

IN THE MATTER OF THE
CITY OF ALABASTER, ALABAMA

IN THE PROBATE COURT OF
SHELBY COUNTY, ALABAMA
CASE NO. 92-2003-000412

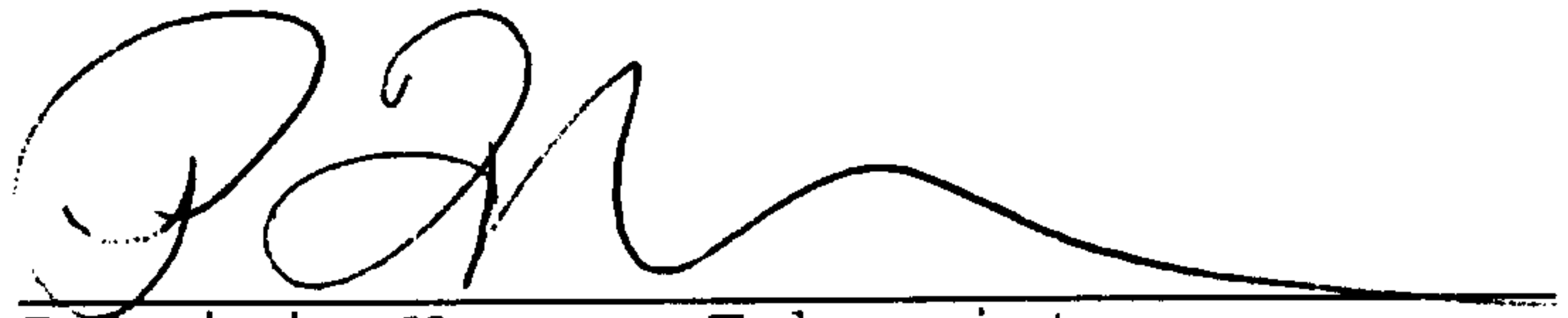
ORDER OF COURT

The City of Alabaster, Alabama having a filed a certified Resolution deannexing certain property described therein, along with a copy of the map or plat defining the corporate limits proposed to be established, and a certification that no qualified electors reside in the territory proposed to be excluded, and upon consideration thereof, it is ORDERED, ADJUDGED AND DECREED as follows:

1. That there being no qualified electors residing in the territory proposed to be excluded from the deannexation by the City of Alabaster, and pursuant to deannexation Resolution No. 060203 adopted and approved on June 2, 2003, as certified by the mayor, together with a copy of the map or plat filed by the City, the corporate limits of the City shall be reduced in accordance with the description outlined in said Resolution and map or plat.

2. That the Clerk of Court is directed to record the Resolution and map or plat with this office.

Done and ordered this 15th day of August, 2003.


Patricia Yeager Fuhrmeister
Judge of Probate

I certify this to be a true and
correct copy Patricia Yeager Fuhrmeister
Probate Judge 8/27/03
Shelby County

Council member Tommy Rya1s introduced the following Resolution:

RESOLUTION NO. 060203

A RESOLUTION DE-ANNEXING CERTAIN HEREINAFTER DESCRIBED PROPERTY IN THE EVENT SUCH PROPERTY WAS HERETOFORE ANNEXED BY THE CITY.

WHEREAS, Ordinance No. 02-A11 was passed by the City Council, and approved by the Mayor, on December 16, 2002, for the purpose of annexing certain property into the City, and

WHEREAS, the City does not believe said property was properly annexed, as more fully explained in Ordinance No. 03-A04, but in the event it was so annexed, the public good of the City of Alabaster, Alabama requires that said property not be included within the City, and the corporate limits be reduced to the extent thereof, and the previously existing boundaries be re-established.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALABASTER, ALABAMA, AS FOLLOWS:

Section 1. That in the event an annexation has occurred pursuant to Ordinance No. 02-A11, the public good requires that the corporate limits of the City of Alabaster, Alabama, be reduced by de-annexing the following described property:

Commence at the Southwest corner of the SW 1/4 of the NE 1/4 of Section 18, Township 21 South, Range 2 West, Shelby County, Alabama and run thence northerly along the west line of said quarter-quarter a distance of 256.40 feet to a point; thence run 63 degrees 05 minutes 46 seconds right and run northeasterly 1,237.74 feet to a steel pin corner and the point of beginning of the property being described; thence N 62 degrees 27'30" E a distance of 179.97 feet; thence N 27 degrees 33'06" W a distance of 35.89 feet; thence N 62 degrees 26'54" E a distance of 57.06 feet; thence S 39 degrees 56'51" E and along U. S. Highway 31 right-of-way line a distance of 680.31 feet; thence S 67 degrees 38'18" W and leaving said right-of-way line run a distance of 203.93 feet; thence S 62 degrees 36'24" W a distance of 180.51 feet; thence N 27 degrees 30'02" W a distance of 609.65 feet to the point of beginning. Said property contains 4.45 acres more or less.

Following the de-annexation, to the extent applicable, the City boundary shall be re-established as prior thereto, such that it begins again at the Southeast corner of the above described property at the U. S. Highway 31 right-of-way, and then proceeds Southeasterly along the said right-of-way of U. S. Highway 31, in accordance with the existing corporate limits of the City of Alabaster, Alabama.

Section 2. That the Mayor be and he is hereby authorized and directed to certify a copy of this Resolution together with a map correctly defining the corporate limits proposed to be re-established, and the names of all qualified electors residing in the territory proposed to be de-annexed, and file the same in the office of the Judge of Probate of Shelby County, Alabama.

Section 3. That following the approval of the de-annexation by the Judge of Probate in accordance with the law, the zoning of the City of Alabaster, Alabama, and any other official maps or surveys of the City shall be amended to reflect the de-annexation of the above described property, as may be necessary or appropriate.

ADOPTED AND APPROVED THIS 2 DAY OF JUNE, 2003.

ATTEST:

Marsha Massey
Marsha Massey, City Clerk

CITY OF ALABASTER

BY:

Henry Hines, Council President Pro-Tem

APPROVED:

David M. Frings
David M. Frings, Mayor

I certify this to be a true and correct copy

Patricia Jones Submittal
Probate Judge
Shelby County

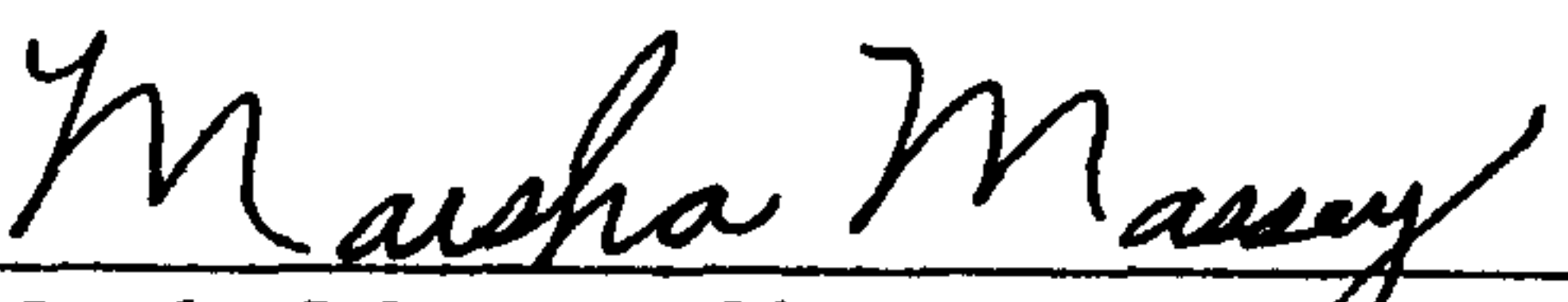
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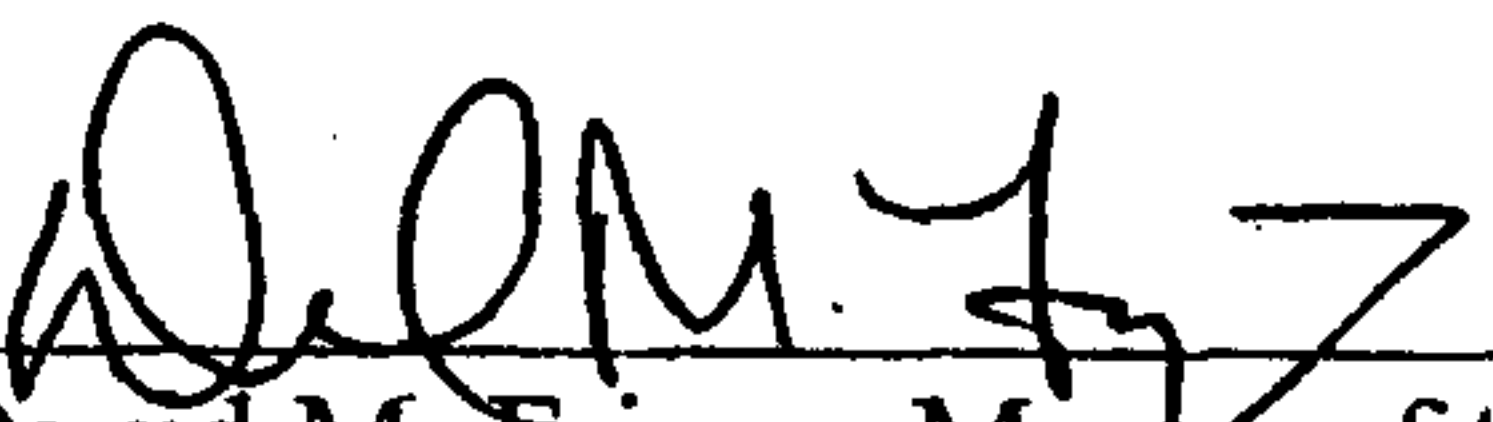
STATE OF ALABAMA
SHELBY COUNTY

The undersigned hereby certifies that he is the Mayor of the City of Alabaster, Alabama, and that as appears from the Minute Books in the City Hall there was duly introduced and enacted a Resolution at the regular meeting of the City Council on the 2 day of June, 2003, a true and correct copy of which is attached hereto. The undersigned further certifies that said Resolution is in force and effect, not having been repealed by any subsequent meeting of said body. The undersigned further certifies that there are no qualified electors residing in the territory proposed to be excluded from the area of said municipal corporation.

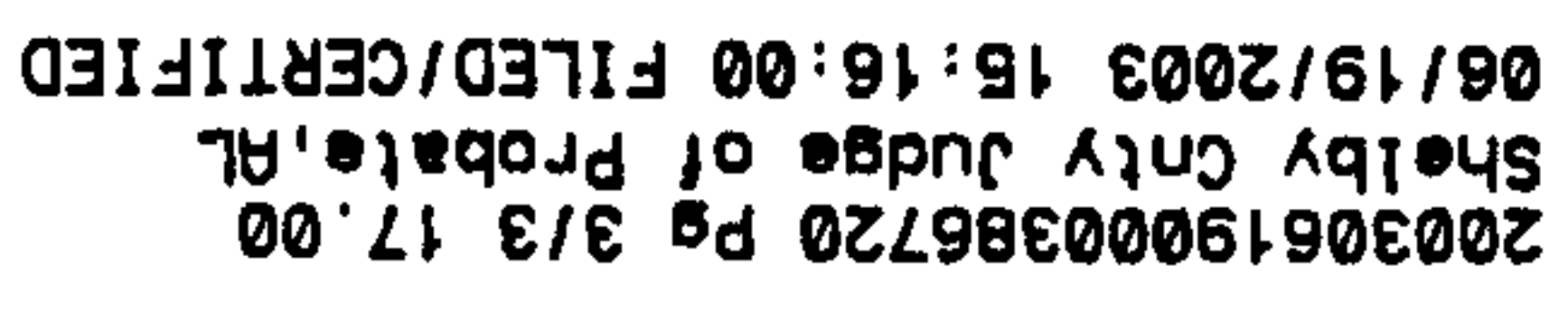
Witness the official signature and the seal of the City of Alabaster, Alabama, affixed hereto, this the 3 day of June, 2003.

