

**Town of Westover**  
P.O. Box 356  
Westover, Alabama 35185

**Certification  
Of  
Annexation Ordinance**

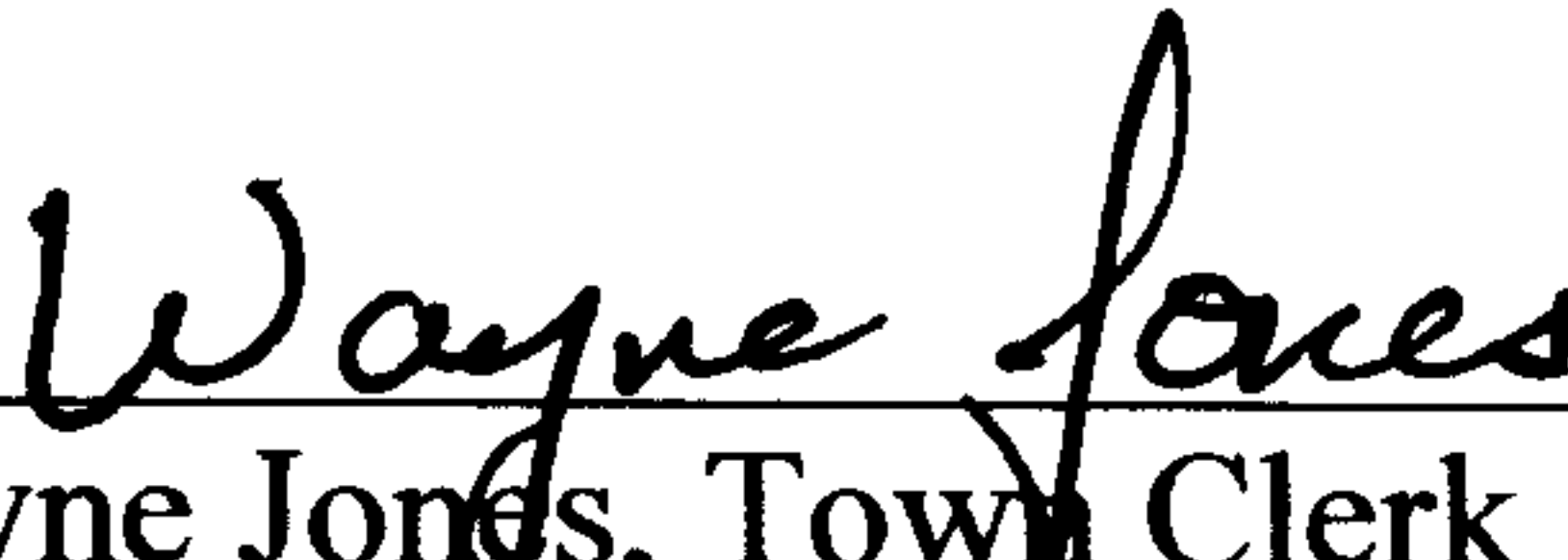
Ordinance Number: 2005-11-15-068

Property Owner(s): Farmer Development LLC

Property: 16-2-04-0-000-002.002

I, Wayne Jones, town clerk of the Town of Westover, Alabama  
Hereby certify the attached to be a true and correct copy of an  
Ordinance adopted by the Town Council of Westover, at the regular  
meeting held on 15 November, 2005, as same appears in the minutes  
of record of said meeting, and published by posting copies thereof on  
November 29, 2005 at the places listed below, which copies remained  
posted for five (5) business days through December 5, 2005.

Westover Town Hall, 3312 Westover Road, Westover, Alabama 35147  
Westover Water Authority, US Highway 280, Westover, Alabama 35147  
Westover Leisure Wear, 4769 Old Highway 280, Westover, Alabama 35147

  
\_\_\_\_\_  
Wayne Jones, Town Clerk

## Town of Westover

**Annexation Ordinance No. 2005-11-15-068**

Property owner(s): Farmer Development

Property: 16-2-04-0-000-002.002

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 property be annexed to the Town of Westover has been filed with the Westover town clerk; and

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

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

**Whereas**, said property is contiguous to the corporate limits of Westover, or is a part of a group of properties submitted at the same time for annexation together is contiguous to the corporate limits of Westover;

