

Town of Chelsea

P.O. Box 111
Chelsea, Alabama

Certification Of Annexation Ordinance

Ordinance Number: X-02-04-02-181

Property Owner(s): Great Eastern Timber Company, LLC

Properties: 08-9-31-0-000-001.003

16-3-05-0-000-014.000

16-3-06-0-000-006.000

16-3-07-0-000-001.000

16-3-08-0-000-007.000

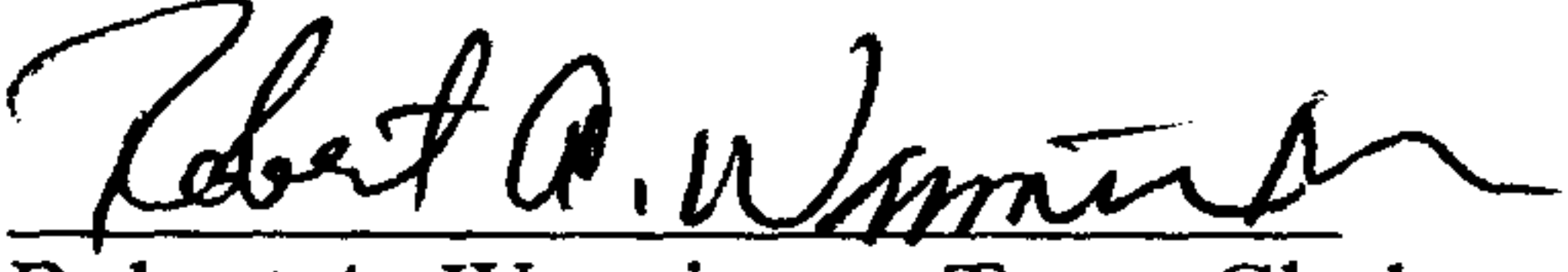
16-3-08-0-000-008.000

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 April 2, 2002 same appears in minutes of record of said meeting, and published by posting copies thereof on April 3, 2002 at the public places listed below, which copies remained posted for five business days (through April 9, 2002).

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

Town of Chelsea, Alabama
Annexation Ordinance No. X-02-04-02-181

Property Owner(s): Great Eastern Timber Company, LLC

Property: 08-9-31-0-000-001.003, 16-3-05-0-000-014.000, 16-3-06-0-000-006.000,
16-3-07-0-000-001.000, 16-3-08-0-000-007.000, 16-3-08-0-000-008.000

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 properties 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 properties; and

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

Whereas, said properties are contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation, which is zoned residential E-2, which together is contiguous to the corporate limits of Chelsea;

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

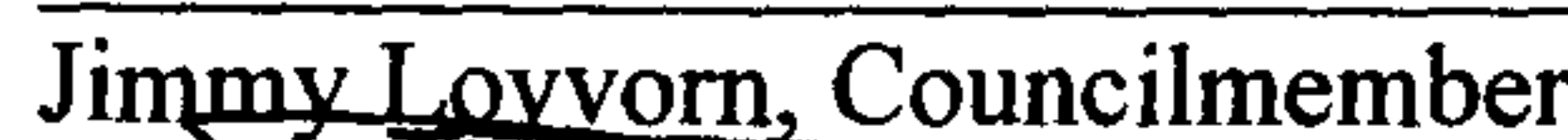
Whereas, even though said properties is located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Westover overlap, the said properties are less-than-equidistant from the respective corporate limits of Chelsea and Westover (i.e. it is closer to the corporate limits of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

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 properties, and said properties 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.



