

ORDER OF ANNEXATION
TOWN OF CHELSEA, ALABAMA

WHEREAS, annexation into Chelsea has been requested through a petition signed by residents of the territory set forth in the attached metes and bounds description (Attachment A) and shown on the attached map (Attachment B); and

WHEREAS, pursuant to Section 11-42-2 (10), Code of Alabama (1975), said territory is contiguous to the corporate limits of the Town of Chelsea, forms a homogeneous part of Chelsea and is not within the corporate limits of another municipality; and

WHEREAS, pursuant to said Section 11-42-2 (10), said petition contains the signatures of at least two qualified electors who reside on each quarter of each quarter section, or part thereof, of said territory for which annexation into Chelsea is proposed, and by signing said petition said electors assent in writing to said annexation and thereby request an election to allow qualified electors residing in said territory to vote on whether or not the said territory shall be annexed into the Town of Chelsea; and

WHEREAS, pursuant to said Section 11-42-2 (10), consent to the proposed annexation of said territory and to the request for said annexation election, as signified by signing said petition, has been given by the persons, firms or corporations owning at least sixty percent of the acreage within the said territory for which annexation into Chelsea is proposed; and

WHEREAS, pursuant to Section 11-42-2, Code of Alabama (1975), on October 14, 1997, the Chelsea town council passed a resolution to the effect that the public good requires that said territory shall be brought within the corporate limits of Chelsea; and

WHEREAS, pursuant to Section 11-42-2(1), Code of Alabama (1975), the mayor of Chelsea has, on October 14, 1997, certified a copy of said resolution to the Shelby County judge of probate; and

WHEREAS, pursuant to Section 11-42-2 (10), Code of Alabama (1975), proof of residence and qualification as electors of petitioners and of persons affected has been made to the Shelby County judge of probate by affidavit signed by the mayor of the Town of Chelsea on October 15, 1997; and

WHEREAS, on October 27, 1997, an election was ordered by the Shelby County judge of probate, said election to be held on November 25, 1997, to enable the qualified electors residing within the area proposed for annexation into Chelsea to determine whether or not the said territory shall be brought within the corporate limits of Chelsea; and

WHEREAS, the said election was held on November 25, 1997, as ordered, and said election was conducted in accordance with general election laws of the State of Alabama except as provided for by Sections 11-42-2 (5) and 11-42-2 (6), Code of Alabama (1975); and

WHEREAS, the duly appointed election officials for the election held on November 25, 1997, have certified that the results of the election were as follows:

46 ballots "For Annexation" and 0 ballots "Against Annexation"; and

WHEREAS, the Shelby County judge of probate has canvassed the returns of said election as required by Section 11-42-2 (7), Code of Alabama (1975); and

WHEREAS, it appears that a majority of the votes cast at said election were "For Annexation";

BE IT ADJUDGED AND DECREED that the corporate limits of the Town of Chelsea be extended to embrace the said territory described in the said resolution and set forth in the metes and bounds description and designated on the map, both of which are attached to said resolution.

DONE AND ORDERED this 26 day of November, 1997


Patricia Yeager Fuhrmeister
Judge of Probate

The foregoing order is entered under, and by virtue of and pursuant to, Article 1, Chapter 42, Title 11, Code of Alabama (1975).

Inst # 1997-38810

Inst # 1997-38810

12/01/1997-38810
10:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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Probate

