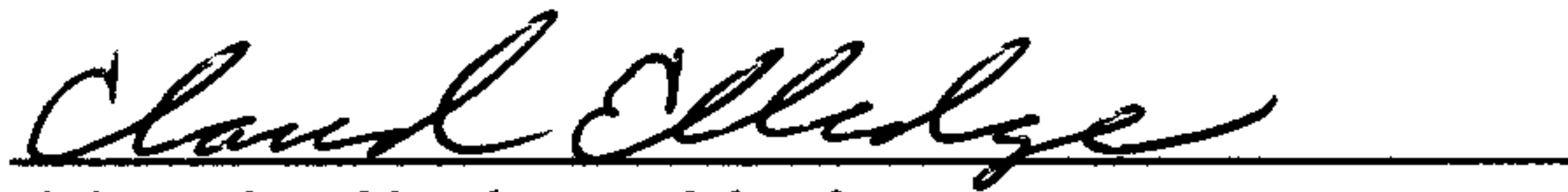


PETITION FOR ANNEXATION

To: The City Council of Montevallo, Alabama

The undersigned Montevallo Water and Sewer Board hereby petitions the city of Montevallo to annex certain property that it owns off Industrial Road, Montevallo, AL 35115, a more particular description and map of which are attached hereto as Appendix A.

Executed this 21 February 2002.



Claud Elledge, Chairman
Montevallo Water and Sewer Board
545 Main Street
Montevallo, AL 35115

Filed with City Clerk this 21 day of February 2002.

RESOLUTION 02B_{IC}

RESOLUTION 02B_{IC} TO SUSPEND THE AGENDA:

At the regularly scheduled city council meeting of 11 March 2002, council member LIGHTFOOT introduced and council member GOLDSMITH seconded Ordinance 02B, consenting to the annexation of certain property near Industrial Park Road, and council member GARRIS, seconded by council member ANDERSON, asked for the unanimous consent of those present that the agenda be suspended so as to give said ordinance immediate consideration.

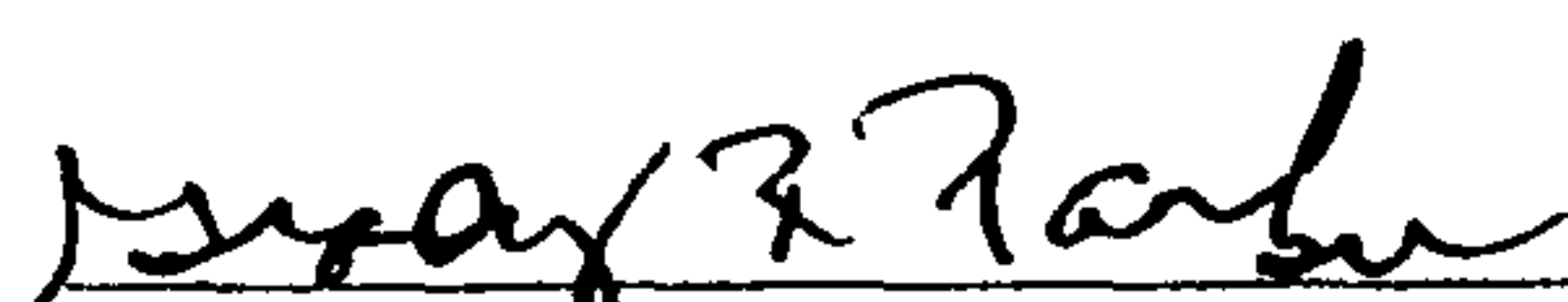
Whereupon, Mayor Parker called for a vote taken by yeas and nays on the request for immediate consideration, and the result of such vote was:

Yeas: Council members Anderson, Brown, Garris, Goldsmith, and Lightfoot.

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 02B.

Approved and adopted this 11 March 2002.


Grady R Parker, Mayor

Attest:


Steven D Gibbs, Clerk

ORDINANCE NUMBER 02B

COUNCIL MEMBER LIGHTFOOT 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 of any other municipality, as provided in §11-42-21 of the *1975 Alabama Code*, have signed and filed a written petition with the City Clerk requesting that such property or territory be annexed to Montevallo, and

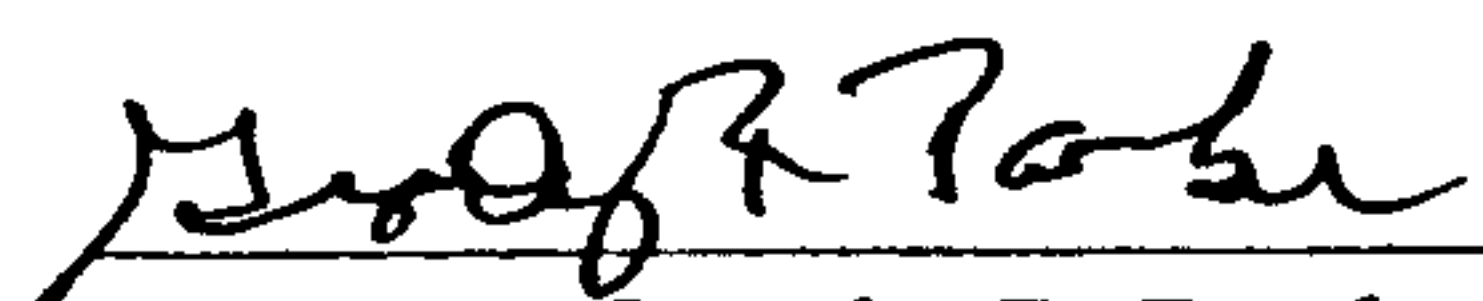
WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of Montevallo,

