

## ORDINANCE NO. 01-1799

An ordinance to alter, rearrange and extend the corporate limits of the City of Hoover, Alabama, so as to embrace and include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous to said City.

**WHEREAS**, petitions signed by Benner Investments LLC, by John Benner; McGeever Investments, LLC, by John McGeever; Robertson Investments, LLC, by William R. Robertson; Frank C. Ellis Jr., LLC, by Frank C. Ellis Jr.; Frank C. Ellis, III, LLC, by Frank C. Ellis, III; Joe H. King, Jr.; Eli T. Stevens, President, Eli's Inc.; Eli T. Stevens and Pat Stevens requesting that certain territory described therein be annexed to the City of Hoover, and

**WHEREAS**, there is attached to the said petitions a map of said territory showing its relationship to the corporate limits of the City; and

**WHEREAS**, this Council has determined and found that the matters set forth and alleged in the said petitions are true and that it is in the public interest that said property be annexed into the City of Hoover;

**NOW, THEREFORE**, be it ordained by the Council of the City of Hoover as follows:

**SECTION 1:** That said Council hereby assents to the annexation of said territory to the City of Hoover, Alabama, and the corporate limits of the City of Hoover are hereby 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 or municipal boundaries of another municipality and does not lie at any point more than one-half the distance between the present corporate limits and the corporate limits of any other municipality. Said property is described in Exhibit "A" attached hereto and made a part hereof.

**SECTION 2:** If Wal-Mart does not purchase and close the sale of the property described in this ordinance, then in such event the City Council shall, upon application of the owner of said property, immediately de-annex said property from the corporate boundaries of the City of Hoover by duly enacted ordinance.

03/16/2001-09636  
03:51 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
012 MEL 44.00

Inst # 2001-09636

**SECTION 3:** 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 Hoover.

**ADOPTED** this 23rd day of February 2001.

A handwritten signature in black ink, appearing to be "W. H. H. T.", written over a horizontal line.

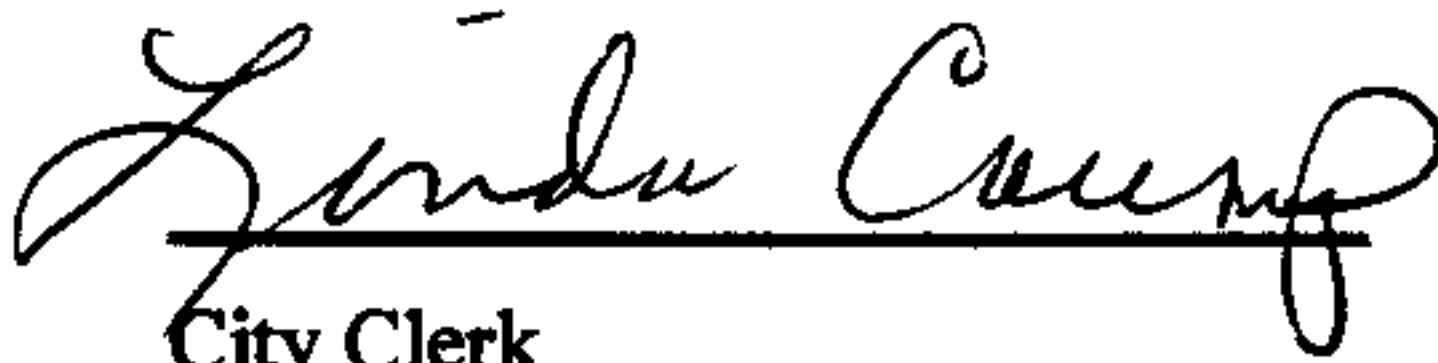
Council President

**APPROVED BY:**

A handwritten signature in black ink, appearing to be "Barbara B. McCollum", written over a horizontal line.

Mayor

**ATTESTED BY:**

A handwritten signature in black ink, appearing to be "Linda Cunniff", written over a horizontal line.