ATTACHMENT B
Map for Order of Annexation

TOWN OF CHELSEA
MAP FOR ANNEXATION BY ELECTION
WEST 280, PHASE #2

Parts of Maps
#58-09-08-28,
#58-09-08-33,
#58-09-09-29 &
#58-09-09-32

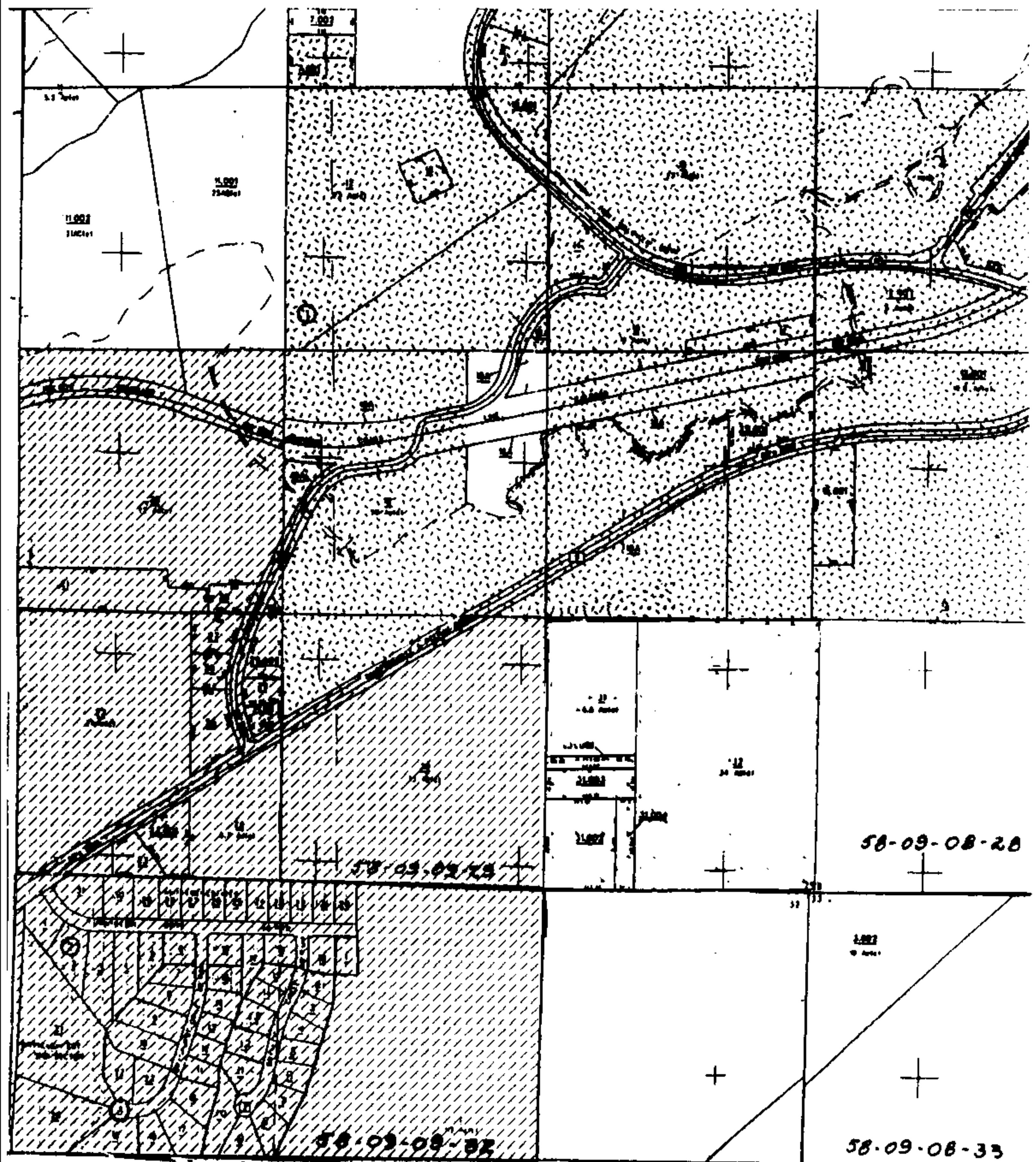
SHADING SYMBOLS



Territory Proposed for Annexation into Chelsea



Town of Chelsea



ORDER FOR ANNEXATION ELECTION FOR TOWN OF CHELSEA

Pursuant to Section 11-42-2, Code of Alabama (1975), the following actions have been completed to meet legal requirements for annexation by election.