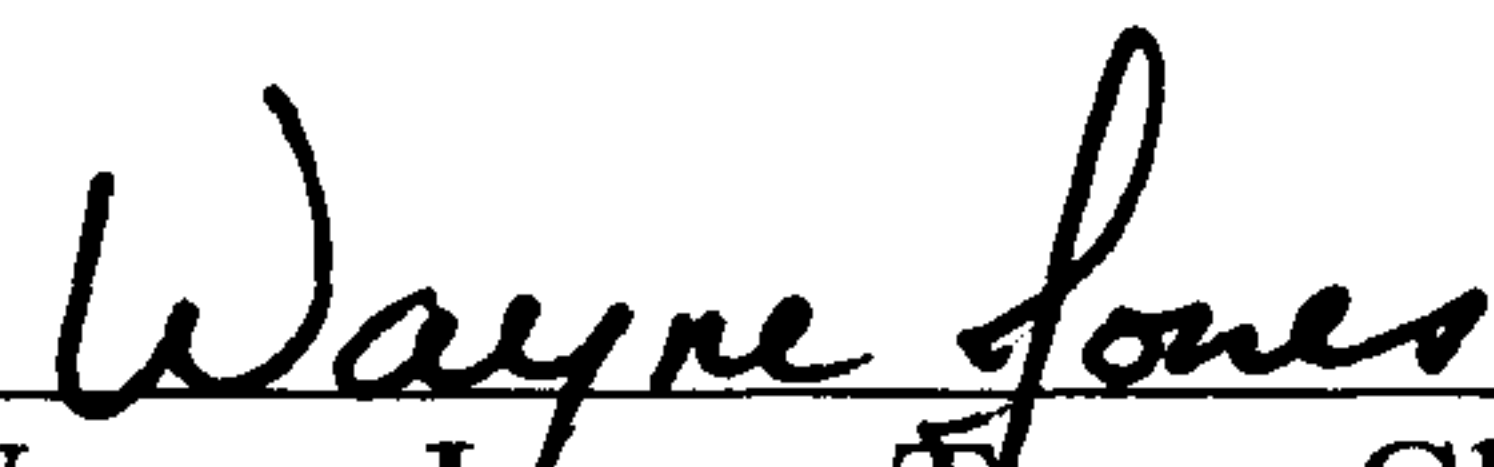
**Whereas**, said territory does not lie within the corporate limits of any municipality.

**Therefore, be it ordained** that the town council of the Town of Westover assents to the said annexation; and

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

  
\_\_\_\_\_  
Mayor, Mark McLaughlin

Passed and approved 15<sup>th</sup> day of November, 2005

  
\_\_\_\_\_  
Wayne Jones, Town Clerk



# PETITION FOR ANNEXATION TOWN OF WESTOVER, AL.

The undersigned owner(s) of the property described below, which is described in the attached "Exhibit A" and is contiguous to the corporate limits of Westover, Alabama do hereby petition the town of Westover to annex said property into the corporate limits of the municipality.

Name: Farmer Dev. LLC + Building Resources Inc.

Property Address: Metes + Bounds Attached

City/State/Zip Code: 120 Yeager Place Pelham AL 35124

Telephone Number: 205-620-4766

Parcel ID Number: 08-8-33-0-000-025,000; 16-2-04-0-000-002.002  
(As listed on property tax notice)

Number of registered voters residing at this Parcel None

## SIGNATURE OF PROPERTY OWNER(S)

(All owners listed on the deed must sign)

[Signature]

[Signature]

