

Town of Chelsea

P.O. Box 111

Chelsea, Alabama



Inst # 1998-21563

**CERTIFICATION
OF
ANNEXATION ORDINANCE**

Ordinance Number: X-98-05-05-071

Property Owner(s): The Estate of Theron M. Holcombe

Property: Parcel No. 09-07-25-0-001-001-000

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 May 5, 1998, as same appears in minutes of record of said meeting, and published by posting copies thereof on May 7, 1998 at the public places listed below, which copies remained posted for five business days (through May 13, 1998).

Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043

First National Bank of Shelby County, Chelsea Branch, Highway 280, Chelsea, Al. 35043

U.S. Post Office, Highway 280, Chelsea, Alabama 35043


Robert A. Wanninger, Town Clerk

Inst # 1998-21563

06/10/1998-21563
02:25 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
013 MCD 39.50

Judge



TOWN OF CHELSEA, ALABAMA
ANNEXATION ORDINANCE NO. X-98-05-05-071

PROPERTY OWNER (S): The Estate of Theron M. Holcombe

PROPERTY: Parcel #09-7-25-0-001-001-000

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

Whereas, a written petition requesting annexation into the Town of Chelsea of the above noted property (which is part of the estate of Theron M. Holcombe who died on August 26, 1997) has been signed by each of the three executors of said estate (i.e., Thomas C. Holcombe, Mary E. Hamm, and Katie L. Griffith as documented by Letters Testamentary, Case # 37-002, dated March 3, 1998, copy included as Attachment A), said property being described in the attached Property Description (Exhibit A) and supporting documentation (Exhibit B, pages 1-5) and shown on the attached map (Exhibit C); 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

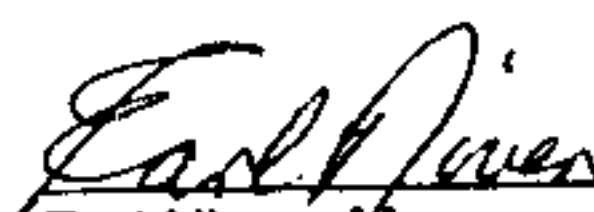
Whereas, said petition has been filed with the Chelsea town clerk; and

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.

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.

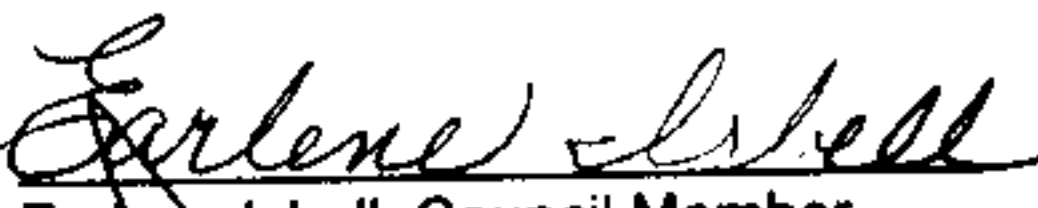


Earl Niven, Mayor

Robert Combs, Council Member



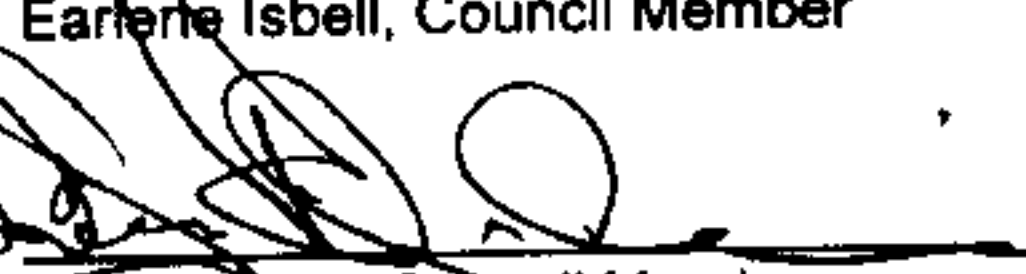
Glen Autry, Jr., Council Member



Earlene Isbell, Council Member



Shelby Blackerby, Council Member



John Ritchie, Council Member

Passed and approved 5 day of MAY , 1998.



