

20051229000670510 1/14 \$50.00
Shelby Cnty Judge of Probate, AL
12/29/2005 03:39:50PM FILED/CERT

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

**Certification
Of
Annexation Ordinance**

Ordinance Number: 2004-12-07-042

Property Owner(s): Thomas Land Company, LLC

Property: 08-6-24-0-000-002.000

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 07 December, 2004, as same appears in the minutes
of record of said meeting, and published by posting copies thereof on
December 13, 2004 at the places listed below, which copies remained
posted for five (5) business days through December 20, 2004.

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

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Annexation Ordinance No. 2004-12-07-042

Property owner(s): Thomas Land Company, LLC

Property: 08-6-24-0-000-002.000

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

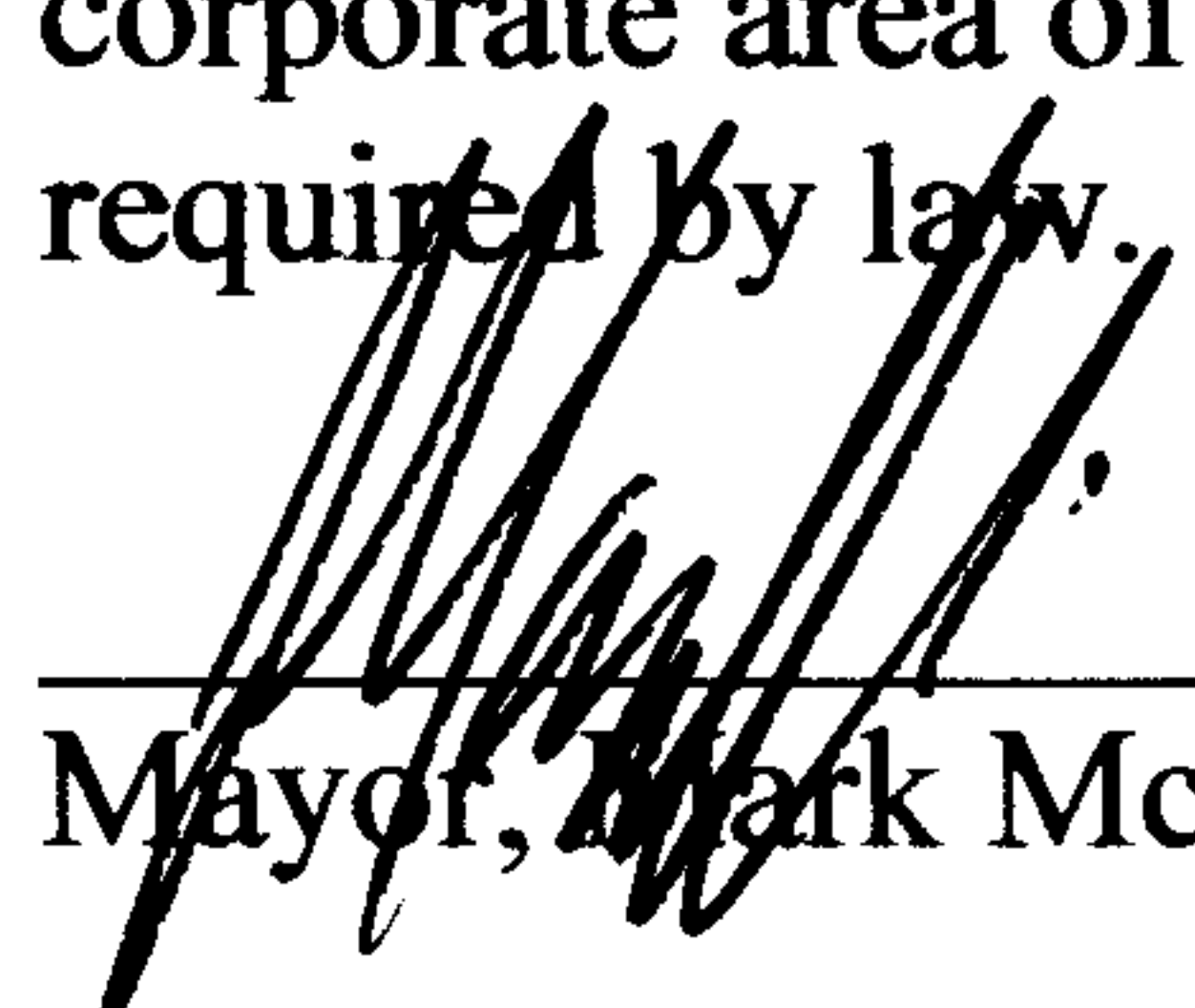
Whereas, said petition contains (as Petition Exhibit A) an accurate description of said property together with a map of said property (Exhibit B) showing the relationship of said property to the corporate limits of Westover; and

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.