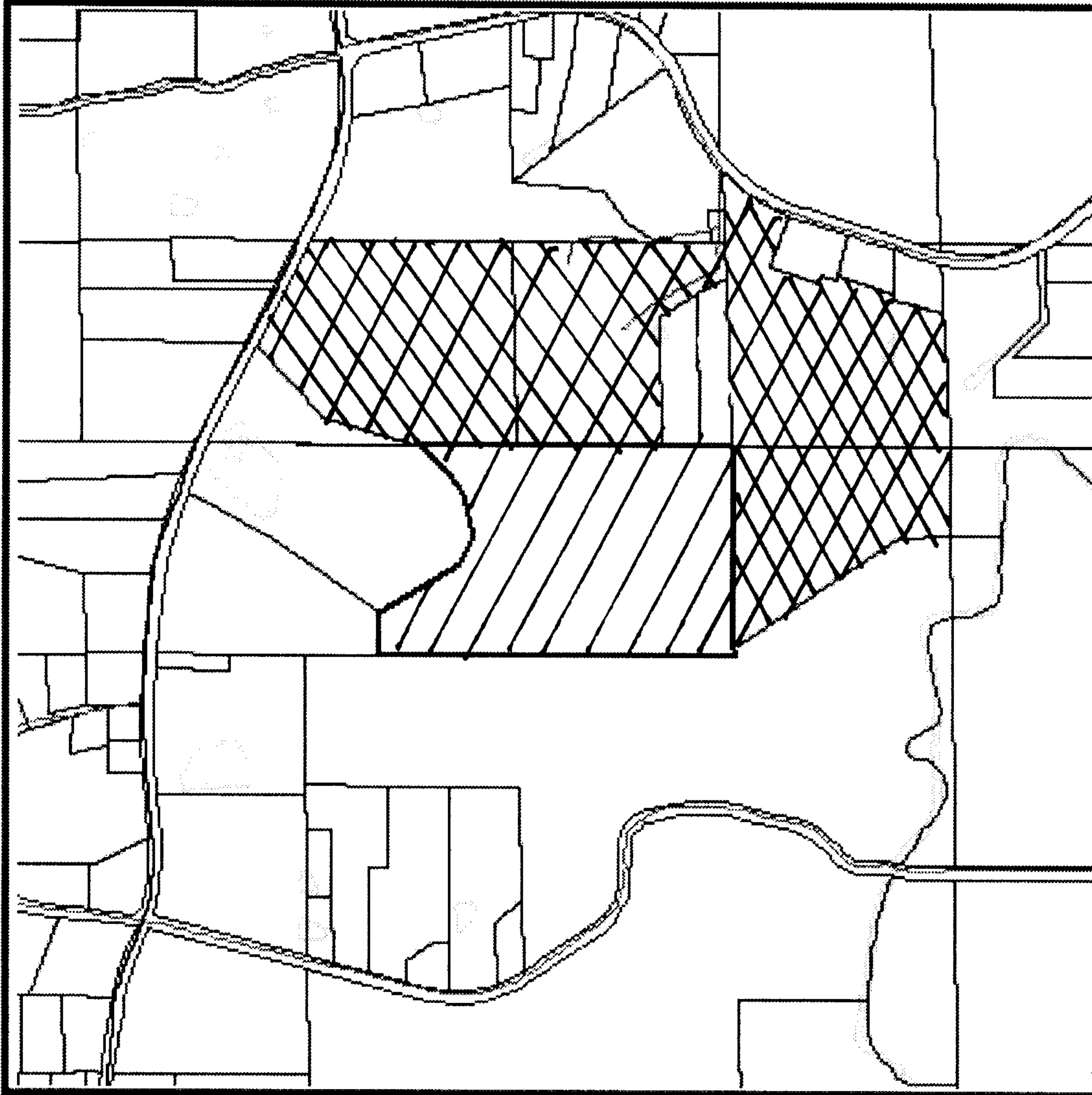
Peter C. Powell



20051130000620160 3/8 \$32.00  
Shelby Cnty Judge of Probate, AL  
11/30/2005 03:48:14PM FILED/CERT

PLEASE RETURN COMPLETED PETITION IMMEDIATELY TO THE PERSON  
PROVIDING THE PETITION, OR MAIL TO:  
**WESTOVER ANNEXATION COMMITTEE • P.O. BOX 356 • WESTOVER, AL**  
**35185 Phone 678-3376**



**Property Information - 16 2 04 0 000 002.002****Owner Information**

Name 1	Name2	Address 1	Address 2	City	State	Zip Code
PATE		7512 HWY		WILSONVILLE	AL	35186
DONALD R		55				
JR						

Subdivision	Primary Lot	Secondary Lot	Block	Section	Township	Range
			000	4	20S	01E

Map Book	Map Page	Lot Dimension 1	Lot Dimension 2	Number of Acres	Square Feet
0	0	0	0	56.01	2439796

