

ORDINANCE NO. 342

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

Inst # 1999-29510

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.

07/14/1999-29510  
01:48 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
007 1998 23.58

Ken Maynard, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 342, 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	<u>Yes</u>
Willard Payne Council Member	_____
Mike Dickens Council Member	<u>Yes</u>
Ken Maynard Council Member	<u>Yes</u>
Karyl Rice Council Member	<u>Yes</u>
Jim Phillips Council Member	<u>Yes</u>

THEREUPON Jim Phillips, a member moved and Mike Dickens, 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 12 day of July 1999.

Bobby Hayes  
Mayor

Ken Maynard  
Council Member

Michael S. Smith  
Council Member

Jim Phillips  
Council Member

Karyl Rice  
Council Member

\_\_\_\_\_  
Council Member

Seal

ATTEST

Cress C. Bate  
City Clerk

June 8 1999


The Honorable Bobby Hayes  
Mayor of Pelham  
City Hall  
Pelham, Alabama 35124

Dear Mayor Hayes:

Please allow the following to serve as our formal request for annexation into the city of Pelham the property as described in the attached legal description, less and except parcels sold as Tract 1, 2 and 3 also described in an attached document. This property is unoccupied and contiguous to our current residence within the city limits of Pelham.

Thank you for your consideration of this request.

Sincerely,

  
Allen Franklin



Peggy Franklin  
101 Weatherly Way  
Pelham, Alabama 35124  
663-4943

## DESCRIPTION, to wit:

## TRACT NO.. 1 - Bowers

Begin at the southeast corner of the South-East quarter of the South-East quarter of Section 19, Township 20 South, Range 2 West; thence North  $0^{\circ}26'54''$  West (bearing assumed) along the accepted east quarter-quarter section line 380.07 feet to the point of beginning; thence North  $0^{\circ}33'08''$  East along said accepted line 112.16 feet; thence North  $71^{\circ}49'20''$  West for 421.50 feet; thence South  $36^{\circ}25'26''$  East for 301.00 feet; thence South  $89^{\circ}37'22''$  East for 220.67 feet to the point of beginning. (1.13 Acres, more or Less)

## TRACT NO. 2 - Manzi

Begin at the southeast corner of the South-East quarter of the South-East quarter of Section 19, Township 20 South, Range 2 West; thence North  $0^{\circ}26'54''$  West (bearing assumed) along the accepted east quarter-quarter section line 380.07 feet; thence North  $0^{\circ}33'08''$  East along said accepted line 112.16 feet; thence North  $71^{\circ}49'20''$  West for 421.50 feet to the point of beginning; thence continue North  $71^{\circ}49'20''$  West for 90.00 feet; thence South  $0^{\circ}22'38''$  West for 268.53 feet; thence South  $89^{\circ}37'22''$  East for 226.00 feet; thence North  $36^{\circ}25'26''$  West for 301.00 feet to the point of beginning. (1.00 acre, more or less)

## TRACT NO. 3 - Cranford

Begin at the Southeast corner of the South-East quarter of the South-East quarter of Section 19, Township 20 South, Range 2 West; thence North  $0^{\circ}26'54''$  West (bearing assumed) along the accepted east quarter-quarter section line 380.07 feet; thence North  $0^{\circ}33'08''$  East along said accepted line 112.16 feet; thence North  $71^{\circ}49'20''$  West for 511.50 feet to the point of beginning; thence continue North  $71^{\circ}49'20''$  West for 111.80 feet; thence South  $26^{\circ}58'21''$  West for 338.52 feet; thence South  $89^{\circ}58'21''$  East for 258.00 feet; thence North  $0^{\circ}22'38''$  East for 268.53 feet to the point of beginning. (1.22 Acres, more or less)

This instrument was prepared by:  
(Name) Holliman, Shockley & Kelly  
(Address) 2491 Palham Parkway  
Palham, AL 35124

Send Tax Notice to:  
(Name) Allen Franklin & Peggy Franklin  
(Address) ~~XXXXXXXXXXXX~~ 101 WEATHERLY WAY  
Palham, AL 35124

**WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR**

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

That in consideration of Ninety-Five Thousand and No/100 DOLLARS  
to the undersigned grantor or grantors in hand paid by the GRANTEEES herein, the receipt of which is hereby acknowledged, we,

Nancy Gail Snow Weldon, A Married Woman  
(herein referred to as grantors), do grant, bargain, sell and convey unto

Allen Franklin and Peggy Franklin

(herein referred to as GRANTEEES), as joint tenants, with right of survivorship, the following described real estate, situated in  
Shelby County, Alabama, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF AS IF SET FORTH IN FULL  
HEREIN FOR THE COMPLETE LEGAL DESCRIPTION OF THE PROPERTY BEING CONVEYED BY  
THIS INSTRUMENT.

SUBJECT TO: (1) Taxes for the year 1997 and subsequent years; (2) Easements,  
restrictions, reservations, rights-of-way, limitations, covenants and conditions  
of record, if any; (3) Mineral and mining rights, if any.

The property herein being conveyed does not constitute the homestead of  
Nancy Gail Snow Weldon and/or her spouse.

Inst # 1997-06543

Inst # 1997-06543

*Copy*

03/03/1997-06543  
02:33 PM CERTIFIED  
NOTARY PUBLIC  
10.00

TO HAVE AND TO HOLD, Unto the said GRANTEEES as joint tenants, with right of survivorship, their heirs and assigns forever;  
It being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint  
lives of the grantees herein) in the event one grantee herein survives the other, the entire interest in fee simple shall pass to the surviving grantee,  
and, if one does not survive the other, then the heirs and assigns of the grantees herein shall take as tenants in common.

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

IN WITNESS WHEREOF, I have hereunto set my hand(s) and seal(s) this 24th  
day of February, 19 97.

