

Town of Chelsea

P.O. Box 111
Chelsea, Alabama

Certification Of Annexation Ordinance

Ordinance Number: X-01-09-04 -155
Repealing Ordinance: X-99-12-07-111

Property Owner(s): Shady Hollow Development

Property: 15-3-07-0-000-019

I, Robert 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 the regular meeting held on September 4, 2001 as same appears in minutes of record of said meeting, and published by posting copies thereof on September 5, 2001 at the public places listed below, which copies remained posted for five business days (through September 11, 2001).

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 # 2002-14969

04/01/2002 -14969
10:18 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
009 HSB 35.00

Town of Chelsea, Alabama

Annexation Ordinance No. X-01-09-04-155

Property Owner(s): Shady Hollow Development

Property: 15-3-07-0-000-019

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

Whereas, the attached written petition requesting that the above-noted property be annexed to the Town of Chelsea has been filed with the Chelsea town clerk; and

Whereas, said petition has been signed by the owner(s) of said property; and

Whereas, said petition contains (as Petition Exhibits A&B) an accurate description of said property together with a map of said property (Exhibit C) showing the relationship of said property to the corporate limits of Chelsea; 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;

Whereas, said territory does not lie within the corporate limits of any other municipality

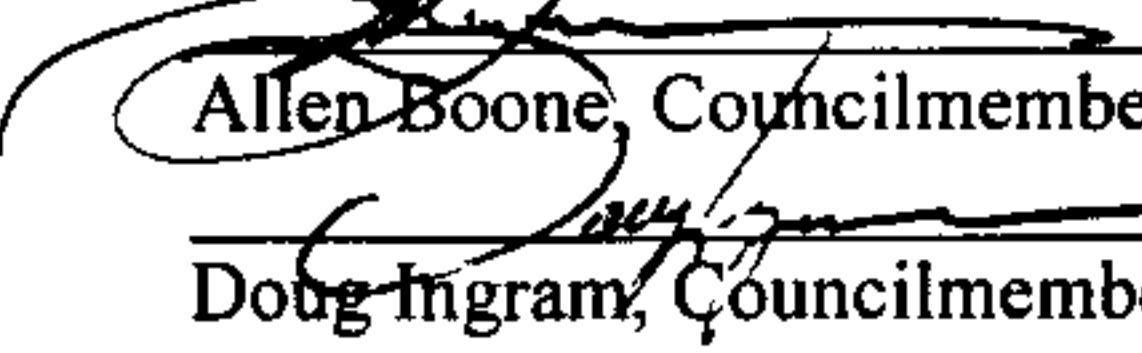
Whereas, even though said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap, the said property is less-than-equidistant from the respective corporate limits of Chelsea and Pelham (i.e. it is closer to the corporate limits of Chelsea than to the corporate limits of Pelham).

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation: and

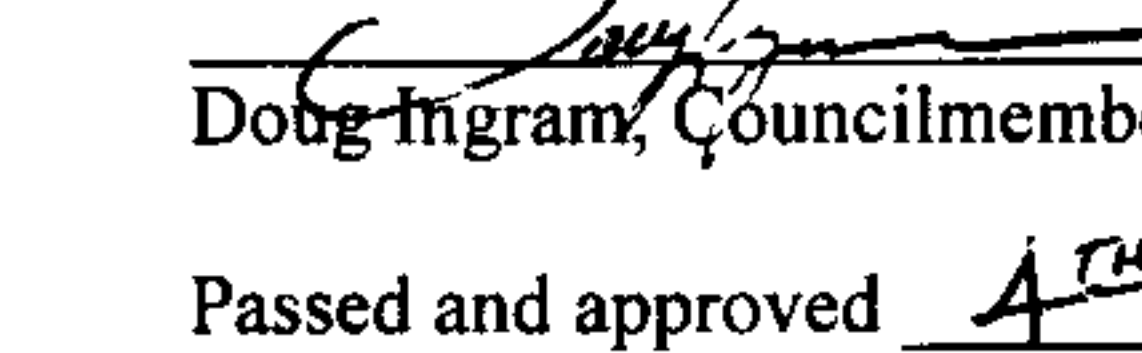
Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property zoned R-1, and said property shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.