**Description**

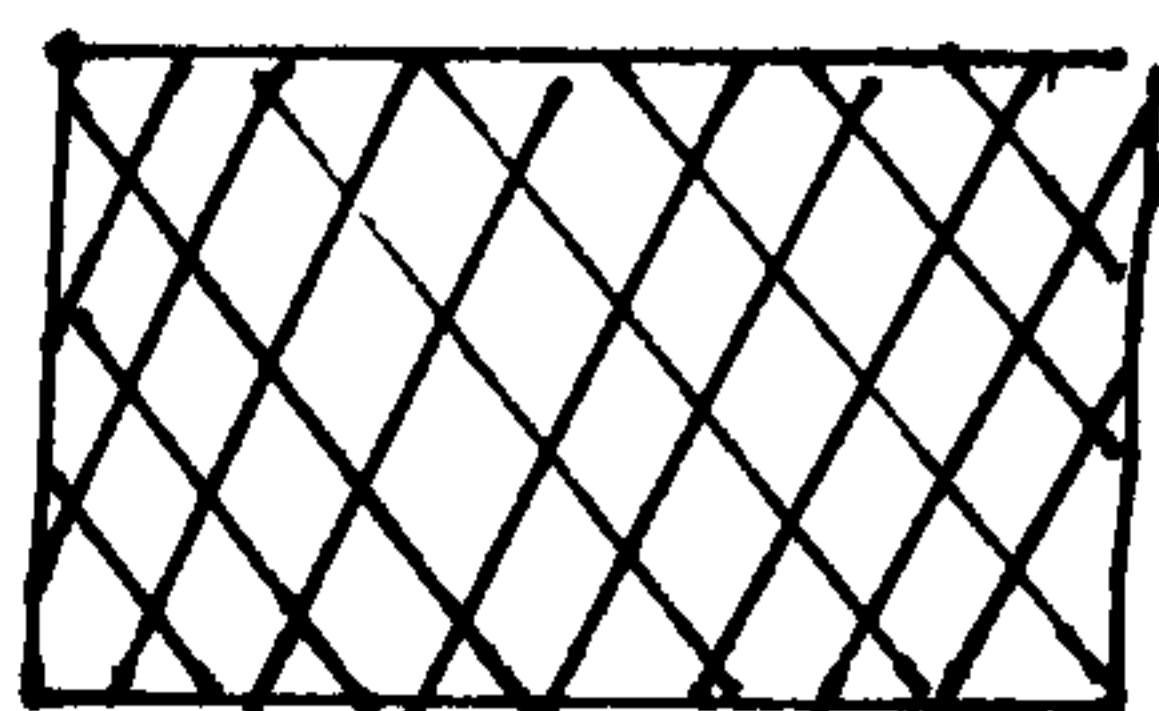
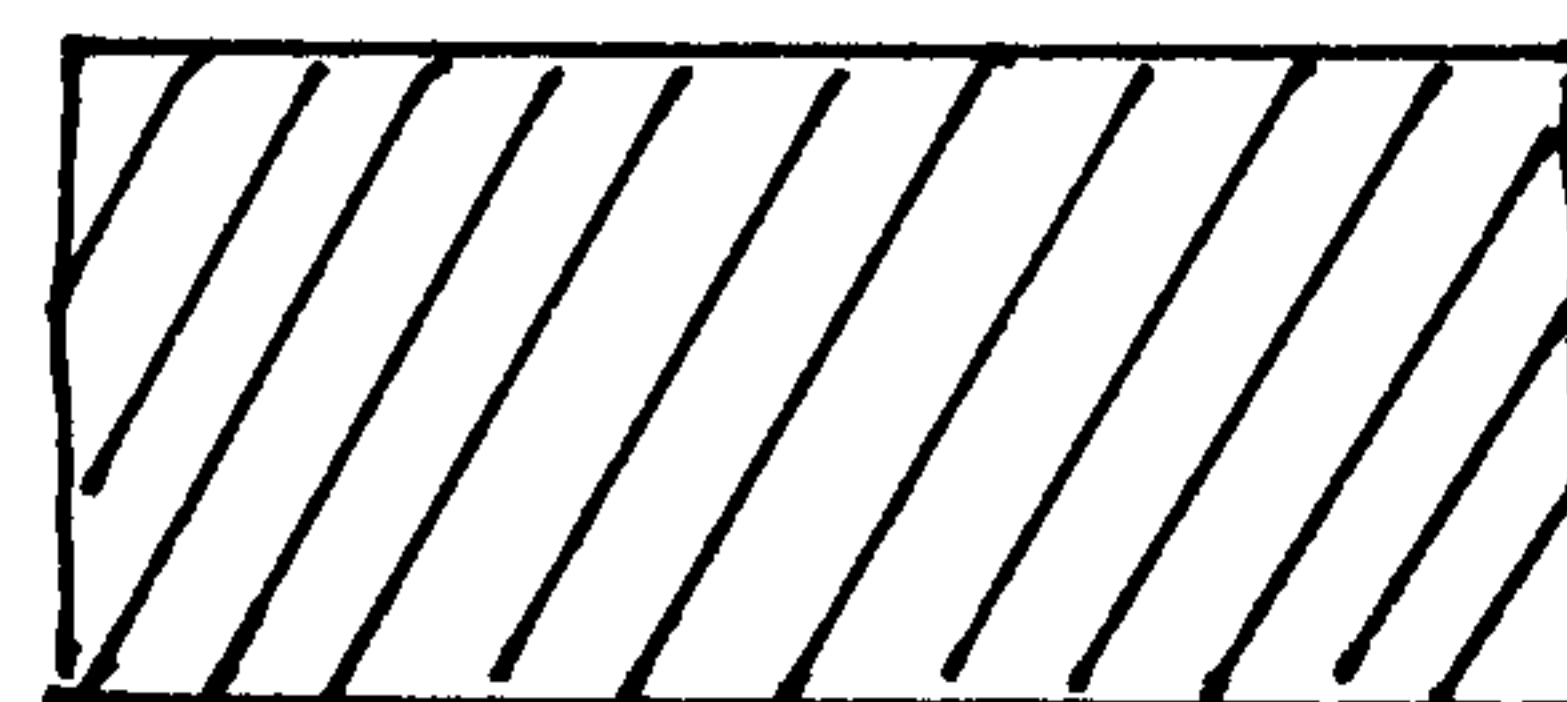
BEG NW COR NW1/4 NE1/4 E1338.54 TO NE COR NW1/4 NE1/4 SLY1318.37  
WLY2210.23 N 267.29 NE783.34 NW TO SEC LN E TO POB