B E 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: the **Montevallo Water and Sewer Board**, 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 Five 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 11 March 2002.



Mayor Grady R Parker

Attest:



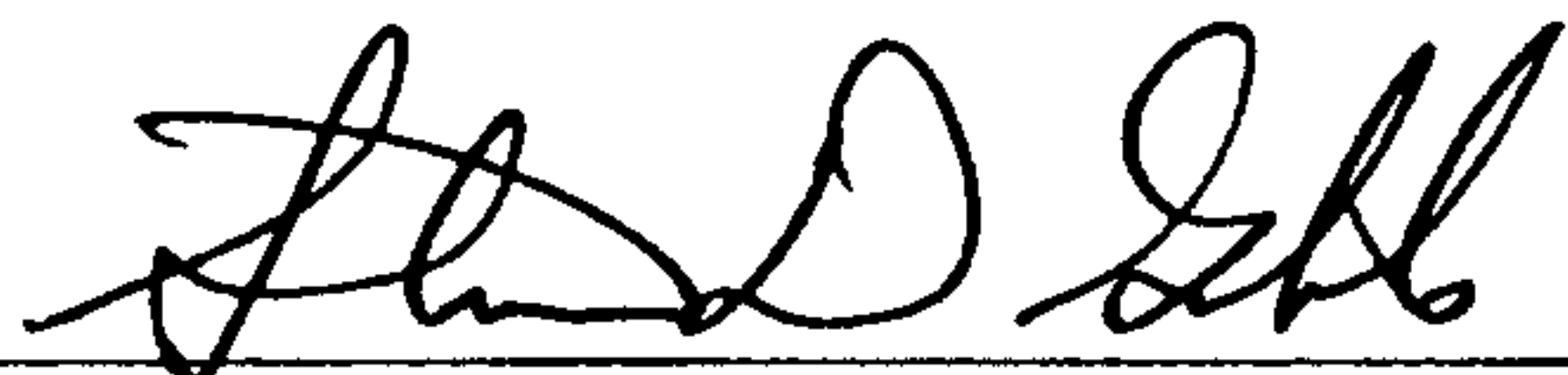
Steven D Gibbs, Clerk

I certify that the attached Ordinance **02B**, consenting to the annexation of certain territory, adopted by the Montevallo City Council on 11 March 2002, was, pursuant to §11-45-8(b) of the *1975 Alabama Code*, posted in conspicuous places within the community:

- ① the mayor's office, City Hall, 545 Main Street, Montevallo
- ② the city shop, 445 Selma Road, Montevallo
- ③ the Park and Recreation Building, Orr Park, 420 Vine Street, Montevallo
- ④ the Parnell Memorial Library, 820 Valley Street, Montevallo

beginning 18 March 2002 and continuing for more than four weeks thereafter.

According to §11-45-8(b), Ordinance **02B** therefore became effective 23 March 2002.



