

# Public Notice

September 9, 2002

## CITIZENS OF CHELSEA, ALABAMA

In compliance with Section 11-42-21, Code of Alabama, 1975, these duly adopted documents are made public and are posted at three public places within the town limits of Chelsea, Alabama. The date of publication will be September 10, 2002 through September 13, 2002 at the

U.S. Post Office, Highway 280, Chelsea, Alabama 35043  
First National Bank of Shelby County, Chelsea Branch, Hwy 280, Chelsea, Alabama 35043  
Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043

This is to authenticate and attest that Ordinance X-02-09-03-194 was adopted at the September 3, 2002 Town Council Meeting.

Copies of these documents are available upon request by the Town Clerk. Request for the documents may be made by calling 678-8455.

Signed Robert A. Wanninger  
Robert A. Wanninger  
Town Clerk

✓ City of Chelsea  
P.O. Box 111  
Chelsea, Alabama

Certification  
Of  
Annexation Ordinance

Ordinance Number: X-02-09-03-194

Property Owner(s): The Frank and Fred Friedman Foundation

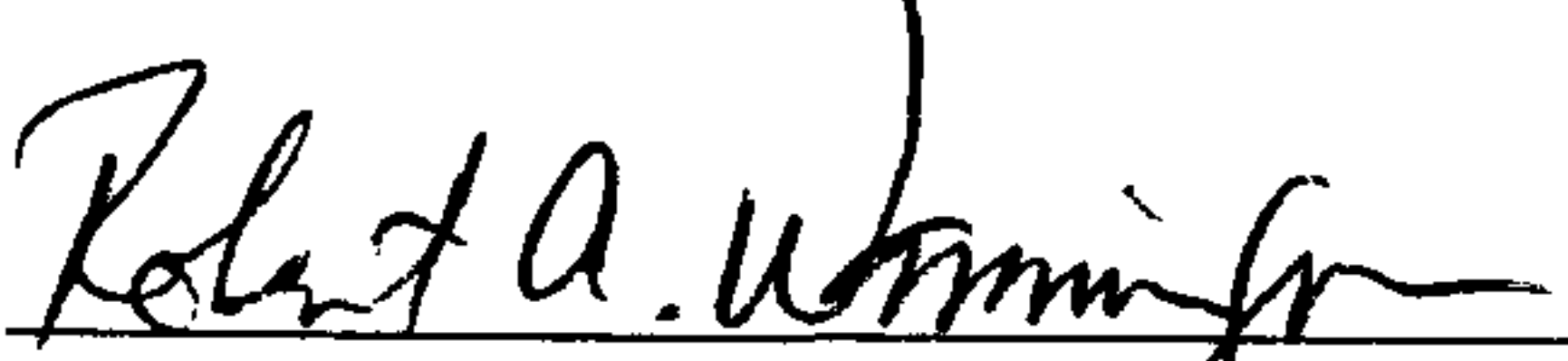
Property: 58-09-7-35-0-004-002, 58-09-7-35-0-006-001, 58-09-7-35-0-004-019,  
58-09-7-36-0-000-002.002, 58-09-7-36-0-000-001.001,  
58-15-1-01-0-000-001.001

I, Robert Wanninger, City Clerk of the City of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the City Council of Chelsea, at the regular meeting held on September 3, 2002, as same appears in minutes of record of said meeting, and published by posting copies thereof on September 4, 2002 at the public places listed below, which copies remained posted for five business days (through September 10, 2002).

Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043

First National Bank of Shelby County, Chelsea Branch, Highway 280, Chelsea, Al 35043

U.S. Post Office, Highway 280, Chelsea, Alabama 35043

  
Robert A. Wanninger, City Clerk

City of Chelsea, Alabama

Annexation Ordinance No. X-02-09-03-197

Property Owner(s): The Frank and Fred Friedman Foundation

Property: 58-09-7-35-0-004-002, 58-09-7-35-0-006-001, 58-09-7-35-0-004-019,  
58-09-7-36-0-000-002.002, 58-09-7-36-0-000-001.001,  
58-15-1-01-0-000-001.001

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

**Whereas**, the attached written petition requesting that the above-noted properties be annexed to the City of Chelsea has been filed with the Chelsea town clerk; and

**Whereas**, said petition has been signed by the owner(s) of said properties; and


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


**Whereas**, said properties are contiguous to the corporate limits of Chelsea, or are a part of a group of properties submitted at the same time for annexation, which is zones AR which together are contiguous to the corporate limits of Chelsea;

**Whereas**, said territories do not lie within the corporate limits of any other municipality

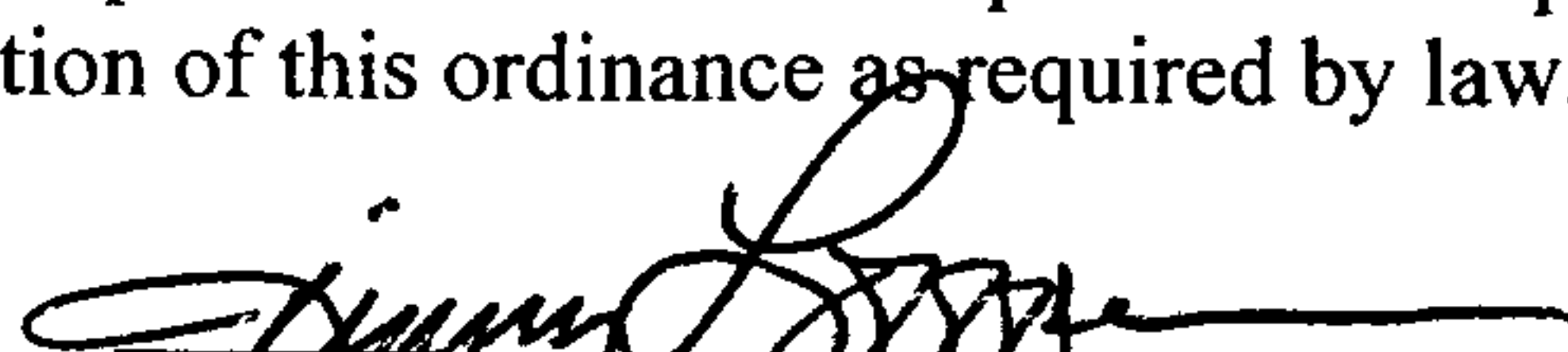
**Therefore, be it ordained** that the city council of the City of Chelsea assents to the said annexation: and


**Be it further ordained** that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said properties, and said properties shall become a part of the corporate area of the City of Chelsea upon the date of publication of this ordinance as required by law.

  
Earl Niven, Mayor


  
Allen Boone, Councilmember

  
Doug Ingram, Councilmember

  
Jimmy Lovvorn, Councilmember

  
Earl Niven, Jr., Councilmember

  
John Ritchie, Councilmember

Passed and approved 3<sup>rd</sup> day of SEPT, 2002   
Robert A. Wanninger, Town Clerk

Petition Exhibit A

Property owner(s): The Frank and Fred Freidman

Property: 58-09-7-35-0-004-002, 58-09-7-35-0-006-001, 58-09-7-35-0-004-019,  
58-09-7-36-0-000-002.002, 58-09-7-36-0-000-001.001,  
58-15-1-01-0-000-001.001

**Property Description**

The above-noted properties, for which annexation into Chelsea is requested in this petition, are described in the attached copy of the deed (Petition Exhibit B)

Which were recorded with the Shelby County judge of probate as 2002-01821 and 2002-19081.

