

ORDINANCE NO. 329

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF PELHAM, ALABAMA SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by the property owners requesting territory therein described be annexed to the City of Pelham, together with a map of said territory showing its relationship to the corporate limits of the City has been filed with the City Clerk of the City of Pelham; and

WHEREAS, the Council has determined and found that the matters set forth and alleged in said petition are true, and that it is in the public interest that said property be annexed to the City of Pelham;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Pelham as follows:

Section 1. That said Council hereby assents to the annexation of said territory to the City of Pelham, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-20 through 11-42-43, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits, within the corporate area of said City, which said territory is not within the corporate limits or "City Boundary" of another municipality. Said territory is described as follows:

See Attached

Section 2. The City of Pelham hereby agrees to comply with those provisions of Act No. 604 enacted at the 1976 Regular Session of the Legislature of Alabama pertaining to the assumption and payment of an annexed fire district debt or the payment to said fire district of an amount equal to six times the amount of dues that the portion of said fire district being annexed paid to said fire district during the preceding year.

Section 3. That the City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed territory with the Probate Judge of Shelby County, Alabama, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Pelham.

03/13/1998-36096
02:54 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
008 CRH 26.00

1998-36096
11:51

Jim Phillips, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 329, hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Karyl Rice, a member, and upon a roll call vote was unanimously passed. The vote on said motion was as follows:

Bobby Hayes
Mayor

4

Willard Payne
Council Member

4

Mike Dickens
Council Member

absent

Ken Maynard
Council Member

4

Karyl Rice
Council Member

4

Jim Phillips
Council Member

4

THEREUPON Jim Phillips, a member moved and Karyl Rice, a member seconded the move that said Ordinance be given vote. Said Ordinance passed by vote of all members of the Council present and the Mayor declared the same passed.

ADOPTED this the 14 day of Sept. 19 98.

Bobby Hayes
Mayor

Ken Maynard
Council Member

Council Member

Willard C. Payne
Council Member

Karyl Rice
Council Member

Jim Phillips
Council Member

Seal

ATTEST

Gregory Bator
City Clerk

JEB PARTNERS, L.L.P.

2101 Highland Avenue, Suite 700
Birmingham, AL 35205
205/939-4440; fax 205/939-4441

September 8, 1998

Mayor Bobby Hayes
City of Pelham
Post Office Box 1419
Pelham, AL 35124

RE: Petition to Annex Land

Dear Mayor Hayes:

This letter is to request the annexation of 40± acres of undeveloped land into the City of Pelham. This property is presently owned by Clara Mae Pardue, and enclosed you will find a letter from her authorizing me to pursue annexation.

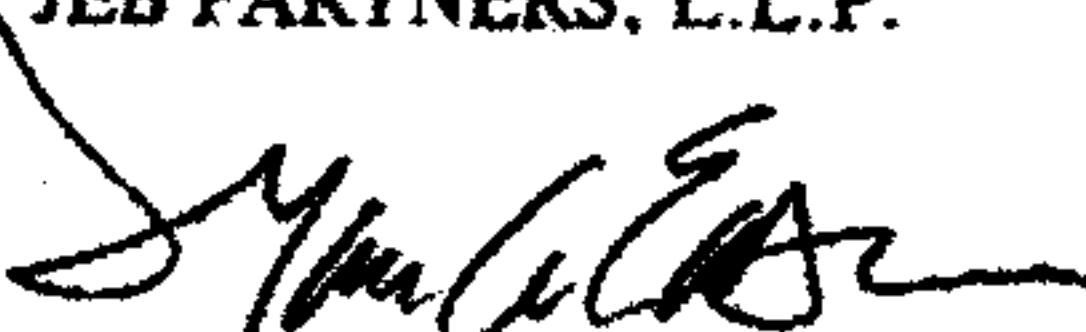
The subject land is adjacent to another parcel which is in the City of Pelham and we prefer that the entire 74.7-acre tract is in Pelham before closing the contract to purchase the property. Since we are uncertain concerning the development uses for the property, we assume the annexed parcel will come in as it is currently zoned in Shelby County.

Enclosed you will find a map and legal description of the property to be annexed as well as the completed annexation checklist we were provided by your staff. It is my understanding that with the submittal of this letter and the accompanying information this matter will be heard by the City Council on September 14, 1998.

Thank you for your consideration of this request. If you have questions or require more information, please call me at 939-4440.

Sincerely,

JEB PARTNERS, L.L.P.