Earl Niven, Mayor



Allen Boone, Councilmember



Doug Ingram, Councilmember



Jimmy Lovvorn, Councilmember

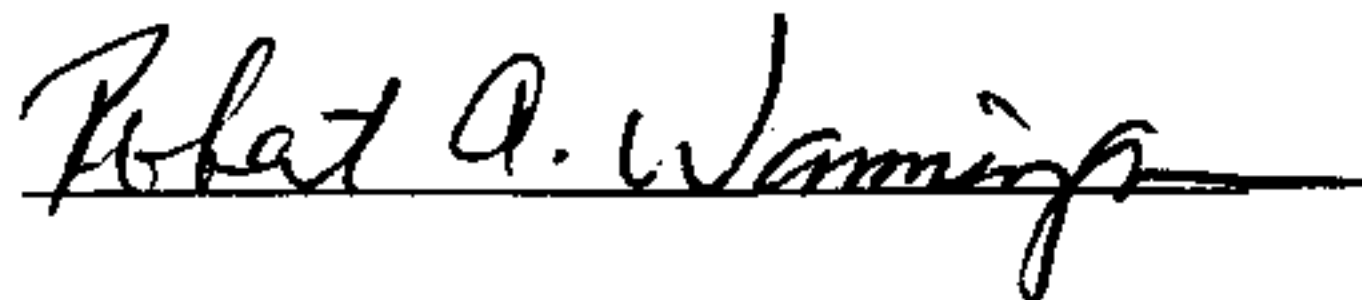


Earl Niven, Jr., Councilmember



John Ritchie, Councilmember

Passed and approved 4TH day of SEPT., 2001.



Robert A. Warming

Town of Chelsea, Alabama

Annexation Ordinance No. X-01-09-04-155

Property Owner(s): Shady Hollow Development

Property: 15-3-07-0-000-019

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

Whereas, the attached written petition requesting that the above-noted property be annexed to the Town of Chelsea has been filed with the Chelsea town clerk; and

Whereas, said petition has been signed by the owner(s) of said property; and

Whereas, said petition contains (as Petition Exhibits A&B) an accurate description of said property together with a map of said property (Exhibit C) showing the relationship of said property to the corporate limits of Chelsea; 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;

Whereas, said territory does not lie within the corporate limits of any other municipality

Whereas, even though said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap, the said property is less-than-equidistant from the respective corporate limits of Chelsea and Pelham (i.e. it is closer to the corporate limits of Chelsea than to the corporate limits of Pelham).

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation: and

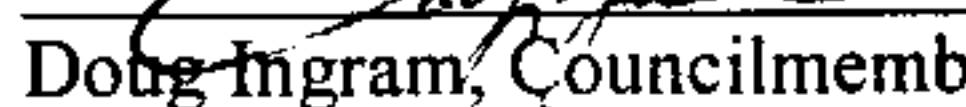
Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property zoned R-1, and said property shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.