**Document Information**

Recorded Date	Recorded Number
19961206	19960004110300000
19961206	19960004110200000



20051130000620160 4/8 \$32.00  
Shelby Cnty Judge of Probate, AL  
11/30/2005 03:48:14PM FILED/CERT

*Annexed**To Be Annexed*



**This Instrument Prepared By:**  
Felton W. Smith  
Balch & Bingham  
P.O. Box 306  
Birmingham, Alabama 35201

**Send Tax Notice To:**  
Donald R. Pate, Jr.  
P.O. Box 11325  
Birmingham, AL 35202

**STATE OF ALABAMA**

**COUNTY OF SHELBY**

**TRUSTEE'S DEED**

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by DONALD R. PATE, JR. ("Grantee") to SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION, a national banking association, AS CUSTODIAN OF SELF-DIRECTED INDIVIDUAL RETIREMENT CUSTODIAL ACCOUNT FBO DR. ROY T. PRESTON ("Grantor"), the receipt and sufficiency of which is hereby acknowledged, the said Grantor does by these presents, grant, bargain, sell and convey unto the said Grantee, that certain real estate, situated in Shelby County, Alabama, and described on Exhibit A hereto (the "Property").

**This conveyance of the Property is subject to the following:**

1. Current ad valorem taxes.
2. Mineral and mining rights not owned by Grantor.
3. Applicable zoning ordinances.
4. Easements, rights-of-way, set-back lines, restrictions, reservations, encumbrances and all other matters of record.
5. Encroachments, overlaps, boundary line disputes and matters that would be revealed by an accurate survey and inspection of the Property.
6. Right of Way granted to Alabama Power Company by instrument recorded in Volume 103, page 182, in the Probate Office of Shelby County, Alabama.
7. Right of Way to Shelby County, recorded in Volume 147, page 571, in the Probate Office of Shelby County, Alabama.
8. Mineral and mining rights and rights incident thereto recorded in Volume 256, page 398, in the Probate Office of Shelby County, Alabama. (1/2 interest)
9. Easement for Alabama Power Company recorded in Real 273, page 189, in the Probate Office of Shelby County, Alabama.
10. Easement referred to in deeds recorded in Real 236, page 76 and Real 242, page 339 in the Probate Office of Shelby County, Alabama.

12/13/1996-41103  
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Shelby Cnty Judge of Probate, AL  
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Inst # 1996-41103



**TO HAVE AND TO HOLD**, to the said Grantee, his heirs, successors and assigns forever.

This conveyance of the Property is made without warranty or representation of any kind on the part of the said Trustee, express or implied.

This deed is executed by SouthTrust Bank of Alabama, National Association, solely in its capacity as Trustee of the above-described Pension Profit Sharing Plans, and under its powers and authority contained in said trust and neither this instrument nor anything herein contained shall be construed as creating any indebtedness or obligation on the part of SouthTrust Bank of Alabama, National Association in its individual or corporate capacity. It is understood that SouthTrust Bank of Alabama, National Association is not a party hereto in its individual or corporate capacity and shall not be liable hereunder on any account whatsoever.

By his signature below, Roy T. Preston, as beneficiary of said trust and the above-described Pension Profit Sharing Plans, hereby consents to this conveyance.

