

Mayor Roy introduced the following ordinance:

**ORDINANCE NO. 2002-36**

**WHEREAS**, on or about the 12th day of November 2002, Chemical Lime Company of Alabama, Inc. (hereinafter "Petitioner/Owner") filed a petition with the City Clerk of the City of Calera, Alabama (hereinafter the "City") as required by 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the City, subject to the Annexation Agreement between the City and Petitioner/Owner (hereinafter "Annexation Agreement"), which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the City, with the signature of the owner of the property described was signed thereto;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CALERA, AS FOLLOWS:**

1. That the City does hereby adopt this Ordinance, subject to the Annexation Agreement, assenting to the annexation of the property owned by the above referenced property owner, as described in:

**Exhibit A** - Chemical Lime Company of Alabama, Inc. ("O'Neal Property")

to the municipality of the City.

2. That the corporate limits of the City be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or, if posted, five days thereafter as provided for in 11-45-8 of the Code of Alabama, 1975.

3. That the City Clerk is hereby authorized and directed to file a copy of this ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the City to which said property is being annexed in the office of the Judge of Probate of Shelby County, Alabama.

4. That the Zoning Map of the City and any other official maps or surveys of the City shall be amended to reflect the annexation of the above described property, and that a copy of this Ordinance be transmitted to the City Planning Commission and the Zoning Administrator.

Council Member Glasgow moved that Ordinance 2002-36 be adopted, which motion was seconded by Council Member Jones and upon vote the results were as follows:

AYES: Roy, Glasgow, Jones, Phillips

NAYS: None

Adopted this 15th day of Nov. 2002.

Linda Steele  
Linda Steele, City Clerk

George W. Roy  
George W. Roy, Mayor

## EXHIBIT A

That portion of Parcels 1, 2, 3, 4 and 5 described below which are located in:

- (a) the Southwest  $\frac{1}{4}$  of Section 22,
- (b) the Northwest  $\frac{1}{4}$  of Section 27,
- (c) the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of Section 28, and
- (d) the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29.

All in Township 21 south, Range 2 West, Shelby County, Alabama.

### PARCEL 1:

A parcel of land situated in the West  $\frac{1}{2}$  of Section 28, Township 21 South, Range 2 West, and the East  $\frac{1}{2}$  of Section 29, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the northeast corner of the Northwest  $\frac{1}{4}$  of Section 28, Township 21 South, Range 2 West, Shelby County, Alabama, which point lies 2685.92 feet East of the 2" capped iron accepted as the Northwest corner of said Section 28 and 2685.92 feet West of the accepted 2" capped iron at the Northeast corner of said Section 28, said corner located 0.78 feet North of the true line between accepted section corners; thence run along the East line of said Northwest  $\frac{1}{4}$  of said Section 28, a distance of 1973.60 feet to the Northeast corner of the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of said Section 28, said point also being the point of beginning of the herein described parcel: thence continue along said East line of the Northwest  $\frac{1}{4}$  South 2 degrees, 20 minutes, 38 seconds East a distance of 1315.79 feet to an iron pin; thence run South 89 degrees, 37 minutes, 22 seconds West parallel to South line of the Northwest  $\frac{1}{4}$  of Section 28 a distance of 223.21 feet to an iron pin in the center of Camp Branch; thence run up the center of Camp Branch North 32 degrees, 20 minutes, 00 seconds East for 114.61 feet to a 3" open top iron in the center of Camp Branch; thence run South 87 degrees, 37 minutes, 20 seconds West a distance of 1659.19 feet to an iron pin located on the Eastern right of way line of U.S. Highway # 31; thence run North 17 degrees, 38 minutes, 33 seconds West a distance of 648.95 feet along said right of way to an iron pin located on South line of the Northwest  $\frac{1}{4}$  of Section 28; thence run South 89 degrees, 38 minutes, 46 seconds West a distance of 104.73 feet to an iron pin located on the Westerly right of way line of U.S. Highway # 31; thence run South 89 degrees, 38 minutes, 46 seconds West a distance of 593.97 feet to a crimped iron; thence run North 89 degrees, 58 minutes, 38 seconds West a distance of 1361.56 feet to an iron rail; thence run South 00 degrees, 36 minutes, 02 seconds West a distance of 621.53 feet to an iron pin on the Easterly right of way line of CSX Railroad (formerly L&N Railroad); thence run North 27 degrees, 12 minutes, 36 seconds West along said Easterly right of way line of CSX Railroad (formerly L&N Railroad) a distance of 2572.36 feet to an iron pin; thence run South 89 degrees, 53 minutes, 58 seconds East a distance of 1096.34 feet to a 3" open top iron; thence run



South 71 degrees, 53 minutes, 56 seconds East a distance of 35.71 feet along an old fence to an iron pin; thence run South 3 degrees, 56 minutes, 03 seconds East along said fence a distance of 292.22 feet to an iron pin located at a fence corner; thence run South 89 degrees, 51 minutes, 38 seconds East along said fence a distance of 1305.34 feet to a point; thence continue along fence South 88 degrees, 04 minutes, 43 seconds East a distance of 21.20 feet to an iron pin on the East line of Section 29; thence run South 2 degrees, 17 minutes, 00 seconds East for 41.70 feet; thence run South 2 degrees 17 minutes 00 seconds East a distance of 882.00 feet to an iron pin; thence run North 89 degrees, 38 minutes, 45 seconds East a distance of 470.75 feet to an iron pin located on the Westerly right of way line of U.S. Highway # 31; thence continue along last described course a distance of 104.73 feet to an iron pin located on the Easterly right of way line of U. S. Highway # 31; thence run North 17 degrees, 38 minutes, 33 seconds West along the Northeasterly right of way line of U. S. Highway # 31 a distance of 229.43 feet to an iron pin; thence run North 89 degrees, 44 minutes, 04 seconds East a distance of 2172.33 feet to the point of beginning. Less and except the right of way of U.S. Highway # 31.

