

ORDINANCE NO. 293

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.

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Jim Phillips, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 293, hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Karyl Rice, 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

Mike Dickens
Council Member

Yes

Ken Maynard
Council Member

Yes

Karyl Rice
Council Member

Yes

Jim Phillips
Council Member

Yes

THEREUPON Jim Phillips, a member moved and Karyl Rice, 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 16 day of Dec 19 96.

Bobby Hayes
Mayor

Ken Maynard
Council Member

Michael S. Johnson
Council Member

Willard C. Payne
Council Member

Karyl D. Rice
Council Member

Jim Phillips
Council Member

Seal

ATTEST

Cyrus O. Bate City Clerk

TOWN CLERK
P.O. Box 1419
Pelham, AL 35124

PETITION FOR ANNEXATION

The Members of Double Mountain L.L.C., owners of the property which is described in the attached "Exhibit A" and which is contiguous to the corporate limits of the town of Pelham, do hereby petition the town of Pelham to annex said property into the corporate limits of the municipality.

Done this 16th day of December, 1996.


Witness


Paul B. Shaw, Jr., Member
Double Mountain L.L.C.

EXHIBIT A

LEGAL DESCRIPTION

ANNEXATION I

TOWNSHIP 20 SOUTH, RANGE 1 WEST

SECTION 7: Northwest Quarter of the Northwest Quarter

TOWNSHIP 20 SOUTH, RANGE 2 WEST

SECTION 2: South 6 acres of the Southwest Quarter of the Southeast Quarter.

Southeast Quarter of the Southwest Quarter, lying South of Shelby County Highway 11, less 5.1 acres, more or less, South of the railroad.

Southwest Quarter of the Southwest Quarter lying South of Shelby County Highway 11.

SECTION 3: That part of the Southeast Quarter of the Southeast Quarter lying South of Shelby County Highway 11.

SECTION 10: Northeast Quarter of the Northeast Quarter lying South of Shelby County Highway 11.

Southeast Quarter of the Northeast Quarter.

West one-half of the Northeast Quarter lying South of Shelby County Highway 11, except 30 acres described as follows: Begin at the Northwest corner of the Southwest Quarter of the Northeast Quarter of said section and proceed S2° 15'E for 155 feet to the point of beginning; thence S2° 15'E for 988 feet; thence N57° 45'E for 1,320 feet; thence N2° 15'W for 990 feet; thence S57° 45'W for 1,320 feet to the point of beginning.

Southeast Quarter

TOWNSHIP 20 SOUTH, RANGE 2 WEST (Continued)

SECTION 10 Southeast Quarter of the Northwest Quarter lying south of Shelby County Highway 11.

East one-half of the Southwest Quarter.

Southwest Quarter of the Southwest Quarter lying South and east of Shelby County Highway 11.

Northwest Quarter of the Southwest Quarter lying South of Shelby County Highway 11.

SECTION 11: West one-half of the section.

North one-half of the Southeast Quarter.

South one-half of the Northeast Quarter.

SECTION 12: North one-half of the Northeast Quarter.

Southwest Quarter of the Northeast Quarter.

South one-half of the Northwest Quarter.

SECTION 14: Southwest Quarter of the Southwest Quarter.

SECTION 15: South one-half.

Northeast Quarter.

Southeast Quarter of the Northwest Quarter.

Northwest Quarter of the Northwest Quarter.

SECTION 16:

East one-half of the Southeast Quarter.

Southeast Quarter of the Northeast Quarter, except the Northwest diagonal 7 acres.

Northeast Quarter of the Northeast Quarter lying South of Shelby County Highway 11, less and except the following described property:

Begin at the Southwest Corner of the Northeast Quarter of the Northeast Quarter of Section 16, T-20-S, R-2-W; Thence proceed North, along the West line of said Quarter Section for a distance of 7 feet, to the Southeast right of way line of Shelby County Highway No. 11; Thence proceed North 43 deg. 43 min. 45 sec. East, along said right of way line, for a distance of 420.20 feet, to the P.C. of a right of way curve; Thence proceed, along said right of way curve, whose Delta Angle is 16 deg. 19 min. 26 sec. to the left, Radius is 2357.16 feet, Length of Arc is 671.50 feet, to the P.T. of said curve and the West right of way of Shelby County Highway No. 334;

Thence proceed, along the West right of way of Highway No. 334, S 16 deg. 01 min. 56 sec. East, for a distance of 26.57 feet; Thence continue, along said right of way, South 02 deg. 01 min. 54 sec. East for a distance of 83.77 feet;

Thence continue, along said right of way, South 15 deg. 19 min. 21 sec. West, for a distance of 69.37 feet;