Steven D Gibbs, City Clerk

**02B: APPENDIX A TO ANNEXATION PETITION OF MONTEVALLO WATER AND
SEWER BOARD**

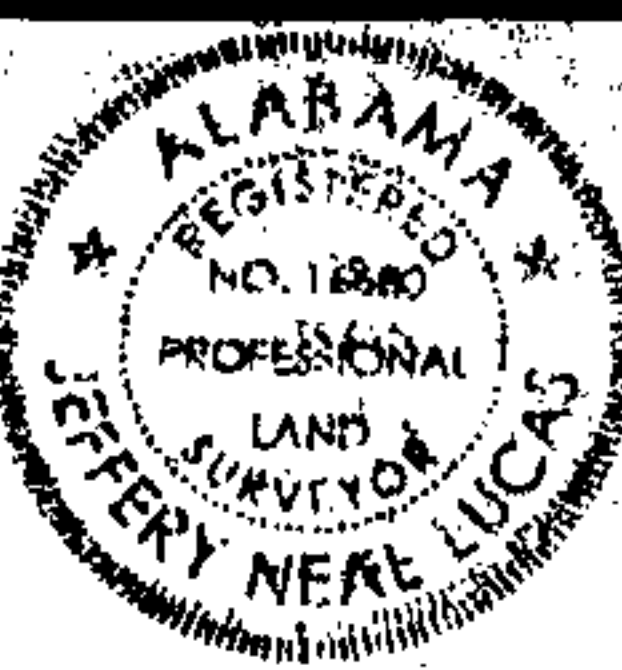
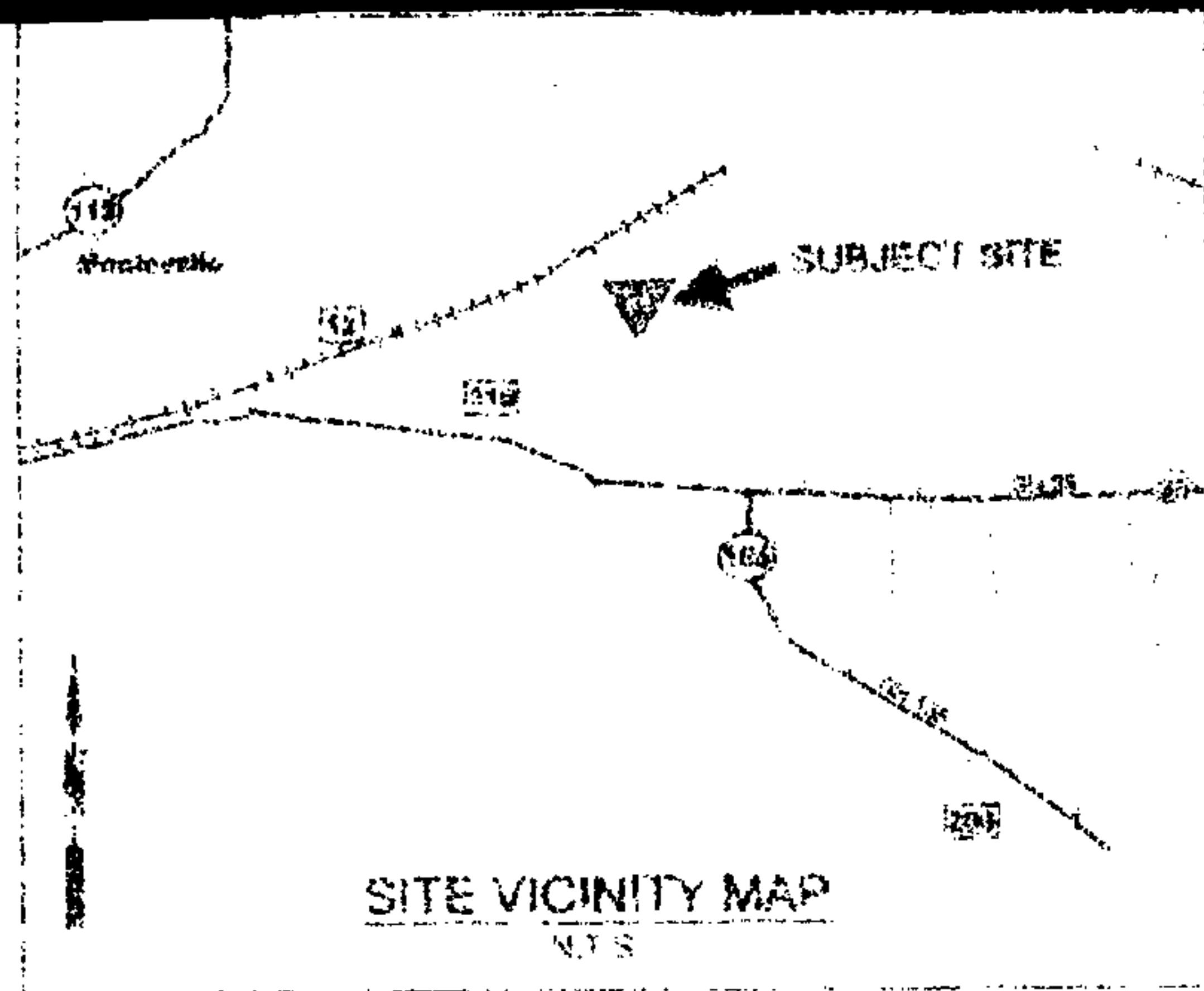
A parcel of land located within the NW¼ of §27, Twp 22S, R3W, Huntsville Principal Meridian, Shelby County, Alabama and being a portion of that certain tract of land (the Parent Tract) as described in deed book 230 page 253, recorded in the Office of the Judge of Probate, Shelby County Alabama, said parcel being more particularly described as follows: Commence at the NE corner of the NW¼ of the NW¼ of said §27, said corner being witnessed by a 1½ inch iron pipe found in place; run thence along the N boundary line of said section, also being the N boundary line of said Parent Tract, N89°18'15"E for 288 feet to a ½ inch iron rod set in place with a yellow plastic cap imprinted "Carr – 00010LS", hereinafter simply referred to as "set iron," said point being the Point of Beginning of the parcel herein described: Thence continue along said N boundary line N89°18'15"E for 250 feet to the NE corner of said Parent Tract, being witnessed by a ½ inch iron rod found in place; thence along the E boundary line of said Parent Tract, S24°54'24"W for 250 feet to a set iron; thence crossing said Parent Tract, N27°53'44"W for 228.54 feet, to the Point of Beginning. Containing ±25,409 ft².

