

ORDINANCE NUMBER 03W

COUNCIL MEMBER ANDERSON INTRODUCED THE FOLLOWING ORDINANCE.

COUNCIL MEMBER GOLDSMITH SECONDED THE ORDINANCE.

AN ORDINANCE ASSENTING TO A CERTAIN PETITION FOR ANNEXATION

Whereas, all of the owners of property located and contained within an area contiguous to the corporate limits of Montevallo, and not within the corporate limits or police jurisdiction of any other municipality, have signed and filed a written petition with the City Clerk requesting that such property or territory be annexed to Montevallo, and

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of Montevallo,

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

- ① That the City Council of the City of Montevallo, as and for its governing body, hereby assents to the annexation of that certain land described in the attached petition for annexation of Sherwood, Inc, as provided in §11-42-21 of the 1975 *Alabama Code* and other applicable law.
- ② That the annexed territory be zoned AO until it is rezoned by recommendation of the Montevallo Planning Commission.
- ③ That the annexed territory be made a part of Council District One until such time as Council Districts are redrawn pursuant to the US Census.
- ④ That the City Clerk is directed to file a copy of this ordinance, including a description of the property or territory annexed, in the office of the Judge of Probate of Shelby County, and to advertise this ordinance as provided by law.

This ordinance shall become effective upon its passage and advertisement as provided by law.

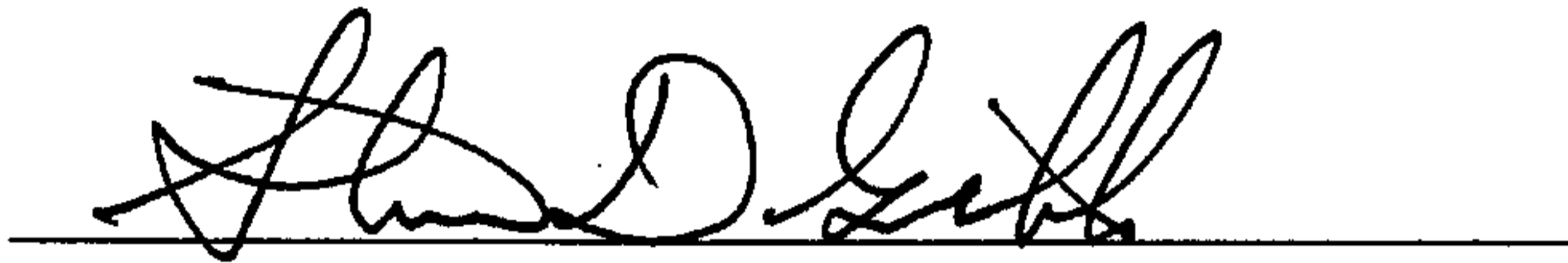
Approved and adopted this 10 November 2003.



~~Mayor Grady R. Parker~~

Sharon Anderson, Mayor pro tem

Attest:



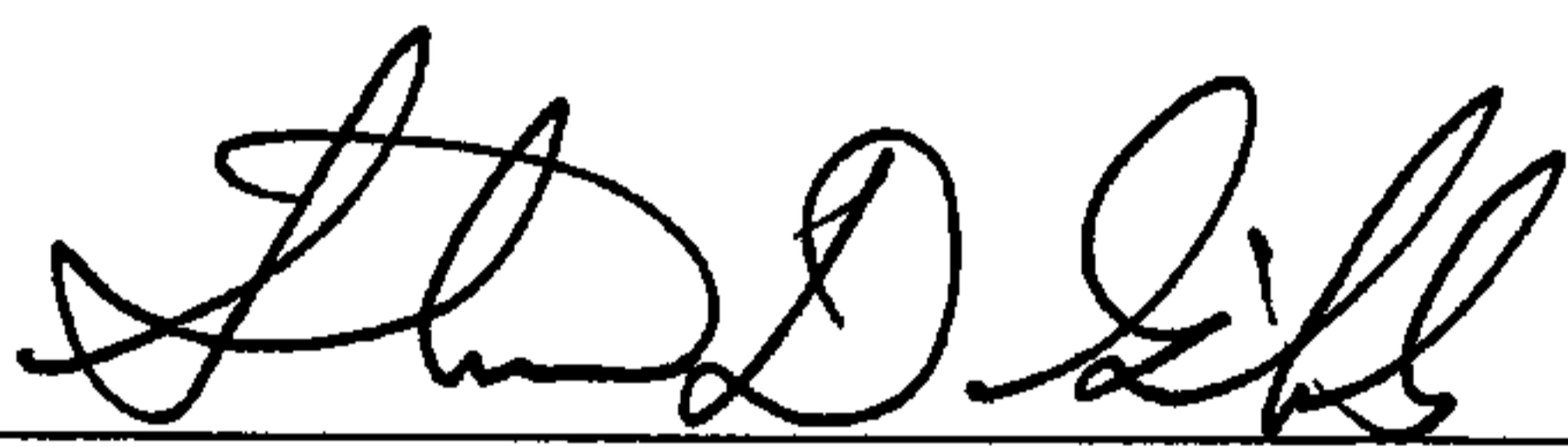
Steven D Gibbs, Clerk

I certify that the attached Ordinance **03W** adopted by the Montevallo City Council on 10 November 2003, was, pursuant to §11-45-8(b) of the *1975 Alabama Code*, posted in conspicuous places within the community:

- ❶ the mayor's office, City Hall, 545 Main Street, Montevallo
- ❷ the city shop, 445 Selma Road, Montevallo
- ❸ the Park and Recreation Building, Orr Park, 420 Vine Street, Montevallo
- ❹ the Parnell Memorial Library, 845 Valley Street, Montevallo

beginning 11 November 2003 and continuing for more than four weeks thereafter.

According to §11-45-8(b), Ordinance **03W** therefore became effective 16 November 2003.



Steven D Gibbs

City Clerk

ORD 03W: APPENDIX A TO THE ANNEXATION PETITION OF SHERWOOD, INC

Lots 2 through 13, Stough Estates as recorded in Map Book 23, page 130 in the office of the Judge of Probate of Shelby County Alabama, and a part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of §35, Twp 21S, R3W, Shelby County Alabama, being more particularly described as:

Commence at the SE corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of §35, Twp 21S, R3W, and run N for 2330.65 feet; thence turn 92°39'20" left and run SW for 1163.18 feet to the point of beginning: Thence turn 93°53'06" left and run SE for 828.65 feet; thence turn 0°28'18" left and continue SE for 656.83 feet; thence turn 95°22'53" right and run E for 110.9 feet; thence turn 82°23'09" left and run S 678.6 feet to a point on the N line of Shelby County Highway 24; thence turn 88°4'26" right and run W along said N line of Shelby County Highway 24 for 1171.69 feet to a point as marked by a concrete monument (broken off at the top); thence turn 53°43'55" right and run NW for 94.87 feet to a point on the E line of Alabama Highway 119 as marked by a concrete monument, said point also lying on a curve to the left; thence in the arc of said curve, having a radius of 11,419.16 feet NE for 29.93 feet to the point of tangent of said curve; thence in the tangent to said curve NE and along said E line of Alabama Highway 119 for 838.1 feet to the PC of a curve to the left; thence in the arc of said curve, having a radius of 7676.6 feet and a central angle of 4°02' and along said E line of Alabama Highway 119 for 540.39 feet to the point of tangent of said curve; thence in the tangent to said curve NE and along the E line of Alabama Highway 119 for 490.13 feet to the point of a curve to the right; thence in the arc of said curve having a radius of 7,599.8 feet and a central angle of 0°45'54" and along said E line of Alabama Highway 119 for 101.48 feet; thence turn 77°20'12" right (angle measured to chord) and run NE for 832.5 feet to the point of beginning; also all of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$, §35, Twp 21S, R3W, lying SE of Shelby County Highway 24; being situated in Shelby County, Alabama.

Being assigned ad valorem tax ID#s 58.23.7.35.0.002.001.002, 58.23.7.35.0.002.001.003, 58.23.7.35.0.002.001.004, 58.23.7.35.0.002.001.005, 58.23.7.35.0.002.001.006, 58.23.7.35.0.002.001.007, 58.23.7.35.0.002.001.008, 58.23.7.35.0.002.001.009, 58.23.7.35.0.002.001.010, 58.23.7.35.0.002.001.011, 58.23.7.35.0.002.001.012, 58.23.7.35.0.002.001.013, and 58.23.7.35.0.002.001.014.

RESOLUTION 03W_{IC}

RESOLUTION 03W_{IC} TO SUSPEND THE AGENDA:

At the regularly scheduled city council meeting of 10 November 2003, council member ANDERSON introduced and council member GOLDSMITH seconded Ordinance 03W, consenting to the annexation of certain property N of the present city limits upon the petition of Sherwood, Inc, and council member LIGHTFOOT, seconded by council member PENDLETON, asked for the unanimous consent of those present that the agenda be suspended so as to give said ordinance immediate consideration.