- (1) The Chelsea town council passed, on October 14, 1997, a resolution to the effect that the public good requires that the territory set forth in the metes and bounds description, attached as Exhibit B to said resolution, and shown on the map, attached as Exhibit C to said resolution, shall be brought within the corporate limits of Chelsea.
- (2) The mayor of the Town of Chelsea certified, on October 14, 1997, a copy of said resolution to the Shelby County judge of probate.
- (3) The mayor of the Town of Chelsea made, on October 15, 1997, an affidavit that the legal requirements for annexation by election of said territory, set forth in Section 11-42-2 (10), Code of Alabama (1975), had been met.
- (4) Attached to said copy of the resolution were:
 - (a) a petition for annexation (Exhibit A, pages 1-9);
 - (b) an accurate description by metes and bounds of the boundary of said territory (Exhibit B); and
 - (c) a map which shows accurately the territory proposed to be embraced within the corporate limits of Chelsea, including all subdivisions into lots, blocks, streets, and alleys within such territory, if any, (Exhibit C).

Further, pursuant to Section 11-42-2, Code of Alabama (1975), the following conditions exist which fulfill the remaining legal requirements for annexation by election.

- (1) The territory proposed for annexation is contiguous to the corporate boundary of Chelsea, forms a homogeneous part of Chelsea, and is not within the corporate limits of another municipality.
- (2) There are at least two qualified electors residing on each quarter of each quarter section, or part thereof, of such platted and unplatted land in said territory who, by signing the petition, have assented in writing to the proposed annexation and have requested an election to determine whether or not the said territory shall be brought within the corporate limits of Chelsea.
- (3) Consent in writing to the proposed annexation, as signified by signing said petition, has been received from persons, firms, or corporations owning at least sixty percent of the acreage of such platted or unplatted land in said territory.

THEREFORE BE IT DIRECTED AND ORDERED that an election be held on Tuesday, November 25, 1997, by the qualified electors residing within the territory proposed for annexation into Chelsea as set forth in the attached metes and bounds description (Attachment A) and as shown on the attached map (Attachment B). Said qualified electors are those who will have resided within the boundaries of said territory three months next preceding the election. The election on November 25, 1997, to determine whether or not the proposed territory shall be brought within the corporate limits of Chelsea must be conducted in all respects as provided by the general election laws and under the same sanctions and penalties except as provided for in Sections 11-42-2 (5) and 11-42-2 (6), Code of Alabama (1975).

BE IT FURTHER DIRECTED AND ORDERED that the polling place for the said election shall be 105 Brynleigh Drive, Sterrett, Alabama 35147; and the election officials appointed to serve at said election are: Stephen West, Chief Inspector and Returning Officer; Jane Shaddix, Inspector; Timothy Peterson, Inspector; Tracy Turner, Clerk; and Rhonda Green, Clerk.

BE IT FURTHER DIRECTED AND ORDERED that the Shelby County sheriff post notice of said election at the following three public places located within the municipal limits of Chelsea: Chelsea Middle School; First National Bank of Columbiana (Chelsea Branch); and First Bank of Childersburg (Chelsea Branch). Also, said sheriff shall post notice of said election at the following three public places located within the territory proposed for annexation into Chelsea: at the intersection of County Road 377 and County Road 11; and at the intersection of Brynleigh Drive and County Road 11; and at the intersection of Brynleigh Drive and Brynhurst Drive.

DONE AND ORDERED this the 27 day of October, 1997.


Patricia Yeager Fuhrmeister
Judge of Probate

The foregoing order is entered under, and by virtue of and pursuant to, Article 1, Chapter 42, Title 11, Code of Alabama (1975).