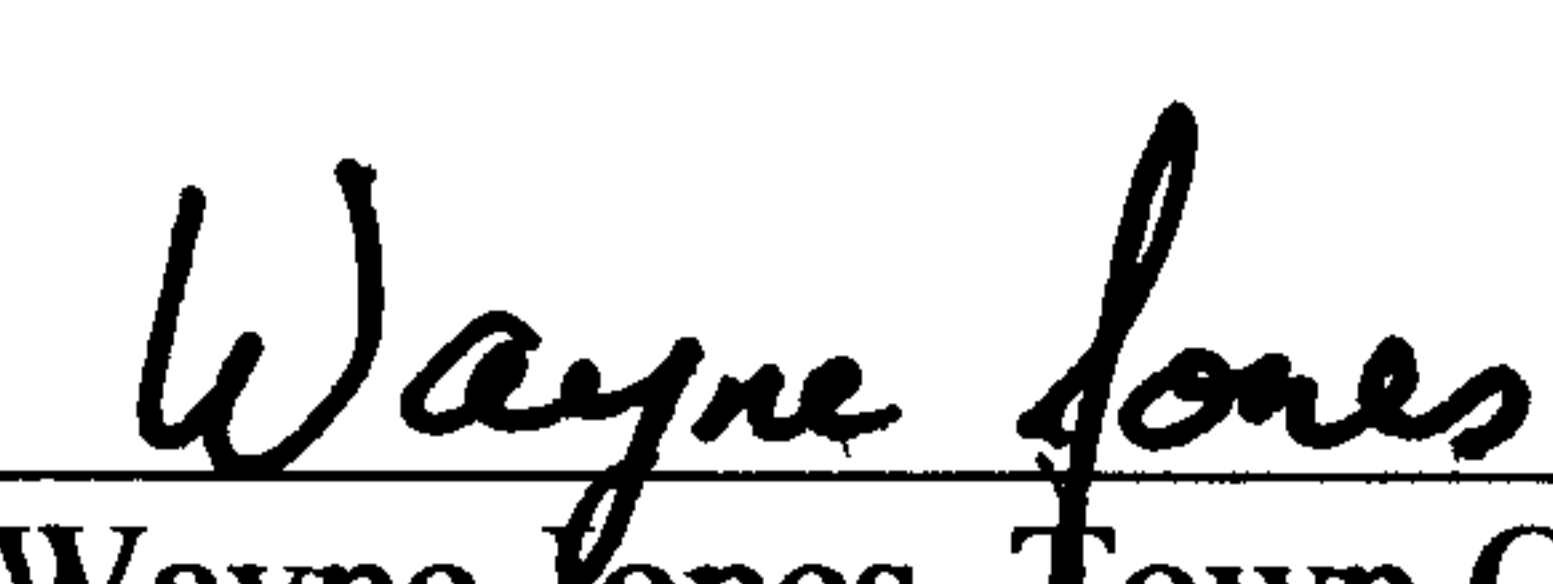
Therefore, be it ordained that the town council of the Town of Westover assents to the said annexation; and

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 7 day of December, 2004



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: THOMAS LAND COMPANY, LLC

PROPERTY ADDRESS: SHELBY COUNTY ROAD 280

CITY/STATE/ZIP CODE: NONE/ALABAMA/ 35185

TELEPHONE NUMBER: 205-870-9134

PARCEL ID NUMBER: 08-6-24-0-000-002.000
(As listed on property tax notice)

SIGNATURE OF PROPERTY OWNER(S)
(All owners listed on the deed must sign)

Terbert N. Thomas


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PLEASE RETURN COMPLETED PETITION IMMEDIATELY TO THE PERSON
PROVIDING THE PETITION, OR MAIL TO:
WESTOVER ANNEXATION COMMITTEE, P.O. BOX 356, WESTOVER 35185