Robert A. Wanninger, Town Clerk

Town Clerk
Town of Chelsea
PO Box 111
Chelsea, Alabama 35043

Petition 1 of 3

PETITION FOR ANNEXATION

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which is either 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, so hereby petition the Town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 11th day of April, 1998

Carl N. N...
Witness

Thomas C. Holcomb

Owner
3307 GRACE DRIVE
OPELIKA, AL 36801

Mailing address

(334) 749-6070

Telephone Number

401 Coffey 442

Witness

Owner

Mailing address

Telephone Number

(All owners listed on the deed must sign)

Town Clerk
Town of Chelsea
PO Box 111
Chelsea, Alabama 35043

Petition 2 of 3

PETITION FOR ANNEXATION

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which is either 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, so hereby petition the Town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 23 day of apr., 1998

Jane Diver
Witness

Mary Hamm
Owner

11460 Hwy. 47, Chelsea, AL 3504
Mailing address

678-9115
Telephone Number

Witness

Owner

Mailing address

Telephone Number

(All owners listed on the deed must sign)

Town Clerk
Town of Chelsea
PO Box 111
Chelsea, Alabama 35043

Petition 3 of 3

PETITION FOR ANNEXATION

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which is either 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, so hereby petition the Town of Chelsea to annex said property into the corporate limits of the municipality.

Done this 23rd day of April, 1998

Charles F. Lewis
Witness

Katee L. Griffith
Owner

2624 Co. Rd. 42 W., Gernison, Al. 35085
Mailing address

688-4105
Telephone Number

Witness

Owner

Mailing address

Telephone Number

(All owners listed on the deed must sign)

Attachment A.
Page 1 of 1

LETTERS TESTAMENTARY

THE STATE OF ALABAMA
COURT OF PROBATE

SHELBY COUNTY
CASE # 37-002

The Will and Codicils of Theron M. Holcombe having been duly admitted to record in said county, **LETTERS TESTAMENTARY** are hereby granted to Mary E. Hamm, Katie L. Griffith and Thomas Craig Holcombe the Personal Representatives named in said Will, who have duly qualified in compliance with the requisite of the law, and are authorized to administer such estate. Subject to the priorities stated in Ala. Code, §43-8-76 (1975, as amended), the said Personal Representatives, acting prudently for the benefit of interested persons, have all the powers, without limitation, authorized in transactions under Ala. Code, §43-2-843 (1975, as amended), unless expressly modified in the Will.

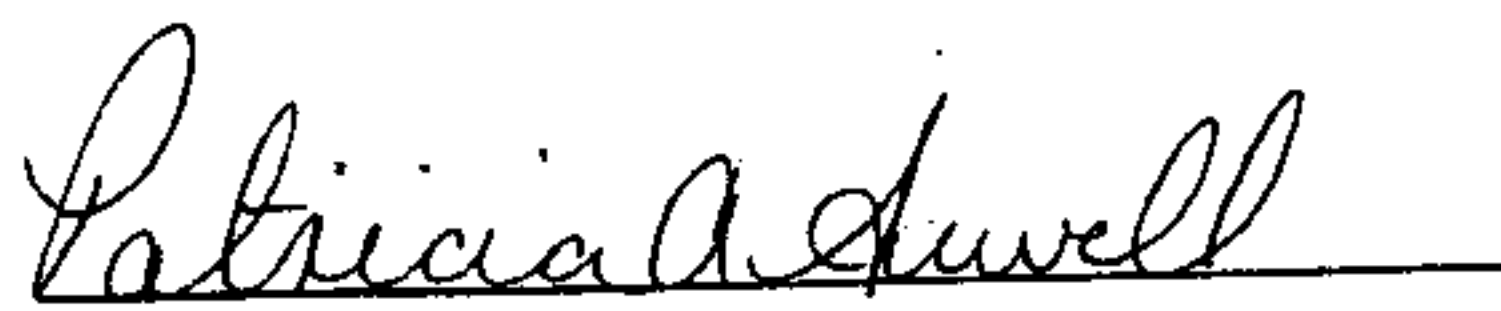
Witness my hand, and dated this 3rd day of March, 1998.


PATRICIA YEAGER FUHRMEISTER
Judge of Probate

THE STATE OF ALABAMA
SHELBY COUNTY

I, PATRICIA A. SEWELL, CHIEF CLERK of the Probate Court of Shelby County, Alabama hereby certify that the foregoing is a true, correct and full copy of the **LETTERS TESTAMENTARY** issued to Mary E. Hamm, Katie L. Griffith and Thomas Craig Holcombe the Personal Representatives of the Will of Theron M. Holcombe, deceased, as the same appears of record in said court. I further certify that said Letters are still in full force and effect.