Marc A. Eason

MAE/bcy

SEP-08-1998 17:11

P. 02

September 1, 1998

Mayor Bobby Hayes
City of Pelham
P.O. Box 1419
Pelham, AL 35124

Dear Mayor Hayes:

I hereby grant permission for Mr. Marc A. Eason to petition on my behalf for annexation into the city limits of Pelham on approximately forty acres as shown on the attached exhibit A (Tax ID number 58-14-9-30-0-2). Should there be any questions surrounding this letter you may contact Mr. Frank Dominick at Dominick, Fletcher & Young. His telephone number is 939-0033.

Sincerely,

Ms. Carolie Pardue

Ms. Carolie Pardue
Enclosed

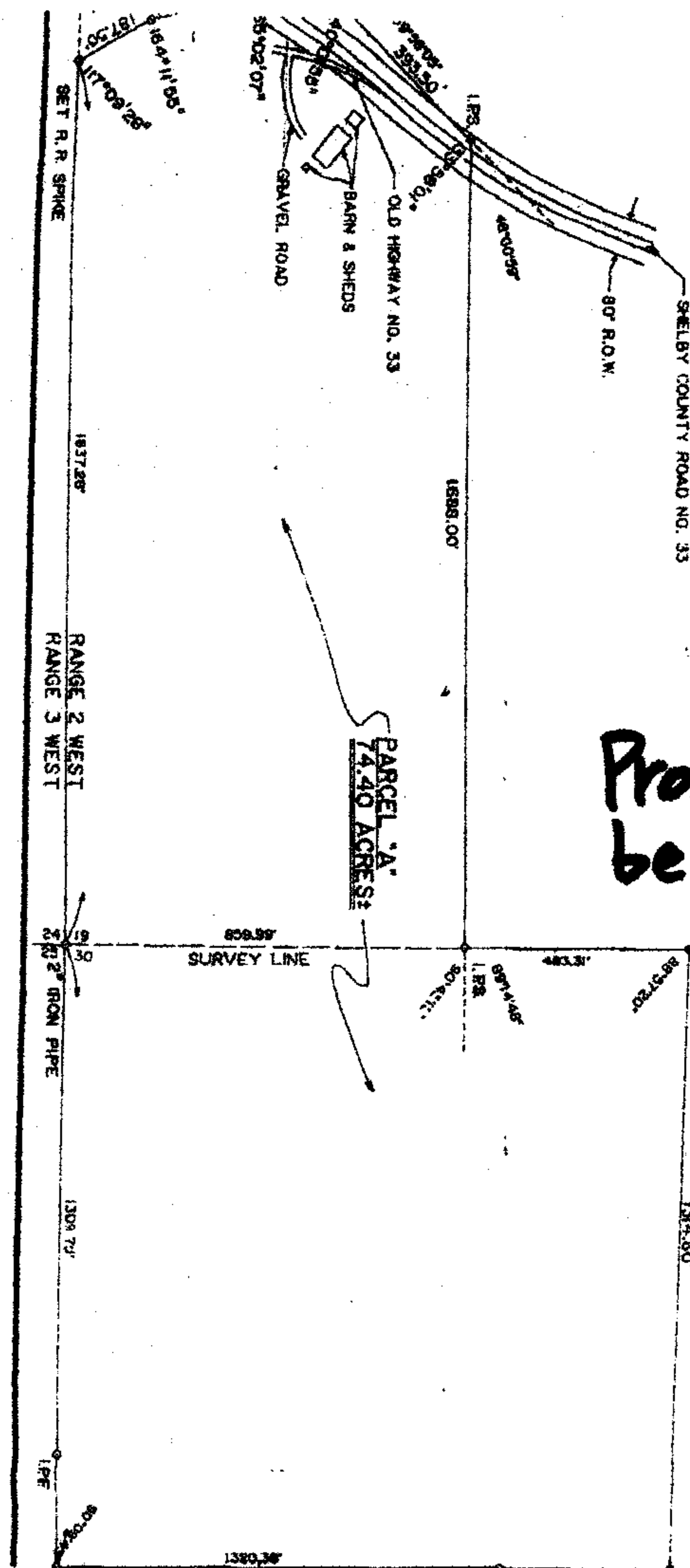
**PARDUE PROPERTY
PETITION TO ANNEX**

Legal Description

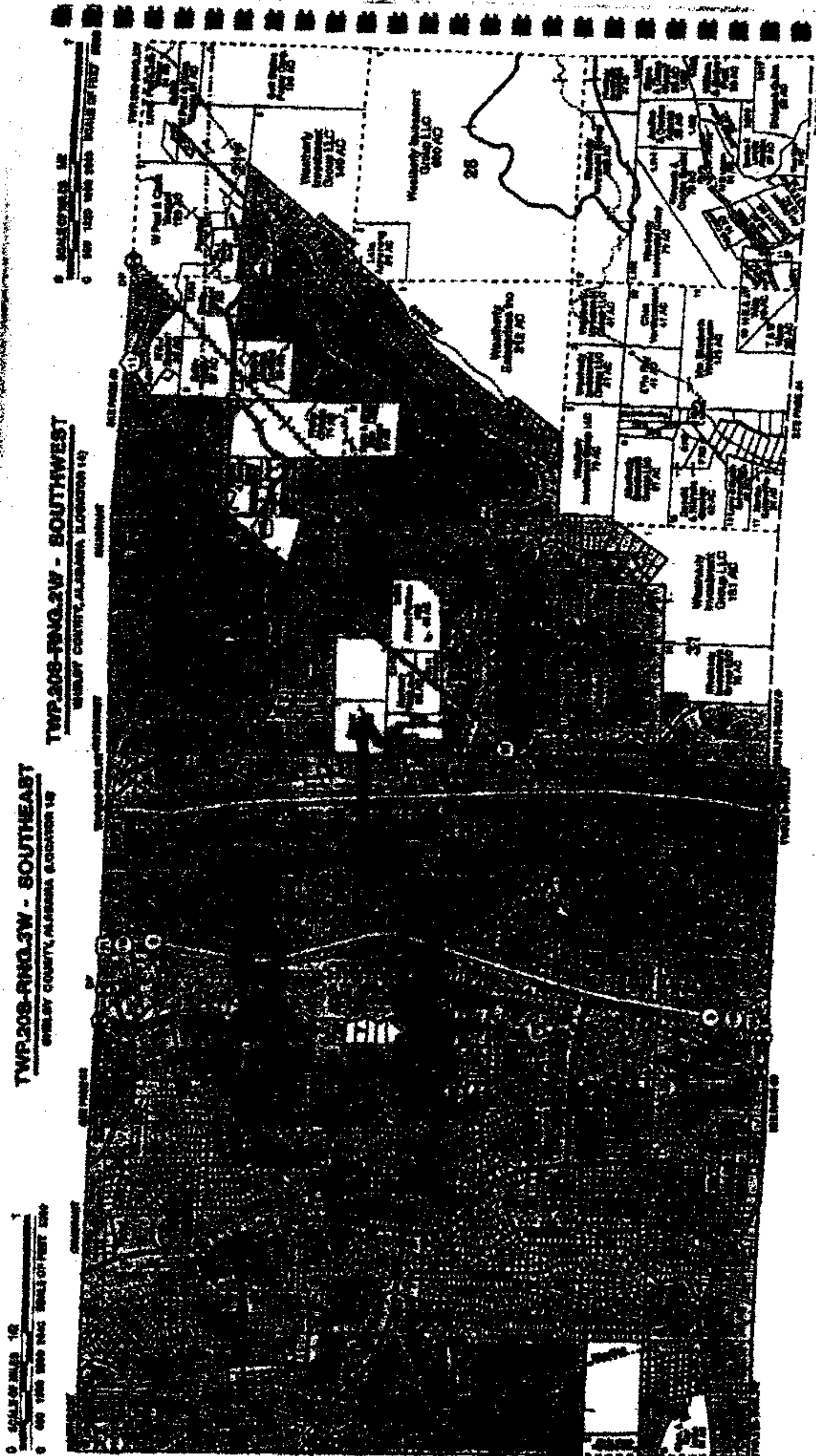
Commence at the Northwest corner of Section 30, Township 20 South, Range 2 West, thence East 1343.30', thence right $88^{\circ} 57' 2''$, 1314.6', thence right $90^{\circ} 50' 36''$, 1320.38', thence right $90^{\circ} 09' 43''$, 1309.75' to the Point of Beginning. Said parcel contains 40 acres, more or less.

ANNEXATION CHECK LIST	
Copy of petition signed by property owners	Enclosed in submittal
Map of Property	Enclosed
Description of Property	Legal description attached
Names of Property Owners	Carla Mae Pardue
How many single family dwellings on property	None (the property is undeveloped)
How many people live on parcel of land	None
How many are of voting age	None
How many are not of voting age	None
The race of each person	Not applicable
Reason for annexation	To get two parcels comprising a larger tract into the same jurisdiction and to obtain services from the City of Pelham.

TOTAL P.02



Property to be Annexed



Inst # 1998-36036

09/15/1998-36036
02:54 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
008 CRH 26.00