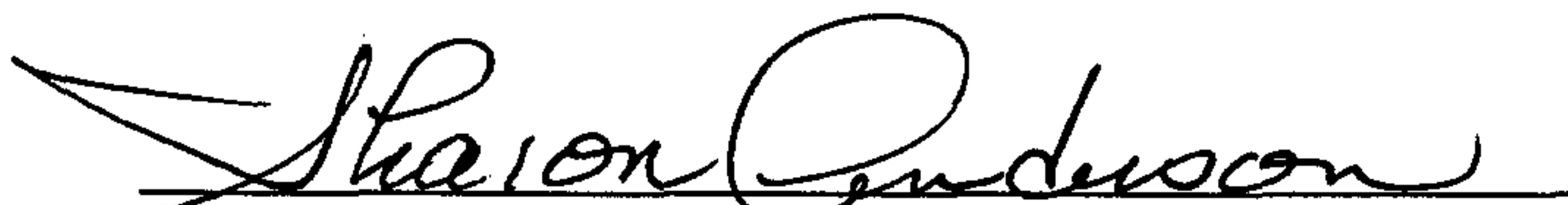
Whereupon, Mayor Parker called for a vote taken by yeas and nays on the request for immediate consideration, and the result of such vote was:

Yeas: Council members Anderson, Goldsmith, Lightfoot, and Pendleton.


Nays: None

Whereupon Mayor Parker directed that the names of the members voting be entered on the minutes of the meeting in compliance with §11-45-2 of the 1975 *Alabama Code*, and the council proceeded to give immediate consideration to Ordinance 03W.

Approved and adopted this 10 November 2003.


Grady R Parker, Mayor
Sharon Anderson, Mayor pro tem

Attest:


Steven D Gibbs, Clerk

03W

Dear Mayor Parker:

We are the property owners of a parcel of land described on the attached legal description and wish to be annexed into the City of Montevallo. Please consider this request at your earliest convenience.

x Larry Palmer

Owner

Owner

Telephone Number

Pelham A 35124

Mailing Address

Hoover AL 35244

Physical Address

Date _____

Attached is a:

X Legal description or Parcel 2

X Tax Parcel Identification number: See attachment or
(found on your tax notice)

Name of property owner as recorded on county records: _____

First American Title Insurance Company

SCHEDULE A - LEGAL DESCRIPTION

Agent's File No.: 140532

Parcel I

Lot No. 1 Stough Estates, as recorded in Map Book 23, page 130, in the office of the Judge of Probate of Shelby County, Alabama, being more particularly described as follows:

Commence at the S.E. $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 21 South, Range 3 West, and run in a northerly direction along the easterly line of said $\frac{1}{4}$ $\frac{1}{4}$ section line for 248.54 feet to a point on the northerly line of Shelby County Highway No. 24, said point being the point of beginning; thence continue along the last stated course for 2082.11 feet to a point; thence turn 92 deg. 39 min. 20 sec. left and run in a southwesterly direction for 1163.18 feet to a point; thence turn 93 deg. 53 min. 06 sec. left and run in a southeasterly direction for 828.65 feet to a point; thence turn 0 deg. 28 min. 18 sec. left and continue southeasterly for 656.83 feet to a point; thence turn 95 deg. 22 min. 53 sec. right and run in a southwesterly direction for 110.90 feet to a point; thence turn 82 deg. 23 min. 09 sec. left and run in a southerly direction for 678.60 feet to a point on the northerly line of Shelby County Highway No. 24; thence turn 92 deg. 15 min. 34 sec. left and run in an easterly direction along said northerly line of Shelby County Highway No. 24 for 715.19 feet to the P.C. (point of curve) of a curve to the left; thence in the arc of said curve, having a radius of 563.11 feet and a central angle of 50 deg. 19 min. 08 sec. for a distance of 494.54 feet to the point of beginning.

Parcel II

Lots 2 through 13, Stough Estates as recorded in Map Book 23 page 130, in the office of the Judge of Probate of Shelby County, Alabama, and a part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 21 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