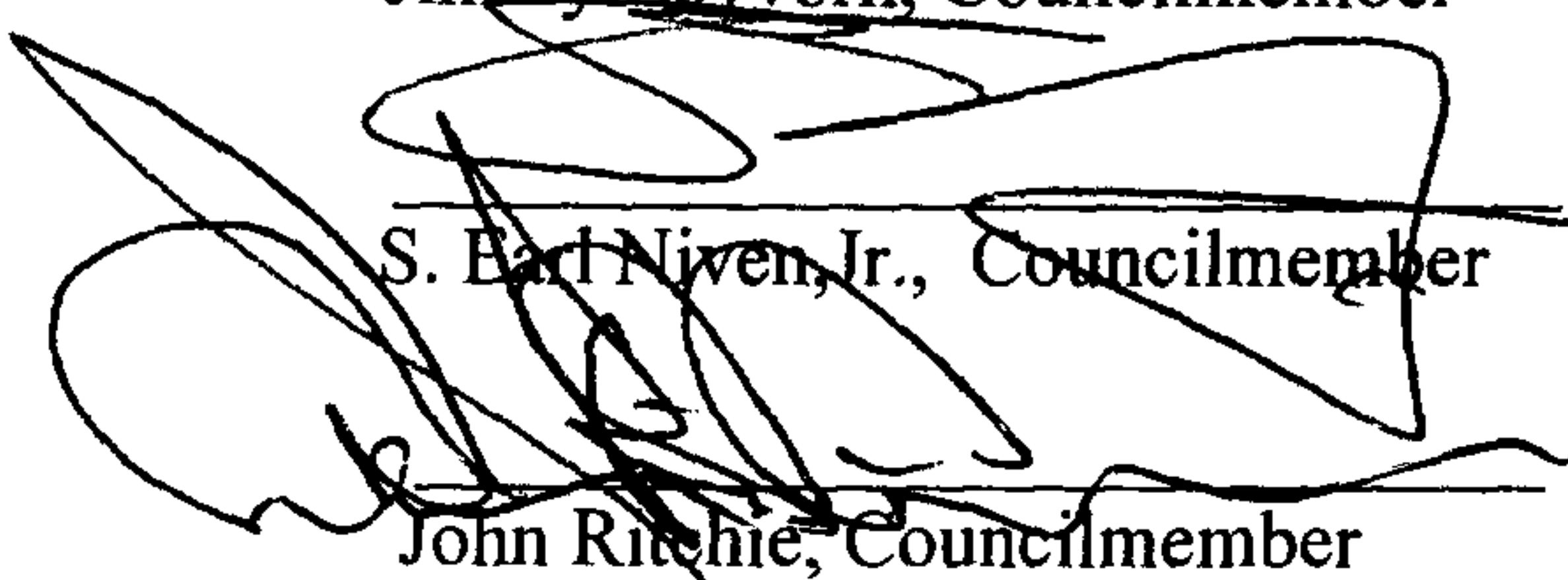
Earl Niven, Mayor



Jimmy Loyvorn, Councilmember



Allen Boone, Councilmember



S. Earl Niven, Jr., Councilmember

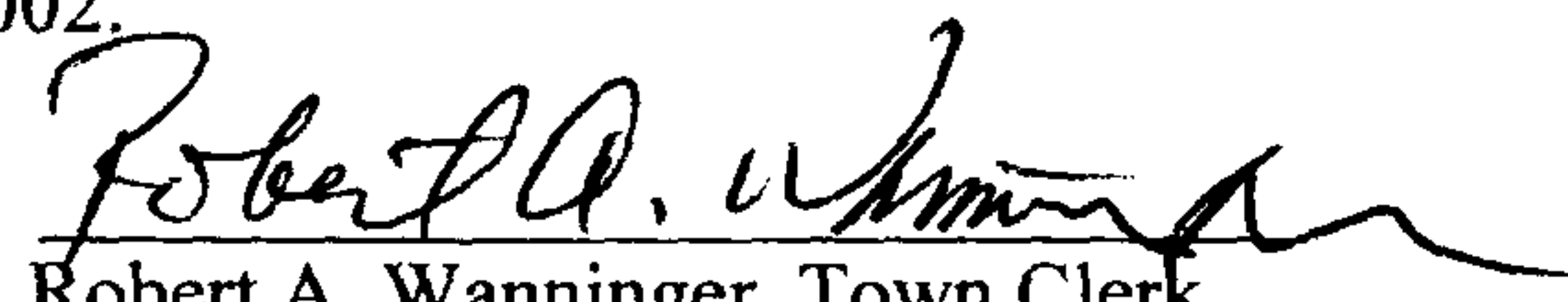


Doug Ingram, Councilmember



John Ritchie, Councilmember

Passed and approved 2nd day of April, 2002.