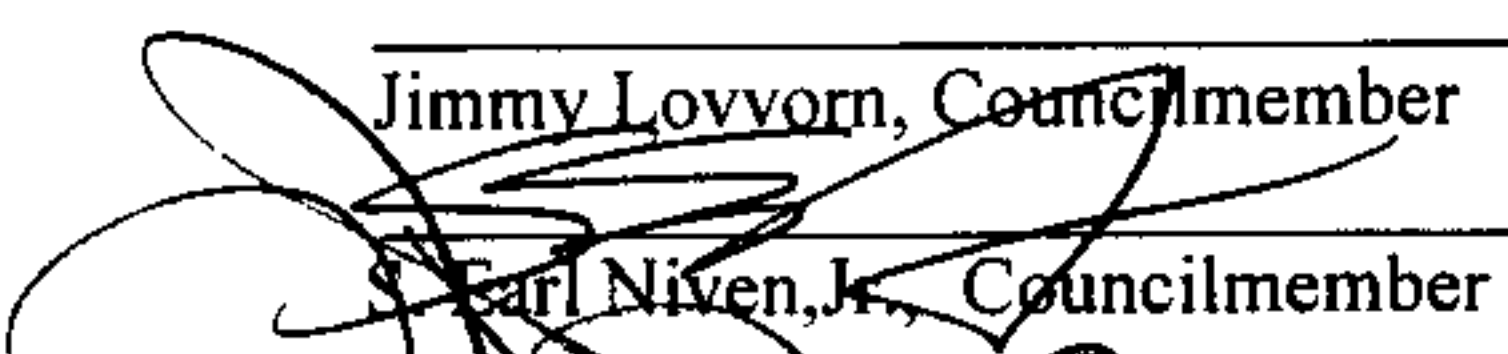
Earl Niven, Mayor



Allen Boone, Councilmember




Doug Ingram, Councilmember



Jimmy Lovvorn, Councilmember

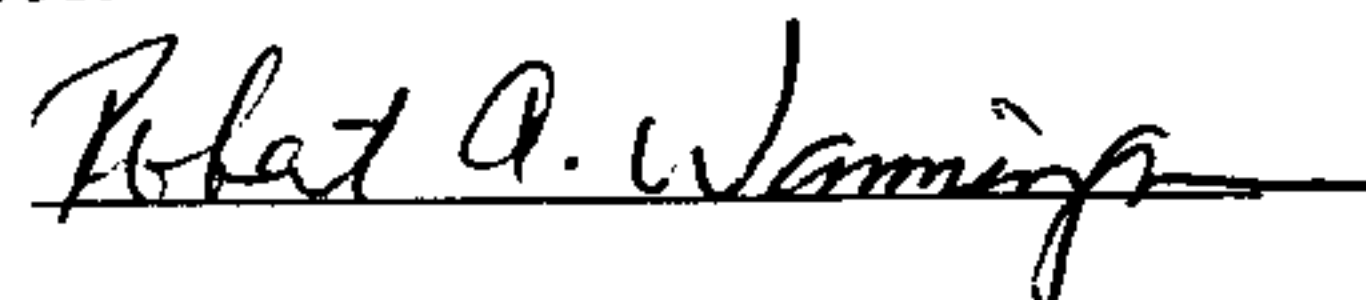


Earl Niven, Jr., Councilmember



John Rishie, Councilmember

Passed and approved 4TH day of SEPT., 2001.



Robert A. Warrington

Petition Exhibit A

Property owner(s): Shady Hollow Development

Property: 15-3-07-0-000-019

Property Description

The above-noted property, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Petition Exhibit B) Which was recorded with the Shelby County judge of probate as Instrument Number 2001-29430.

Further, the said property for which annexation into Chelsea is requested in this petition is shown in the indicated shaded area on the attached map in Petition Exhibit C. Said map also shows the contiguous relationship of said property to the corporate limits of Chelsea.

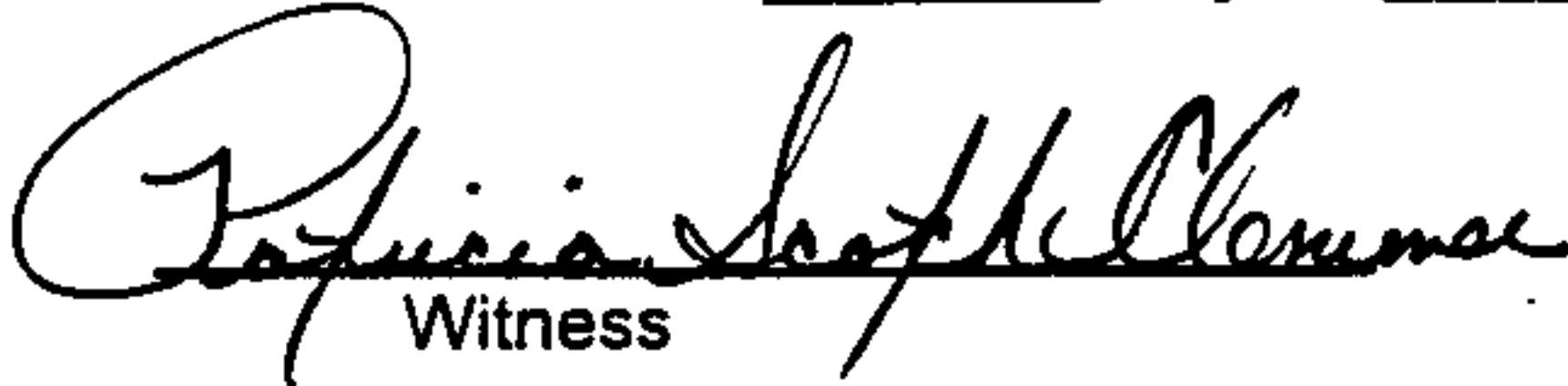
The said property, for which annexation into Chelsea is requested in this petition, does not lie within the corporate limits of any other municipality, but said property is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Pelham overlap. However, said property is less-than-equidistant- from the respective corporate limits of Chelsea and Pelham (i.e. said property is closer the corporate limits of Chelsea than to the corporate limits of Pelham) pursuant to Section 11-42-21, Code of Alabama (1975).

