

**TOWN OF CHELSEA**

P.O. BOX 111  
CHELSEA, ALABAMA 35043

**CERTIFICATION  
OF  
ANNEXATION ORDINANCE**

Inst # 1997-01978

01/21/1997-01978  
08:46 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
011 MCD 33.50

Ordinance Number: X97-01-07-031

Property Owner(s): Yellowleaf Estates Incorporated  
Owned by William F. Spratlin, Donald M. Acton  
and Rodney McGinnis

Property: All consecutive parcels from Parcel No. 09-8-33-0-001-001-000 through Parcel No. 09-8-33-0-001-001-023 LESS AND EXCEPT Parcels No. 09-8-33-0-001-001-003, No. 09-8-33-0-001-001-009, No. 09-8-33-0-001-001-012, No. 09-8-33-0-001-001-015 and portions of three other parcels shown on the enclosed map (Exhibit A, page 6).

I, Robert A. Wanninger, Town Clerk of the Town of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the Town Council of Chelsea, at a regular meeting held on January 7, 1997, as same appears in minutes of record of said meeting, and published by posting copies thereof on January 8, 1997 at the public places listed below; which copies remained posted for five business days (through January 14, 1997).

Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043  
First National Bank of Shelby County, Chelsea Branch, Highway 280, Chelsea, Alabama 35043  
First Bank of Chelsea, Highway 280, Chelsea, Alabama 35043

  
Robert A. Wanninger, Town Clerk

**TOWN OF CHELSEA, ALABAMA**

**ANNEXATION ORDINANCE NO. X97-01-07-031**

PROPERTY OWNER(S): Yellowleaf Estates Incorporated  
Owned by William F. Spratlin, Donald M. Action  
and Rodney McGinnis


PROPERTY: All consecutive parcels from Parcel # 09-8-33-0-001-001-000 through Parcel # 09-8-33-0-001-001-023 LESS AND EXCEPT \* Parcels #09-8-33-0-001-001-003, #09-8-33-0-001-001-009, #09-8-33-0-001-001-012, #09-8-33-0-001-001-015 and portions of three other parcels shown on attached map (Exhibit A, page 6).

\*(Parcels not included for annexation are those already sold by Yellowleaf Estates Inc.)

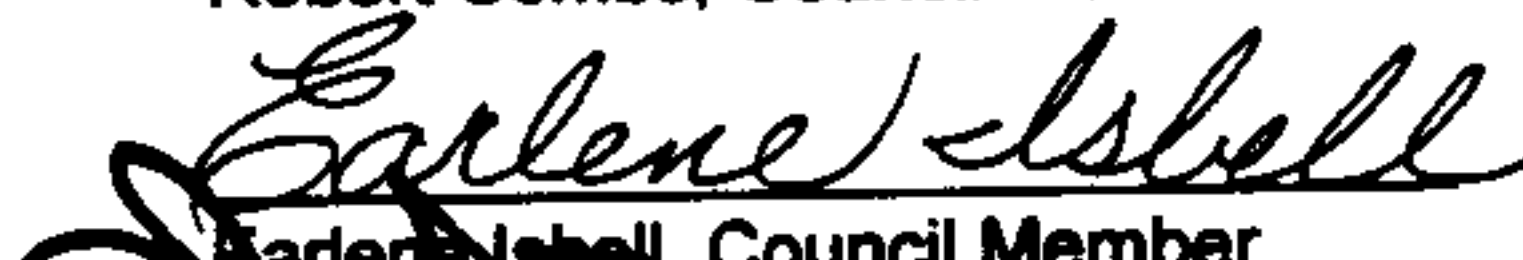
Pursuant to the provisions of Section 11-42-21, of the Code of Alabama (1975), BE IT ORDAINED BY THE TOWN COUNCIL OF CHELSEA, ALABAMA, that Chelsea does hereby honor the request(s) for annexation filed by the owner(s) of the real property which is contiguous to the existing corporate limits of Chelsea, or which is a part of a group of properties submitted at the same time for annexation and which together are contiguous to the corporate limits of Chelsea, as described in the attached Petition of Annexation, Property Description, deed(s), and map(s) of said property. Since said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap, the boundary of the annexation of said property, or the boundary of the annexation of the said group of properties of which said property is a part, is a line that is equidistant between the corporate limits of Chelsea and the corporate limits of Pelham or is a line that is closer to the corporate limits of Chelsea than to the corporate limits of Pelham.

This ordinance shall go into effect upon the passage and publication as required by law.

  
Earl Niven, Mayor

  
Robert Combs, Council Member

  
Glen Autry, Jr., Council Member

  
Earlene Isbell, Council Member

  
Shelby Blackerby, Council Member

  
John Ritchie, Council Member

Passed and approved 7 day of JANUARY, 1996.