Robert A. Wanninger, Town Clerk

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 the 12th day of March, 2002.

Ann Hardin
Witness

Great Eastern Timber Company, LLC
Owner

David Kimbrough
By: David Kimbrough
Southern Regional Forester

3891 Klein Road
Mailing Address

Harpersville, AL 35078
Property Address (if different)

(205) 672-8311
Telephone Number

Witness

Owner

Mailing Address

Property Address (if different)

Telephone Number

Petition Exhibit A

Property owner(s): Great Eastern Timber Company, LLC

Properties: 08-9-31-0-000-001.003

16-3-05-0-000-014.000

16-3-06-0-000-006.000

16-3-07-0-000-001.000

16-3-08-0-000-007.000

16-3-08-0-000-008.000

Property Description

The above-noted properties, for which annexation into Chelsea is requested in this petition, are described in the attached copy of the deed (Petition Exhibit B). Which was recorded with the Shelby County judge of probate as Instrument Number 2000-04450.

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

The said properties, for which annexation into Chelsea is requested in this petition, do not lie within the corporate limits of any other municipality.

EXHIBIT A

Township 19 South, Range 1 East, Shelby County, Alabama

Section 31: The Southwest Quarter of the Southeast Quarter (SW1/4 of SE1/4) lying East of Shelby County Road 32 (Pumpkin Swamp Road), LESS AND EXCEPT, the following described parcel of land: From the Northeast corner of said quarter-quarter run South along the East boundary line of said quarter-quarter for 419.1 feet; thence deflect an angle to the right of 90 degrees 00 minutes and run 720.2 feet, more or less, to a point on the Easterly right of way line of Shelby County Road 32; thence run in a Northeasterly direction along said road right of way line (meander line) for 931 feet, more or less, to a point where the North boundary line of said quarter-quarter intersects with said road; thence run East along the North boundary line of said quarter-quarter for 141.9 feet, more or less, to the point of beginning.

Township 20 South, Range 1 East, Shelby County, Alabama

Section 5: The Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4), LESS AND EXCEPT, four acres in the Southeast corner described as follows: Commence at the Southeast corner of said quarter-quarter, the point of beginning, and run West along the South boundary line for 480 feet; thence run North for 420 feet, more or less, to the public road (Shelby County Road 438); thence run Southeasterly along said road to its intersection of the East boundary line of said quarter-quarter; thence run South along the East boundary line of said quarter-quarter for 231 feet to the point of beginning.

Section 6: The West One-half of the Northeast Quarter (W1/2 of NE1/4);

The East One-half of the Northwest Quarter (E1/2 of NW1/4) lying East of Shelby County Road 32 (Pumpkin Swamp Road);

The North One-half of the Southeast Quarter (N1/2 of SE1/4);

The Southeast Quarter of the Southeast Quarter (SE1/4 of SE1/4), LESS AND EXCEPT, the East 231 feet;

The Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4), LESS AND EXCEPT, two parcels of land described as follows:

PARCEL 1: Begin at the Northeast corner of said quarter-quarter and run West along the North boundary line for 300 feet, to the point of beginning; thence run South for 100 feet, more or less, to a point; thence run West for 600 feet, more or less, to a point; thence run North for 100 feet, more or less

to a point on the North boundary line of said quarter-quarter; thence run East along the North boundary line of said quarter-quarter for 600 feet, more or less, to the point of beginning;

Parcel 2: Begin at the Northeast corner of said quarter-quarter and run North 85 degrees 30 minutes West along the North boundary line of said quarter-quarter for 300 feet to an iron pin; thence run South for 104 feet, more or less, to an iron pin; thence run South 52 degrees 30 minutes East for 792 feet, more or less, to a point on the West right of way of Shelby County Road 438; thence run North 1 degree 30 minutes East along the East boundary line of said quarter-quarter for 500 feet, more or less, to the point of beginning.