State of Alabama
County of Shelby

TOWN OF CHELSEA, ALABAMA
ANNEXATION RESOLUTION
RESOLUTION NUMBER X 97-10-14-027



WHEREAS, the Town of Chelsea was incorporated in 1996 with purposes that include, but are not limited to;

- a. Maintaining the individual identity of the Chelsea community;
- b. Promoting and protecting the public health and public good of the Chelsea community;
- c. Operating the municipal corporation of Chelsea on a sound, effective financial basis;
- d. When possible, responding positively to requests by citizens that their land be included within the corporate limits of Chelsea; and

WHEREAS, the inclusion into the Town of Chelsea of an area including, and extending outward from, the intersection of County Road 11 and County Road 377 including the Brynleigh Estates sub-division will help maintain the continuity and identity of said town and will assure that the Town of Chelsea can benefit from the potential tax base of this area; and

WHEREAS, a petition requesting an annexation election (attached Exhibit A, pages 1 through 9) has been received from residents of the said territory proposed for annexation, said territory being contiguous to the boundary of, and forming a homogeneous part of, the Town of Chelsea and not being within the corporate limits of another municipality, and said territory being set forth in the attached metes and bounds description (Exhibit B), and said territory being shown on the attached map (Exhibit C) which includes all subdivisions into lots, blocks, streets and alleys within such territory, if any, proposed to be embraced within the Chelsea corporate limits; and

WHEREAS, the petition has been signed by at least two qualified electors residing on each quarter of each quarter section, or part thereof, of the land proposed for annexation; and

WHEREAS, said signatures include those of persons, firms or corporations owning at least sixty percent of the acreage within the area proposed for annexation;

BE IT THEREFORE RESOLVED by the town council of the Town of Chelsea, Alabama, that the public good requires that the said territory described by metes and bounds in the said Exhibit B be brought within the town limits of Chelsea; and

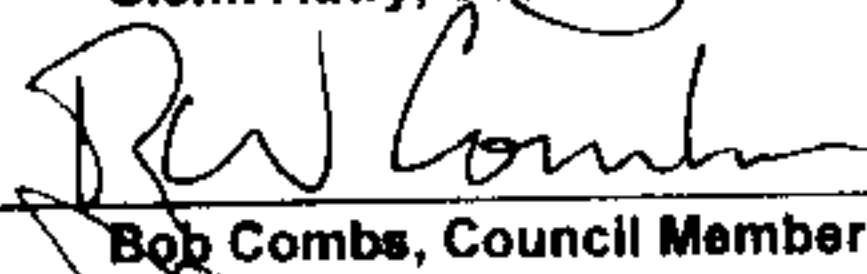
BE IT FURTHER RESOLVED that the mayor of the Town of Chelsea certify a copy of this resolution to the Shelby County Judge of probate in accordance with Section 11-42-2 (1), Code of Alabama (1975).

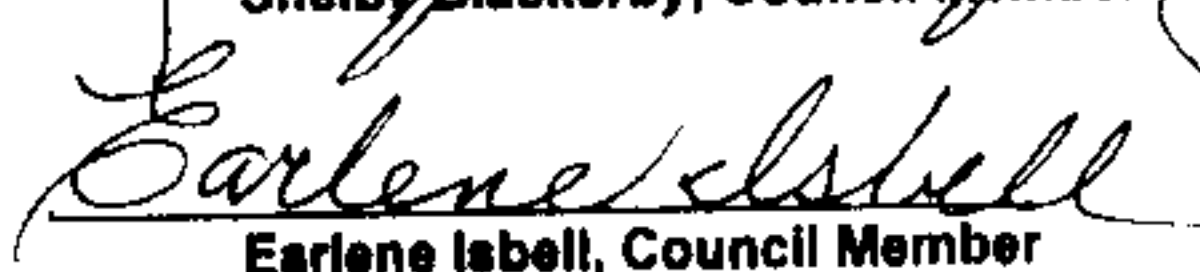
SIGNED this the 14th day of October, 1997.