Commence at the southeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 21 South, Range 3 West, and run in a northerly direction for a distance of 2330.65 feet to a point; thence turn 92 deg. 39 min. 20 sec. left and run in a southwesterly direction for 1163.18 feet to the point of beginning; thence turn 93 deg. 53 min. 06 sec. left and run in a southeasterly direction for 828.65 feet to a point; thence turn 0 deg. 28 min. 18 sec. left and continue southeasterly for 656.83 feet to a point; thence turn 95 deg. 22 min. 53 sec. right and run in a easterly direction for 110.90 feet to a point; thence turn 82 deg. 23 min. 09 sec. left and run in a southerly direction 678.60 feet to a point on the north line of Shelby County Highway No. 24; thence turn 88 deg. 44 min. 26 sec. right and run in a westerly direction along said northerly line of Shelby County Highway No. 24 for 1171.69 feet to a point as marked by a concrete monument (broken off at the top); thence turn 53 deg. 43 min. 55 sec. right and run in a northwesterly direction for 94.87 feet to a point on the easterly line of Alabama Highway No. 119 as marked by a concrete monument, said point also lying on a curve to the left; thence in the arc of said curve, having a radius of 11,419.16 feet in a northeasterly direction for 29.93 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a northeasterly direction and along said easterly line of Alabama Highway No. 119 for 838.10 feet to the P.C. of a curve to the left; thence in the arc of said curve, having a radius of 7676.60 feet and a central angle of 4 deg. 02 min. and along said easterly line of Alabama Highway No. 119 for 540.39 feet to the P.T. (point of tangent) of said curve; thence in the tangent to said curve in a northeasterly direction and along the easterly line of Alabama Highway No. 119 for 490.13 feet to the P.C. (point of curve) of a curve to the right; thence in the arc of said curve, having a radius of 7,599.80 feet and a central angle of 0 deg. 45 min. 54 sec. and along said easterly line of Alabama Highway No. 119 for 101.48 feet to a point, thence turn 77 deg. 20 min. 12 sec. right (angle measured to chord) and run in a northeasterly direction for 832.50 feet to the point of beginning; also all of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 35, Township 21 South, Range 3 West lying southeasterly of Shelby County Highway No. 24; being situated in Shelby County, Alabama.

First American Title Insurance Company

Agent's File No. 140532

SCHEDULE B - PART I

The following requirements must be met:

1. Payment to, or for the account of the grantors and/or mortgagors of full consideration for the estate or interest to be insured.
2. Payment of all taxes, assessments, levied and assessed against property, which are due and payable.
3. Payment of premiums, fees and charges for the policy.
4. Proper documents creating the estate or interest to be insured must be executed and duly filed for record, to wit:
 - (a) Warranty Deed from Owner(s) and spouse(s) if homestead to Purchaser(s).
5. Mortgage from W. Michael and Lauril Lynn Stough to Robert W. Monk, Jr. Trustee for Lauril Lynn Stough under trust agreement dated October 21st 1986 as amended, dated October 1st 1991, in the amount of \$398,452.00, and recorded in Real 368 page 514 in the Probate Office to be paid and properly satisfied.
6. Because the subject property is commercial property (which is all property other than a single family residential home, a mobile home, a residential lot, a townhouse, a condominium, or property conveyed to a governmental entity or to a utility) we require the following:

A sworn statement from both the Seller(s) and the Purchaser(s) that there is no unpaid or disputed real commission, all compensation due or to become due under any listing, agency or other brokerage agreement has been paid or has been waived in writing by the potential lien claimant, and there has been no written notice received concerning any unpaid real estate commission which could give rise to a Broker's Lien under Act. # 98-160, regular Session, 1998, Alabama Legislature (Sec. 35-11-450 et seq, Code of Alabama, 1975).

NOTE: The Ad Valorem tax ID #(s) for 2001 is /are:

~~58-23-7-35-0-002-001.001~~; 58-23-7-35-0-002-001.002; 58-23-7-35-0-002-001.003;
58-23-7-35-0-002-001.004; 58-23-7-35-0-002-001.005; 58-23-7-35-0-002-001.006;
58-23-7-35-0-002-001.007; 58-23-7-35-0-002-001.008; 58-23-7-35-0-002-001.009;
58-23-7-35-0-002-001.010; 58-23-7-35-0-002-001.011; 58-23-7-35-0-00-001.012;
58-23-7-35-0-002-001.013 and 58-23-7-35-0-002-001-014

NOTE: The Ad Valorem Taxes for 2002 will become due and payable October 1, 2002

3546 (3) 2026 6753
BND 2507 1970
DATE OF 003 YAL 0204/25 ON: 7.12.74
DATE OF 270. 25. 1. 1970
DATE OF 040 100 040 11. 11. 1974
DATE OF 040 100 040 11. 11. 1974



COUNTY LOCATOR

444	22	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
445	23	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100	
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447	25	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100			
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449	27	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100					
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TOWNSHIP LOCATOR

0	3	4	3	2	1
7	5	0	10	11	12
18	17	16	15	14	13
19	26	21	22	23	24
26	28	25	27	28	25
31	32	33	34	35	36

SUB-SHEET INDEX



LEGEND

[illegible]

COORDINATES

[illegible]

TOWNSHIP 74 SOUTH DANCE 3 WEST
SECTION 35