Section 7: The Northeast Quarter (NE1/4);

That part of the Southeast Quarter of the Northeast Quarter of the Northwest Quarter (SE1/4 of NE1/4 of NW1/4) lying East of Shelby County Road 445.

Section 8: The Northwest Quarter of the Southwest Quarter (NW1/4 of SW1/4);

The Northwest Quarter (NW1/4), LESS AND EXCEPT, the Northeast Quarter of the Southeast Quarter of the Northwest (SE1/4 of SE1/4 of NW1/4).

Exhibit B

This instrument was prepared by:
Mark G. Pottorff
Smith, Gambrell & Russell, LLP
Suite 3100, Promenade II
1230 Peachtree Street, N.E.
Atlanta, GA 30309-3592

Send tax notice to:
3891 Klein Road
Harpersville, Alabama 35078

Inst # 2000-04450

02/14/2000-04450
08:08 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
025 MMS 7816.50

STATUTORY WARRANTY DEED

Shelby County, Alabama

KNOW ALL MEN BY THESE PRESENTS: That U.S. ALLIANCE COOSA PINES CORPORATION, an Alabama corporation, hereinafter called Grantor, for and in consideration of the sum of Ten and No/100ths Dollars (\$10.00) and other good and valuable consideration hereby acknowledged to have been paid to said Grantor by GREAT EASTERN TIMBER COMPANY LLC, a Delaware limited liability company, hereinafter called Grantee, does hereby grant, bargain, sell, and convey unto the said Grantee, subject to the matters and reservations hereinafter set forth, the following described property, to-wit:

All those tracts or parcels of land lying and being in Shelby County, Alabama, and being more particularly described in Exhibit "A" attached hereto and by this reference made a part hereof together with all buildings, structures, improvements, woodyards and fixtures located thereon and all trees, timber, saplings and seedlings, including, without limitation, all down and standing trees (the "Property").

SUBJECT TO and only to (i) easements, rights of way, restrictions, covenants and other matters of record or that would be disclosed by a careful physical inspection or accurate survey of the Property and that existed prior to the date of Grantor's acquisition of the Property or any portion thereof; (ii) those matters more particularly described in Exhibit "B" attached hereto and made a part hereof; (iii) reservation of mineral rights as set forth in Exhibit "C" attached hereto and hereby made a part hereof; and (iv) the reservation set forth hereinbelow (the "Permitted Exceptions").

TOGETHER with all and singular the rights of ways, easement rights, licenses, permits, members, privileges, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