Town Clerk
Town of Chelsea
P. O. Box 111
Chelsea, Alabama 35043

PETITION FOR ANNEXATION

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

Done this 4th day of November, 1999.


Witness

Shady Hollow Development, Inc.

BY:


Owner - Signature President

Joe A. Scotch, Jr.

Owner Printed Name

503 C. Cahaba Park Circle

Birmingham, Al 35242

Mailing Address

Property Address (if different)

205-991-5075

Telephone no.

Witness

Owner - Signature

Owner Printed Name

Mailing Address

Property Address (if different)

Telephone no.

(All owners listed on the deed must sign)

revised 2/99

LAKE

336

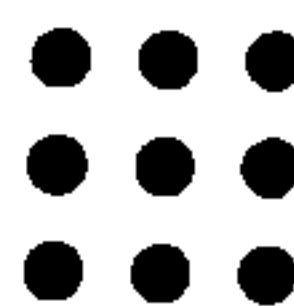
ROAD

DAVIS SHAW

60' ROW

14

CHELSEA TOWN LIMITS



Indicates Chelsea Town Limits

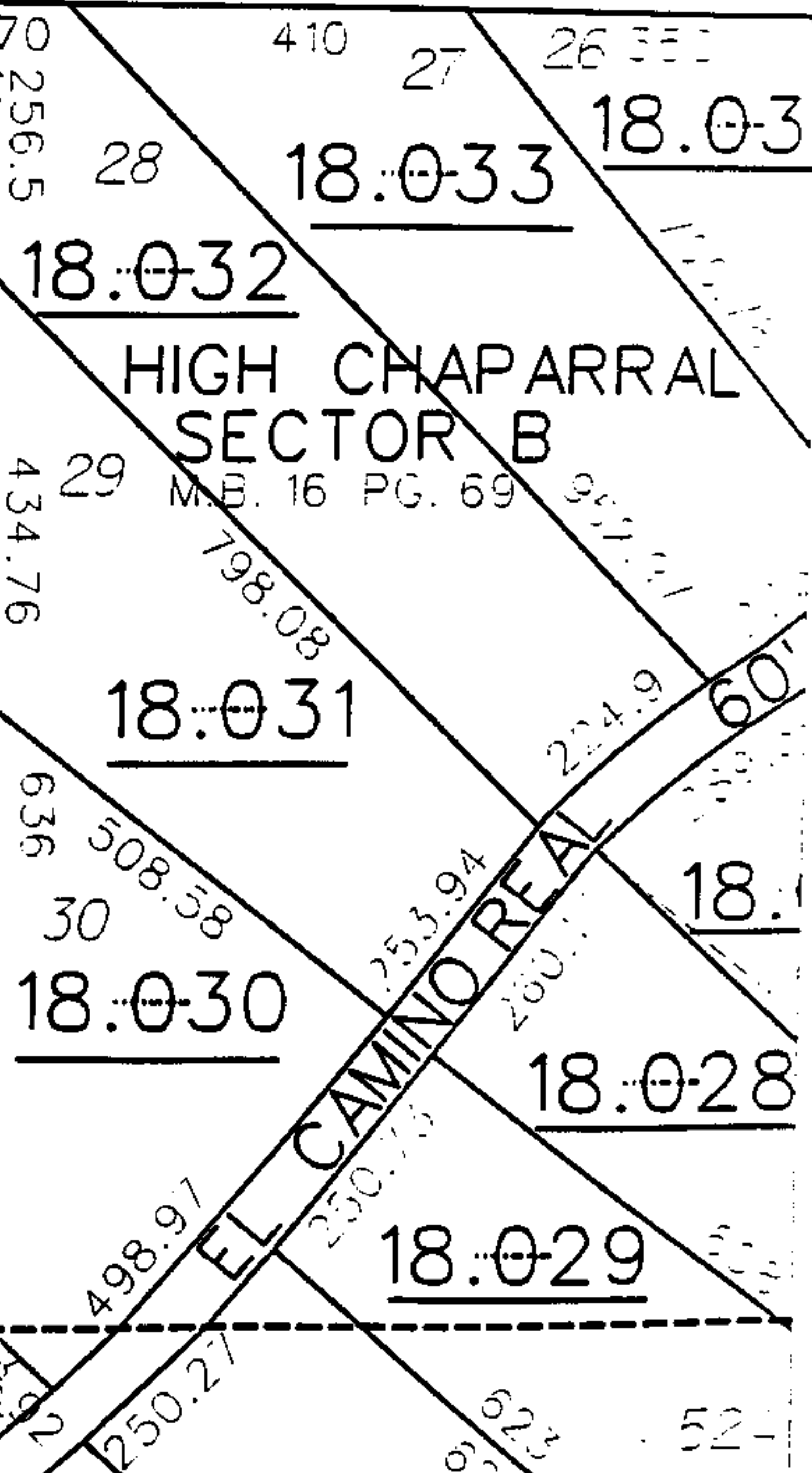
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indicates area to be annexed