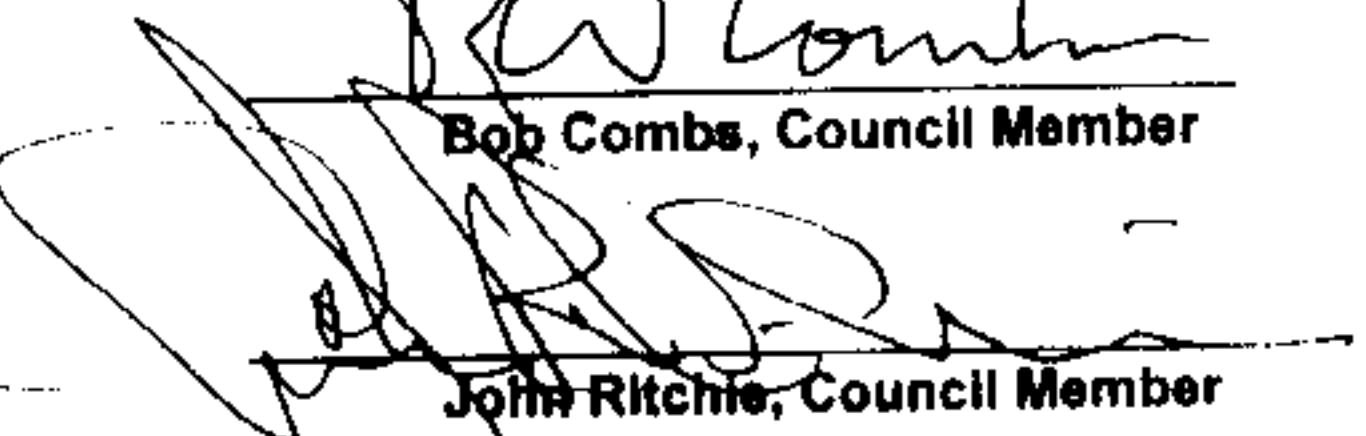

Earl Niven, Mayor


Glenn Autry, Council Member

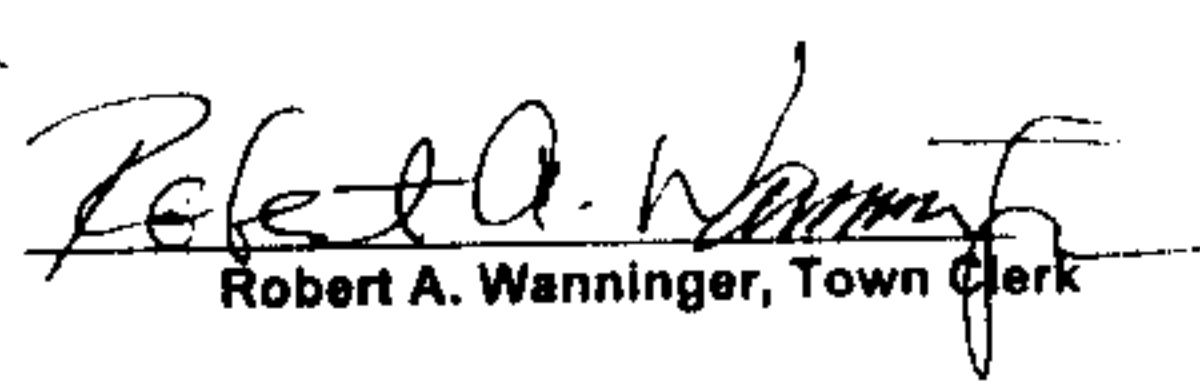

Shelby Blackerby, Council Member


Bob Combs, Council Member


Earlene Isbell, Council Member


John Ritchie, Council Member

The foregoing resolution was passed by the Chelsea town council this the 14th day of October, 1997, under, by virtue of and pursuant to, Article 1, Chapter 42, Title 11, Code of Alabama (1975).


