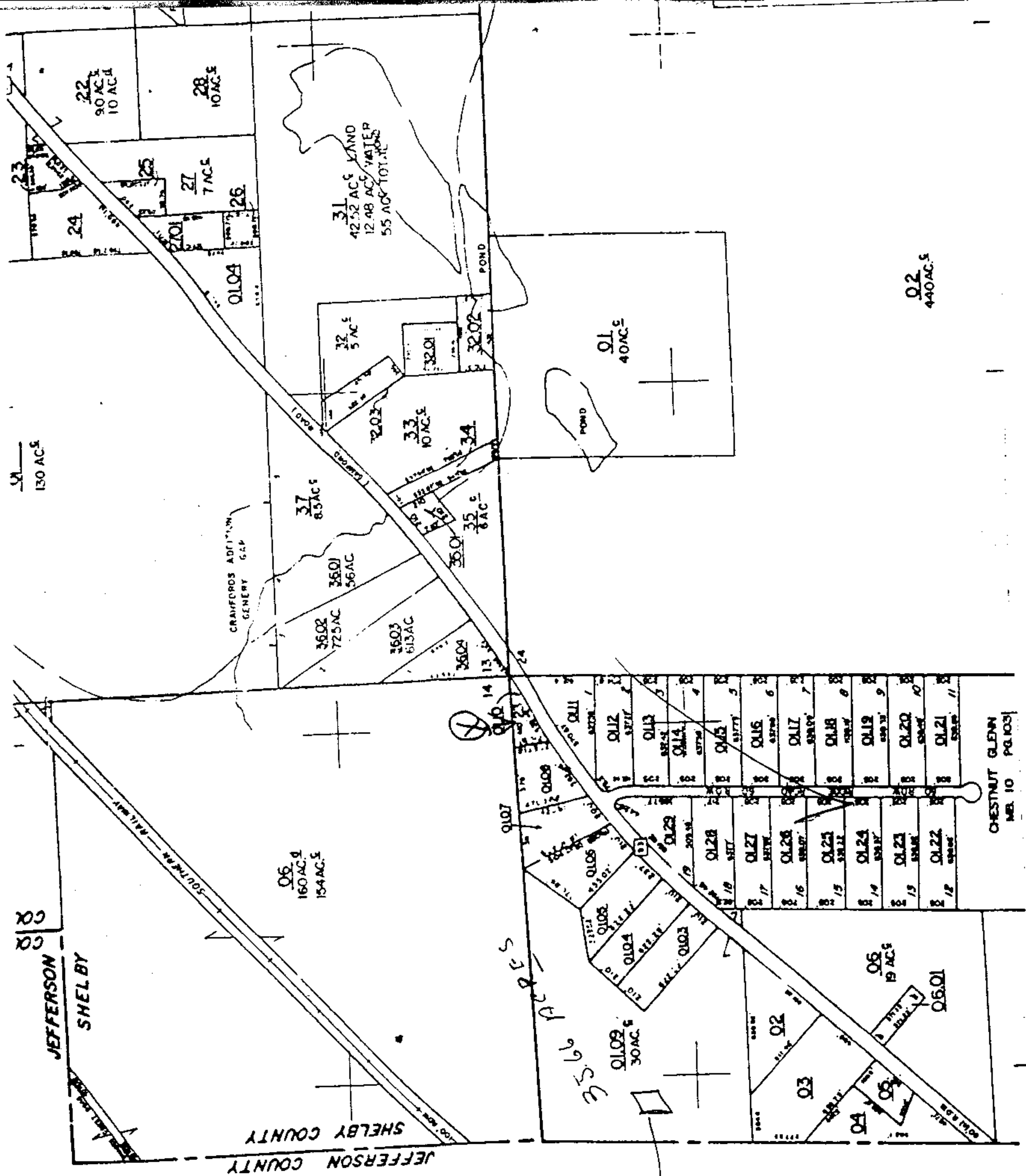
This is contingent upon a zoning classification that provides for R-1 type houses and upon city water being provided to the property by the City of Helena.

Sincerely,

FIRST UNION INVESTORS, LLC

Robert J. Weber
Edmund C. Burkett

Gary E. Carter
Witness



PROPOSED
ANNEXATION
CITY LIMITS
CITY LIMITS

DATE: 05/21/96
TIME: 12:21 PM
FILE: 966R/150

COUNTY ROAD

ROAD

NTY

PROPERTY OF LOT 5
WASCOE SUBDIVISION

OCEANVIEW ESTATES
LOT 10

OCEANVIEW ESTATES
LOT 11

10 AC
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