  
Robert A. Wanninger, Town Clerk

Town Clerk  
Town of Chelsea  
P. O. Box 111  
Chelsea, Alabama 35043

## PETITION FOR ANNEXATION - Page 1 of 2

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the town of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 21<sup>st</sup> day of Dec., 1996.

Earl A. [Signature]  
Witness

William F. Smith  
Owner

10 Sweet Home Lane, Chelsea, AL  
Mailing Address

Property Address(if different)

678-9778  
Telephone no.

Earl A. [Signature]  
Witness

Donald M. [Signature]  
Owner

2109 Longleaf Trail, Vestavia  
Mailing Address

Property Address(if different)

822-7973  
Telephone no.

(All owners listed on the deed must sign)

revised 11/96

Town Clerk  
Town of Chelsea  
P. O. Box 111  
Chelsea, Alabama 35043

PETITION FOR ANNEXATION - Page 2 of 2

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the town of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 21<sup>st</sup> day of Dec., 1996.

Earl Davis  
Witness

Rodney McArthur  
Owner

120 Summer Circle, B'ham, AL  
Mailing Address

\_\_\_\_\_  
Property Address(if different)

991-5859  
Telephone no.

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Property Address(if different)

\_\_\_\_\_  
Telephone no.

(All owners listed on the deed must sign)

revised 11/96

PROPERTY OWNER(S): Yellowleaf Estates incorporated  
Owned by William F. Spratlin, Donald M. Action  
and Rodney McGinnis

PROPERTY: All consecutive parcels from Parcel # 09-8-33-0-001-001-000 through Parcel # 09-8-33-0-001-001-023 LESS AND EXCEPT \* Parcels # 09-8-33-0-001-001-003, # 09-8-33-0-001-001-009, # 09-8-33-0-001-001-012, # 09-8-33-0-001-001-015 and portions of three other parcels shown on attached map (Exhibit A, Page 6).

\* (Parcels not included for annexation are those already sold by Yellowleaf Estates Inc.)

### **DESCRIPTION OF PROPERTY FOR ANNEXATION INTO CHELSEA**

The above-noted property, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Exhibit A, pages 2-5) from Instrument Number 1994-25553. The said property is shown in orange on the attached map(s) (Exhibit A, pages 6). The four above-noted parcels and portions of three other parcels NOT INCLUDED for annexation in this petition are shown in pink on the same map.

The above-noted property, for which annexation into Chelsea is requested in this petition, is part of a group of properties submitted for annexation at the same meeting of the Chelsea town council, and the said above-noted property is the first of this group of properties to be considered for annexation.

Pursuant to Section 11-42-21, Code of Alabama (1975), the parcel(s) for which annexation into Chelsea is requested in this petition, and all of the group of properties of which said parcel(s) is a part which are submitted for annexation at the same time, are less-than-equidistant from the respective corporate limits of Chelsea and any other municipality (i.e., these parcel(s) of land are closer to the corporate limits of Chelsea than to the corporate limits of any other municipality).



This instrument was prepared by:  
Clayton T. Sweeney, Esquire  
2700 Highway 280 East  
Suite 290E  
Birmingham, Alabama 35223

Send Tax Notice to:  
Yellowleaf Estates, Inc.  
2232 Cahaba Valley Drive  
Birmingham, AL 35242

Inst # 1994-25553

STATE OF ALABAMA )  
COUNTY OF SHELBY )

**WARRANTY DEED**

**WHEREAS**, Louis Tortorigi and wife, Bonnie S. Tortorigi (hereinafter referred to as "Grantors") are the owners of that certain parcel of land described on Exhibit "A", which is attached hereto and made a part hereof.

**WHEREAS**, Yellowleaf Estates, Inc., an Alabama Corporation, (hereinafter referred to as "Grantee") is the owner of that certain parcel of land described on Exhibit "B", which is attached hereto and made a part hereof.

**WHEREAS**, Louis Tortorigi and wife, Bonnie S. Tortorigi and Yellowleaf Estates, Inc. are desirous of simultaneously exchanging their respective properties to each other to satisfy the requirements of Section 1031 of the Internal Revenue Code for a "like kind exchange".

**KNOW ALL MEN BY THESE PRESENTS**, that in consideration of SIXTY FIVE THOUSAND DOLLARS (\$65,000.00) AND THE EXCHANGE OF THE PROPERTY DESCRIBED IN EXHIBIT "A" FOR THE PROPERTY DESCRIBED IN EXHIBIT "B" AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned grantor (whether one or more) **LOUIS TORTORIGI and wife BONNIE S. TORTORIGI**, in hand paid by Grantee herein, the receipt of which is hereby acknowledged, I or we, **LOUIS TORTORIGI and wife, BONNIE S. TORTORIGI** grant, bargain, sell and convey unto **YELLOWLEAF ESTATES, INC.** (hereinafter referred to as "Grantee", whether one or more), the following described real estate (the "property"), situated in Shelby County, Alabama, to-wit:

The property referred to in this deed is described in Exhibit "A" attached hereto and incorporated and made a part of this deed by reference.