#### **PARCEL 2:**

The NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; and all of that part of the S  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , lying East of Highway No. 31; and all that part of the N  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , lying East of the right of way of U.S. Highway No. 31. Also, parts of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  more particularly described as: Begin at the Southeast corner of Section 28, Township 21 South, Range 2 West; thence run West along the South line of said Section 28 a distance of 1331.85 feet; thence turn an angle of 75 degrees, 12 minutes, 15 seconds to the right and run a distance of 1642.06 feet; thence turn an angle of 78 degrees, 12 minutes to the left and run a distance of 343.04 feet; thence turn an angle of 47 degrees, 54 minutes to the right and run a distance of 107.53 feet; thence turn an angle of 44 degrees, 33 minutes to the left and run a distance of 564.83 feet to the West line of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence turn an angle of 88 degrees, 07 minutes, 45 seconds to the right and run North along the West line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 980.86 feet to the Northwest corner; thence turn an angle of 91 degrees, 55 minutes, 30 seconds to the right and run along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1344.00 feet to the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 02 minutes, 03 seconds to the right and run South along the East line of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  a distance of 1310.51 feet to the Southeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 14 minutes, 18 seconds to the left and run East along the North line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  a distance of 1344.77 feet to the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 11 minutes, 52 seconds to the right and run South along the East line of said Section 28 a distance of 1305.75 feet to the point of beginning. Situated in Section 28, Township 21 South, Range 2 West.

ALSO, part of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 33, Township 21 South, Range 2 West described as follows: Begin at the Northeast corner of Section 33, Township 21 South, Range 2 West and run South along the East line of said section a distance of 1347.75 feet

to the Southeast corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; thence turn an angle of 91 degrees, 31 minutes to the right and run West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1054.81 feet; thence turn an angle of 76 degrees, 14 minutes, 20 seconds to the right and run a distance of 1024.40 feet; thence turn an angle of 2 degrees, 38 minutes, 03 seconds, to the right and run a distance of 357.48 feet to the North line of Section 33, said point being 13.70 feet East of the Northwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 101 degrees, 02 minutes, 38 seconds to the right and run East along the North line of Section 33, a distance of 1331.85 feet to the point of beginning. Situated in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

ALSO: A strip of land 100 feet in width extending in a Northeasterly direction across North  $\frac{1}{2}$  of Section 33, Township 21 South, Range 2 West from Easterly line of right of way of CSX Railroad (formerly L&N Railroad) in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section to Westerly line of Parcel described above in the NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of said section, being 50 feet on each side of center line thereof located as follows:

Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 33, Township 21 South, Range 2 West; thence run South along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 316.87 feet; thence turn an angle of 101 degrees, 38 minutes to the left and run a distance of 65.94 feet to the point of beginning; thence turn an angle of 180 degrees, 00 minutes, 00 seconds to the right and run a distance of 65.94 feet; thence turn an angle of 1 degree, 17 minutes, 40 seconds to the right and run a distance of 1366.38 feet to a point on the West line of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , being 596.93 feet South of the Northwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 04 degrees, 24 minutes, 20 seconds to the right and run a distance of 1083.59 feet to a point on the East right of way line of U.S. Highway No. 31; thence turn an angle of 16 degrees, 58 minutes to the left and run a distance of 100.48 feet to the West line of said Highway; thence turn an angle of 3 degrees, 27 minutes, 00 seconds to the right and run a distance of 1069.57 feet; thence turn an angle of 0 degrees, 14 minutes to the left and run a distance of 342.21 feet to a point on the East right of way line of the CSX Railroad (formerly L&N Railroad) and the point of ending. Situated in the N  $\frac{1}{2}$  of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

ALSO: Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 33, Township 21 South, Range 2 West; thence run South along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 316.87 feet; thence turn an angle of 79 degrees, 39 minutes, 40 seconds to the right and run a distance of 1366.38 feet to a point on the West line of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , being 596.93 feet South of the NW corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 04 degrees, 24 minutes, 20 seconds to the right and run a distance of 1083.59 feet to a point on the East right of way line of U.S. Highway No. 31; thence turn an angle of 16 degrees, 58 minutes to the left and run a distance of 100.48 feet to a point on the West line of said Highway; thence turn an angle of 3 degrees, 27 minutes, 00 seconds to the right and run a distance of 1069.57 feet; thence turn an angle of 00 degrees, 14 minutes to the left and run a distance of 342.21 feet to a point on the East right of way line of the CSX Railroad (formerly L&N Railroad); thence turn an angle of 95 degrees, 24 minutes, to the left and run along said right of way a distance of 50.22 feet



to the point of beginning; thence turn an angle of 84 degrees, 36 minutes to the left and run a distance of 332.04 feet; thence turn an angle of 95 degrees, 36 minutes to the right and run a distance of 197.82 feet; thence turn an angle of 91 degrees, 50 minutes to the right and run a distance of 110.69 feet; thence turn an angle of 87 degrees, 19 minutes to the left and run a distance of 478.10 feet; thence turn an angle of 42 degrees, 33 minutes, to the left and run a distance of 105.68 feet; thence turn an angle of 24 degrees, 29 minutes to the left and run a distance of 184.54 feet; thence turn an angle of 57 degrees, 53 minutes to the right and run a distance of 753.03 feet; thence turn an angle of 108 degrees, 08 minutes to the right and run a distance of 357.20 feet to a point on the East right of way of the CSX Railroad (formerly L&N Railroad); thence run Northwesterly along the East right of way line of the CSX Railroad (formerly L&N Railroad) to the point of beginning. Situated in the W 1/2 of the NW 1/4 and the NW 1/4 of the SW 1/4 of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