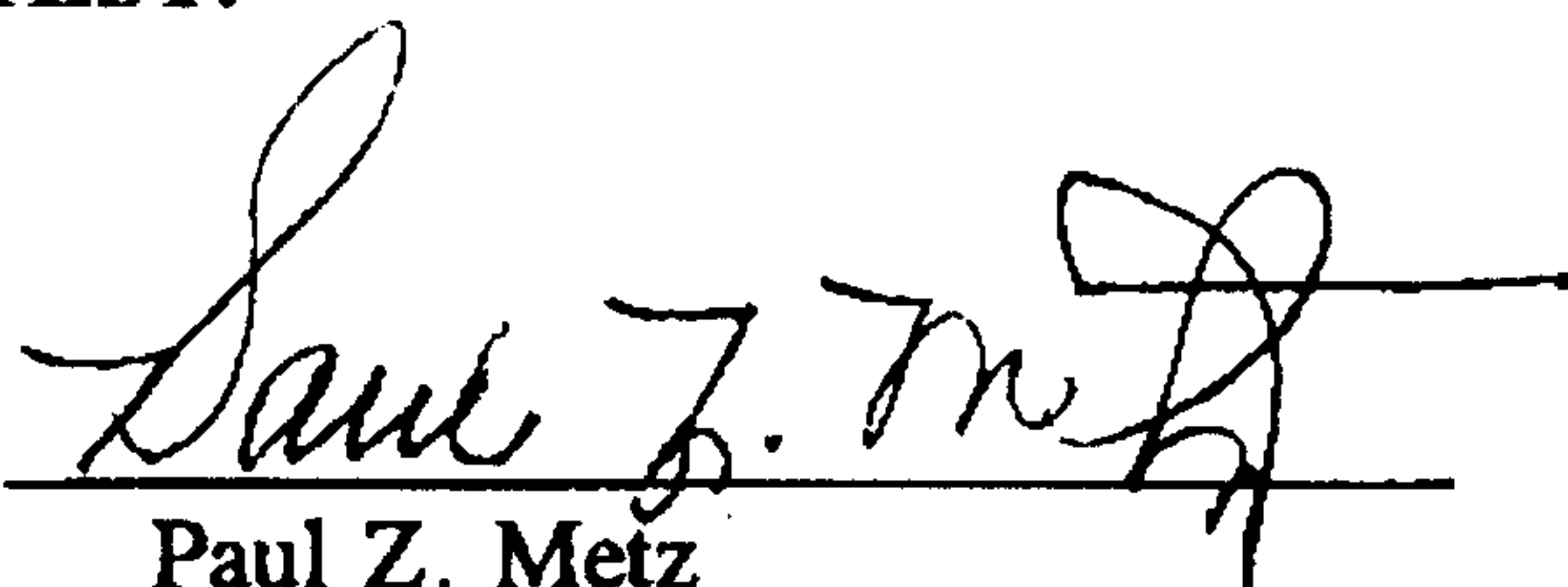
**IN WITNESS WHEREOF**, the said Grantor, by its duly authorized officer, has caused this conveyance to be executed in its capacity as Trustee of the above-described Pension Profit Sharing Plans, this 6th day of December, 1996.

(SEAL)

**SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION, a national banking association, AS CUSTODIAN OF SELF-DIRECTED INDIVIDUAL RETIREMENT CUSTODIAL ACCOUNT FBO DR. ROY T. PRESTON**