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

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



This instrument was prepared by:  
Clayton T. Sweeney, Attorney  
2700 Highway 280 East, Suite 160  
Birmingham, AL 35223

Send Tax Notice To:  
The Frank and Fred Friedman Family  
Foundation

2121 - 1<sup>st</sup> AVE. No.  
BIRMINGHAM, AL 35203

STATE OF ALABAMA )

COUNTY OF SHELBY )

GENERAL WARRANTY DEED

**KNOW ALL MEN BY THESE PRESENTS:** That, for and in consideration of One Hundred One Thousand and 00/100 (\$101,000.00), and other good and valuable consideration, this day in hand paid to the undersigned Robert W. O'Connor, Jr., a married man and Tyrus R. Sockwell, (hereinafter referred to as GRANTORS), in hand paid by the GRANTEES herein, the receipt whereof is hereby acknowledged, the GRANTORS do hereby give, grant, bargain, sell and convey unto the GRANTEES, The Frank and Fred Friedman Family Foundation, (hereinafter referred to as GRANTEES), its successors and assigns, the following described Real Estate, lying and being in the County of Shelby, State of Alabama, to-wit:

Exhibit "A" is attached hereto and made a part hereof.

Subject To:

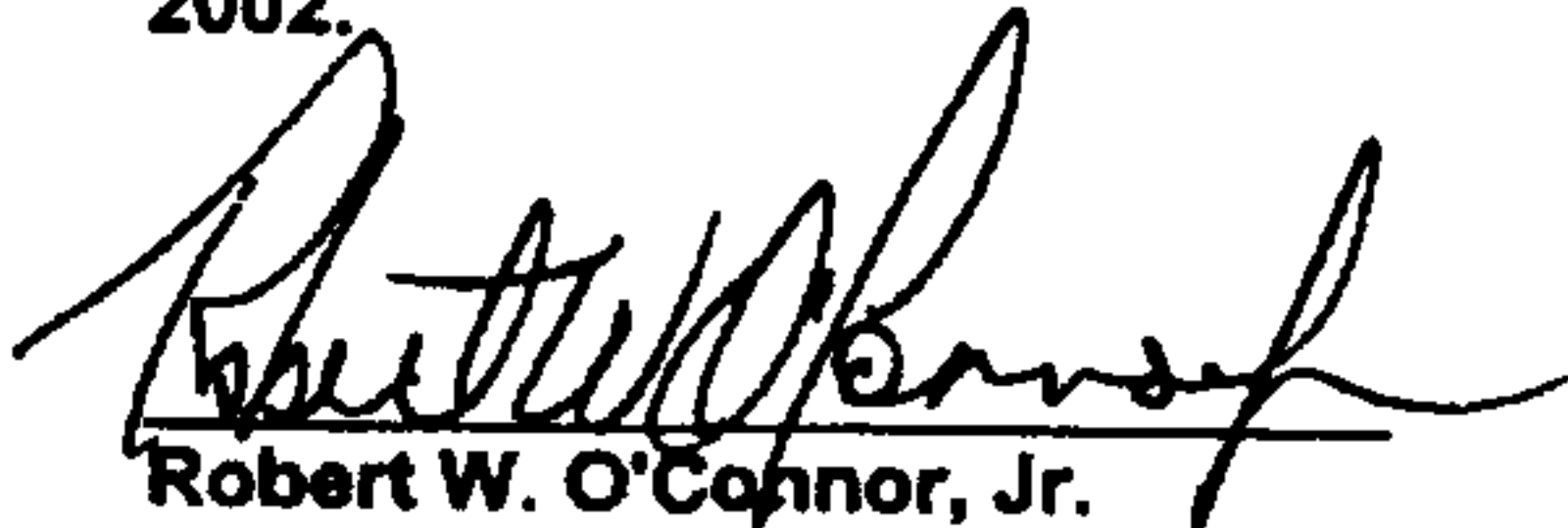
Ad valorem taxes for 2002 and subsequent years not yet due and payable until October 1, 2002. Existing covenants and restrictions, easements, building lines and limitations of record.

The property conveyed herein does not constitute the homestead of either of the Grantors or their spouses.

TO HAVE AND TO HOLD, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said GRANTEES, its successors and assigns forever.

AND SAID GRANTORS, for said GRANTORS, GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' successors and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all Liens and Encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any Restrictions pertaining to the Real Estate of record in the Probate Office of said County; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, said GRANTORS have hereunto set their hands and seals this the 4th day of January, 2002.

  
Robert W. O'Connor, Jr.

