

ORDINANCE NUMBER 467

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

WHEREAS, a petition signed by the owners of all of the land within the territory therein described and proposed to be annexed to the City, 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 Helena; and

WHEREAS, this 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 Helena;

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

Section 1. That said Council and the City of Helena hereby assent to the annexation of said territory to the City of Helena, 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 11-42-23, 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 of another municipality and the new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any municipality. Said territory is described as follows:

The West 62-1/2 feet of the East 125 feet of the SE 1/4 of the SW 1/4 of Section 24, Township 20 South, Range 4 West, Shelby County, Alabama.

The West 153-1/2 feet of the East 307 feet of the East 1/2 of the NE 1/4 of the NW 1/4 of Section 25, Township 20 South, Range 4 West, Shelby County, Alabama.

The East 77 feet of the West 154 feet of the West 307 feet of the NE 1/4 of the NE 1/4 of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama.

The East 77 feet of the West 154 feet of the West 307 feet of the North 1/2 of the SE 1/4 of the SW 1/4 of Section 26, Township 20 South, Range 4 West, Shelby County, Alabama.

A parcel of land in the Sw 1/4 of the SW 1/4 of Section 26, Township 20 South, Range 4 West, described as follows: Begin at the SW corner of Section 26, Township 20 South, Range 4 West, thence run North 00 deg. 20 min. East along the West line of said Section a distance of 472.5 feet; thence run South 89 deg. 55 min. East a distance of 472.5 feet, thence run South 00 deg. 20 min. West a distance of 472.5 feet to a point on the South line on said Section; thence run North 89 deg. 55 min. West a distance of 472.5 feet to the point of beginning; being situated in Shelby County, Alabama.

The East 1/2 of the NE 1/4 of the NE 1/4 of Section 34, Township 20 South, Range 4 West, Shelby County, Alabama (less and except Parcel 03 & 03.01).

Section 2. 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 posted in three (3) public places in the City of Helena.

**03/02/1999-08672
03:34 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
26.00
0008 HNS**

Inst # 1999-08672

STATE OF ALABAMA
SHELBY COUNTY

I, Frances Parrish, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of an ordinance duly adopted by the Council of the City of Helena at its meeting held June 26 1995, and as same appears of record in the ordinance records of said City, and approved by the Mayor on June 26, 1995.

Given under my hand and corporate seal of the City of Helena, this the 27 day of June, 1995.

Frances Parrish cme
City Clerk

CERTIFICATION

I, Frances Parrish, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number 487 is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, in the Helena Police Dept in the City of Helena, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 5 day of July, 1995, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 27 day of June, 1995.

Frances Parrish
City Clerk

PETITION

We, the undersigned property owner, being owners of all of the land within the territory described as follows:

(See Attached)

do hereby petition the City of Helena, County of Shelby, Alabama, to annex the above described property into the city limits of the City of Helena. Attached hereto as Exhibit 'A' and made part and parcel hereof as fully as if set out herein, is a map of said property which we own, showing its relationship to the corporate limits of the City of Helena, Alabama, which said map is herewith filed with the City Clerk of the City of Helena, Alabama.

Dated this 19th day of May, 1995.

Parcel # & Address

Name & Phone #

Parcel #12 (Section 26)
#03.01 (Section 35)

Farris Cox
6409 Hwy 13
Helena AL 35080

Gracie Cox
6409 Hwy 13
Helena AL 35080

Farris Cox
663 - 3237

CLERKS DEED

STATE OF ALABAMA)
SHELBY COUNTY)

WHEREAS, on the 24th day of November, 1993, the following described property was sold by Order of the Court at public outcry on the steps of the Shelby County Courthouse, said order contained in case file CV90-081, and whereas the purchasers, Gracie Cox and Farris Cox as noted herein were the best and highest bidders at said sale and whereas a subsequent order was entered on the 14th day of February, 1994, by the Honorable Oliver Head, Judge in the said matter confirming the said sale, in which said order the Clerk of the Court was directed to prepare a Registers Deed to convey the following described parcel of real property made subject of the said matter:

A parcel of land in the SW 1/4 of the SW 1/4 of Section 26, Township 20 South, Range 4 West, described as follows: Begin at the SW corner of Section 26, Township 20 South, Range 4 West, thence run North 00 deg. 20 min. East along the West line of said Section a distance of 472.5 feet; thence run South 89 deg. 55 min. East a distance of 472.5 feet; thence run South 00 deg. 20 min. West a distance of 472.5 feet to a point on the South line on said Section; thence run North 89 deg. 55 min. West a distance of 472.5 feet to the point of beginning; being situated in Shelby County, Alabama.

Less and except the following:

That part of the South 607.1 feet of the SW 1/4 of the SW 1/4 of Section 26, Township 20 South, Range 4 West, which lies South of and East of Turner Road; which is also known as Shelby County Highway No. 13; being situated in Shelby County, Alabama.

NOW, THEREFORE, in consideration of the above premises, I, Dan Reeves, Clerk of the Circuit Court, and by virtue of the authority vested in me by said Order of Court, of said date, do hereby convey all right, title, and interest to the above described real property which heretofore was vested in Spencer Sims or any other party to the above stated action, to Farris Cox and Gracie Cox as Tenants in Common.