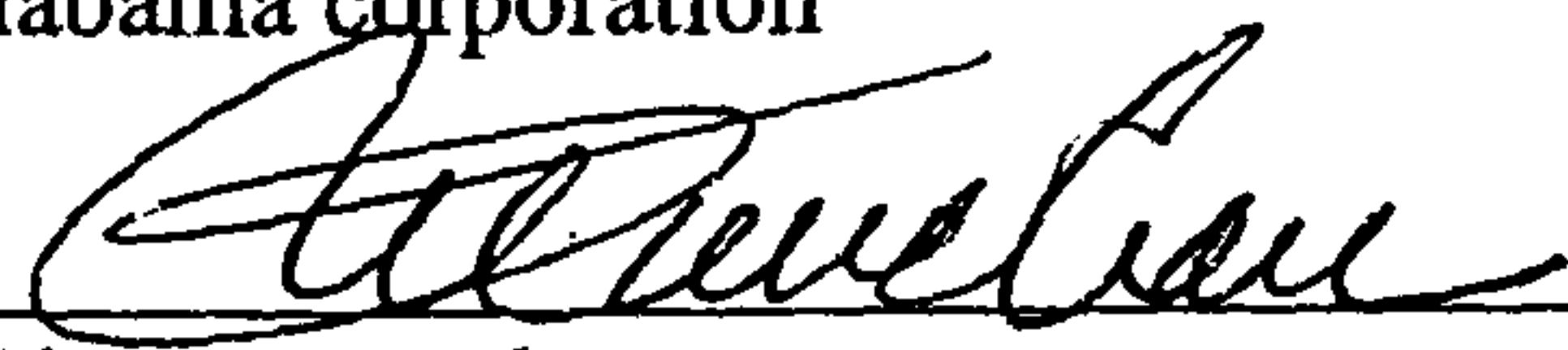
TO HAVE AND TO HOLD unto said Grantee and unto Grantee's successors and assigns forever.

RESERVING, HOWEVER, UNTO GRANTOR those certain timber cutting rights, rights of first offer and other rights as more particularly described in, and to be exercised only pursuant to the terms of, that certain Fiber Supply Agreement (the "Supply Agreement") dated of even date herewith by and between Grantor and John Hancock Life Insurance Company, Cahaba Forests, LLC, Hawaii ERS Timberland LLC, and Great Eastern Timber Company LLC, a memorandum of said Supply Agreement being attached hereto as Exhibit "D".

AND, subject to the Permitted Exceptions, Grantor will warrant and defend the right and title to the Property unto Grantee against the lawful claims of all persons claiming by, through, or under Grantor, and none other.

IN WITNESS WHEREOF the Grantor has hereunto set Grantor's hand and seal on this 10th day of February, 2000.