  
Tyrus R. Sockwell

STATE OF ALABAMA )

COUNTY OF JEFFERSON )

I, the undersigned, a Notary Public, in and for said County and State, hereby certify that Robert W. O'Connor, Jr., and Tyrus R. Sockwell, whose names are signed to the foregoing conveyance and who are known to me, acknowledged before me on this day that, being informed of the contents of the instrument they executed the same voluntarily on the day the same bears date.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this the 4th day of January, 2002.

  
NOTARY PUBLIC  
My Commission Expires: 6/5/03

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Inst # 2002-01821

01/10/2002-01821  
09:20 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 115.00

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

From an iron pin accepted as the SW corner of the NE 1/4 of SW 1/4 of Section 36, Township 19 South, Range 1 West, being the point of beginning of the herein described parcel of land, run thence North along the accepted West boundary of said NE 1/4 of SW 1/4 a distance of 1316.0 feet to the accepted NW corner thereof; thence turn 86 degrees 49 minutes 07 seconds right and run 582.65 feet along the accepted North boundary of said NE 1/4 of SW 1/4; thence turn 93 degrees 09 minutes 03 seconds right and run 1333.70 feet to a point on the accepted South boundary of NE 1/4 of SW 1/4; thence turn 88 degrees 35 minutes 30 seconds right and run 582.65 feet to the point of beginning of herein described parcel of land.

Also, a 30-foot easement for ingress and egress, to-wit:

From the accepted NW corner of the NE 1/4 of SW 1/4 of Section 36, Township 19 South, Range 1 West, run thence East along the accepted North boundary of NE 1/4 of SW 1/4 a distance of 582.65 feet to the point of beginning of herein described easement; thence continue along said course a distance of 758.71 feet to the accepted NE corner of said NE 1/4 of SW 1/4; thence continue along said course a distance of 93.81 feet to a point on the Northwesternly boundary of a gravel road; thence turn 147 degrees 27 minutes 30 seconds right and run 55.77 feet along said road boundary; thence turn 32 degrees 32 minutes 30 seconds right and run 47.9 feet to a point on the accepted East boundary of said NE 1/4 of SW 1/4; thence continue along said course a distance of 759.56 feet; thence turn 93 degrees 09 minutes 03 seconds right and run 30.05 feet to the point of beginning of herein described easement.

Inst # 2002-01821

01/10/2002-01821  
09:20 AM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
002 CH 115.00

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\$ 1,664,790.00

Tax Notice Sent to:  
The Frank and Fred Friedman  
Family Foundation  
2121 1st Avenue N.  
Birmingham, AL 35203

SPECIAL (STATUTORY) WARRANTY DEED  
R.E. No. GETC GC25

THIS INDENTURE, made this 26th day of February, A.D., 2002, between GREAT EASTERN TIMBER COMPANY LLC, a Delaware limited liability company, having a usual place of business c/o Cahaba Forest Management, Inc., 3891 Klein Road, Harpersville, AL 35078, (205) 672-8311 (Grantor), and THE FRANK AND FRED FRIEDMAN FAMILY FOUNDATION, having an address at 2121 1st Avenue N., Birmingham, AL 35203, (205) 323-1624 (Grantee),

WITNESSETH, That the Grantor, for the sum of Ten and 00/100 (\$10.00) Dollars, and other good and valuable consideration, to it paid by the Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee the following land and the standing timber thereon, (Premises), situated in the County of Shelby, and State of Alabama, being more particularly described as follows; to wit:

(SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF)

FURTHER, Grantor hereby grants to Grantee, its successors and assigns, all of its right, title and interest in and to a perpetual, non-exclusive easement retained by Grantor in a deed from Grantor to Eddleman Properties, LLC, dated February 11, 2002, recorded with the Office of the Judge of Probate in Shelby County, Alabama, as Document Number 2002-08613, on February 21, 2002, and as described in EXHIBIT "B" attached hereto and by this reference made a part hereof.