TO HAVE AND TO HOLD, to the said Farris Cox and Gracie Cox as Tenants in Common, their heirs and assigns forever.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of Office of the Circuit Court of Shelby County, 18th Judicial Circuit, city of Columbiana, state of Alabama, this the 25th day of February, 1994.


Dan Reeves, Circuit Court Clerk & Register
18th Judicial Circuit,
Shelby County, Alabama.

State of Alabama)
Shelby County)

I, Julia McElroy, a Notary Public in and for the county of Shelby, and state of Alabama, hereby certify that Dan Reeves, who is known to me to be the Circuit Clerk of the Circuit Court of Shelby County, Alabama, in said county and in said state, whose name is signed to the foregoing conveyance, acknowledged before me on this day, that being informed of the contents of this conveyance, he executed the voluntarily in his capacity as clerk on the day the same bears date.

Given under my hand and official seal, this 25th day of February, 1994.


Notary Public

03/02/1994-06805
12:12 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
001 MCB 29.50

PETITION

We, the undersigned property owner, being owners of all of the land within the territory described as follows:

The NE 1/4 of the NE 1/4 of Section 34, Township 20 South, Range 4 West,
Shelby County, Alabama (less and except Parcel 03 & 03.01)

do hereby petition the City of Helena, County of Shelby, Alabama, to annex the above described property into the city limits of the City of Helena. Attached hereto as Exhibit 'A' and made part and parcel hereof as fully as if set out herein, is a map of said property which we own, showing its relationship to the corporate limits of the City of Helena, Alabama, which said map is herewith filed with the City Clerk of the City of Helena, Alabama.

Dated this 25th day of May, 1995.

| | Parcel # & Address | Name & Phone # |
|--------------|---|--|
| Parcel 01 | Paul Lutz 150 Hwy 277 Helena AL 35080 | <u>Paul Lutz</u> 425-1588 |
| Parcel 02 | Donald C & Stephanie White 104 Hillsboro Lane Helena AL 35080 | <u>Don C. White</u> 663-9453 |
| Parcel 02.01 | Kenneth & Brenda Majors 6265 Hwy 13 Helena AL 35080 | <u>Kenneth & Brenda Majors</u> 426-2414 |
| Parcel 02.03 | Gerald & Lenora Jensen 6211 Hwy 13 Helena AL 35080 | <u>Gerald C. Jensen</u> 425-8916 |
| Parcel 06.01 | Allen & Kellie Paulk 6151 Hwy 13 Helena AL 35080 | <u>Allen S. Paulk & Kellie Swartzman</u> 426-1028 |
| Parcel 08 | Benjamin G. Tucker 6089 Hwy 13 Helena AL 35080 | <u>Darlene Tucker</u> 428-1241 |
| Parcel 06 | Calvin & Martha Pearson 6150 Hwy 13 Helena AL 35080 | <u>Raymond Pearson</u> <u>Julian D. Mason</u> |
| Parcel 05 | Julian & Clittie Mason 195 Porter Road SE Bessemer AL 35023 | <u>Clittie D. Mason</u> 428-9658 |

SEND TAX NOTICE TO:

(Name) Raymond Pearson

6150 Highway 13

(Address) Maylene, Alabama 35114

1249

This instrument was prepared by

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

(Address) COLUMBIANA, ALABAMA 35051

Form 1-1-37 Rev. 1-44

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

500.00

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

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

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, I or we,

Martha Jane Pearson and husband, Calvin Pearson

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

Raymond Pearson

(herein referred to as grantee, whether one or more), the following described real estate, situated in Shelby County, Alabama, to-wit:

Begin at the SW corner of the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$, Section 34, Township 20 South, Range 4 West and run in an Easterly direction along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 1,100 feet, more or less to Hurricane Creek; thence run in a Northwesterly direction along the meanderings of Hurricane Creek 600 feet, more or less to the intersection of Hurricane Creek with the South right of way line of Shelby County Highway No. 13; thence run in a Southwesterly direction along the South right of way line of Shelby County Highway No. 13 840 feet, more or less to the point of intersection with the South right of way line with the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence run in a Southerly direction 40 feet, more or less along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section to the point of beginning to the property herein conveyed.

The Grantors retain a life estate in the hereinabove described property.

| | |
|-------------------|---------|
| 1. Deed Tax | \$ 1.50 |
| 2. Int. Tax | \$ |
| 3. Recording Fee | \$ 2.50 |
| 4. Notary Fee | \$ 3.00 |
| 5. State Tax | \$ |
| 6. Certified Copy | \$ 1.00 |
| Total | \$ 7.00 |

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, 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 GRANTEES, their heirs and assigns forever.

IN WITNESS WHEREOF, we have hereunto set our hands(s) and seal(s), this day of 19 90

STATE OF ALA. SHELBY CO.
I CERTIFY THIS
INSTRUMENT WAS FILED
13 (Seal)

Martha Jane Pearson (Seal)

PROPOSED ANNEXATION

PROPERTY OF LOT 6
MADRID PROPERTIES
SUBDIVISION

~~Inst # 1999-06672~~

08/02/1999-08672
08:53 PM CERTIFIED
UNITED STATES OF AMERICA

0008 4449

26-06

3/10