Given under my hand, and seal of office, this 3rd day of March, 1998.


CHIEF CLERK

BOOK 140 PAGE 495

PROPERTY OWNER (S): The Estate of Theron M. Holcombe

PROPERTY: Parcel #09-7-25-0-001-001-000

PROPERTY DESCRIPTION

The above-noted property, for which annexation into Chelsea is requested in this petition, is the South $\frac{1}{2}$ of the NE $\frac{1}{4}$ of Section 25, Township 19, Range 1 West (as described in the copy of the November 1, 1929 deed to D. H. Holcombe, husband of Theron M. Holcombe, attached as Exhibit B, page 1 of 5) LESS AND EXCEPT a rectangular notch measuring 200 feet by 30 feet along the north line of the above noted parcel, said notch being part of Parcel # 30.002 owned by Ernie R. and Mary F. Dunn, and said notch being described in the marked portion of the attached deed copy of Instrument Number 1994-31964 (Exhibit B, page 2 of 5) AND LESS AND EXCEPT the property along the southern part of the above noted parcel within the right-of-way of US Highway 280, resulting in 74 acres of land requested for annexation into Chelsea in this petition.

At the time of David H. Holcombe's death on April 25, 1975, Theron M. Holcombe inherited all of his property as documented by the attached copy of Mr. Holcombe's will (Exhibit B, pages 3 and 4 of 5). In the absence of a deed transferring ownership of the above noted parcel to Mrs. Holcombe, attached is a copy of the property record of said parcel from the Shelby County Tax Assessor's office (Exhibit B, page 5 of 5) which documents her ownership of said parcel at the time of her death.

Further, the said property, for which annexation into the Town of Chelsea is requested in this petition, is shown on the attached map (Exhibit C) as Parcel Number 1. 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. Further, said property does not lie in an area where the police jurisdiction of Chelsea overlaps with the police jurisdiction of any other municipality.

QUIT CLAIM DEED

THE STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS, That in consideration of the sum of One hundred No/100 DOLLARS to W. N. Miner in hand paid by D. H. Holcombe the receipt whereof is hereby acknowledged I do remise, release, quit claim and convey to the said D. H. Holcombe all the right, title, interest and claim in or to the following described real estate, to wit:

The South $\frac{1}{2}$ of North East $\frac{1}{2}$ of Sec 25 Township 19 Range One East situated and being in Shelby County Alabama together with all and singular the Tenants hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in Shelby County, Alabama.

TO HAVE AND TO HOLD, to the said D. H. Holcombe heirs and assigns forever.

Given under my hand and seal, this 1st day of Nov. A. D. 1929.

Executed in presence of

W. N. Miner (Seal)

THE STATE OF ALABAMA

SHELBY COUNTY

I, Cage Head, a Judge of Probate in and for said State and County, hereby certify that W. N. Miner whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand, this 1st day of Nov., 1929.

Cage Head

Judge of Probate

I, L. C. Walker Judge of the Probate court of said County, hereby certify that the foregoing conveyance was filed for registration in this office on the 10th day of October, 1929 and recorded in Volume 130 Record of Deeds, Page 437 on the 21st day of October, 1929.

L. C. Walker

Judge of Probate

STATE OF ALABAMA
SHELBY COUNTY

I hereby certify that
\$.50 Privilege Tax
has been paid on the within
instrument as required by
law.

L. C. WALKER,
Judge of Probate.

SEND TAX NOTICE TO:

Name Ernie K. Dunn & Mary F. Dunn
437 County Road 440
Chelsea, AL 35043

This instrument was prepared by

Name WALLACE, ELLIS, FOWLER & HEAD, ATTORNEYS AT LAW

Address COLUMBIANA, ALABAMA 35051

Form 14-1 Rev. 10-11
TARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP - (LAWYER TITLE INSURANCE CORPORATION, Birmingham, Alabama)

STATE OF ALABAMA }
SHELBY COUNTY } KNOW ALL MEN BY THESE PRESENTS,

That in consideration of ONE AND NO/100 (\$1.00) AND OTHER GOOD & VALUABLE CONSIDERATIONS DOLLAR 500.00

to the undersigned grantor or grantors in hand paid by the GRANTEE herein, the receipt whereof is acknowledged, we,