### **PARCEL 3:**

A parcel of land situated in the W 1/2 of the SW 1/4 of Section 22, the W 1/2 of the W 1/2 of Section 27, the NE 1/4 of the NW 1/4 of Section 27, part of the W 1/2 of the W 1/2 of Section 34, and part of the SE 1/4 of the NE 1/4 of Section 33 all in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the SW corner of said Section 22; thence N 2 degrees, 58 minutes, 34 seconds West along the West line of said Section 22 a distance of 1365.02 feet; thence North 2 degrees, 58 minutes, 05 seconds West along the West line of said Section 22 a distance of 1364.95 feet to the NW corner of the SW 1/4 of said Section 22; thence South 88 degrees, 54 minutes, 43 seconds East along the North line of said 1/4-1/4 section a distance of 1292.33 feet; thence South 2 degrees, 24 minutes, 53 seconds East along the East line of the West 1/2 of the SW 1/4 of said Section 22 a distance of 2714.57 feet to a point on the North line of said Section 27; thence South 89 degrees, 30 minutes, 50 seconds East along said North line a distance of 1263.95 feet to the NE corner of the NE 1/4 of the NW 1/4 of said Section 27; thence South 00 degrees, 47 minutes, 48 seconds East along the East line of said 1/4-1/4 section a distance of 1314.72 feet to the SE corner of the NE 1/4 of the NW 1/4 of said Section 27; thence North 89 degrees, 27 minutes, 12 seconds West along the South line of said 1/4-1/4 section a distance of 1264.97 feet to the SW corner of said 1/4-1/4 section; thence South 00 degrees, 36 minutes, 33 seconds East along the East line of the West 1/2 of the West 1/2 of said Section 27 a distance of 1286.49 feet; thence continuing along said East line, South 00 degrees, 53 minutes, 24 seconds East a distance of 2643.86 feet to a point on the North line of said Section 34; said point being the NE corner of the NW 1/4 of the NW 1/4 of said Section 34; thence South 00 degrees, 45 minutes, 21 seconds East a distance of 2685.25 feet to the NE corner of the NW 1/4 of the SW 1/4 of said Section 34; thence South 00 degrees, 34 minutes, 41 seconds East along the East line of said 1/4-1/4 section a distance of 1461.71 feet to a point on the Northerly right of way line of U.S. Highway #70 (right of way varies); said point lying on a curve to the right having a radius of 5686.52 feet, a central angle of 1 degree, 13 minutes, 17 seconds and subtended by a chord which bears South 85 degrees, 01 minute, 44 seconds West a distance of 121.22 feet; thence along the arc of said curve and said right of way line a

distance of 121.22 feet; thence South 4 degrees, 21 minutes, 37 seconds East along said right of way line a distance of 10.00 feet to the beginning of a curve to the right having a radius of 5696.52 feet, a central angle of 7 degrees, 56 minutes, 56 seconds and subtended by a chord which bears 89 degrees, 36 minutes, 50 seconds West a distance of 789.66 feet; thence along the arc of said curve and said right of way line a distance of 790.29 feet; thence South 3 degrees, 35 minutes, 18 seconds West along said right of way line a distance of 10.00 feet to the beginning of a curve to the right having a radius of 5706.52 feet, a central angle of 3 degrees, 33 minutes, 59 seconds and subtended by a chord which bears North 84 degrees, 37 minutes, 42 seconds West a distance of 355.14 feet; thence along the arc of said curve and said right of way line a distance of 355.20 feet; thence leaving said right of way line North 00 degrees, 39 minutes, 28 seconds West a distance of 78.91 feet to the SW corner of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 34; thence North 00 degrees, 35 minutes, 12 seconds West a distance of 1406.90 feet to the SE corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 33; thence North 89 degrees, 14 minutes, 54 seconds West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 953.45 feet (meas) 953.08 feet (deed); thence North 5 degrees, 02 minutes, 37 seconds West a distance of 1352.64 feet to a point on the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence South 89 degrees, 11 minutes, 46 seconds East along said north line a distance of 1054.91 feet (meas) 1054.81 feet (deed) to the SW corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 34; thence North 00 degrees, 40 minutes, 45 seconds West along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1347.42 feet to the SW corner of said Section 27; thence North 00 degrees, 49 minutes, 28 seconds West along the West line of said Section 27 a distance of 2612.59 feet; thence North 00 degrees, 48 minutes, 33 seconds West along said West line a distance of 2612.57 feet to the Point of Beginning.

**PARCEL 4:**

NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 34 and NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 34, EXCEPT approximately 10 acres in the NE corner of said NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  (now or previously owned by C. H. Fulton); all being situated in Township 21, Range 2 West, Shelby County, Alabama.

**PARCEL 5:**

Part of the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 28, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing 2" capped corner being the locally accepted NE corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 28, run in a Southerly direction along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section for a distance of 657.21 feet to an existing iron rebar being the locally accepted SE corner of the N  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 28; thence turn an angle to the right of 92 degrees, 18 minutes, 14 seconds and run in a Westerly direction for a distance of 1813.02 feet to an existing iron rebar; thence turn an angle to the right of 59 degrees, 12 minutes, 33 seconds and run in a Northwesterly direction for a distance of 534.13 feet to an existing iron rebar; thence turn an angle to the right of 90 degrees, 12 minutes, 34 seconds and run in a Northeasterly direction for 94.36 feet to an



existing iron rebar; thence turn an angle to the left of 89 degrees, 30 minutes, 08 seconds and run in a Northwesterly direction for a distance of 171.61 feet to an existing iron rebar being on the north line of said Section 28; thence turn an angle to the right of 120 degrees, 02 minutes, 47 seconds and run in an Easterly direction along the North line of said section for a distance of 2064.81 feet, more or less, to the point of beginning.

Any portion of Parcels 1, 2, 3, 4 and 5 which are located outside of the property described in (a), (b), (c) and (d) above is not included in this petition.