WITNESS  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)  
*Nancy Gail Snow Weldon*  
Nancy Gail Snow Weldon  
\_\_\_\_\_  
(Seal)  
\_\_\_\_\_  
(Seal)

STATE OF ALABAMA  
SHELBY County } General Acknowledgment  
I, the undersigned authority, a Notary Public in and for said County, in said State, hereby  
certify that Nancy Gail Snow Weldon, 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,  
he executed the same voluntarily on the day the same bears date.  
Given under my hand and official seal, this 24th day of February, A.D., 19 97.  
*8-29-98*  
My Commission Expires: \_\_\_\_\_  
Notary Public

Exhibit "A"

Begin at the Southeast corner of the Southeast quarter of the Southeast quarter of Section 19, Township 20 South, Range 2 West; thence North 0 degrees 26 minutes 54 seconds West (bearing assumed) along the accepted East quarter-quarter section line 388.77 feet to the point of beginning; thence North 0 degrees 33 minutes 08 seconds East along said accepted line 112.16 feet; thence North 71 degrees 49 minutes 20 seconds West for 946.31 feet; thence South 30 degrees 20 minutes 02 seconds West for 429.67 feet to the North line of Weatherly Subdivision; thence South 89 degrees 37 minutes 20 seconds East along said North line 217.92 feet; thence South 15 degrees 45 minutes 02 seconds West along said North line 31.41 feet; thence South 89 degrees 37 minutes 22 seconds East along said North line 910.36 feet to the point of beginning.

Inst # 1997-06543

03/03/1997-06543  
02:33 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 103 186.00

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

\_\_\_\_\_ (Seal)

STATE OF ALABAMA

SHELBY County

General Acknowledgment

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Nancy Gail Snow Waldon, 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, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 24th day of February, A.D., 19 97.

My Commission Expires: 8-29-98

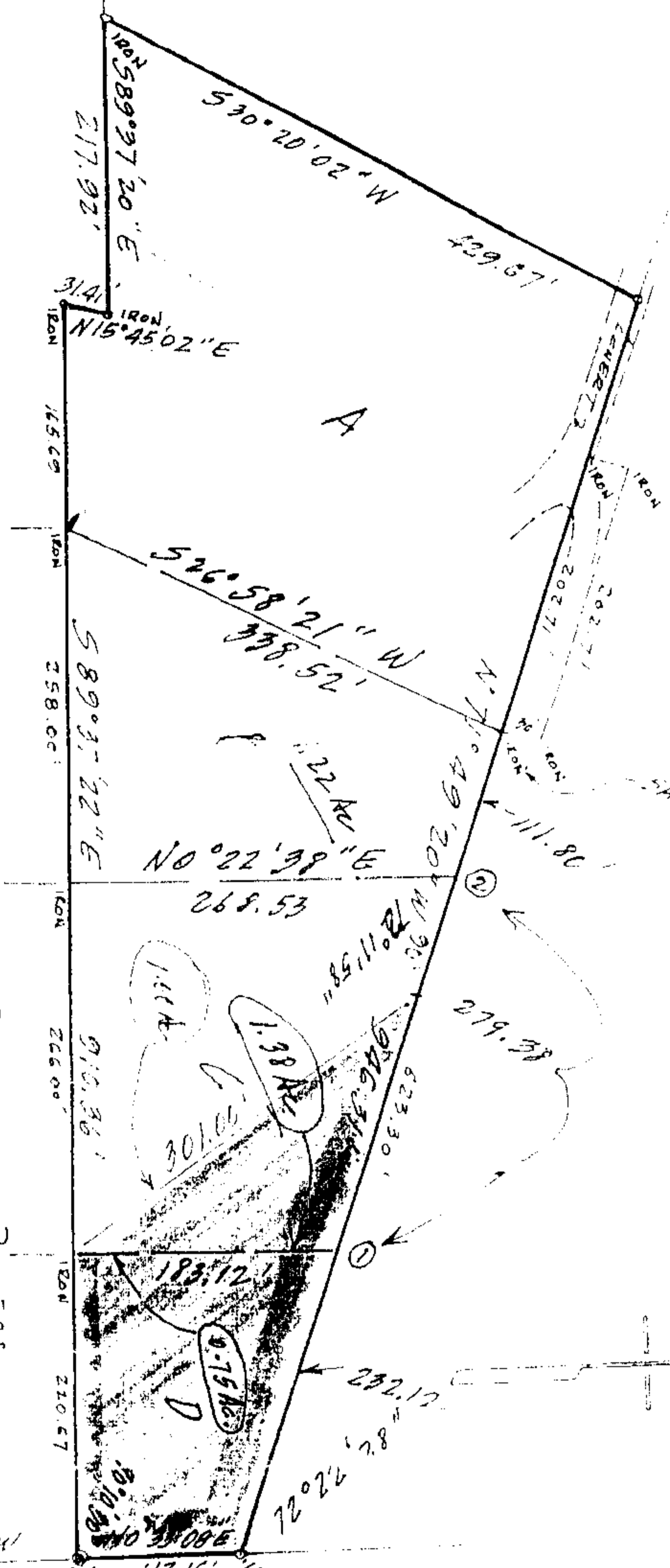
Notary Public

01562-6661 [Inst. 1999-29510]  
 07/14/1999-29510  
 01:48 PM CERTIFIED  
 38838 2000 1000 0000

WEATHERLY SUBDIVISION

- TRACT NO. 1 - BOWERS
- TRACT NO. 2 - WANZI
- TRACT NO. 3 - GRANFORD
- TRACT NO. 4 - FRANKLIN

SE 100  
 38.19



ACCEPTED EAST SECTION LINE

SNOW / WELDON PROPERTY