The Premises described hereunder are hereby conveyed "as is," by the tract and not by the acre, the acreage not being guaranteed by the Grantor, and are also conveyed subject to the rights of any tenants or lessees, any persons in possession; all outstanding mineral rights or reservations, oil, gas or mineral leases; water districts, water rights; restrictions or reservations; roadways, rights of way, easements; any contracts purporting to limit or regulate the use, occupancy or enjoyment of said Premises; and any matters which could be disclosed by an accurate, current survey or inspection of said Premises.

TO HAVE AND TO HOLD the above-described Premises, together with all and singular the rights and appurtenances thereto in anywise belonging, unto the said Grantee, its successors and assigns, forever.

IN WITNESS WHEREOF, on the day and year first-above written, the Grantor has caused these presents to be signed in its name and behalf by the Treasurer, and attested to by an Assistant Secretary of Hancock Natural Resource Group, Inc., its duly authorized manager.

ATTEST:

Antonietta Ricci  
Antonietta Ricci Assistant Secretary

GREAT EASTERN TIMBER COMPANY LLC  
By: Hancock Natural Resource Group, Inc.

by Julie H. Indge  
Julie H. Indge Treasurer

COMMONWEALTH OF MASSACHUSETTS )  
 )ss  
COUNTY OF SUFFOLK )

I, Deanna Garland, a Notary Public in and for said County and Commonwealth, hereby certify that Julie H. Indge, whose name as Treasurer of Hancock Natural Resource Group, Inc., is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he, as such officer and with full authority, executed the same voluntarily (on the day the same bears date) on behalf of Hancock Natural Resource Group, Inc., in its capacity as the duly authorized manager of GREAT EASTERN TIMBER COMPANY LLC for and as the act of said Grantor.

Given under my hand and official seal on February 26th, 2002.

Deanna Garland  
Deanna Garland Notary Public

My commission expires: April 14, 2006

Prepared by:  
Timothy D. Davis, Esq.  
Sirote & Permutt, P.C.  
2311 Highland Avenue South  
Birmingham, Alabama 35205  
NE14, SW1/4 and SE1/4 Sec. 35; NW1/4 and SW1/4 Sec. 36, T19S, R1W; and NW1/4, Sec. 1, T20S, R1W  
DG0959.DOC

04/24/2002-19081  
12:16 PM CERTIFIED  
SHELBY COUNTY JUDGE OF PROBATE  
003 MSB 1682.00

Inst # 2002-19081



EXHIBIT A

Legal Description

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

Section 35: The Southeast Quarter of the Northeast Quarter (SE1/4 of NE1/4);

The Northeast Quarter of the Southwest Quarter (NE1/4 of SW1/4);

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

Section 36: That part of the Northwest Quarter of the Northwest Quarter (NW1/4 of NW1/4) lying thirty (30) feet South of the centerline of Shelby County Road 439;

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

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

The South One-half of the Southwest Quarter (S1/2 of SW1/4), LESS AND EXCEPT, a 2.2 acre rectangle in the Northeast corner of the Southeast Quarter of the Southwest Quarter (SE1/4 of SW1/4) described as follows: Begin at the Northeast corner of said quarter-quarter and run West along the North boundary line of said quarter-quarter for a distance of 440 feet, more or less, to a rock corner; thence turn left and run South a distance of 230 feet to a rock corner; thence turn left and run East to a point on the East boundary line of said quarter-quarter; thence turn left and run north along said East boundary line to the point of beginning.

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

Section 1: The North One-half of the Northwest Quarter (N1/2 of NW1/4).

Being a portion of the premises conveyer to Grantor by deed, dated February 10, 2000, recorded in the Probate Office of Shelby County, Alabama as Instrument Number 2000-04450.