State of Alabama )  
 )  
Shelby County )

City of Calera

Date November 11, 2002

**PETITION FOR ANNEXATION OF TERRITORY TO THE CORPORATE  
LIMITS OF THE CITY OF CALERA, ALABAMA**

**TO THE MAYOR AND CITY COUNCIL OF THE CITY OF CALERA,  
ALABAMA:**

The undersigned Chemical Lime Company of Alabama, Inc. (hereinafter "Petitioner/Owner"), owner of the real property more particularly described in **Exhibit A**, attached hereto and incorporated into this Petition for Annexation by reference as though set fully out herein, does hereby petition the governing body of the City of Calera, Alabama (hereinafter the "City") to pass all resolutions and ordinances, and to do all things required by law to be done by said governing body to effect the incorporation into the corporate limits of said City of Calera, Alabama, of all the territory and area lying within the boundaries of the area proposed to be annexed, which said property is described in **Exhibit A**.

In support of this petition, the undersigned respectfully represents and shows as follows:

**I. PETITIONER/OWNER**

Petitioner/Owner is the owner of the real estate and improvements described in **Exhibit A**.

**II. LEGAL DESCRIPTION**

The real property sought to be annexed and more particularly described in **Exhibit A** is located in unincorporated Shelby County, Alabama, and is commonly referred to as the "O'Neal Property."

**III. MAP**

The O'Neal Property sought to be annexed, and more particularly described in **Exhibit A** of this petition, is contiguous to the corporate limits of the City and does not lie within the corporate limits of any other municipality. A map of said property is attached hereto as **Exhibit B** and incorporated into this petition by reference as though set out fully herein.

#### **IV. METHODS OF ANNEXING TERRITORY**

It is respectfully requested that the real property described in **Exhibit A** be annexed pursuant to, and in accordance with, Titles 11- 42-20 and 11- 42-21 of the Code of Alabama, 1975.

#### **V. CONDITIONS OF ANNEXATION**

The undersigned Petitioner/Owner seeks annexation of the real property described in **Exhibit A** to the corporate boundary of the City subject to the conditions set forth in the Annexation Agreement between the City and Petitioner/Owner (hereinafter "Annexation Agreement").

Petitioner/Owner acknowledges that the City is not obligated to grant any of the petitions and approvals set forth hereinabove and that the City cannot approve any of said conditions until the annexation of the subject property has occurred and appropriate petitions have been filed and appropriate hearings, where applicable, have been held. Accordingly, it is a material part of this Petition for Annexation that the Petitioner/Owner reserve unto itself, and that the City agrees that the Petitioner/Owner shall have, the right to de-annex all, or any part thereof, of the real property described in **Exhibit A** in accordance with the terms of the Annexation Agreement.

#### **VI. PAYMENT OF FIRE DUES**

Ala. Act No. 62 adopted by the Alabama Legislature on June 14, 1977 (as amended by 1999 Ala. Act No. 99-245) provides, among other things, that if a portion of a fire district located in Shelby County is annexed to a municipal corporation, then in such event, an amount equal to six times the amount of fire dues that the portion being annexed paid to the fire district for the preceding year must be paid to the Shelby County fire district as a condition precedent to any such annexation. In consideration of the acceptance of this Petition for Annexation to the corporate limits of the City, the undersigned Petitioner/Owner agrees to comply completely with Act. No. 62 (as amended by 1999 Ala. Act. No. 99-245), where applicable, by furnishing the requisite fire district payment to the Shelby County fire district prior to annexation of the real property described in **Exhibit A**.



IN WITNESS WHEREOF, the Petitioner has hereunto set its hand and seal on this the 11<sup>th</sup> day of November, 2002.

ATTEST:

Kenneth S. Curt  
General Counsel

PETITIONER/OWNER:

CHEMICAL LIME COMPANY OF ALABAMA, INC.

By: [Signature]

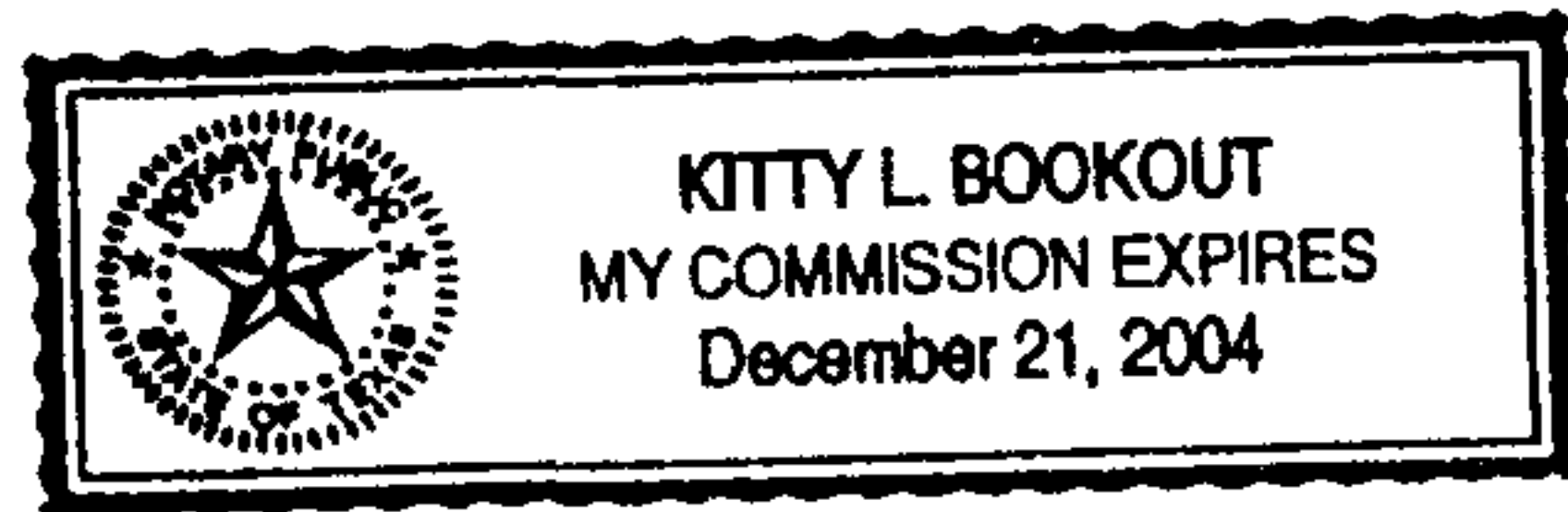
Its: President

TEXAS  
STATE OF ALABAMA )  
TARRANT )  
SHELBY COUNTY )

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that David M. Reilly, whose name as President of **CHEMICAL LIME COMPANY OF ALABAMA, INC.**, an Alabama corporation, is signed to the foregoing Petition for Annexation, and who is shown to me, acknowledged before me on this day that, being informed of the contents of the Petition for Annexation, (s)he as such officer and with full authority, executed the same voluntarily for and as the act of Chemical Lime Company of Alabama, Inc.; and that the contents of the petition are true and correct.