Mary K. Fulgham, a married woman

herein referred to as grantor do grant, bargain, sell and convey unto

Ernie K. Dunn and wife, Mary F. Dunn

herein referred to as GRANTEE or joint tenants, with right of survivorship, the following described real estate situated in

SHELBY County, Alabama

Commence at the NW corner of the NW 1/4 of NE 1/4 of Section 25, Township 19, Range 1 West, more or less, along South boundary of said 1-1 Section, to the Eastern right-of-way of Chelsea Public Road (County Road 440) for point of beginning; thence run Northeasterly along the Easterly right-of-way of said Chelsea Public Road a distance of 346 feet, more or less, to the gravel driveway; thence run Southeasterly along said gravel driveway a distance of 300 feet, more or less, to the intersection of the South boundary of said 1-1 Section; thence run West along the South boundary of said 1-1 Section a distance of 342 feet to the point of beginning. Situated in the NW 1/4 of NE 1/4 of Section 25, Township 19, Range 1 West.

Also, beginning 160 feet East of the Chelsea Road that leads to Highway (Florida Short Route) as beginning point; thence running South 30 feet; thence East 200 feet; thence North 30 feet; thence West 200 feet to place of beginning. This plot of land joins the South line of property above described, being a part of the NW 1/4 of the NE 1/4 of Section 25, Township 19, Range 1 West, containing 64 2/3 square yards or approximately 1/8 of an acre and being same description shown on deed recorded in Deed Book 217, page 976, in Probate Records of Shelby County, Alabama.
Subject to easements and rights-of-way of record.

The above described property constitutes no part of the homestead of the grantor or her spouse.

NOTARILY CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
201 103 9.10

TO HAVE AND TO HOLD unto the said GRANTEE as joint tenants, with right of survivorship, their heirs and assigns, forever; it being the intention of the parties to this conveyance, that between the joint tenancy hereby created is severed or terminated during the joint lives of the grantors herein in the event one grantor herein survives the other the entire interest in the simple shall pass to the surviving grantor, and if one does not survive the other, then the heirs and assigns of the grantors herein shall take as tenants in common.

And I just do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEE, their heirs 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, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal, this

day of October 1994

WITNESS:

Mary K. Fulgham (Seal)
Mary K. Fulgham (Seal)
(Seal) (Seal)

STATE OF ALABAMA }
SHELBY COUNTY }

I, the undersigned authority, a Notary Public in and for said County, in said State,

hereby certify that MARY K. Fulgham, a married woman

whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me

on this day, that, being informed of the contents of the conveyance she executed the same voluntarily

on the day the same bears date.

Given under my hand and official seal this 24th day of October, A. D. 19 94

Peggy J. Gerson
Notary Public.

For annexation into Chelsea, Ordinance No. X-98-05-05-071

Last Will and Testament

I, David H. Holcombe, a resident of Shelby County, State of Alabama, and over the age of twenty-one years, being of sound mind and disposing memory, do hereby make and publish this my Last Will and Testament, revoking all former wills and codicils which may have been made at any time heretofore by me.

FIRST: I hereby direct my Executrix to pay all funeral expenses and other debts as soon as practicable after my decease.

SECOND: I will, bequeath, and devise all property which may be mine at the time of my death, of whatsoever kind and character and wheresoever situated, to my wife, Theron M. Holcombe, to be hers absolutely, to have and to hold, in fee simple forever.

THIRD: In the event that the death of my said wife, Theron M. Holcombe, should occur prior to my death, or simultaneously with the time of my death, I will, bequeath, and devise all property which may be mine at the time of my death, of whatsoever kind and character and wheresoever situated, to my children, D. H. Holcombe, Jr., Mary Hamm, Katie L. Griffith, C. G. Holcombe, Martha Foster, and T. C. Holcombe, share and share alike, per stirpes, to be theirs absolutely, to have and to hold, in fee simple forever.