The above property is conveyed subject to:

- (1) Ad Valorem taxes for the year 1994 which are a lien but are not due and payable October 1, 1994.
- (2) Existing easements, restrictions, set-back lines and limitations of record.

\$ **ALL** of the consideration was paid from the proceeds of a mortgage loan closed simultaneously herewith. Inst # 25549

**TO HAVE AND TO HOLD** to the said Grantee, its successors and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, its successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors and administrators shall warrant and defend the same to the said GRANTEE, its successors and assigns forever.

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 1994-25553

08/16/1994-25553  
04:22 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
004 REC 17.00

## Parcel I

The NE 1/4 of NE 1/4 of Section 33, Township 19 South, Range 1 West. Also, North 1/2 of NW 1/4 of NW 1/4 of Section 34, Township 19 South, Range 1 West, Shelby County, Alabama. Mineral and mining rights excepted.

## Parcel II

An easement for a right of described as follows:

A strip of property 60 feet in width, being 30 feet on either side of a center line which centerline is described as follows:

From the South east corner of said SW 1/4 of SE 1/4, run West along the South line of said 1/4 1/4 Section for a distance of 75.16 feet to the point of beginning of said centerline, thence turn an angle to the right of 60 deg. 56 min. and run Northwesterly for a distance of 225 feet, more or less, to the center of a public road. All lying and being in the SW 1/4 of SE 1/4 of Section 28, Township 19 South, Range 1 West, as described in Deed Book 284 page 592.

## Parcel III

An easement 60 feet in width for a private road over and across

the NW 1/4 of NE 1/4, Section 33, Township 19 South, Range 1 West. The centerline of said easement is described as follows:

From the Northeast corner of said NW 1/4 of NE 1/4, run West along the North line of said 1/4 1/4 Section for a distance of 75.16 feet to the poitn of beginning of said centerline; thence turn an angle of 110 deg. 29 min. left and run Southeasterly for 72.35 feet; thence turn an angle of 6 deg. 04 min. and run Southeasterly for 31.40 feet; thence turn an angle of 28 deg. 43 min. left and run 35 feet more or less, to the East line of said NW 1/4 of NE 1/4, as described in Deed Book 284 page 588.

All being situated in Shelby County, Alabama.

ff  
BSP

EXHIBIT 'B'

Begin at the SE corner of the NW 1/4 of Section 24, Township 19 South, Range 2 East; thence run North along the East line thereof for 2648.54 feet to the Southerly right of way of Shelby County Highway 62 and a curve to the right (having a central angle of 9 degrees 26 minutes 58 seconds and a radius of 1836.76 feet); thence 102 degrees 59 minutes 25 seconds left to tangent of said curve, run Westerly along said right of way and curve for 302.92 feet to end of said curve; thence continue along the tangent of said curve and right of way for 2290.98 feet to a curve to the right (having a central angle of 15 degrees 30 minutes 51 seconds and a radius of 1875.27 feet); thence continue along said right of way and last said curve for 307.77 feet to end of curve; thence continue along the tangent of last said curve and right of way for 1024.25 feet to the Southeasterly right of way of Seaboard Coast Line Railroad; thence 55 degrees 58 minutes 20 seconds left run Southwesterly along last said right of way for 508.39 feet to the Easterly right of way of Central of Georgia Railroad; thence 66 degrees 52 minutes left run Southeasterly along last said right of way for 2509.43 feet to the South line of SE 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 2 East; thence 68 degrees 38 minutes left run Easterly for 906.93 feet to the SW corner of the NW 1/4 of said Section 24; thence 0 degrees 20 minutes 36 seconds left run Easterly for 2657.86 feet to the point of beginning.

According to survey of Thomas E. Simmons, RLS #12945, dated July 29, 1994.

*THS*

Inst # 1994-25553

08/16/1994-25553  
04:22 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
DDA HCD 17.00



IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s), this 15th day of August, 1994.

GRANTORS:

Louis Tortorigi  
LOUIS TORTORIGI

Bonnie S. Tortorigi  
BONNIE S. TORTORIGI

STATE OF ALABAMA )  
JEFFERSON COUNTY )

I, the undersigned, a Notary Public in and for said County in said State hereby certify that Louis Tortorigi and wife, Bonnie S. Tortorigi, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the above and foregoing conveyance, they, as such officer, and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office this the 15th day of August, 1994.

[Signature]  
NOTARY PUBLIC

My Commission expires: 5/29/95

Yellowleaf Estates, Inc.

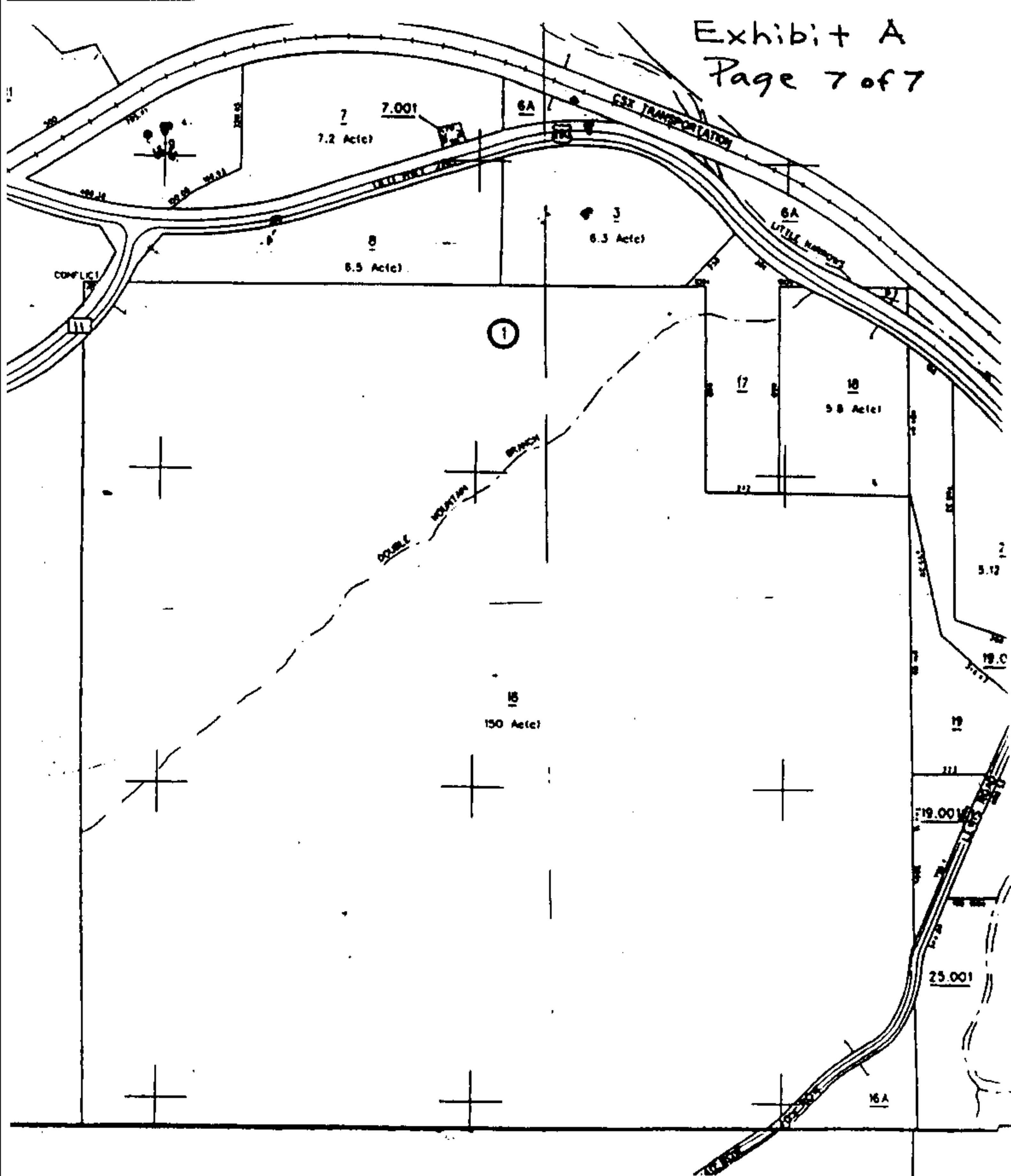
04-09-09  
All consecutive parcels from  
Parcel # 09-8-33-0-001-001-000  
thru

Parcel # 09-8-33-0-001-001-023  
LESS AND EXCEPT parcels

# 09-8-33-0-001-001-003,  
# 09-8-33-0-001-001-009,  
# 09-8-33-0-001-001-012,  
# 09-8-33-0-001-001-015 and  
shown, portions of 3 other parcels.

Part of maps # 58-09-08-27, # 58-09-08-28,  
# 58-09-08-33 & # 58-09-08-34

Not annexed



Inst # 1997-01978

01/21/1997-01978  
08:46 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
011 HCB 33.50

Part of map 58-09-08-28