Given under my hand and official seal, this the 11 day of November, 2002.

[NOTARIAL SEAL]



Kitty L. Bookout  
Notary Public

My Commission Expires: 12/21/04



**EXHIBIT A**

**Legal Description of O'Neal Property**

(Legal description begins on the following page)

## EXHIBIT A

That portion of Parcels 1, 2, 3, 4 and 5 described below which are located in:

- (a) the Southwest  $\frac{1}{4}$  of Section 22,
- (b) the Northwest  $\frac{1}{4}$  of Section 27,
- (c) the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the North  $\frac{1}{2}$  of Section 28, and
- (d) the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of the Northeast  $\frac{1}{4}$  of Section 29.

All in Township 21 south, Range 2 West, Shelby County, Alabama.

### PARCEL 1:

A parcel of land situated in the West  $\frac{1}{2}$  of Section 28, Township 21 South, Range 2 West, and the East  $\frac{1}{2}$  of Section 29, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the northeast corner of the Northwest  $\frac{1}{4}$  of Section 28, Township 21 South, Range 2 West, Shelby County, Alabama, which point lies 2685.92 feet East of the 2" capped iron accepted as the Northwest corner of said Section 28 and 2685.92 feet West of the accepted 2" capped iron at the Northeast corner of said Section 28, said corner located 0.78 feet North of the true line between accepted section corners; thence run along the East line of said Northwest  $\frac{1}{4}$  of said Section 28, a distance of 1973.60 feet to the Northeast corner of the South  $\frac{1}{2}$  of the South  $\frac{1}{2}$  of the Northwest  $\frac{1}{4}$  of said Section 28, said point also being the point of beginning of the herein described parcel: thence continue along said East line of the Northwest  $\frac{1}{4}$  South 2 degrees, 20 minutes, 38 seconds East a distance of 1315.79 feet to an iron pin; thence run South 89 degrees, 37 minutes, 22 seconds West parallel to South line of the Northwest  $\frac{1}{4}$  of Section 28 a distance of 223.21 feet to an iron pin in the center of Camp Branch; thence run up the center of Camp Branch North 32 degrees, 20 minutes, 00 seconds East for 114.61 feet to a 3" open top iron in the center of Camp Branch; thence run South 87 degrees, 37 minutes, 20 seconds West a distance of 1659.19 feet to an iron pin located on the Eastern right of way line of U.S. Highway # 31; thence run North 17 degrees, 38 minutes, 33 seconds West a distance of 648.95 feet along said right of way to an iron pin located on South line of the Northwest  $\frac{1}{4}$  of Section 28; thence run South 89 degrees, 38 minutes, 46 seconds West a distance of 104.73 feet to an iron pin located on the Westerly right of way line of U.S. Highway # 31; thence run South 89 degrees, 38 minutes, 46 seconds West a distance of 593.97 feet to a crimped iron; thence run North 89 degrees, 58 minutes, 38 seconds West a distance of 1361.56 feet to an iron rail; thence run South 00 degrees, 36 minutes, 02 seconds West a distance of 621.53 feet to an iron pin on the Easterly right of way line of CSX Railroad (formerly L&N Railroad); thence run North 27 degrees, 12 minutes, 36 seconds West along said Easterly right of way line of CSX Railroad (formerly L&N Railroad) a distance of 2572.36 feet to an iron pin; thence run South 89 degrees, 53 minutes, 58 seconds East a distance of 1096.34 feet to a 3" open top iron; thence run



South 71 degrees, 53 minutes, 56 seconds East a distance of 35.71 feet along an old fence to an iron pin; thence run South 3 degrees, 56 minutes, 03 seconds East along said fence a distance of 292.22 feet to an iron pin located at a fence corner; thence run South 89 degrees, 51 minutes, 38 seconds East along said fence a distance of 1305.34 feet to a point; thence continue along fence South 88 degrees, 04 minutes, 43 seconds East a distance of 21.20 feet to an iron pin on the East line of Section 29; thence run South 2 degrees, 17 minutes, 00 seconds East for 41.70 feet; thence run South 2 degrees 17 minutes 00 seconds East a distance of 882.00 feet to an iron pin; thence run North 89 degrees, 38 minutes, 45 seconds East a distance of 470.75 feet to an iron pin located on the Westerly right of way line of U.S. Highway # 31; thence continue along last described course a distance of 104.73 feet to an iron pin located on the Easterly right of way line of U. S. Highway # 31; thence run North 17 degrees, 38 minutes, 33 seconds West along the Northeasterly right of way line of U. S. Highway # 31 a distance of 229.43 feet to an iron pin; thence run North 89 degrees, 44 minutes, 04 seconds East a distance of 2172.33 feet to the point of beginning. Less and except the right of way of U.S. Highway # 31.