Thence continue, along said right of way, South 18 deg. 29 min. 04 sec. West, for a distance of 40.26 feet;

Thence continue, along said right of way, South 05 deg. 37 min. 45 sec. East, for a distance of 92.26 feet;

Thence continue, along said right of way, South 13 deg. 51 min. 16 sec. East, for a distance of 61.89 feet;

Thence continue, along said right of way, South 14 deg. 27 min. 54 sec. East, for a distance of 99.52 feet;

Thence continue, along said right of way, South 23 deg. 06 min. 07 sec. East, for a distance of 120.53 feet;

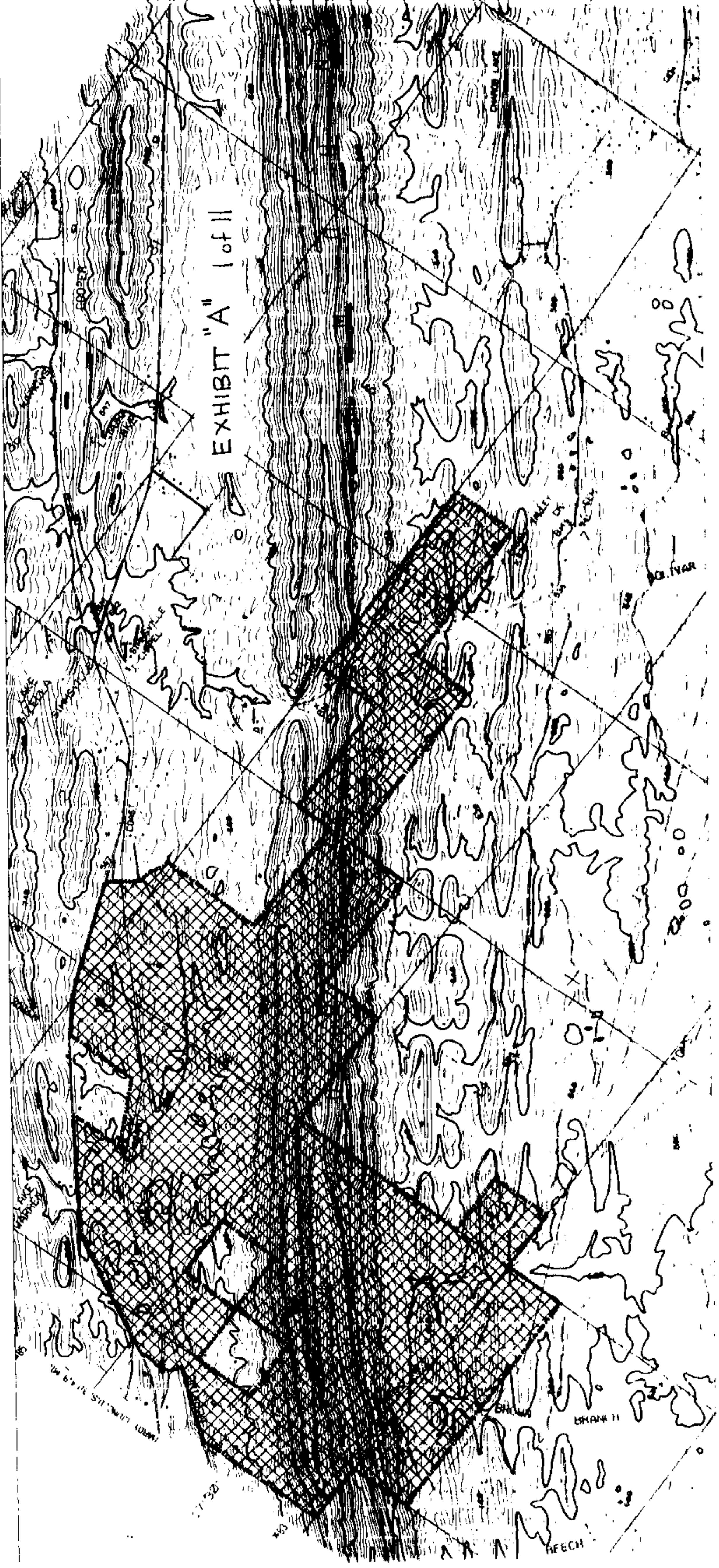
Thence proceed South 48 deg. 14 min. 14 sec. West, for a distance of 300.00 feet;

Thence proceed South 71 deg. 58 min. 04 sec. West, for a distance of 271.77 feet, to the South line of the Northeast Quarter of the Northeast Quarter of Section 16;

Thence proceed North 89 deg. 27 min. 31 sec. West, along the South line of said Quarter Section for a distance of 254.67 feet, for the point of beginning.

SECTION 22:

North one-half of the North one-half.



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