City Clerk

## **EXHIBIT "A"**

### **Phase V**

**SOURCE OF TITLE: DEED BOOK 1995, PAGE 07233; DEED BOOK 1998, PAGE 31523; DEED BOOK 80, PAGE 117-119; DEED BOOK 161, PAGE 825; DEED BOOK 1999, PAGE 46826; DEED BOOK 344, PAGE 434; DEED BOOK 338, PAGE 405 AND DEED BOOK 289, PAGE 134, LEGAL DESCRIPTION CONTAINED IN ORDINANCE N° 99-141 ON AUGUST 3, 1999, BY THE COUNCIL OF THE CITY OF BIRMINGHAM.**

**A parcel of land located in the Northeast Quarter of the Southeast Quarter and the Southeast Quarter of the Northeast Quarter of Section 31, Township 18 South, Range 1 West in Shelby County, Alabama and being more particularly described as follows:**

**Commence at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 31; thence run in a Southerly direction along the East line of said Quarter – Quarter Section a distance of 54.95 feet to a point on the City Limits line of the City of Hoover, Alabama, said point being the POINT OF BEGINNING of the herein descried parcel; thence turn deflect to the right 89°58'34" and run to the right in a Westerly direction along the City Limits line of the City of Hoover, Alabama, a distance of 979.55 feet to a point; thence turn an interior angle of 236°17'28" and run to the left in a Southwesterly direction a distance of 155.50 feet to a point; thence turn an interior angle of 33°45'27" and run to the right in a Northerly direction a distance of 89.07 feet to a point; thence turn an interior angle of 146°14'33" and run to the right in a Northeasterly direction for a distance of 79.83 feet to a point; thence turn an interior angle of 123°28'38" and run to the right in a Easterly direction a distance of 1021.64 feet to a point on the East line of said Quarter – Quarter Section; thence turn an interior angle of 90°12'28" and run to the right in a Southerly direction along the East line of said Quarter – Quarter Section a distance of 21.99 feet to the point of beginning of the herein described parcel. Said parcel containing 0.0011 square miles, 0.690 acres or 29845 square feet.**

# STATE OF ALABAMA SHELBY COUNTY

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners.

NAME	ADDRESS
(Signature of Owners) Frank G. Ellis, Jr. LLC By: <u>[Signature]</u>	<u>5357 Hwy 280 East</u> " " " "
Frank G. Ellis III, LLC By: <u>[Signature]</u>	" " " "
Benner Investments, LLC By: <u>[Signature]</u>	" " " "
Robertson Investments, LLC By: <u>[Signature]</u>	" " " "
McGeever Investments, LLC By: <u>[Signature]</u>	" " " "

Number of Occupants: NONE

Ages of All Children: NONE

LEGAL DESCRIPTION:

**STATE OF ALABAMA  
SHELBY COUNTY**

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners.

NAME  
(Signature of Owners)

*Joe H. King, Jr.*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

ADDRESS

*5319 Highway 280 SE*  
*Birmingham, AL 35242*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Number of Occupants: \_\_\_\_\_

Ages of All Children: \_\_\_\_\_

LEGAL DESCRIPTION:

**STATE OF ALABAMA  
SHELBY COUNTY**

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners, and with the agreement that if the sale by the petitioner to Walmart does close, the City of Hoover shall implement as soon as practicable the installation of the traffic signal as provided in Resolution 2445-01 of the City Council.

NAME  
(Signature of Owners)

ADDRESS

Patricia M. Stevens

Patricia M. Stevens

Eli T. Stevens

Eli T. Stevens

Number of Occupants: 0

Ages of All Children: \_\_\_\_\_

LEGAL DESCRIPTION:



**STATE OF ALABAMA  
SHELBY COUNTY**

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners, and with the agreement that if the sale by the petitioner to Walmart does close, the City of Hoover shall implement as soon as practicable the installation of the traffic signal as provided in Resolution 2445-01 of the City Council.

NAME  
(Signature of Owners)

ADDRESS

Patricia M. Stevens

Patricia M. Stevens

Number of Occupants: 0

Ages of All Children: \_\_\_\_\_

LEGAL DESCRIPTION:

**STATE OF ALABAMA  
SHELBY COUNTY**

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners, and with the agreement that if the sale by the petitioner to Walmart does close, the City of Hoover shall implement as soon as practicable the installation of the traffic signal as provided in Resolution 2445-01 of the City Council.

NAME  
(Signature of Owners)

ADDRESS

Eli's Inc

Eli J. Stevens Pres.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Number of Occupants: 0

Ages of All Children: \_\_\_\_\_

LEGAL DESCRIPTION:



**STATE OF ALABAMA  
SHELBY COUNTY**

We, the undersigned, hereby request and petition the City of Hoover to take whatever action is necessary to cause our property to be annexed to the City of Hoover, with the agreement that if the sale by the petitioner to Walmart does not close, the City of Hoover agrees to immediately de-annex the subject property upon receipt of a request for de-annexation by the owners, and with the agreement that if the sale by the petitioner to Walmart does close, the City of Hoover shall implement as soon as practicable the installation of the traffic signal as provided in Resolution 2445-01 of the City Council.