#### **PARCEL 2:**

The NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; and all of that part of the S  $\frac{1}{2}$  of the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , lying East of Highway No. 31; and all that part of the N  $\frac{1}{2}$  of the S  $\frac{1}{2}$  of the NW  $\frac{1}{4}$ , lying East of the right of way of U.S. Highway No. 31. Also, parts of the W  $\frac{1}{2}$  of the SE  $\frac{1}{4}$  and the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  more particularly described as: Begin at the Southeast corner of Section 28, Township 21 South, Range 2 West; thence run West along the South line of said Section 28 a distance of 1331.85 feet; thence turn an angle of 75 degrees, 12 minutes, 15 seconds to the right and run a distance of 1642.06 feet; thence turn an angle of 78 degrees, 12 minutes to the left and run a distance of 343.04 feet; thence turn an angle of 47 degrees, 54 minutes to the right and run a distance of 107.53 feet; thence turn an angle of 44 degrees, 33 minutes to the left and run a distance of 564.83 feet to the West line of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$ ; thence turn an angle of 88 degrees, 07 minutes, 45 seconds to the right and run North along the West line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 980.86 feet to the Northwest corner; thence turn an angle of 91 degrees, 55 minutes, 30 seconds to the right and run along the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1344.00 feet to the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 02 minutes, 03 seconds to the right and run South along the East line of the NW  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  a distance of 1310.51 feet to the Southeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 14 minutes, 18 seconds to the left and run East along the North line of the SE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  a distance of 1344.77 feet to the Northeast corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 88 degrees, 11 minutes, 52 seconds to the right and run South along the East line of said Section 28 a distance of 1305.75 feet to the point of beginning. Situated in Section 28, Township 21 South, Range 2 West.

ALSO, part of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , Section 33, Township 21 South, Range 2 West described as follows: Begin at the Northeast corner of Section 33, Township 21 South, Range 2 West and run South along the East line of said section a distance of 1347.75 feet

to the Southeast corner of the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ ; thence turn an angle of 91 degrees, 31 minutes to the right and run West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1054.81 feet; thence turn an angle of 76 degrees, 14 minutes, 20 seconds to the right and run a distance of 1024.40 feet; thence turn an angle of 2 degrees, 38 minutes, 03 seconds, to the right and run a distance of 357.48 feet to the North line of Section 33, said point being 13.70 feet East of the Northwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 101 degrees, 02 minutes, 38 seconds to the right and run East along the North line of Section 33, a distance of 1331.85 feet to the point of beginning. Situated in the NE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

ALSO: A strip of land 100 feet in width extending in a Northeasterly direction across North  $\frac{1}{2}$  of Section 33, Township 21 South, Range 2 West from Easterly line of right of way of CSX Railroad (formerly L&N Railroad) in the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said section to Westerly line of Parcel described above in the NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of said section, being 50 feet on each side of center line thereof located as follows:

Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 33, Township 21 South, Range 2 West; thence run South along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 316.87 feet; thence turn an angle of 101 degrees, 38 minutes to the left and run a distance of 65.94 feet to the point of beginning; thence turn an angle of 180 degrees, 00 minutes, 00 seconds to the right and run a distance of 65.94 feet; thence turn an angle of 1 degree, 17 minutes, 40 seconds to the right and run a distance of 1366.38 feet to a point on the West line of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , being 596.93 feet South of the Northwest corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 04 degrees, 24 minutes, 20 seconds to the right and run a distance of 1083.59 feet to a point on the East right of way line of U.S. Highway No. 31; thence turn an angle of 16 degrees, 58 minutes to the left and run a distance of 100.48 feet to the West line of said Highway; thence turn an angle of 3 degrees, 27 minutes, 00 seconds to the right and run a distance of 1069.57 feet; thence turn an angle of 0 degrees, 14 minutes to the left and run a distance of 342.21 feet to a point on the East right of way line of the CSX Railroad (formerly L&N Railroad) and the point of ending. Situated in the N  $\frac{1}{2}$  of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

ALSO: Commence at the Northeast corner of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  Section 33, Township 21 South, Range 2 West; thence run South along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 316.87 feet; thence turn an angle of 79 degrees, 39 minutes, 40 seconds to the right and run a distance of 1366.38 feet to a point on the West line of the NW  $\frac{1}{4}$  of the NE  $\frac{1}{4}$ , being 596.93 feet South of the NW corner of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence turn an angle of 04 degrees, 24 minutes, 20 seconds to the right and run a distance of 1083.59 feet to a point on the East right of way line of U.S. Highway No. 31; thence turn an angle of 16 degrees, 58 minutes to the left and run a distance of 100.48 feet to a point on the West line of said Highway; thence turn an angle of 3 degrees, 27 minutes, 00 seconds to the right and run a distance of 1069.57 feet; thence turn an angle of 00 degrees, 14 minutes to the left and run a distance of 342.21 feet to a point on the East right of way line of the CSX Railroad (formerly L&N Railroad); thence turn an angle of 95 degrees, 24 minutes, to the left and run along said right of way a distance of 50.22 feet



to the point of beginning; thence turn an angle of 84 degrees, 36 minutes to the left and run a distance of 332.04 feet; thence turn an angle of 95 degrees, 36 minutes to the right and run a distance of 197.82 feet; thence turn an angle of 91 degrees, 50 minutes to the right and run a distance of 110.69 feet; thence turn an angle of 87 degrees, 19 minutes to the left and run a distance of 478.10 feet; thence turn an angle of 42 degrees, 33 minutes, to the left and run a distance of 105.68 feet; thence turn an angle of 24 degrees, 29 minutes to the left and run a distance of 184.54 feet; thence turn an angle of 57 degrees, 53 minutes to the right and run a distance of 753.03 feet; thence turn an angle of 108 degrees, 08 minutes to the right and run a distance of 357.20 feet to a point on the East right of way of the CSX Railroad (formerly L&N Railroad); thence run Northwesterly along the East right of way line of the CSX Railroad (formerly L&N Railroad) to the point of beginning. Situated in the W ½ of the NW ¼ and the NW ¼ of the SW ¼ of Section 33, Township 21 South, Range 2 West, Shelby County, Alabama.