ATTEST:


Marsha Massey, City Clerk/Treasurer


David M. Frings, Mayor of the
City of Alabaster, Alabama

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Council member Tommy Ryals introduced the following Ordinance:

ORDINANCE NO. 03-A04

AN ORDINANCE TO RESCIND ORDINANCE NO. 02-A11.

WHEREAS, Ordinance No. 02-A11 was passed by the City Council, and approved by the Mayor, on December 16, 2002, for the purpose of annexing certain property into the City, and

WHEREAS, the Council and Mayor were subsequently advised that the annexation ordinance contained an improper description and erroneously described the property sought to be annexed, and the City thereafter was not interested in annexing the property identified and actually sought to be annexed by the property owners, and

WHEREAS, the property owners were not interested in complying with certain subdivision regulations and building requirements of the City, and

WHEREAS, upon learning of the various problems, the property was never legally or properly annexed, as the appropriate documents were not published or posted, or filed with the Judge of Probate, and

WHEREAS, the orderly development and public good of the City of Alabaster, Alabama, is not served by annexation, and it is best that said Ordinance No. 02-A11 be rescinded, and

WHEREAS, in the event the property may have been annexed, which the City denies and does not recognize, said property is hereby de-annexed such that it is not within the corporate limits of the City.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ALABASTER, ALABAMA, AS FOLLOWS:

Section 1. That Ordinance No. 02-A11 is hereby rescinded and the following described property is not included within the corporate limits of the City of Alabaster, Alabama, to wit:

Commence at the Southwest corner of the SW 1/4 of the NE 1/4 of Section 18, Township 21 South, Range 2 West, Shelby County, Alabama and run thence northerly along the west line of said quarter-quarter a distance of 256.40 feet to a point; thence run 63 degrees 05 minutes 46 seconds right and run northeasterly 1,237.74 feet to a steel pin corner and the point of beginning of the property being described; thence N 62 degrees 27'30" E a distance of 179.97 feet; thence N 27 degrees 33'06" W a distance of 35.89 feet; thence N 62 degrees 26'54" E a distance of 57.06 feet; thence S 39 degrees 56'51" E and along U. S. Highway 31 right-of-way line a distance of 680.31 feet; thence S 67 degrees 38'18" W and leaving said right-of-way line run a distance of 203.93 feet; thence S 62 degrees 36'24" W a distance of 180.51 feet; thence N 27 degrees 30'02" W a distance of 609.65 feet to the point of beginning. Said property contains 4.45 acres more or less.

Section 2. That the orderly development and public good of the City requires that the above described property not be included within the City of Alabaster, Alabama, and to the extent that some annexation may have occurred (which the City denies), the above said property is hereby de-annexed.

Section 3. That this ordinance shall become effective after its passage and adoption by the City Council of the City of Alabaster, Alabama, and as may otherwise be required by law.

ADOPTED AND APPROVED THIS 2 DAY OF JUNE, 2003.

ATTEST:

Marsha Massey
Marsha Massey, City Clerk

CITY OF ALABASTER

BY: Henry Hines
Henry Hines, Council President Pro-Tem

APPROVED:

David M. Frings
David M. Frings, Mayor

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Shelby Cnty Judge of Probate, AL
06/19/2003 15:16:00 FILED/CERTIFIED



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Shelby Cnty Judge of Probate,AL
08/27/2003 13:43:00 FILED/CERTIFIED