A 25 foot access easement and 15 foot temporary grading easement are attached to the foregoing property, as follows:

A strip of land 25 feet in width, 12.5 feet on each side of a centerline, the sidelines of which are to be extended or shortened at the Point of Beginning to coincide with a line bearing N27°53'44"W and at the Point of Termination to coincide with the right of way of Industrial Park Drive, at the existing cul-de-sac with a center radius of 105 feet; and being a portion of that certain tract of land (the Parent Tract) as described in deed book 230, Page 253, and that certain tract of land as described in Instrument 98:5794, all being recorded in the office of the Judge of Probate, Shelby County, Alabama and being more particularly described by the following centerline description: Commence at the NE corner of the NW¼ of the NW¼ of said §27, said corner being witnessed by a 1½ inch iron pipe found in place; turn thence along the N boundary of said §, also being the N boundary line of said Parent Tract, N89°17'15"E for 549 feet to the NE corner of said Parent Tract, being witnessed by a ½ inch iron rod found in place; thence run along the E boundary of said Parent Tract S34°54'24"W for 250 feet to a set iron; thence crossing said Parent Tract, run N27°53'44"W for 14.05 feet to the point of beginning of the centerline herein described: Thence run S34°54'23"W for 31.1 feet; thence run S 38°25'20"W for 63.16 feet; thence run S21°43'15"E for 33.42 feet to the Point of Termination. Together with a strip of land 15 feet in width adjoining and contiguous with the N and W side of the above described 25 foot wide access easement, the W boundary of which is to be extended N to intersect the above described line bearing N27°53'44"W and is to be extended in a southerly direction to intersect the above described right of way of Industrial Park Drive.

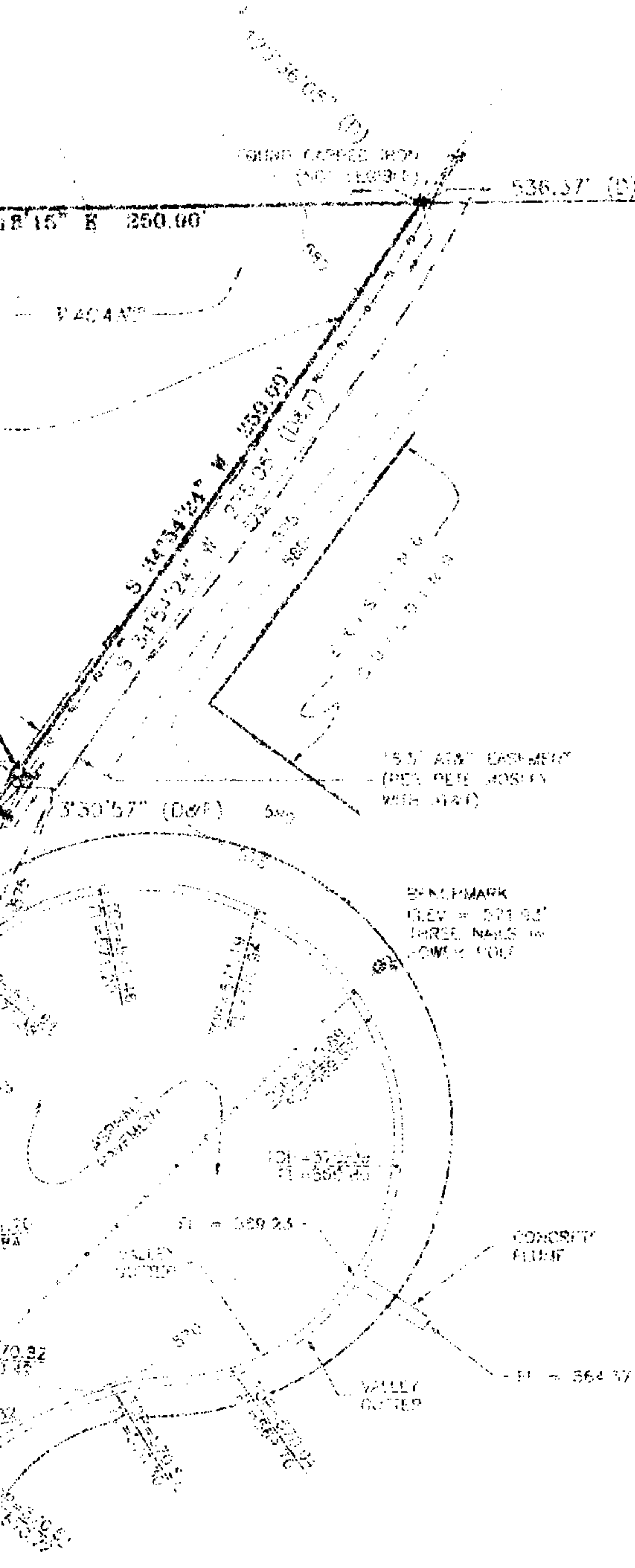
RECORDER'S MEMORANDUM

At the time of recordation, this instrument was found to be inadequate for the best photographic reproduction.



