

TOWN OF CHELSEA, ALABAMA

ANNEXATION ORDINANCE NO. X-97-12-02-067

PROPERTY OWNER(S): Birmingham Realty Company

PROPERTY: Part of Parcel # 09-08-27-0-001-021-000 and
Part of Parcel # 09-08-27-0-001-021-004

Inst # 1997-41399

12/22/1997-41399
09:07 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
009 HJD 28.50

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

Whereas, a written petition has been signed by Mr. Stephen W. House, authorized representative of Birmingham Realty Company, owner of the property described in the attached deed (Petition Exhibit B, pages 1-4) and shown on the attached map (Petition Exhibit C) requesting that the portions of said property not already within the municipal limits of the Town of Chelsea be annexed into said town; and

Whereas, said petition contains an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of Chelsea; and

Whereas, said petition has been filed with the Chelsea town clerk; and

Whereas, said property is contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation which together is contiguous to the corporate limits of Chelsea; and

Whereas, said territory does not lie within the corporate limits of any other municipality; and

Whereas, even though said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap, the said property is less-than-equidistant from the respective corporate limits of Chelsea and Pelham (i.e. it is closer to the corporate limits of Chelsea than to the corporate limits of Pelham).

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation: and

Be It further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property, and said property shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.



Earl Niven, Mayor

Robert Combs, Council Member



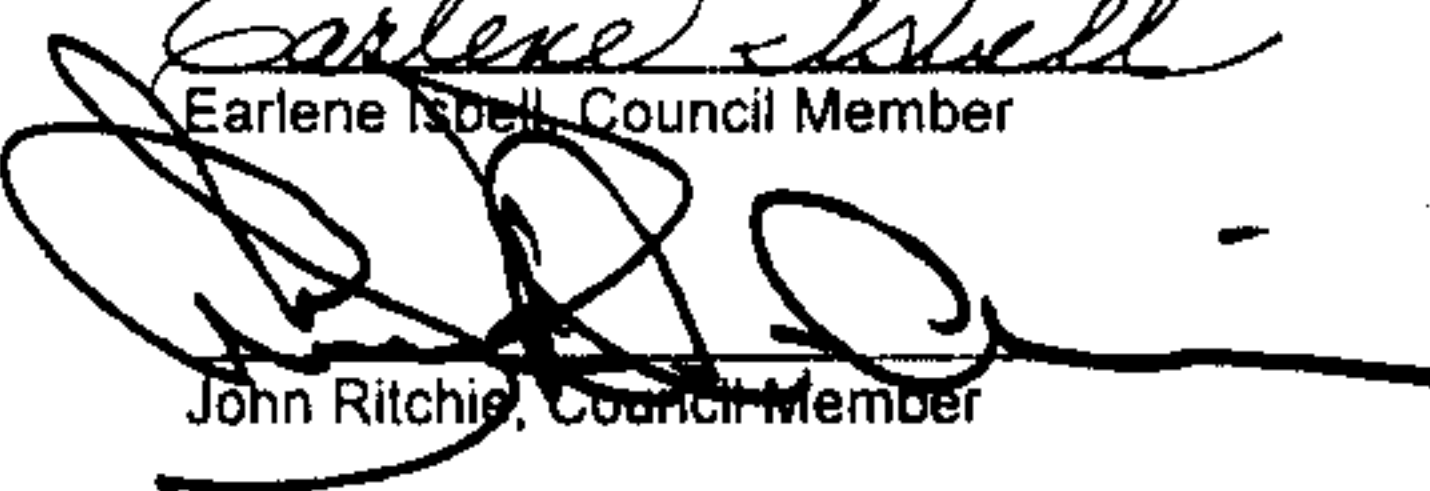
Glen Autry, Jr., Council Member



Earlene Isbell, Council Member



Shelby Blackerby, Council Member



John Ritchie, Council Member

Passed and approved the 2nd day of December 1997.



Robert A. Wanninger, Town Clerk

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

PETITION FOR ANNEXATION

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 18th day of November, 1997.

Earl J. J. J.
Witness

Birmingham Realty Company
By: Stephen W. Hance
Owner
2118 - 1st Ave. S.W. Phoenix, AZ
Mailing Address 35203

Property Address(if different)
322-7789
Telephone no.

Witness

Owner

Mailing Address

Property Address(if different)

Telephone no.

(All owners listed on the deed must sign)

revised 06/97

PROPERTY OWNER(S): Birmingham Realty Company

PROPERTY: Part of Parcel Number 09-08-27-0-001-021-000 and
Part of Parcel Number 09-08-27-0-001-021-004

PROPERTY DESCRIPTION

The description of the above-noted property, for which annexation into Chelsea is requested in this petition, is included in the attached deed copy (Petition Exhibit B, pages 1-4), said deed being recorded with the Shelby County judge of probate as Instrument Number 1996-11737. Portions of the property described in said deed already are within the municipal limits of the Town of Chelsea. With the inclusion of the portions of said property for which annexation is requested in this petition, all of the property described in said deed will be within the municipal limits of the Town of Chelsea.

Further, the said property for which annexation into Chelsea is requested in this petition is the property shown by indicated shading on the attached map (Petition Exhibit C). The said map also shows the contiguous relationship of said property to the corporate limits of Chelsea.

The said property for which annexation into Chelsea is requested in this petition does not lie within the corporate limits of any other municipality, but said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap. However, said property is less-than-equidistant from the respective corporate limits of Chelsea and Pelham (i.e. said property is closer to the corporate limits of Chelsea than to the corporate limits of Pelham) pursuant to Section 11-42-21, Code of Alabama (1975).

This instrument was prepared by:
Clayton T. Sweeney, Attorney
2700 Hwy. 280E, Suite 290E
Birmingham, AL 35223

SEND TAX NOTICE TO:
BIRMINGHAM REALTY
COMPANY
2118 1st Avenue North
Birmingham, AL 35203

STATE OF ALABAMA)
SHELBY COUNTY)

Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That in consideration of TEN DOLLARS AND OTHER AND VALUABLE CONSIDERATION (\$10.00) to the undersigned grantor or grantors, J. Allen Chesser and wife Betty S. Chesser, (herein referred to as Grantors, whether one or more), in hand paid by the GRANTEE herein, the receipt of which is hereby acknowledged, the said GRANTORS do grant, bargain, sell, and convey unto BIRMINGHAM REALTY COMPANY, an Alabama corporation (herein referred to as GRANTEE, whether one or more), the following described real estate, situated in SHELBY County, Alabama:

Inst # 1996-11737

See Exhibits "A" and "B" attached hereto and made a part hereof

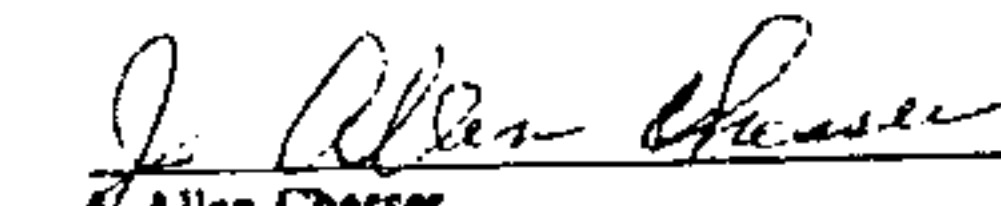
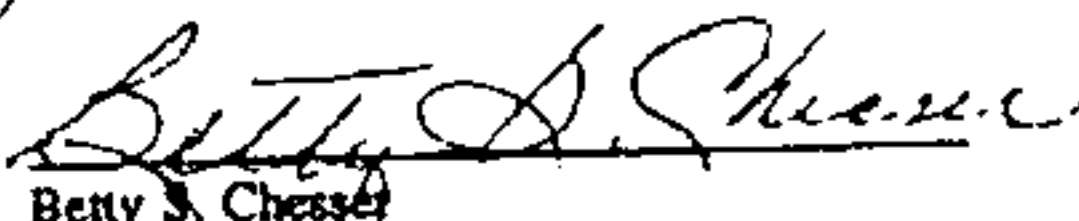
Subject to:

- a) Ad valorem taxes for 1996 and subsequent years not yet due and payable until October 1, 1996.
- b) Transmission Line permit(s) to Alabama Power Company as shown by instrument(s) recorded in Deed 141 Page 198; Deed 220 Page 335; Deed 104 Page 525; Deed 102 Page 138 and Deed 218 Page 641 in Probate Office.
- c) Right(s) of Way(s) granted to South Central Bell by instrument(s) recorded in Deed 320 Page 931 in Probate Office.
- d) Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including rights set out in Deed 13 Page 180 in Probate Office.
- e) Less and except any portion within Seaboard Coastline Railroad as shown on survey by Hickey Land Surveying dated 6/7/95.

TO HAVE AND TO HOLD Unto 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 said GRANTEE, its successors and assigns, that I am/we are lawfully seized in fee simple of said premises; that the 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, against the lawful claims of all persons.

IN WITNESS WHEREOF, I/we have hereto set my/our hand(s) and seal(s), this the 3rd day of APRIL, 1996.


J. Allen Chesser

Betty S. Chesser

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that J. Allen Chesser and Betty S. Chesser, 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 conveyance, they, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 3rd day of APRIL, 1996.

My Commission Expires: 5/29/99

04/11/1996-11737
08:54 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 NCJ 738.50

CHELSEA PROPERTY

SHOPPING CENTER PARCEL

A parcel of land situated in the East 1/2 of the S.W.1/4 and the West 1/2 of the S.E.1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows;

Commence at the Southwest corner of the S.E.1/4 of the S.W.1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama and run North along the West line of said 1/4-1/4 section a distance of 1048.33 feet to a point; thence 66°52'40" to the right in a Northeasterly direction a distance of 210.13 feet to a point; thence 16°06'07" to the right in a Northeasterly direction a distance of 109.35 feet to a point; thence 18°54'05" to the left in a Northeasterly direction a distance of 117.455 feet to a point; thence 67°45'50" to the right in a Southeasterly direction a distance of 20.00 feet to a point; thence 90°00' to the left in a Northeasterly direction a distance of 568.7775 feet to a point; thence 90°26'05" to the right in a Southeasterly direction a distance of 38.22 feet to a point; thence 90°00' to the left in a Northeasterly direction a distance of 104.94 feet to a point; thence 89°00'15" to the right in a Southeasterly direction a distance of 97.095 feet to the POINT OF BEGINNING; thence continue along the last stated course a distance of 154.31 feet to a point; thence 89°59'35" to the left in a Northeasterly direction a distance of 490.77 feet to a point on the Southeasterly right-of-way line of U.S. Highway #280; thence 39°04'58" to the right in a Northeasterly direction along said highway right-of-way a distance of 59.66 feet to a point; thence 89°51'10" to the right in a Southeasterly direction a distance of 768.13 feet to a point; thence 90°00' to the right in a Southwesterly direction a distance of 411.32 feet to a point; thence 90°00' to the right in a Southwesterly direction a distance of 105.00 feet to the P.C. (point of curve) of a curve to the left having a radius of 20.00 feet and a central angle of 90°00'; thence Northwesterly, Westerly and Southwesterly direction along the arc of said curve a distance of 31.42 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a Southwesterly direction a distance of 285.11 feet to a point; thence 98°39'02" to the right in a Northerly direction a distance of 31.79 feet to the P.C. (point of curve) of a curve to the right having a radius of 960.00 feet and a central angle of 24°24'46"; thence Northerly and Northeasterly along the arc of said curve a distance of 409.04 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve a distance of 52.62 feet to the POINT OF BEGINNING.

April 2, 1996

deso470

CHELSEA PROPERTY

31 ACRE ± PARCEL

A parcel of land situated in the East 1/2 of the S.W.1/4 and the West 1/2 of the S.E.1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Southwest corner of the S.E.1/4 of the S.W.1/4 of Section 27, Township 19 South, Range 1 West, Shelby County, Alabama and run North along the West line of said 1/4-1/4 section a distance of 516.3176 feet to the POINT OF BEGINNING; thence continue on the last described course a distance of 531.5619 feet to a point; thence 66°52'40" to the right in a Northeasterly direction a distance of 210.13 feet to a point; thence 16°06'07" to the right in a Northeasterly direction a distance of 109.35 feet to a point; thence 18°54'05" to the left in a Northeasterly direction a distance of 117.455 feet to a point; thence 67°45'50" to the right in a Southeasterly direction a distance of 20.00 feet to a point; thence 90°00' to the left in a Northeasterly direction a distance of 568.7775 feet to a point; thence 90°26'05" to the right in a Southeasterly direction a distance of 38.22 feet to a point; thence 90°00' to the left in a Northeasterly direction a distance of 104.94 feet to a point; thence 89°00'15" to the right in a Southeasterly direction a distance of 97.095 feet to a point; thence 72°00'20" to the right in a Southwesterly direction a distance of 52.62 feet to the P.C. (point of curve) of a curve to the left having a radius of 960.00 feet and a central angle of 24°24'46"; thence Southwesterly and Southerly along the arc of said curve a distance of 409.04 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve a distance of 31.79 feet to a point; thence 98°39'02" to the left in a Northeasterly direction a distance of 285.11 feet to the P.C. (point of curve) of a curve to the right having a radius of 20.00 feet and a central angle of 90°00'; thence in a Northeasterly, Easterly and Southeasterly direction along the arc of said curve a distance of 31.42 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve a distance of 105.00 feet to a point; thence 90°00' to the left in a Northeasterly direction a distance of 411.32 feet to a point; thence 90°00' to the right in a Southeasterly direction a distance of 236.13 feet to a point on the Northwesterly right-of-way line of Shelby County Road #47; thence 60°59'27" to the right in a Southwesterly direction along the said right-of-way line a distance of 721.50 feet to a point; thence 2°38'35" to the left in a Southwesterly direction along said right-of-way line a distance of 54.45 feet to a point; thence 6°41'09" to the left in a Southwesterly direction along said right-of-way line a distance of 57.51 feet to a point; thence 8°00'57" to the left in a Southwesterly direction along said right-of-way line a distance of 57.21 feet to a point; thence 9°18'56" to the left in a Southwesterly direction along said right-of-way line a distance of 59.94 feet to a point; thence 8°26'08" to the left in a Southwesterly direction along said right-of-way line a distance of

EXHIBIT "B" (con't)

57.34 feet to a point; thence $8^{\circ}36'58''$ to the left in a Southerly direction along said right-of-way line a distance of 57.285 feet to a point; thence $9^{\circ}17'$ to the left in a Southerly direction along said right-of-way line a distance of 56.14 feet to a point; thence $7^{\circ}55'39''$ to the left in a Southwesterly direction along said right-of-way line a distance of 61.38 feet to a point on the South line of Section 27, Township 19 South, Range 1 West; thence $98^{\circ}35'$ to the right in a Westerly direction a distance of 340.5889 feet to a point on the Easterly right-of-way line of the Seaboard Coastline Railroad; thence $41^{\circ}30'$ to the right in a Northwesterly direction along said railroad right-of-way line a distance of 778.9436 feet to the POINT OF BEGINNING.

April 2, 1996

desc470

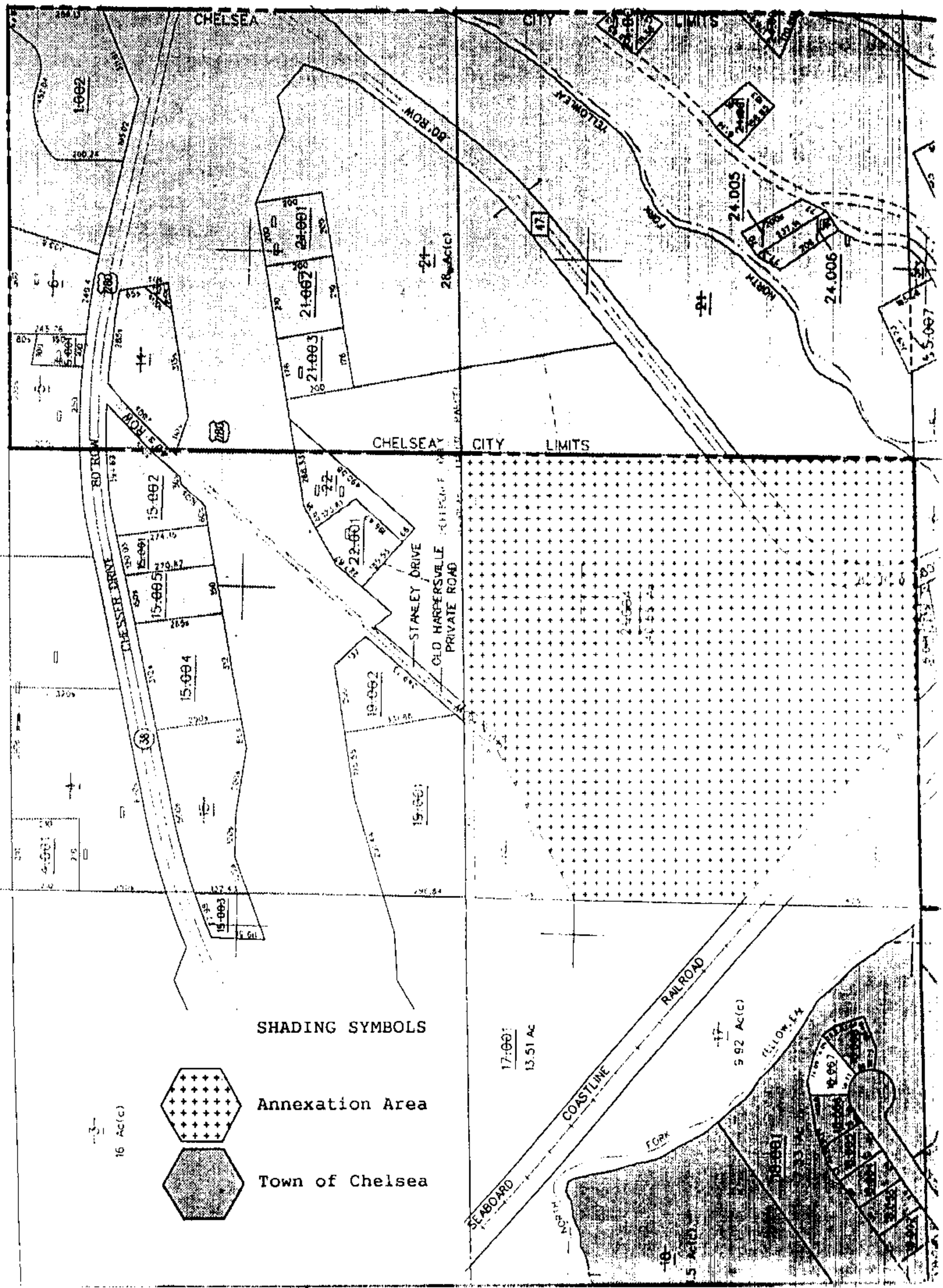
Inst # 1996-11737

04/11/1996-11737
08:54 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
004 MCD 738.50

MAP FOR ANNEXATION OF PART OF PARCEL #09-08-27-0-001-021-000
AND PART OF PARCEL #09-08-27-0-001-021-004

OWNED BY BIRMINGHAM REALTY COMPANY

Part of Map #58-09-08-27



Town of Chelsea

***P.O. Box 111
Chelsea, Alabama***

***CERTIFICATION
OF
ANNEXATION ORDINANCE***

Ordinance Number: X-97-12-02-067

Property Owner(s): Birmingham Realty Company

Property: Part of Parcel No. 09-08-27-0-001-021-000 and
Part of Parcel No. 09-08-27-0-021-004.

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 December 2, 1997, as same appears in minutes of record of said meeting, and published by posting copies thereof on December 5, 1997 at the public places listed below, which copies remained posted for five business days (through December 11, 1997).

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


Robert A. Wanninger, Town Clerk

Inst # 1997-41399

12/22/1997-41399
09:07 AM CERTIFIED
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009 MCD 28.50

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