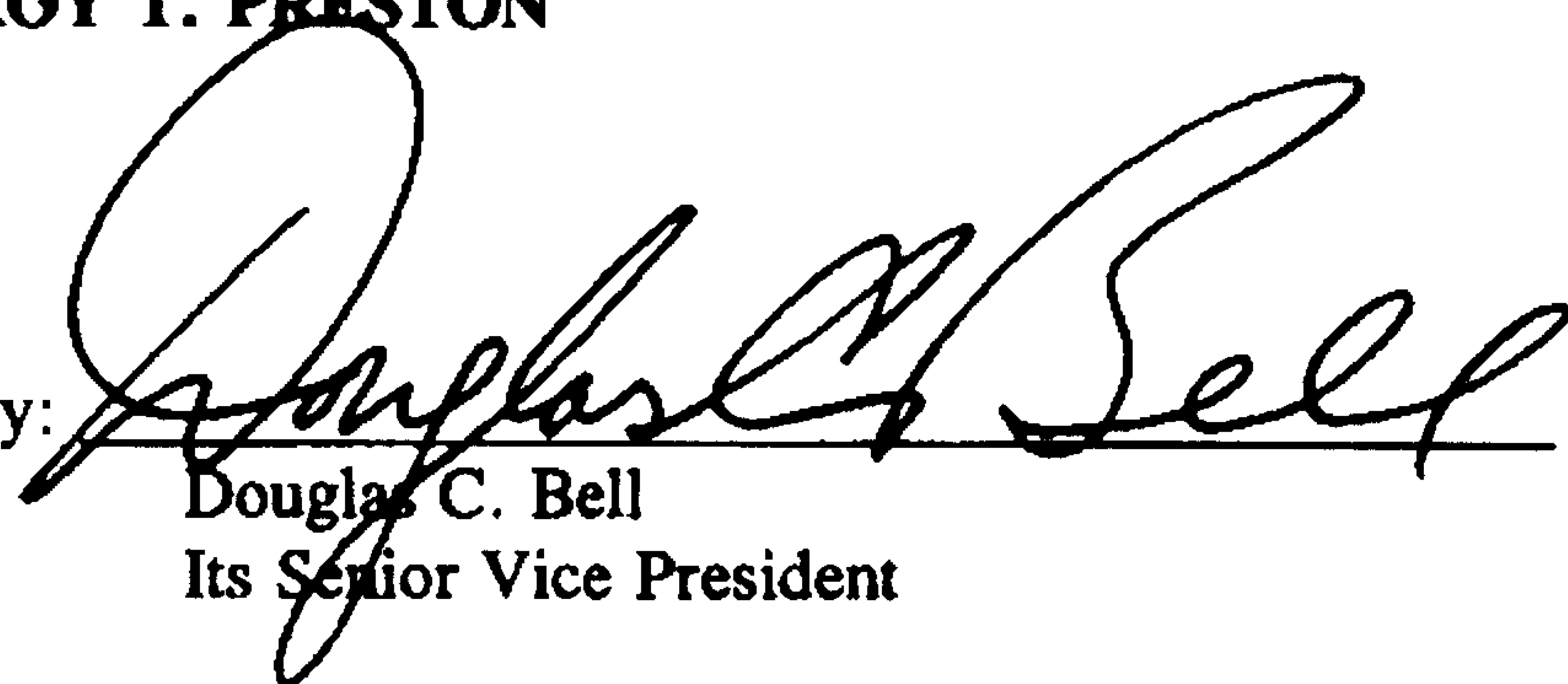
**ATTEST:**

By:



Paul Z. Metz  
Its Senior Trust Officer

By:

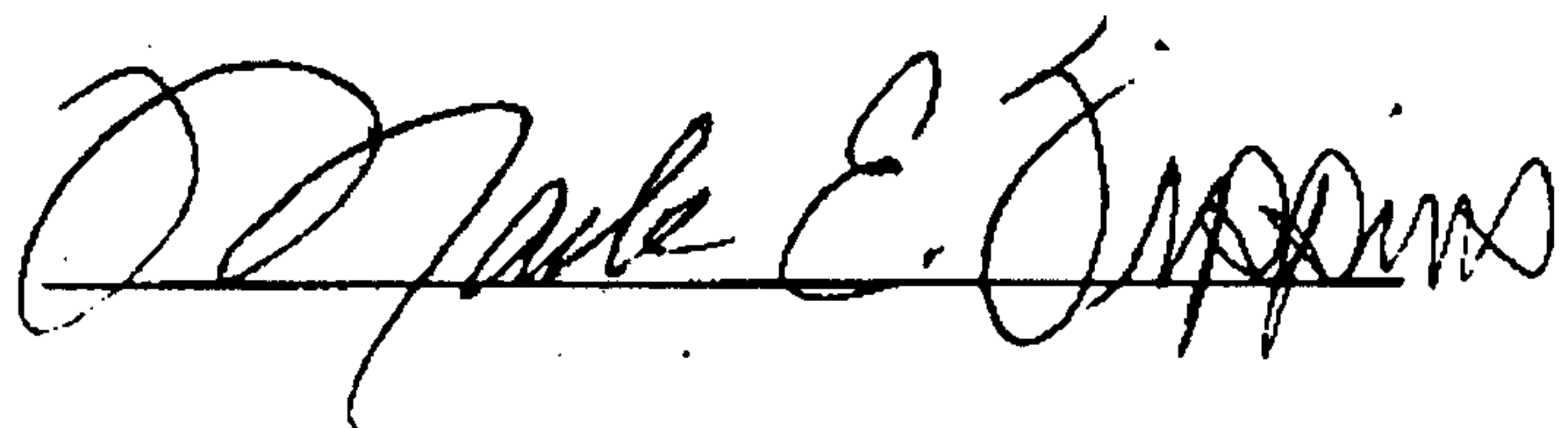


Douglas C. Bell  
Its Senior Vice President

**CONSENT OF BENEFICIARY**

The undersigned, as beneficiary of said custodial account, hereby consents to this conveyance.