CPE

CARR & ASSOCIATES ENGINEERS, INC.
2001 OLD MOUNTAIN DRIVE
PELHAM, ALABAMA 35124
PHONE (205) 961-1100 FAX (205) 961-1101
CIVIL, SURVEYING & ENVIRONMENTAL ENGINEERING
LAND SURVEYORS



LEASE DESCRIPTION

A parcel of land located within the Northwest 1/4 of Section 27, Township 22 South, Range 3 West, Huntsville Principal Meridian, Shelby County, Alabama, and being a portion of that certain tract of land (the Parent Tract) as described in Deed Book 250, Page 255, recorded in the Office of the Judge of Probate, Shelby County, Alabama, said parcel being more particularly described as follows: Commencing at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 27, sold corner being witnessed by a 1 1/2" iron pipe found in place, run thence along the north boundary line of said section, also being the north boundary line of said Parent Tract, N89°18'15"E for a distance of 299.00 feet, to a 1/2" iron rod set in place with a brass plate and inscribed "CARR - 000145" the corner being referred to as "set iron," said point being the Point of Beginning of the parcel herein described; thence continue along said north boundary line N89°18'15"E for a distance of 250.00 feet, to the Northeast corner of said Parent Tract, being witnessed by a 1/2" iron rod found in place, thence along the easterly boundary line of said Parent Tract, S34°54'24"W for a distance of 250.00 feet, to a section, thence crossing said Parent Tract, N27°53'44"W for a distance of 228.14 feet, to the Point of Beginning, containing 25,400 square feet, more or less.

25 ACQUISITION AND 15' TEMPORARY GRADING EASEMENT

A strip of land 25.00 feet in width, 12.50 feet on each side of centerline, the sidelines of which are to be extended or shortened at the Point of Beginning to and side with a line bearing N89°18'15"E and at the Point of Beginning to coincide with the right-of-way of Industrial Park Drive, of the existing subdivision with a center radius of 105.00 feet, and being a portion of that certain tract of land (the Parent Tract) as described in Deed Book 230, Page 255, and that certain tract of land as described in Deed Book 138R, Page 529, as being recorded in the Office of the Judge of Probate, Shelby County, Alabama, and being more particularly described by the following centerline description: Commencing at the Northeast corner of the Northwest 1/4 of the Northwest 1/4 of said Section 27, sold corner being witnessed by a 1 1/2" iron pipe found in place, run thence along the north boundary line of said section, also being the north boundary line of said Parent Tract, N89°18'15"E for a distance of 549.00 feet, to the Northeast corner of said Parent Tract, being witnessed by a 1/2" iron rod found in place, thence along the easterly boundary line of said Parent Tract, S34°54'24"W for a distance of 250.00 feet, to a set iron, thence crossing said Parent Tract, N27°53'44"W for a distance of 228.14 feet, to the Point of Beginning of the centerline herein described; thence S34°54'24"W for a distance of 31.10 feet, thence S34°55'20"W for a distance of 63.16 feet; thence S27°43'10"W for a distance of 33.47 feet to the Point of Beginning, together with a strip of land 15.00 feet in width, adjoining and contiguous with the northerly and westerly side of the above described 25' wide access easement, the westerly boundary of which is to be extended in a northerly direction to intersect the above described line bearing N27°53'44"W and is to be extended in a southerly direction to intersect the above described right-of-way of Industrial Park Drive.

SURVEYOR'S NOTES

1. Type of Survey - This is a boundary and topographic survey made on the ground under the supervision of an Alabama Registered Land Surveyor. This survey was conducted for the purpose of a boundary and topographic survey only, and is not intended to delineate the regulatory jurisdiction of any federal state, regional or local agency, board, commission or other similar entity. Field survey was completed on January 3, 2002.

2. Datum and Control - Readings are based on the north boundary of Section 27 as N89°18'15"E, assumed. Benchmarks used were NGS Control Monument 2455 with an established elevation of 395.25 feet, and T&E with an established elevation of 179.20 feet. The onsite benchmark is on a stone marker with an elevation of 101.93 feet. Elevation shown on plan and reference to the American Vertical Datum of 1988 (NAVD83).

3. Utilities - Underground utilities are shown from information available at the time of the survey. These utilities were visible and accessible and measured and are shown on the survey. Due to state and federal rules regarding entrance into utilities spaces, the information shown on this survey with regard to utility elevations and pipe sizes was obtained from measurements made at the surface. These measurements are to be considered approximate and subject to contractor verification. No excavation or underground utilities, underground encroachments, underground mines, or subsurface building foundations was made as a part of this survey. No utility is shown on the "Alabama One Call" utility location service should be notified by calling (800) 292-6835 forty-eight (48) hours in advance of any excavation at this site.

4. Encroachment - This survey did not observe visible encroachments or structures on the subject property and no information as to the existence of such has been included in this survey.