NAME  
(Signature of Owners)

ADDRESS

Eli T. Stevens

Eli T. Stevens

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Number of Occupants: 0


Ages of All Children: \_\_\_\_\_

LEGAL DESCRIPTION:

**CLERK'S CERTIFICATION**

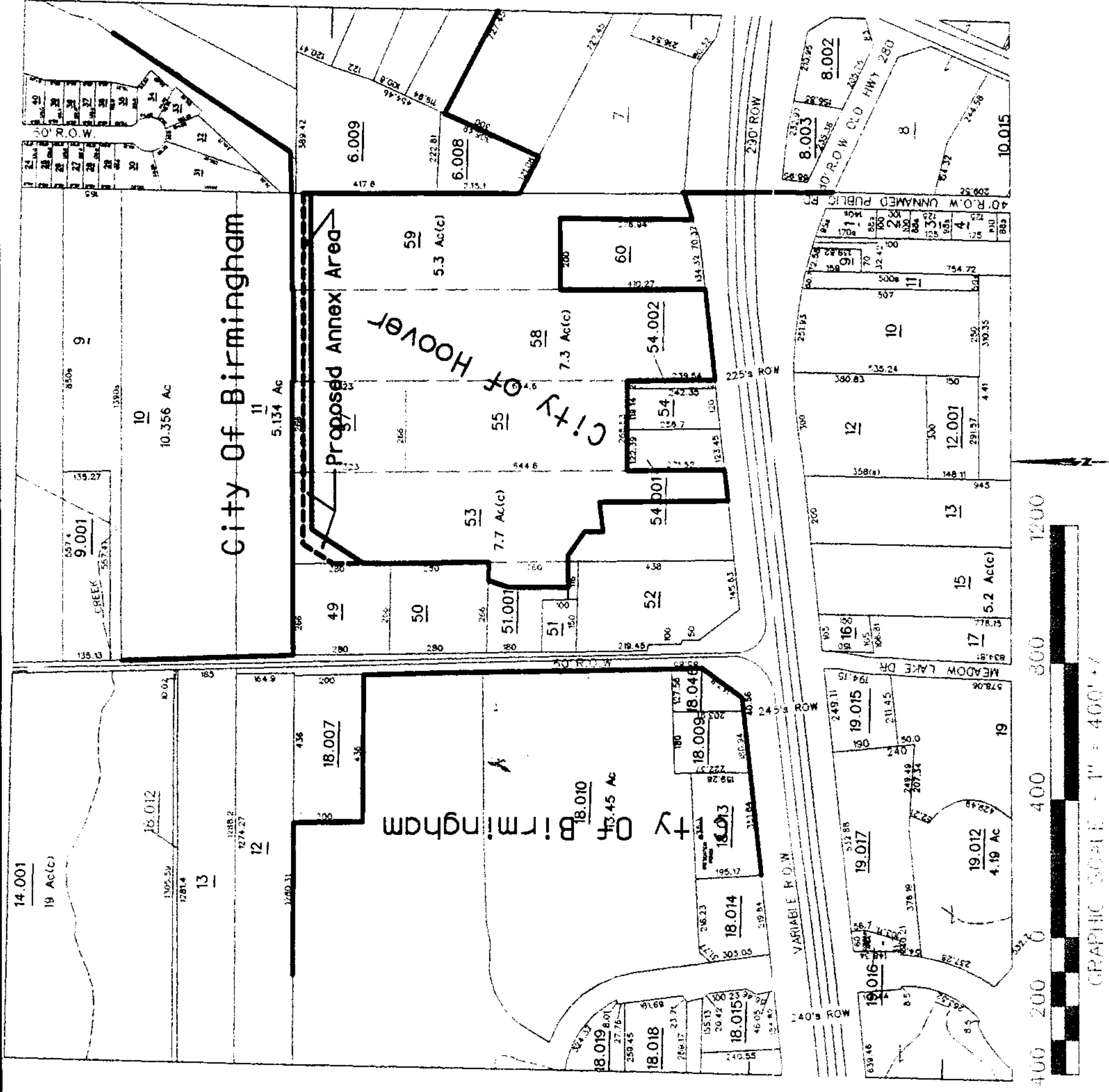
\*\*\*\*\*

I hereby certify that the attached is a true and correct copy of a petition(s) presented to the City Council of the City of Hoover by persons whose Name(s) appear thereon, requesting that their property be annexed to the City of Hoover.