Robert A. Wanninger, Town Clerk

ATTACHMENT A
Metes & Bounds Description for Order of Annexation

PROPOSED CHELSEA ANNEXATION
LEGAL DESCRIPTION

Commence at the NE corner of the NW 1/4 of the NE 1/4 of Section 32, Township 19 South, Range 1 West, Shelby County, Alabama for the point of beginning; thence run South along the East line of said NW 1/4 of NE 1/4 of said Section 32 for 1320 feet, more or less, to the SE corner of said NW 1/4 of NE 1/4; thence run West along the South of said NW 1/4 of NE 1/4 and along the South line of the NE 1/4 of the NW 1/4 of said Section 32 2640 feet, more or less, to the SW corner of said NE 1/4 of NW 1/4; thence run North along the West line of said NE 1/4 of NW 1/4 1320 feet, more or less, to the NW corner of said NE 1/4 of NW 1/4 of said Section 32, said point also being the SW corner of the SE 1/4 of SW 1/4 of Section 29, Township 19 South, Range 1 West; thence continue North along the West line of said SE 1/4 of SW 1/4 and along the West line of the NE 1/4 of SW 1/4 of said Section 29, 2640 feet, more or less, to the NW corner of said NE 1/4 of SW 1/4 of said Section; thence run East along the North line of said NE 1/4 of SW 1/4 1320 feet, more or less, to the NE corner of said NE 1/4 of SW 1/4 of said Section 29; thence run South along the East line of said NE 1/4 of SW 1/4 1320 feet, more or less, to the SE corner of said NE 1/4 of SW 1/4, said point also being the NE corner of the SE 1/4 of SW 1/4 of said Section 29; thence continue South along the East line of said SE 1/4 of SW 1/4 530 feet, more or less, to its intersection with the North right of way line of Shelby County Highway #11, said point also being on the West line of the SW 1/4 of SE 1/4 of said Section 29; thence run in a Northeasterly direction along the North right of way line of said Shelby County Highway #11 a distance of 1000 feet, more or less, to its intersection with the North line of said SW 1/4 of SE 1/4 of said Section 29; thence run East along the North line of said SW 1/4 of SE 1/4 of said Section 29 450 feet, more or less, to the NE corner of said SW 1/4 of SE 1/4 of said Section 29; thence run South along the East line of said SW 1/4 of SE 1/4 of said Section 29, 1320 feet, more or less, to the SE corner of said SW 1/4 of SE 1/4 of said Section 29, back to the point of beginning.

John L. Alchin

10-7-97

STATE OF ALABAMA
COUNTY OF SHELBY
TOWN OF CHELSEA

AFFIDAVIT



I, the undersigned S. Earl Niven, Mayor of Chelsea, Alabama, having personal knowledge of the facts set forth herein, do hereby submit to the Shelby County judge of probate this affidavit in support of the annexation resolution passed by the Chelsea town council on October 14, 1997, (Resolution Number X 97-10-14-027). This affidavit is attached to said resolution and is made a part thereof along with an accurate description by metes and bounds of the territory proposed to be annexed into the corporate limits of Chelsea (Exhibit B of said resolution) and along with an accurate map of said territory, including all subdivisions into lots, blocks, streets, and alleys within such territory, if any, (Exhibit C of said resolution).

Pursuant to Section 11-42-2 (10), Code of Alabama (1975), attached, as Exhibit A (pages 1 through 9) of said resolution, is a petition which contains the signatures of at least two qualified electors, according to government survey, residing on each quarter of each quarter section, or part thereof, of the said territory who by their signatures assent to said petition and which also contains the signatures of persons, firms or corporations owning at least sixty percent of the acreage of the said territory who have signified their consent by signing said petition.

AFFIRMED AND SIGNED this the 15th day of October, 1997.