5. Trees and Vegetation - Trees and shrubs not to be removed otherwise shown. The word "cut" refers to the absence of a ground feature, and right-of-way area features such as buildings, parking lots, driveway, interior fence, and other similar features.

6. Flood Zone - The property shown herein falls within Flood Zone C (area of potential flooding) as shown on the Flood Insurance Rate Map, Community Flood Number 01551 (0506), dated September 18, 1992.

7. Title Report - This survey was conducted without the benefit of an abstract of title, therefore there may be other encumbrances, rights of way, easements, agreements, reservations, restrictions or other similar matters of public record, not depicted on this survey.

8. Survey Error - Attention is directed to the fact that this survey may have been required or ordered in use due to reproduction. This should be taken into consideration when entering scaled data.

9. Survey Dates - The date of field survey, listed above, is the last time that either field or office personnel were on the site and the last date of knowledge that this survey was of the conditions. Date of last preparation listed on the title sheet and date of execution (signing), have no relationship to actual site conditions as depicted on this map. This survey is not valid without the signature and name or "true" seal of a Registered Land Surveyor.

SURVEYOR'S CERTIFICATE

As I hereby certify to the best of my knowledge and belief, that the survey described herein is true and correct, and that it meets all applicable provisions of the Minimum Technical Standards for Land Surveying in the State of Alabama.