### **PARCEL 3:**

A parcel of land situated in the W ½ of the SW ¼ of Section 22, the W ½ of the W ½ of Section 27, the NE ¼ of the NW ¼ of Section 27, part of the W ½ of the W ½ of Section 34, and part of the SE ¼ of the NE ¼ of Section 33 all in Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the SW corner of said Section 22; thence N 2 degrees, 58 minutes, 34 seconds West along the West line of said Section 22 a distance of 1365.02 feet; thence North 2 degrees, 58 minutes, 05 seconds West along the West line of said Section 22 a distance of 1364.95 feet to the NW corner of the SW ¼ of said Section 22; thence South 88 degrees, 54 minutes, 43 seconds East along the North line of said ¼-¼ section a distance of 1292.33 feet; thence South 2 degrees, 24 minutes, 53 seconds East along the East line of the West ½ of the SW ¼ of said Section 22 a distance of 2714.57 feet to a point on the North line of said Section 27; thence South 89 degrees, 30 minutes, 50 seconds East along said North line a distance of 1263.95 feet to the NE corner of the NE ¼ of the NW ¼ of said Section 27; thence South 00 degrees, 47 minutes, 48 seconds East along the East line of said ¼-¼ section a distance of 1314.72 feet to the SE corner of the NE ¼ of the NW ¼ of said Section 27; thence North 89 degrees, 27 minutes, 12 seconds West along the South line of said ¼-¼ section a distance of 1264.97 feet to the SW corner of said ¼-¼ section; thence South 00 degrees, 36 minutes, 33 seconds East along the East line of the West ½ of the West ½ of said Section 27 a distance of 1286.49 feet; thence continuing along said East line, South 00 degrees, 53 minutes, 24 seconds East a distance of 2643.86 feet to a point on the North line of said Section 34; said point being the NE corner of the NW ¼ of the NW ¼ of said Section 34; thence South 00 degrees, 45 minutes, 21 seconds East a distance of 2685.25 feet to the NE corner of the NW ¼ of the SW ¼ of said Section 34; thence South 00 degrees, 34 minutes, 41 seconds East along the East line of said ¼-¼ section a distance of 1461.71 feet to a point on the Northerly right of way line of U.S. Highway #70 (right of way varies); said point lying on a curve to the right having a radius of 5686.52 feet, a central angle of 1 degree, 13 minutes, 17 seconds and subtended by a chord which bears South 85 degrees, 01 minute, 44 seconds West a distance of 121.22 feet; thence along the arc of said curve and said right of way line a

distance of 121.22 feet; thence South 4 degrees, 21 minutes, 37 seconds East along said right of way line a distance of 10.00 feet to the beginning of a curve to the right having a radius of 5696.52 feet, a central angle of 7 degrees, 56 minutes, 56 seconds and subtended by a chord which bears 89 degrees, 36 minutes, 50 seconds West a distance of 789.66 feet; thence along the arc of said curve and said right of way line a distance of 790.29 feet; thence South 3 degrees, 35 minutes, 18 seconds West along said right of way line a distance of 10.00 feet to the beginning of a curve to the right having a radius of 5706.52 feet, a central angle of 3 degrees, 33 minutes, 59 seconds and subtended by a chord which bears North 84 degrees, 37 minutes, 42 seconds West a distance of 355.14 feet; thence along the arc of said curve and said right of way line a distance of 355.20 feet; thence leaving said right of way line North 00 degrees, 39 minutes, 28 seconds West a distance of 78.91 feet to the SW corner of the NW  $\frac{1}{4}$  of the SW  $\frac{1}{4}$  of said Section 34; thence North 00 degrees, 35 minutes, 12 seconds West a distance of 1406.90 feet to the SE corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of said Section 33; thence North 89 degrees, 14 minutes, 54 seconds West along the South line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 953.45 feet (meas) 953.08 feet (deed); thence North 5 degrees, 02 minutes, 37 seconds West a distance of 1352.64 feet to a point on the North line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section; thence South 89 degrees, 11 minutes, 46 seconds East along said north line a distance of 1054.91 feet (meas) 1054.81 feet (deed) to the SW corner of the NW  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 34; thence North 00 degrees, 40 minutes, 45 seconds West along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section a distance of 1347.42 feet to the SW corner of said Section 27; thence North 00 degrees, 49 minutes, 28 seconds West along the West line of said Section 27 a distance of 2612.59 feet; thence North 00 degrees, 48 minutes, 33 seconds West along said West line a distance of 2612.57 feet to the Point of Beginning.

**PARCEL 4:**

NE  $\frac{1}{4}$  of NW  $\frac{1}{4}$  of Section 34 and NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 34, EXCEPT approximately 10 acres in the NE corner of said NW  $\frac{1}{4}$  of NE  $\frac{1}{4}$  (now or previously owned by C. H. Fulton); all being situated in Township 21, Range 2 West, Shelby County, Alabama.

**PARCEL 5:**

Part of the N  $\frac{1}{2}$  of the NW  $\frac{1}{4}$  of Section 28, Township 21 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at an existing 2" capped corner being the locally accepted NE corner of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 28, run in a Southerly direction along the East line of said  $\frac{1}{4}$ - $\frac{1}{4}$  section for a distance of 657.21 feet to an existing iron rebar being the locally accepted SE corner of the N  $\frac{1}{2}$  of the NE  $\frac{1}{4}$  of the NW  $\frac{1}{4}$  of said Section 28; thence turn an angle to the right of 92 degrees, 18 minutes, 14 seconds and run in a Westerly direction for a distance of 1813.02 feet to an existing iron rebar; thence turn an angle to the right of 59 degrees, 12 minutes, 33 seconds and run in a Northwesterly direction for a distance of 534.13 feet to an existing iron rebar; thence turn an angle to the right of 90 degrees, 12 minutes, 34 seconds and run in a Northeasterly direction for 94.36 feet to an

existing iron rebar; thence turn an angle to the left of 89 degrees, 30 minutes, 08 seconds and run in a Northwesterly direction for a distance of 171.61 feet to an existing iron rebar being on the north line of said Section 28; thence turn an angle to the right of 120 degrees, 02 minutes, 47 seconds and run in an Easterly direction along the North line of said section for a distance of 2064.81 feet, more or less, to the point of beginning.

Any portion of Parcels 1, 2, 3, 4 and 5 which are located outside of the property described in (a), (b), (c) and (d) above is not included in this petition.