U.S. ALLIANCE COOSA PINES CORPORATION,
an Alabama corporation

By: 
Pierre Monahan
President

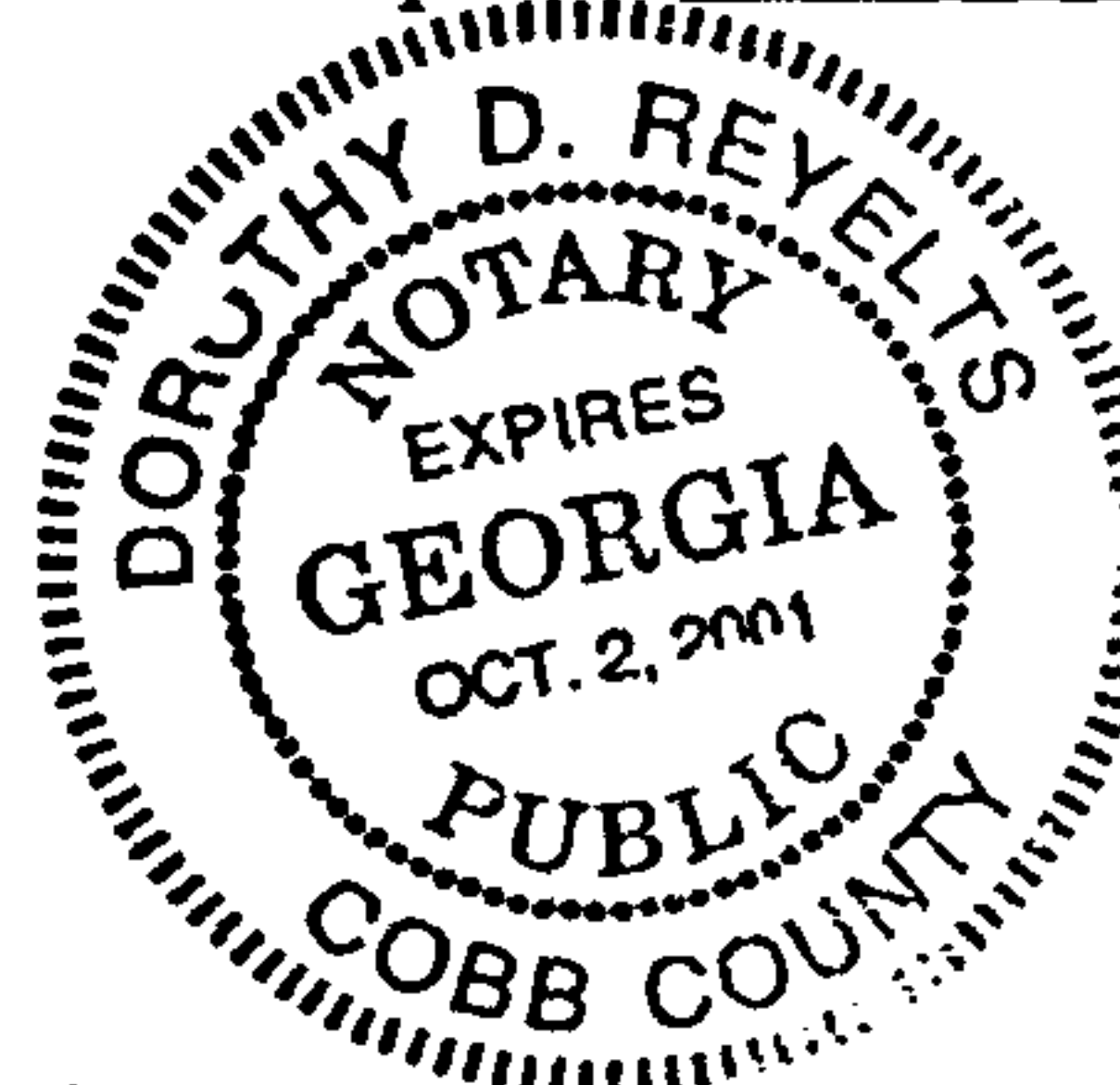
STATE OF GEORGIA)
COUNTY OF FULTON)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that Pierre Monahan, whose name as President of U.S. Alliance Coosa Pines Corporation, is signed to the foregoing conveyance and who is known to me, does acknowledge before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this 10th day of February, 2000.

NOTARY PUBLIC 

My Commission Expires: _____



The following described property situated in Shelby County, Alabama:

Township 20 South, Range 1 East

Northwest 1/4 of the Southwest 1/4

5 20 South 1 East

Northeast 1/4 ✓

7 20 South 1 East

That part of the Southeast 1/4 of the Northeast 1/4 of the Northwest 1/4, lying East of Highway No. 445 ✓

7 20 South 1 East

Northwest 1/4 of the Southwest 1/4 ✓

8 20 South 1 East

Northwest 1/4 ✓

8 20 South 1 East

EXCEPT 10 acres being the Northeast 1/4 of the Southeast 1/4 of the Northwest 1/4 ✓

EXCEPT 4 acres in the southeast corner described as follows: Commencing at the southeast corner of said forty as the point of beginning of herein excepted parcel, and run thence west along the Southern line of said forty 160 yards (480 feet); thence North 140 yards (420 feet), more or less, to the public road; thence run Southeast along said public road to its intersection with the East boundary line of said forty; run thence in a Southern direction along the Eastern boundary of said forty 77 yards (231 feet) back to the point of beginning of excepted parcel.