# EXHIBIT B

A perpetual, non-exclusive easement for vehicular and pedestrian access, ingress and egress, and for the installation and maintenance of utilities, Sixty (60) feet in width, situated in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 36, Township 19 South, Range 1 West, Shelby County, Alabama, as described in a deed from Grantor to Eddleman Properties, LLC, dated February 11, 2002, recorded with the Office of the Judge of Probate in Shelby County, Alabama, as Document Number 2002-08613, on February 21, 2002, and being more particularly described as follows:

Commence at a 4 inch axle found locally accepted to be the Northwest corner of said quarter-quarter section; thence run West along the South line of Section 26 in said Township 19 South, Range 1 West, for a distance of 187.22 feet to a iron pin found; thence turn an angle to the right of 67 degrees, 36 minutes, 27 seconds and run in Northwesterly direction for a distance of 1,145.96 feet to an iron pin found on the South right-of-way line of CSX Railroad; thence turn an angle to the right of 90 degrees, 23 minutes, 37 seconds and run in a Northeasterly direction along said South right-of-way line for a distance of 1,267.08 feet to a point; thence turn an angle to the right of 89 degrees, 50 minutes, 31 seconds and run in a Southeasterly direction along said South right-of-way line for a distance of 20.00 feet to a point on a curve to the right having a central angle of 69 degrees, 40 minutes, 56 seconds and a radius of 882.00 feet; thence run in a Northeasterly to Southeasterly direction along the arc of said curve and also along said South right-of-way line for a distance of 1,072.67 feet to a point; thence turn an angle from the tangent of last stated curve to the left of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 20.00 feet to the West right-of-way line of CSX Railroad, said point being on a curve to the right having a central angle of 40 degrees, 30 minutes, 41 seconds and radius of 902.00 feet; thence run in a Southeasterly direction along the arc of said curve and also along said West right-of-way line for a distance of 637.77 feet to a point; thence run tangent to last stated curve in a Southeasterly direction along said West right-of-way line for a distance of 1395.06 feet to a point on a curve to the left having a central angle of 28 degrees, 06 minutes, 49 seconds and a radius of 1,548.49 feet; thence run in a Southeasterly direction along the arc of said curve and also along said West right-of-way line for a distance of 759.81 feet to a point; thence run tangent to last stated curve in a Southeasterly direction along said West right-of-way line for a distance of 694.31 feet to the point of intersection of said West right-of-way line and the Northeast right-of-way line of Shelby County Highway # 439; thence turn an angle to the right of 74 degrees, 06 minutes, 24 seconds and run in a Southwesterly direction for a distance of 40.00 feet to point; thence turn an angle to the right of 90 degrees, 00 minutes, 00 seconds and run in a Northwesterly direction for a distance of 278.73 feet to a point on a curve to the right having a central angle of 48 degrees, 46 minutes, 57 seconds and a radius of 281.87 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 239.99 feet to a point on a reverse curve to the left having a central angle of 33 degrees, 09 minutes, 58 seconds and a radius of 90.00 feet; thence run along the arc of said curve in a Northwesterly direction for a distance of 52.10 feet to a point; thence run tangent to last stated curve in a Northwesterly direction for a distance of 181.02 feet to a point on a curve to the left having a central angle of 17 degrees, 12 minutes, 17 seconds and a radius of 143.99 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 43.24 feet to a point; thence run tangent to last stated curve for a distance of 664.99 feet to a point; thence turn an angle to the left of 43 degrees, 43 minutes, 16 seconds and run in a Westerly direction for a distance of 14.39 feet to a point; thence turn an angle to the right of 44 degrees, 02 minutes, 03 seconds and run in a Northwesterly direction for a distance of 403.64 feet to a point on a curve to the left having a central angle of 02 degrees, 37 minutes, 59 seconds and a radius of 489.80 feet; thence run in a Northwesterly direction along the arc of said curve for a distance of 22.51 feet to a point of beginning; thence turn an angle to the right from the tangent of last stated curve of 90 degrees, 00 minutes, 00 seconds and run in a Northeasterly direction for a distance of 15.00 feet to a point on the Southwest right-of-way line of a prescriptive right-of-way for Shelby County Highway No. 439, said point being on a curve to the left having a central angle of 07 degrees, 01 minutes, 07 seconds and a radius of 504.80 feet; thence run in a Northwesterly direction along said Southwest right-of-way line and also along the arc of said curve for a distance of 61.48 feet to a point; thence turn an angle to the left from the tangent of last stated curve of 90 degrees, 00 minutes, 00 seconds and run in a Southwesterly direction for a distance of 15.00 feet to a point on a curve to the right having a central angle of 07 degrees, 01 minutes, 07 seconds and a radius of 489.80 feet; thence run in a Southeasterly direction along the arc of said curve for a distance of 60.00 feet to the point of beginning.