**EXHIBIT B**

**Map of O'Neal Property**

(Map is attached hereto)

WALTER SCHOEL ENGINEERING COMPANY, INC.

CONSULTING ENGINEERS  
1001 22ND STREET SOUTH  
BIRMINGHAM, ALABAMA 35205  
PHONE (205) 323-6166  
FAX (205) 328-2252  
WWW.SCHOEL.COM

CERTIFICATE OF ENGINEER

I, Walter Schoel, III, of Walter Schoel Engineering Company, Inc., Civil Engineers, 1001 22<sup>nd</sup> Street South, Birmingham, Alabama 35205, hereby certify the following:

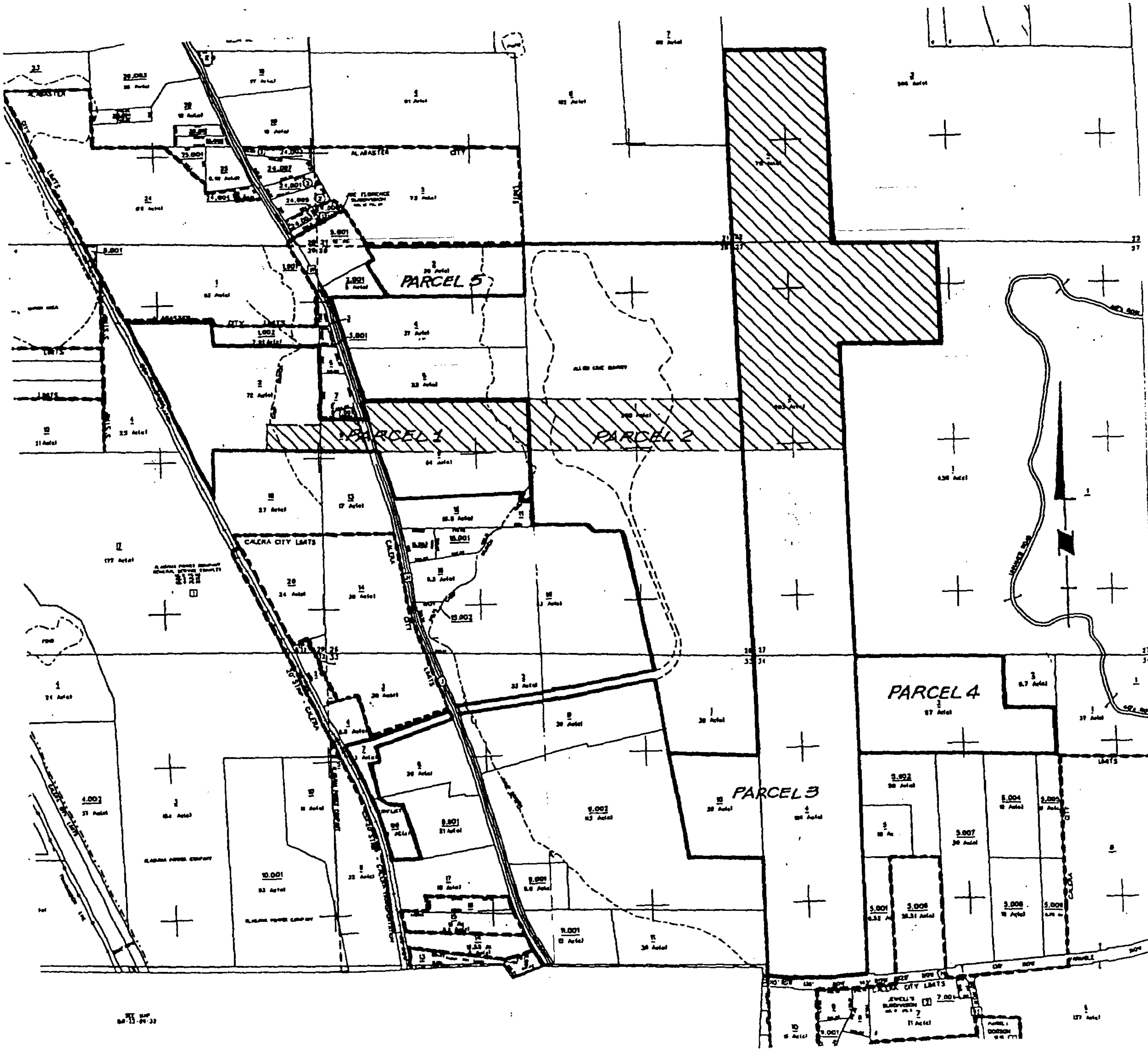
1. I am an engineer licensed in the State of Alabama;
2. I am familiar with, and have employed, conventional methods of preparing maps to be used in a series of annexations involving property lying within overlapping police jurisdictions of two or more municipalities ("Conventional Methods");
3. I have employed such Conventional Methods in the preparation of the map attached hereto;
4. Based on an examination of maps and exhibits depicting corporate limits, and upon consideration of the legal description of the client's subject property, as provided to us, the property depicted on the map attached hereto, if annexed by the City of Calera, Alabama (the "City"), will not extend the corporate limits of the City beyond a point that is equidistant from the respective corporate limits of the City and the City of Alabaster, Alabama, to the best of my knowledge and belief.



Walter Schoel, III, Ph.D., P.E.  
Ala. Reg. No. 16519



EXHIBIT B





### CERTIFICATION OF POSTING

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify that the foregoing Ordinance is a true and correct copy of the Ordinance adopted by the City Council of the City of Calera, Alabama on the 15<sup>th</sup> day of November 2002, as the same appears in the official record of minutes of the City of Calera Council meeting.

Given under my hand this 15<sup>th</sup> day of November, 2002.

  
Linda Steele, City Clerk

I, Linda Steele, City Clerk of the City of Calera, Alabama do hereby certify that the foregoing Ordinance was duly posted at the following locations:

Calera City Hall  
Calera Post Office  
Calera Public Library  
Associated Foods

  
Linda Steele, City Clerk

11/18/02  
Date Posted