  
Linda Crump, CMC  
City Clerk

SOURCE OF TITLE: DEED BOOK 1995, PAGE 07233; DEED BOOK 1998, PAGE 31523; DEED BOOK 80, PAGE 117-119; DEED BOOK 161, PAGE 825; DEED BOOK 1999, PAGE 46826; DEED BOOK 344, PAGE 434; DEED BOOK 338, PAGE 405 AND DEED BOOK 289, PAGE 134, LEGAL DESCRIPTION CONTAINED IN ORDINANCE N° 99-141 ON AUGUST 3, 1999, BY THE COUNCIL OF THE CITY OF BIRMINGHAM.

Commence at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 31; thence run in a Southerly direction along the East line of said Quarter - Quarter Section a distance of 54.95 feet to a point on the City Limits line of the City of Hoover, Alabama, said point being the POINT OF BEGINNING of the herein described parcel; thence turn defect to the right 89° 58' 34" and run to the right in a Westerly direction along the City Limits line of the City of Hoover, Alabama, a distance of 979.55 feet to a point; thence turn an interior angle of 236° 17' 28" and run to the left in a Southwesterly direction a distance of 155.50 feet to a point; thence turn an interior angle of 33° 45' 27" and run to the right in a Northerly direction a distance of 89.07 feet to a point; thence turn an interior angle of 146° 14' 33" and run to the right in a Northeasterly direction for a distance of 79.83 feet to a point; thence turn an interior angle of 123° 28' 38" and run to the right in a Easterly direction a distance of 1021.64 feet to a point on the East line of said Quarter - Quarter Section; thence turn an interior angle of 90° 12' 28" and run to the right in a Southerly direction along the East line of said Quarter - Quarter Section a distance of 21.99 feet to the point of beginning of the herein described parcel. Said parcel containing 0.0011 square miles, 0.690 acres or 29845 square feet.



ORDINANCE NO. 01-1799  
 The ordinance to alter, re-  
 lease and extend the corporate  
 limits of the City of Hoover,  
 Alabama, to as to embrace and  
 include within the corporate  
 limits of the City all territory  
 which corporate limits  
 of certain other terri-  
 tories adjacent to said City.  
 WHEREAS, petitions signed  
 by Robert L. Robertson, LLC, by  
 Robert L. Robertson, LLC, by John  
 Robertson, Robertson Invest-  
 ments, LLC, by William R. Rob-  
 ertson, LLC, by J. R. L. L.  
 Alabama, and also cause a  
 copy of said ordinance to be  
 published in a newspaper of  
 general circulation in the City  
 of Hoover, Alabama.  
 ADOPTED on the 23rd day of  
 February, 2001.  
 Robert L. Robertson, LLC  
 President of the Council  
 APPROVED on the 24th day of  
 February, 2001.  
 Barbara McCullum, Mayor  
 ATTEST:  
 Linda Crump, City Clerk  
 left the southeasterly direc-  
 tion a distance of 155.50 feet  
 to a point thence turn an in-  
 terior angle of 33 degrees 27' and  
 run to the right in a northerly  
 direction a distance of 89.87  
 feet to a point thence turn an  
 interior angle of 146 degrees 38'  
 and run to the right in a North-  
 easterly direction for a dis-  
 tance of 150 feet to a point  
 thence turn an interior angle of  
 72 degrees 15' and run to the  
 right in a southeasterly direction  
 a distance of 221.44 feet to a  
 point on the east line of said  
 Quarter Section 34 of  
 Township 12 North Range 10 East  
 of the 9th Principal Meridian  
 and run to the right in a southeasterly  
 direction a distance of 137.71 feet to the  
 point of beginning of the parcel  
 described. Said parcel  
 contains 0.0811 square  
 miles or 29.46  
 acres or 2946  
 square feet.  
 Mayor, February 24, 2001

### CLERK'S CERTIFICATION

I, Linda Crump, City Clerk for the City of Hoover, Alabama, hereby certify that the  
 attached is a true and correct copy of Ordinance No. 01-1799 which was adopted by  
 the City Council of the City of Hoover, Alabama, on the 23rd day of February  
2001.

Linda Crump  
 City Clerk  
 Inst # 2001-09636

03/16/2001-09636  
 03:51 PM CERTIFIED  
 SHELBY COUNTY JUDGE OF PROBATE  
 012 MEL 44.00