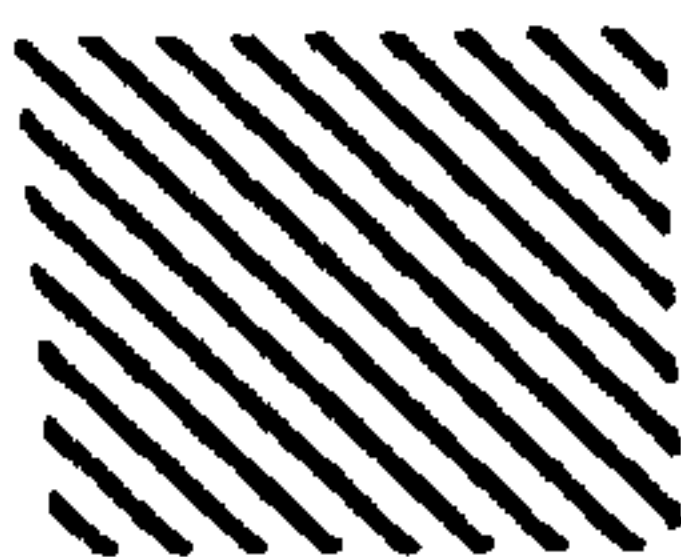
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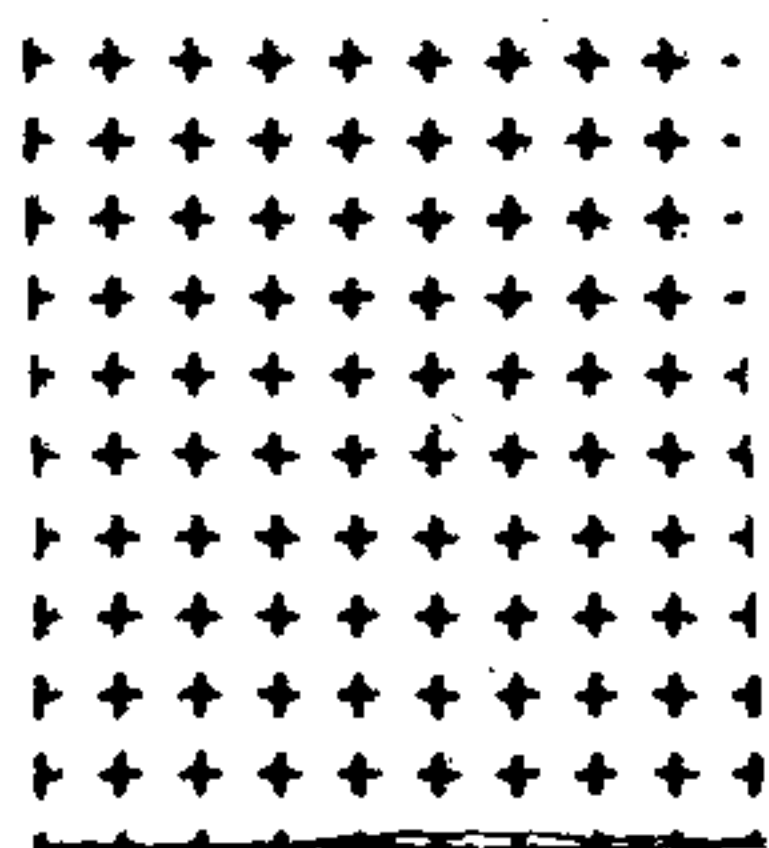
Exhibit C

SHADING SYMBOLS

CHELSEA  
CORPORATE  
LIMITS



TERRITORY PENDING  
ANNEXATION INTO  
CHELSEA



Tax Map Numbers

8-09-07

8-09-07-35

8-15-01