**WITNESS:**





Dr. Roy T. Preston

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, Stephanie L. Lewis, a notary public in and for said county in said state, hereby certify that **Douglas C. Bell**, whose name as Senior Vice President of **SOUTHTRUST BANK OF ALABAMA, NATIONAL ASSOCIATION**, a national banking association, AS **CUSTODIAN OF SELF-DIRECTED INDIVIDUAL RETIREMENT CUSTODIAL ACCOUNT FBO DR. ROY T. PRESTON**, 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 such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said SouthTrust Bank of Alabama, National Association, acting in its capacity as Custodian as aforesaid.

Given under my hand and official seal this 6<sup>th</sup> day of December, 1996.

Stephanie L. Lewis  
Notary Public

[ Notarial Seal ]

My Commission Expires: 7/10/2000

STATE OF ALABAMA

COUNTY OF JEFFERSON

I, Stephanie L. Lewis, a notary public in and for said county in said state, hereby certify that **Dr. Roy T. Preston**, whose name 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 such instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 6<sup>th</sup> day of December, 1996.

Stephanie L. Lewis  
Notary Public

[ Notarial Seal ]

My Commission Expires: 7-10-2000

Trustee's Deed

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EXHIBIT "A"

All that real property situated in the south half of the SW 1/4, Section 33, Township 19 South, Range 1 East and the north half of the NW 1/4 and NW 1/4 - NE 1/4, Section 4, Township 20 South, Range 1 East, Shelby County, Alabama, and legally described as follows:

Commence at the southwest corner of the NW 1/4 of the NW 1/4 of Section 4, Township 20 South, Range 1 East, Shelby County, Alabama, and run thence South 87° 51' 31" East along the south line of said quarter-quarter a distance of 454.34' to a point on the easterly right of way line of Shelby County Road No. 55 and the point of beginning of the property being described, thence continue along last described course on the same bearing of South 87° 51' 31" East a distance of 880.29' to a point; thence run South 88° 15' 07" East a distance of 1,333.27' to a point; thence run South 88° 41' 14" East a distance of 1,409.04' to an existing fence corner; thence run North 1° 13' 57" West a distance of 1,318.37' to an existing fence corner; thence run North 88° 35' 15" West along an existing fence line a distance of 1,338.54' to an existing fence corner; thence run North 1° 23' 59" East along an existing fence line a distance of 1,332.77' to an existing fence corner; thence run North 87° 20' 48" West along an existing fence a distance of 1,195.77' to a point on the same said easterly right of way line of same said Shelby County Road No. 55 in a curve to the right having a central angle of 2° 58' 54" and a radius of 9,066.57'; thence run along the arc of said curve along the said right of way line of said road an arc distance of 471.82' to the P.T. (point of tangency) of said curve; thence run South 28° 28' 17" along said right of way line a distance of 336.40' to the P.C. (point of curvature) (beginning of a curve) of a curve to the right having a central angle of 3° 07' 40" and a radius of 5,534.14', thence continue along the arc of said right of way curve an arc distance of 302.11' to the P.T. of said curve, thence run South 31° 35' 56' West a distance of 120.05' to the P.C. of a curve to the left having a central angle of 11° 41' 23" and a radius of 2,160.00'; thence continue along the arc of said right of way line curve an arc distance of 440.70' to the P.T. of said curve, thence run South 19° 54' 34" West along said right of way line a distance of 205.48' to the P.C. of curve to the right having a central angle of 4° 17' 23" and a radius of 3,175.00'; thence continue along the arc of said right of way line curve an arc distance of 237.71' to the P.R.C. (point of reverse curve) of a curve to the left having a central angle of 18° 16' 24" and a radius of 1,510.00 feet, thence continue along the arc of said right of way line curve an arc distance of 481.59' to the P.T. of said curve, thence run South 5° 55' 33" West, a distance of 281.77' to the point of beginning.

LESS AND EXCEPT ALL OF THE FOLLOWING:

Commence at the Southwest corner of the Northwest Quarter of the Northwest Quarter of Section 4, Township 20 South, Range 1 East, as per plat of survey dated October 24, 1988 by Joseph Conn, Jr. (Ala. Reg. #9049); run thence South 87° 51' 31" East for 1334.6 feet; run thence South 88° 15' 07" East for 765.91 feet; run thence North 1° 44' 53" East for 546.80 feet to the point of beginning; run thence North 58° 32' 20" East for 400 feet; run thence North 31° 27' 40" West for 550 feet; run thence South 58° 32' 20" West for 400 feet; run thence south 31° 27' 40" East for 550 feet to the point of beginning. Said land being in the Northwest Quarter of Section 4, Township 20 South, Range 1 East, of the Huntsville Principal Meridian, Shelby County, Alabama.

Inst # 1996-41103

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