West 1/2 of the Northeast 1/4 ✓

6 20 South 1 East

Southeast 1/4 of the Northwest 1/4 ✓

6 20 South 1 East

North 1/2 of the Northwest 1/4 ✓

6 20 South 1 East

North 1/2 of the Southeast 1/4 ✓

6 20 South 1 East

Southeast 1/4 of the Northeast 1/4 ✓

6 20 South 1 East

LESS AND EXCEPT the following (2) parcels of land, more particularly described as follows:

i.) Begin at the NE corner of said 1/4-1/4 section; thence east along the north line of said 1/4-1/4 section 300 feet to the point of beginning of herein excepted parcel; thence South 100 feet; thence West 600 feet; thence North 100 feet; thence East 600 feet back to the point of beginning of herein excepted parcel. ✓

ii.) Begin at the NE corner of said 1/4-1/4 section, as the point of beginning of excepted parcel; thence North 85 deg. 30 min. West for 300 feet to an iron corner; thence South 104 feet to an iron corner; thence North 85 deg. 30 min. West 300 feet to a point; thence South 52 deg. 30 min. East for 742 feet to a point on the west side of a county road; thence North 1 deg. 30 min. East for 500 feet back to the point of beginning of herein excepted parcel. ✓

the Southeast one-fourth, the Southeast one-fourth of the Southeast one-fourth, the Northeast one-fourth of the Southeast one-fourth, the Northwest one-fourth of the Southeast one-fourth and the Northeast of the Southwest one-fourth of Section 30, Township 19 South, Range 1 East, Shelby County, Alabama, and contains 218.80 acres.

West 1/2	31	19 South	1 East
West 1/2 of the Southeast 1/4	31	19 South	1 East
<p>All of the Northeast 1/4</p> <p>EXCEPT 7 1/2 acres off of the south side of the SE 1/4 of the NE 1/4, all in Section 31. And also, LESS AND EXCEPT the following described parcel of land:</p> <p>From the northeast corner of the SW 1/4 of the SE 1/4 (an iron pin), run South along a white painted and blazed line depicting the east 1/4-1/4 line for 418.1 feet; thence deflect an angle to the right of 90 deg. 00 min. and run for 720.2 feet to a point on the easterly right of way line of Shelby County Road No. 32, a paved public road, as the same this day lies; run thence in a northeasterly direction along said road right of way line (meander line) for 931 feet, more or less, to a point where the east line of the NW 1/4 of the SE 1/4 (an iron pin) intersects said road line; run thence south along the east line of said NW 1/4 of SE 1/4 section for 141.9 feet, back to the point of beginning of excepted parcel.</p>	31	19 South	1 East
Northwest 1/4 of the Northwest 1/4	32	19 South	1 East
North 1/2 of the Southwest 1/4 of the Northwest 1/4	32	19 South	1 East
<p>Southeast 1/4 of the Northwest 1/4</p> <p>EXCEPT that portion conveyed to C. J. Faulkner by Deed Book 194 page 270 in the Probate Office, described as follows: Beginning at the southeast corner of the SE 1/4 of the NW 1/4, for the point of beginning of excepted parcel and running North 98 yards (294 feet); thence West 98 yards (294 feet); thence South 98 yards (294 feet); thence East 98 yards (294 feet) to the point of beginning of excepted parcel.</p> <p>And also, LESS AND EXCEPT the following described property sold to Union United Methodist Church dated November 18, 1998 by Inst. No. 1998-50467 in the Probate Office, described as follows: Commence at a 2 inch iron in place and accepted as the Southeast corner of the Southeast 1/4 of the Northwest 1/4 of Section 32,</p>	32	19 South	1 East

That part of the Southwest 1/4 of the Northwest 1/4
lying north of an old road (Messer Road);

6

20 South

1 East

All of the Southeast 1/4 of the Southeast 1/4
lying west of a dividing line beginning at a point on the
south line of Section 6, 231 feet West of the SE corner of
said Section 6, said dividing line running thence North
parallel with the East line of Section 6, said dividing line
being established in Quit Claim deed from E. R. Elliott and
Ressie Elliot, his wife, as recorded in Deed Book 138 page
127 in the Office of the Judge of Probate of Shelby County,
Alabama.

6

20 South

1 East

Exhibit C