FOURTH: I hereby nominate and appoint my said wife, Theron M. Holcombe, to be Executrix of this will, without bond, and hereby direct that she shall not be required to file an inventory or final settlement, or to report her acts and proceedings as such Executrix to any Court, and I hereby grant to and vest in my said Executrix full power and authority to sell, at private sale, and to convey, lease, exchange, mortgage, pledge, and otherwise alienate any or

all of the assets of my estate, on such terms as she deems to be proper in her sole discretion, without the order of any Court, and to borrow money on behalf of my estate, and to continue to operate any business in which I may be engaged at the time of my death either individually or as a member of a partnership, or otherwise. I further vest in and grant to my said Executrix authority to do each and every act or thing that she may consider to be necessary, convenient, or proper in and about the administration and management of my estate, it being my purpose and intention to grant to her all of the powers over said property and estate that I am capable of granting to her as such Executrix.

In the event that my said wife should not be living at the time an Executrix is appointed for my estate, or if she should for any reason, fail to act, or resign, I nominate and appoint my said son, D. H. Holcombe, Jr., to be Executor of this will, with all of the powers, duties, and exemptions granted to and vested in my said wife as such Executrix.

IN WITNESS WHEREOF, I have hereunto placed my hand and seal, on this the 2nd day of June, 1973.

David H. Holcombe

David H. Holcombe

Signed, sealed, published, and declared to be his Last Will and Testament, by David H. Holcombe, in our presence and we, in his presence and at his request and in the presence of each other, have hereunto affixed our names and signatures as witnesses, on the day the same bears date.

Frank Neal

William A. Ford

100-100-1 PAGE 13-1

PROPERTY INQUIRY

PARCEL # 98 09-7-25-0-000-001.000 SUPP 000 LAND VALUE 10% 630,000
CORPORATION 1 LAND VALUE 20% 1

NAME 1 THOLCORBE THERON M MRS 1 CURR USE VALUE 1 11,000
NAME 2 1 COM IMP #1 1 1 1
ADDR 1 1363 HWY 47 1 COM IMP #2 1 1 1
ADDR 2 1 COM IMP #3 1 1 1
CITY 1 CHELSEA 1 TAL 1350431 COM IMP #4 1 1 1

EXEMPT CODE 1 1 1 1 MUN CODE 1 11 IMP #1 1 11 1 22,000
OVER 65 CODE 1 1 1 1 EXM OVERRIDE AMT 1 IMP #2 1 1 1
PROPERTY CLASS 1 31 SCH DIST 121 IMP #3 1 1 1
CLASS USE 101 1 FF 1 1 IMP #4 1 1 1
SALES PRICE 1 1 OVR ASD VALUE 1 IMP #5 1 1 1
FOREST ACRES 1 731 IMP #6 1 1 1

PREV YR VALUE 1 632,8001 ROE VALUE 1 1

PROP ADR 1
MISC 1 10B 22 F 376
MISC 2 1

REC DD 1 1 1 1 DATE 1 1 REC DD 1 1 1 1 DATE 1
REC DD 1 1 1 1 DATE 1 1 REC DD 1 1 1 1 DATE 1
REC DD 1 1 1 1 DATE 1 1 REC DD 1 1 1 1 DATE 1
REC DD 1 1 1 1 DATE 1 1 REC DD 1 1 1 1 DATE 1

MAP # 09-7-00-0-0001 CODE1 1 1 CODE2 1 1
SUBD1 1
SUBD2 1
MAP BOOK1 1 1 PAGE1 1 1 BOOK2 1 1 PAGE2 1 1
PRIMARY LOT 1 1 PRIMARY BLK 10001 SECOND LOT 1 1 SECOND BLK 10001
MEMO1 1
MEMO2 1
SECT1 1251 TOWNSHIP1 11951 RANGE1 101W1
SECT2 1001 TOWNSHIP2 100 1 RANGE2 100 1
SECT3 1001 TOWNSHIP3 100 1 RANGE3 100 1
LOT DIM1 1 .001 LOT DIM2 1 .001 ACRES 1 74.0001 SQ FT 15,934,160.0001

*** METES & BOUNDS ***

S25 119S R1W

TAX SALE1 1
TAX SALE2 1

MAP FOR ANNEXATION OF PARCEL #09-07-25-0-000-001-000

OWNED BY THE ESTATE OF THERON M. HOLCOMBE

Part of Map #58-09-07-25

SHADING SYMBOLS



Territory Proposed for Annexation into Chelsea

Town of Chelsea

1998-1563

10/10/1998-21563
25 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
35.50
013 MCL