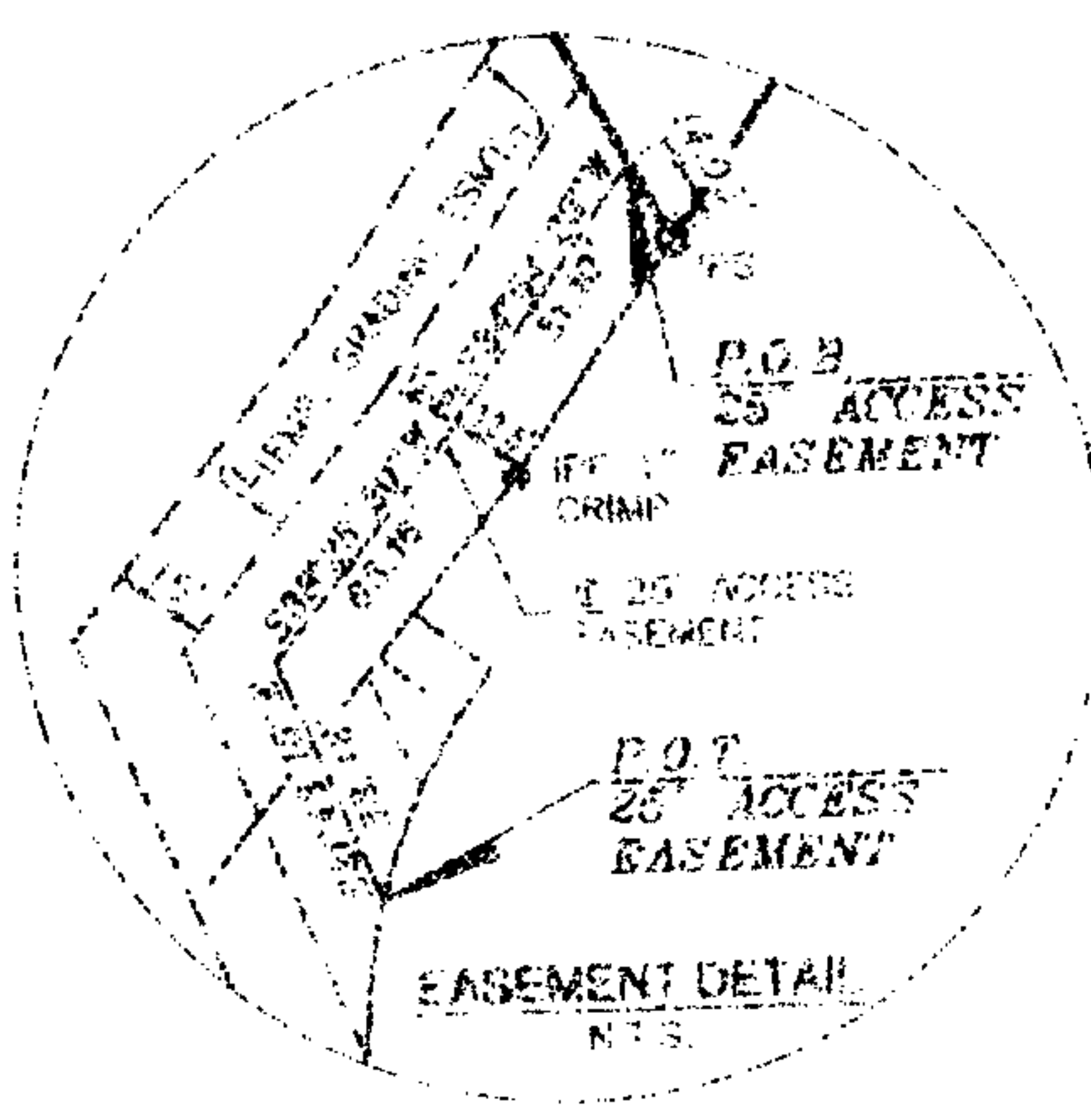
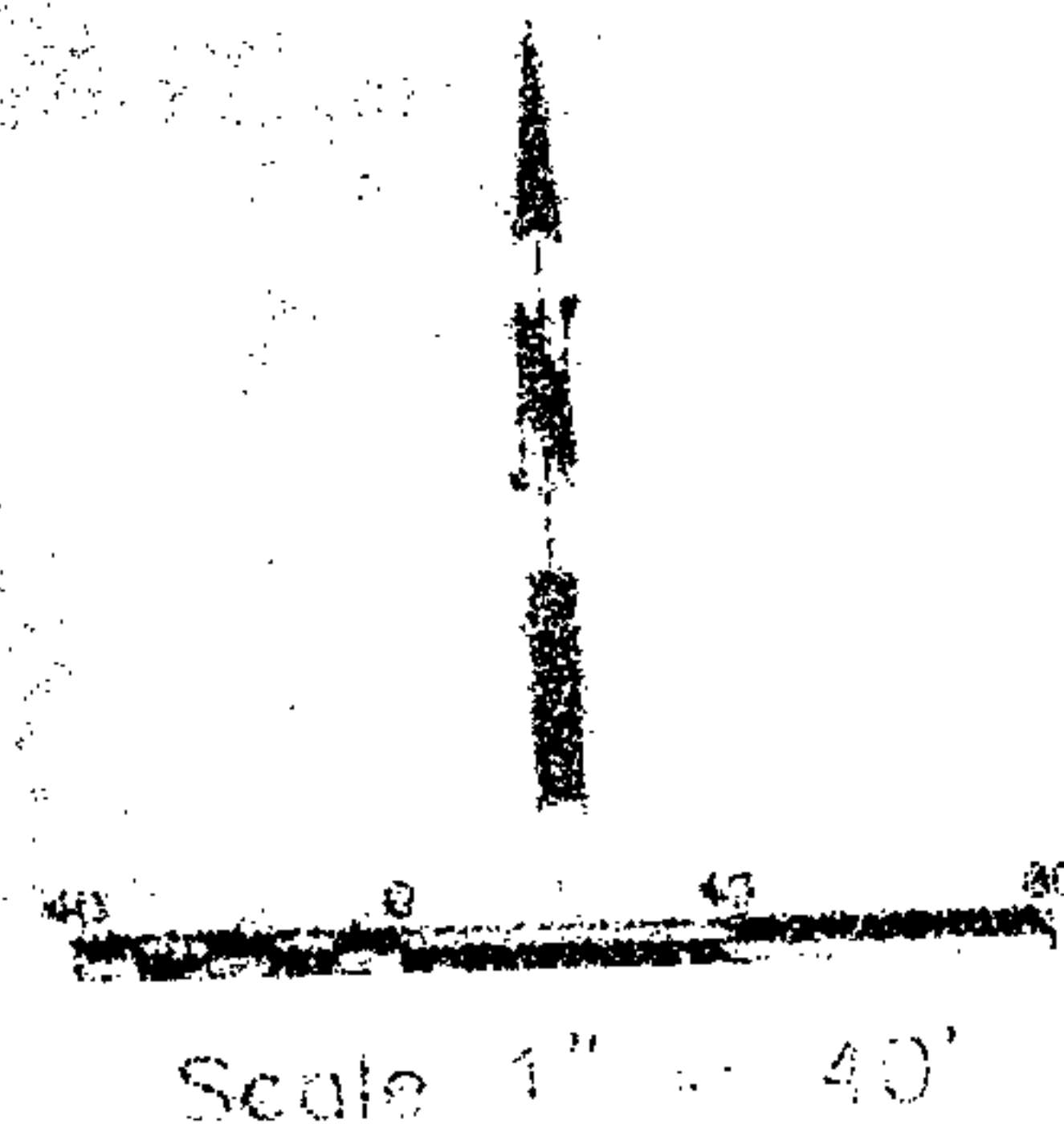
CARR & ASSOCIATES ENGINEERS, INC.