①

19

41.1 AC (EX)



12

13

7

18

SEND TAX NOTICES TO:
SHADY HOLLOW DEVELOPMENT, INC.
503 C Cahaba Park Circle,
Birmingham, Alabama, 35242

Inst # 2001-29430

07/16/2001-29430

12:53 PM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE

WARRANTY DEED

STATE OF ALABAMA
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars (\$10.00) to the undersigned grantors, in hand paid by the grantee herein, the receipt of which is hereby acknowledged, Changiz Gaviri, an unmarried man (herein referred to as "Grantor"), hereby grants bargains, sells, and conveys unto SHADY HOLLOW DEVELOPMENT, INC. (herein referred to as "Grantee"), the real estate situated in Shelby County, Alabama, and described on Exhibit "A" attached hereto and incorporated herein by this reference.

[The purchase price recited above was paid from a mortgage loan closed herewith.]

[This property is not the homestead of Grantor nor of Grantor's Spouse]

TO HAVE AND TO HOLD the described premises to Grantee, its successors and assigns forever.

AND THE GRANTOR does for himself, and his heirs, executors, successors and assigns, covenant with said Grantee, its successors and assigns, that Grantor is lawfully seized in fee simple of the premises, that they are free from all encumbrances, unless otherwise noted above or on Exhibit "A", that Grantor has good right to sell and convey the same as aforesaid, and that Grantor will and his heirs, executors, successors and assigns shall warrant and defend same to said Grantee, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the Grantor has signed and sealed this Deed on the 12 day of July, 2001.


Changiz Gaviri

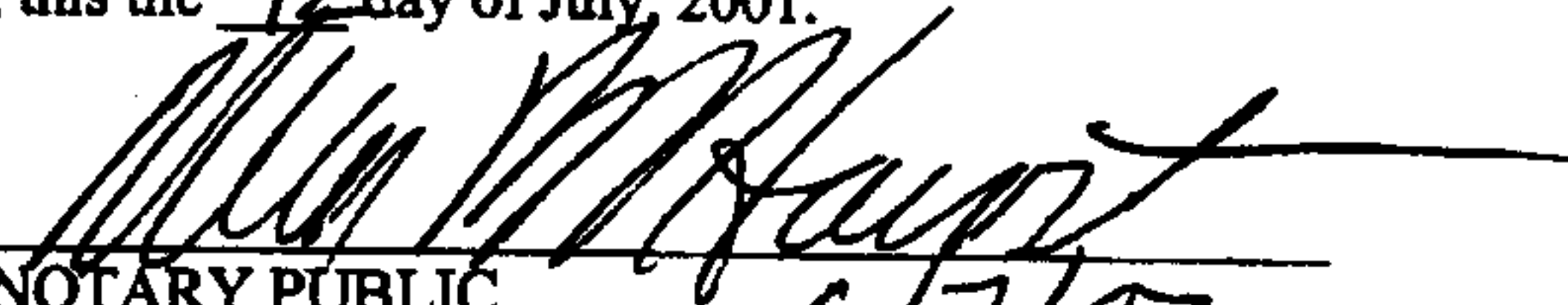
L.S.

[ACKNOWLEDGEMENT ON NEXT PAGE]

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Changiz Gaviri, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 12 day of July, 2001.