S. Earl Niven
Mayor

Sworn to and Subscribed before me on this the 15th day of October, 1997.

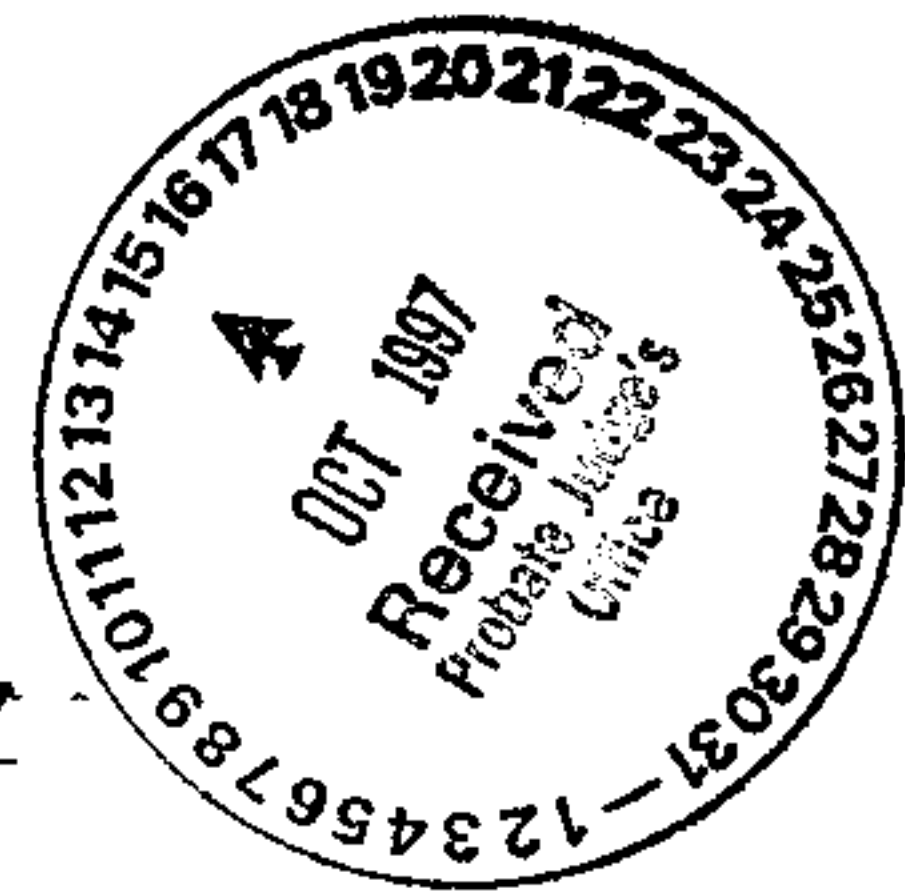


Notary Public

My Commission Expires: 18 JANUARY 2000

STATE OF ALABAMA
COUNTY OF SHELBY
TOWN OF CHELSEA

**MAYOR'S CERTIFICATION OF
RESOLUTION NO. X 97-10-14-027**



0188C-2661 # 1997-38810

Pursuant to the provisions of Section 11-42-2, Code of Alabama (1975), the undersigned mayor of the Town of Chelsea, Alabama, a municipality having a population of less than 2,000 inhabitants, does hereby certify that the attached Resolution No. X 97-14-10-027 was adopted under the provisions of said Section 11-42-2, by the town council of the Town of Chelsea, the governing body of said town, on October 14, 1997, and was approved by the undersigned on October 14, 1997, and that the property description and the map attached thereto accurately describe the territory proposed to be brought into the corporate limits of said town, pursuant to an election to be called and conducted under the provisions of Articles 3 through 7 of Chapter 42, Title 11, Code of Alabama, (1975).

Certified and signed this the 14th day of October, 1997.


S. Earl Niven
Mayor

Inst # 1997-38810

12/01/1997-38810
10:11 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
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