[Signature]

Date of Survey: 2/7/02

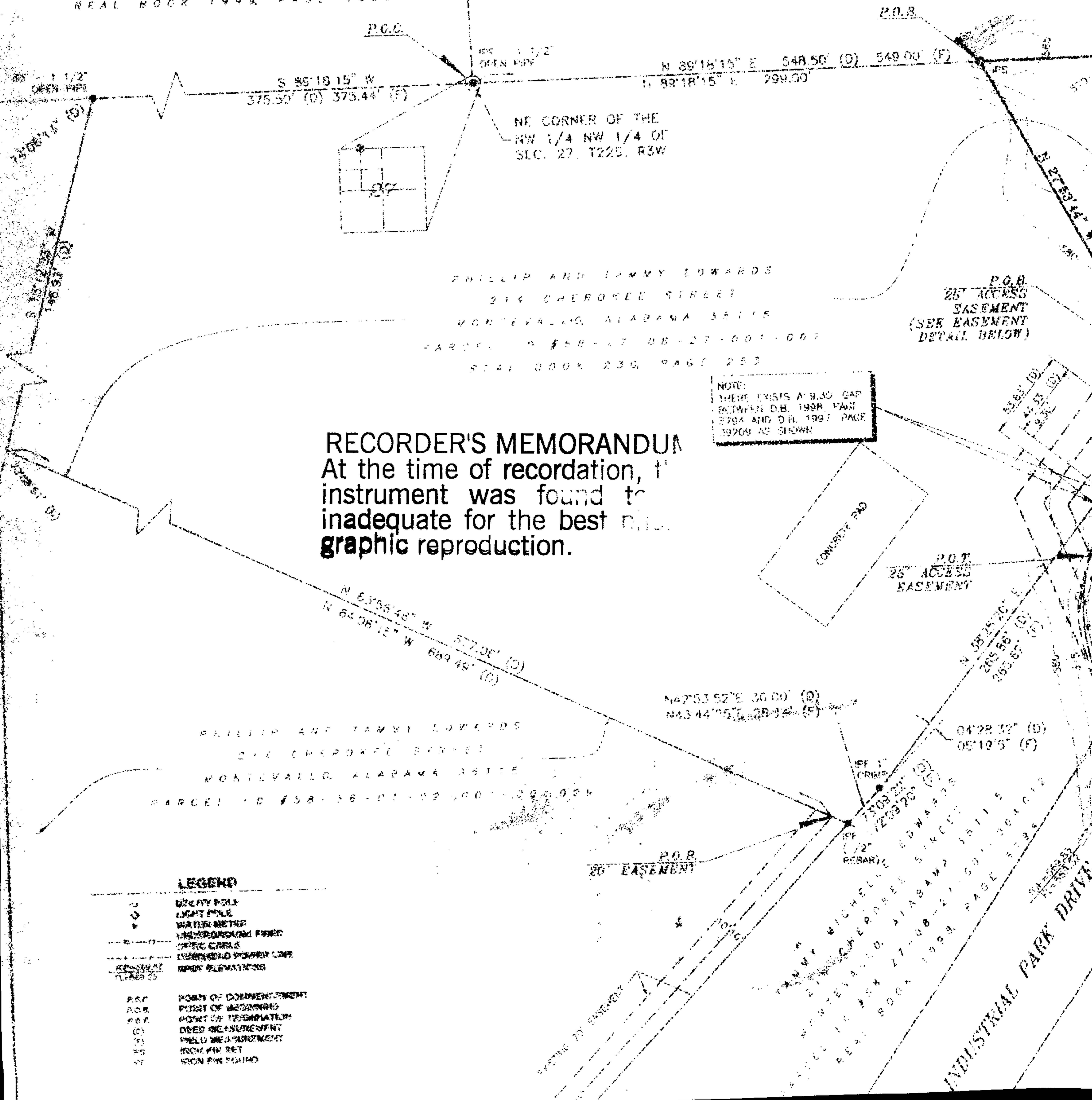
CLIENT	THE WATER WORKS & SEWER BOARD OF THE CITY OF MONTEVALLO
PROJECT NAME	INDUSTRIAL PARK TANK
PROJECT NO.	112-74
DATE	2/7/02
DATE FOR	

112-74-



PHILLIP AND TAMMY EDWARDS
214 CHEROKEE STREET
MONTEVALLO, ALABAMA 35115
PARCEL ID #58-27-05-22-001-0019
REAL BOOK 1999, PAGE 4666A

PHILLIP AND TAMMY EDWARDS
214 CHEROKEE STREET
MONTEVALLO, ALABAMA 35115
PARCEL ID #58-27-05-22-001-0019
REAL BOOK 1999, PAGE 4666A



RECORDER'S MEMORANDUM
At the time of recordation, this instrument was found to be inadequate for the best possible graphic reproduction.

NOTE:
THERE EXISTS A 8.30' GAP
BETWEEN D.B. 1998, PAGE
2704 AND D.B. 1997, PAGE
3909 AS SHOWN

- LEGEND**
- GREY POLE
 - LIGHT POLE
 - WATER METER
 - WATER METER COVER
 - OFFICE CABLE
 - ELECTRICAL POWER LINE
 - OPEN ELEVATION
-
- P.O.B. POINT OF BEGINNING
 - P.O.T. POINT OF TERMINATION
 - (D) DEED MEASUREMENT
 - (F) FIELD MEASUREMENT
 - OFF 1\"/>

TAMMY MICHELLE EDWARDS
214 CHEROKEE STREET
MONTEVALLO, ALABAMA 35115
PARCEL ID #58-27-05-22-001-0019
REAL BOOK 1999, PAGE 4666A

INDUSTRIAL PARK DRIVE