NOTARY PUBLIC
My Commission Expires: 6/7/03

THIS INSTRUMENT PREPARED BY AND AFTER
RECORDATION SHOULD BE RETURNED TO:

William B. Hairston III
Engel, Hairston, & Johanson P.C.
P.O. Box 370027
Birmingham, AL 35237
(205) 328-4600

EXHIBIT "A"
TO
WARRANTY DEED
NON FOREIGN AFFIDAVIT
AFFIDAVIT AND AGREEMENT

Grantor: Changiz Gaviri
Grantee: SHADY HOLLOW DEVELOPMENT, INC.

Inst # 2002-14969

04/01/2002-14969
10:18 AM CERTIFIED

SHELBY COUNTY JUDGE OF PROBATE
009 MSB 35.00

Commence at the SW corner of the NW ¼ of the SW ¼ of Section 7, Township 20 South, Range 1 West, thence South 89 degrees 06 minutes 28 seconds East, a distance of 448.89 feet; thence North 02 degrees 10 minutes 55 seconds East a distance of 148.41 feet; thence North 02 degrees 10 minutes 55 seconds East a distance of 148.41 feet to the POINT OF BEGINNING; thence South 72 degrees 19 minutes 44 seconds East a distance of 276.05 feet; thence South 06 degrees 32 minutes 31 seconds East a distance of 65.78 feet; thence South 83 degrees 31 minutes 09 seconds East a distance of 213.69 feet; thence South 20 degrees 56 minutes 11 seconds West a distance of 48.54 feet; thence South 09 degrees 57 minutes 12 seconds East a distance of 91.61 feet; thence North 77 degrees 14 minutes 06 seconds East a distance of 17.17 feet; thence South 14 degrees 20 minutes 16 seconds East a distance of 149.22 feet; thence South 42 degrees 16 minutes 47 seconds East a distance of 54.47 feet; thence South 12 degrees 20 minutes 05 seconds East a distance of 318.74 feet; thence North 51 degrees 26 minutes 42 seconds East a distance of 93.23 feet; thence North 66 degrees 55 minutes 57 seconds East a distance of 139.44 feet; thence North 02 degrees 39 minutes 55 seconds East a distance of 529.43 feet; thence North 02 degrees 35 minutes 14 seconds East a distance of 1,202.93 feet; thence North 71 degrees 01 minutes 55 seconds West a distance of 2.22 feet to a point, said point lying on the Southerly R.O.W. line of Shelby County Road #336 (Prescriptive R.O.W.), said point also being the beginning of a non tangent curve to the left, having a radius of 960.94 feet, a central angle of 05 degrees 59 minutes 54 seconds and subtended by a chord which bears South 06 degrees 17 minutes 36 seconds West and a chord distance of 100.56 feet; thence along the arc of said curve and said R.O.W. line, a distance of 100.60 feet; thence South 01 degrees 41 minutes 12 seconds West and along said R.O.W. line, a distance of 209.48 feet to a point, said point being the beginning of a non tangent curve to the right, having a radius of 368.21 feet, a central angle of 65 degrees 19 minutes 18 seconds, and subtended by a chord which bears South 32 degrees 42 minutes 00 seconds West, and a chord distance of 397.42 feet, thence along the arc of said curve and said R.O.W. line a distance of 419.79 feet to a point, said point being the beginning of a compound curve, having a radius of 1853.78 feet, a central angle of 03 degrees 29 minutes 22 seconds, and subtended by a chord which bears South 68 degrees 28 minutes 06 seconds West, and a chord distance of 112.88 feet; thence along the arc of said curve and said R.O.W. line, a distance of 112.90 feet to a point, said point being the beginning of a compound curve, having a radius of 1853.78 feet, a central angle of 06 degrees 27 minutes 23 seconds, and subtended by a chord which bears South 73 degrees 26 minutes 29 seconds West and a chord distance of 208.79 feet; thence along the arc of said curve and said R.O.W. line a distance of 208.90 feet; thence South 76 degrees 00 minutes 11 seconds West and along said R.O.W. line, a distance of 386.54 feet; thence South 02 degrees 10 minutes 55 seconds West and leaving said R.O.W. line, a distance of 202.46 feet to the POINT OF BEGINNING.

SUBJECT TO: i) 2001 taxes a lien but not yet payable; ii) restrictions or covenants recorded in Instrument 1999/24241; iii) right of way granted to Alabama Power Company by instrument recorded in Volume 229, page 492; and iv) mineral and mining rights and rights incident thereto recorded in Volume 327, page 553, Instrument 1994/36502, and Instrument 1999/24241.

07/16/2001-29430
12:53 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE