

STATE OF ALABAMA
COUNTY OF SHELBY

IN PROBATE COURT

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 February 16, 1998, 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 February 16, 1998, 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 February 16, 1998; and

WHEREAS, on March 2, 1998, an election was ordered by the Shelby County judge of probate, said election to be held on March 24, 1998, 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 March 24, 1998, 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 March 24, 1998, have certified that the results of the election were as follows:

30 ballots "For Annexation" and 2 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 25 day of March, 1998



Patricia Yeager Fuhrmeister
Judge of Probate

03/25/1998-10415
10:21 AM CERTIFIED
SHELBY COUNTY 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 # 1998-10415

STATE OF ALABAMA
COUNTY OF SHELBY
TOWN OF CHELSEA

MAYOR'S CERTIFICATION OF
RESOLUTION NO. X 98-02-16-028

Pursuant to the provisions of Section 11-42-2, Code of Alabama (1975), the undersigned mayor of the Town of Chelsea, Alabama, does hereby certify that the attached Resolution No. X 98-02-16-028 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 February 16, 1998, and was approved by the undersigned on February 16, 1998, 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 16th day of February, 1998.


S. Earl Niven
Mayor



Attachment A
Metes & Bounds Description
for Order of Annexation
East 280, Phase 1

PROPOSED ANNEXATION
CHELSEA

Commence at the Northeast corner of Section 25, Township 19 South, Range 1 West, Shelby County, Alabama; thence run South along the East line of the NE 1/4 of the NE 1/4 of said Section 25, 1320 feet, more or less, to the SE corner of said NE 1/4 of NE 1/4 of said Section 25; thence run West along the South line of said NE 1/4 of NE 1/4, 1320 feet, more or less, to the SW corner of said NE 1/4 of NE 1/4 of said Section 25; thence continue West along the South line of the NW 1/4 of NE 1/4 of said Section 25, a distance of 1320 feet, more or less, to the SW corner of said NW 1/4 of NE 1/4, said point also being the NE corner of the SE 1/4 of the NW 1/4 of said Section 25; thence run South along the East line of the SE 1/4 of the NW 1/4 of said Section 25, 1320 feet, more or less, to the SE corner of said SE 1/4 of NW 1/4 of said Section 25; thence run West along the South line of said SE 1/4 of NW 1/4, of said Section 25, 1320 feet, more or less, to the SW corner of said SE 1/4 of NW 1/4 of said Section 25, which point is also the SE corner of the SW 1/4 of NW 1/4 of said Section 25; thence continue West along the South line of said SW 1/4 of NW 1/4 of said Section 25, to its intersection with the Westernmost fork of Little Creek Branch; thence run in a meandering Easterly then Southerly direction along said Little Creek Branch to its intersection with the North right of way line of Shelby County Highway #440; thence run in a Southwesterly direction along the North right of way line of said Shelby County Highway #440 to its intersection with the West line of the NW 1/4 of SW 1/4 of said Section 25; thence run North along the West line of the NW 1/4 of SW 1/4 of said Section 25, to the NW corner of said NW 1/4 of SW 1/4 of said Section 25, which is also the SW corner of the SW 1/4 of the NW 1/4 of said Section 25; thence continue North along the West line of the SW 1/4 of the NW 1/4 and along the West line of the NW 1/4 of the NW 1/4 of said Section 25, 2640 feet, more or less, to the NW corner of the NW 1/4 of NW 1/4 of said Section 25; thence run East along the North line of the NW 1/4 of the NW 1/4, the NE 1/4 of the NW 1/4, the NW 1/4 of the NE 1/4, and the NE 1/4 of the NE 1/4 of said Section 25, 5280 feet, more or less, to the NE corner of said Section 25, the point of beginning.

Prepared by:
Mike T. Atchison, Attorney at Law
2-12-98



Attachment B
Map for Order of Annexation
East 280, Phase 1

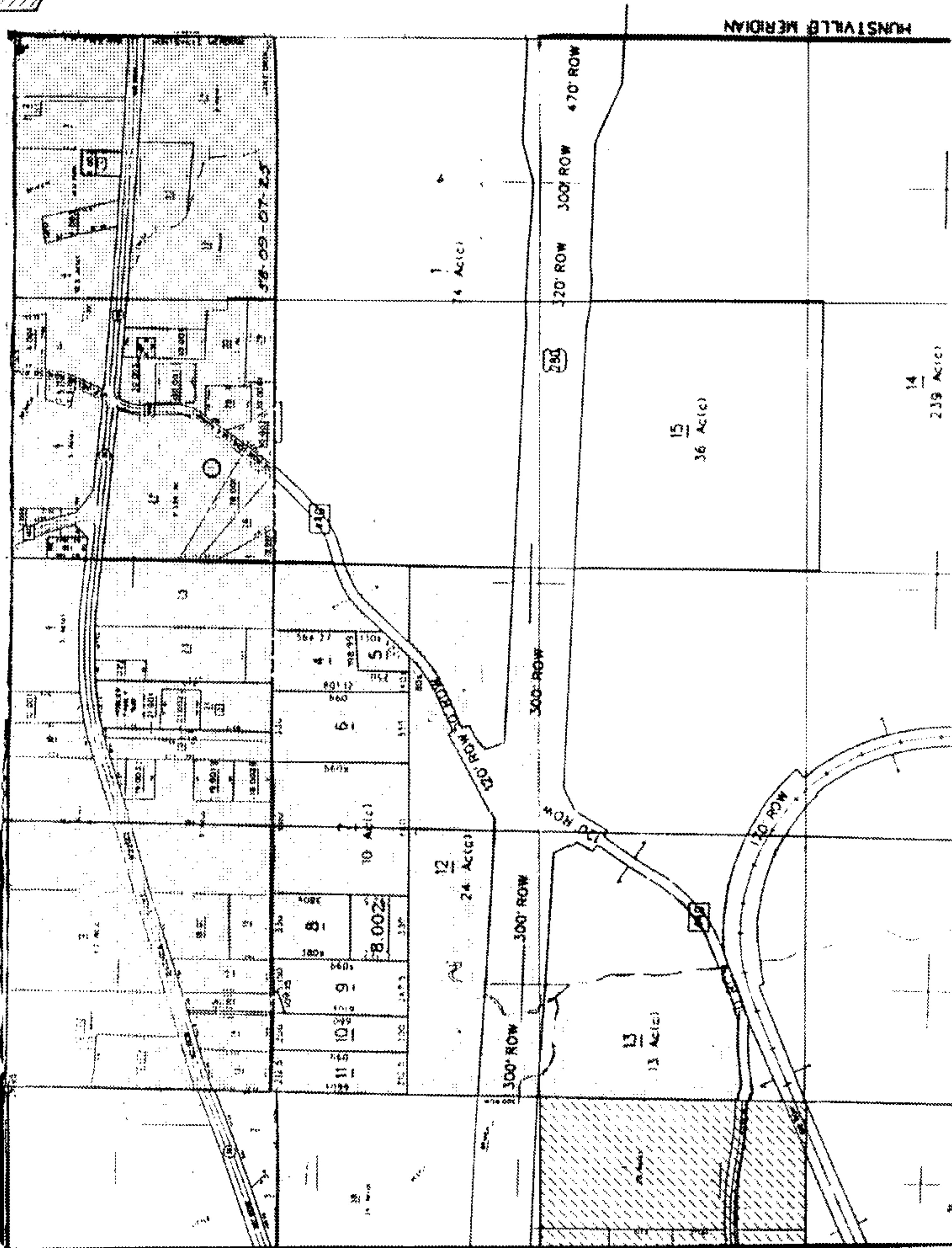
SHADING SYMBOLS



Territory for Annexation into Chelsea

Town of Chelsea

Part of Map #58-09-07-25



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 February 16, 1998, 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 February 16, 1998, a copy of said resolution to the Shelby County judge of probate.
- (3) The mayor of the Town of Chelsea made, on February 16, 1998, 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 1-15);
 - (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, March 24, 1998, 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 (since December 24, 1997). The election on March 24, 1998, 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 Mount Signal Baptist Church, 7495 Old Highway 280, Sterrett, Alabama 35147, and the election officials appointed to serve at said election are: Bobbie J. Rich, Chief Inspector and Returning Officer; Brenda F. Kratz, Inspector; Elene Limbaugh, Inspector; Ralph Limbaugh, Clerk; and J. D. Davis, 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 US Highway 280 & County Road 440; and at the intersection of County Road 280 and County Road 440; and at the intersection of County Road 280 and County Road 461.

DONE AND ORDERED this the 2nd day of March, 1998.


Patricia Yeager Fuhrmeister
Judge of Probate

100-443887-1