"CORRECTIVE DEED"

THIS INSTRUMENT PREPARED BY:

SEND TAX NOTICE TO:

THOMAS L. FOSTER, ATTORNEY
1201 NORTH 19TH STREET
BIRMINGHAM, AL 35234

Thomas Land Co. Inc.
3320 Brookwood Rd
Mobile, AL 36688

WARRANTY DEED (Without Survivorship)

STATE OF ALABAMA)
JEFFERSON COUNTY)

08/26/1999-35842
10:38 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
000 CM 17.00

20051229000670510 5/14 \$50.00
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That in consideration of -One Thousand and 00/100---(\$1,000.00) DOLLARS
to the undersigned GRANTOR (whether one or more), in hand paid by the GRANTEE herein, the receipt
whereof is acknowledged, I or we,

Herbert H. Thomas and wife, Louise P. Thomas
(herein referred to as GRANTOR, whether one or more), grant, bargain, sell and convey unto

Thomas Land Company, L.L.C.
(herein referred to as GRANTEE, whether one or more), the following described real estate, situated in
SHELBY County, Alabama, to-wit:

See attached Exhibit "A" for legal description.

Subject to existing easements, restrictions, encumbrances, rights of way, limitations,
if any, of record.

Subject to ad valorem taxes for the current tax year.

This deed is given to correct that certain deed recorded in Inst. #1997-258,
wherein the acknowledgment does not comply to Alabama State Law.

TO HAVE AND TO HOLD to the grantee, his, her or their heirs and assigns forever.
And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant
with the said GRANTEE, their heirs and assigns, that I am (we are) lawfully seized in fee simple of
said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we)
have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs,
executors and administrators shall warrant and defend the same to the said GRANTEE, their heirs
and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 24th day of August,
1999.

Herbert H. Thomas (Seal)
Herbert H. Thomas

Louise P. Thomas (Seal)
Louise P. Thomas

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that
Herbert H. Thomas and wife, Louise P. Thomas whose name 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 conveyance, they executed the same voluntarily on the day
the same bears date.

Given under my hand and official seal this 24 day of August, 1999.

Am. J. Moad
Notary Public

NOTARY PUBLIC STATE OF ALABAMA
MY COMMISSION EXPIRES: August, 2002
BONDED FOR NOTARY PUBLIC UNDERWRITERS

EXHIBIT "A"

PROPERTY DESCRIPTION



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(A) The Southeast Quarter of Northeast Quarter (SE $\frac{1}{4}$ of NE $\frac{1}{4}$); also a strip of land of uniform width of 423.7 feet across the East side of the Southwest Quarter of Northeast Quarter (SW $\frac{1}{4}$ of NE $\frac{1}{4}$); all in Section 8, Township 19 South, Range 2 East.

(B) A parcel of land in the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 9, Township 19 South, Range 2 East, described as follows: Beginning at the Northwest corner of the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$); thence South 79 degrees East for a distance of 12.80 chains to the center line of the Calcis Road; thence South 37 degrees 30 minutes West along center line of such road for a distance of 5.25 chains; thence South 40 degrees 30 minutes West continuing along said road and an old county road for a distance of 7.65 chains; thence South 55 degrees West continuing along center line of an old county road for a distance of 1.96 chains to a point in the center of the driveway to Pauline Armstrong's house; thence North 82 degrees West along center line of said driveway for a distance of 2.74 chains to an iron pin located on the West line of the Southeast Quarter of Northwest Quarter (SE $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 9; thence North along said line for a distance of 13 chains to the point of beginning.

(C) The Southwest Quarter of Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$) of Section 9, Township 19 South, Range 2 East, less the following described two parcels of land:

(1) A parcel of land containing 4 acres, more or less, described as follows: Beginning at the Northeast corner of the Southwest Quarter of Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$); thence South along East line of said forty for a distance of 10.92 chains to an iron pin, this being the Northeast corner of the Pauline Armstrong homeplace; thence North 80 degrees West for a distance of 8.00 chains to an iron pin; thence South for a distance of 5.00 chains to an iron pin; thence South 80 degrees East for a distance of 8.00 chains to a wooden stake; thence North for a distance of 5.00 chains to the point of beginning of said tract. All bearings refer to the true meridian.

GENERAL WARRANTY DEED



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2.

(2) A parcel of land containing 3.6 acres, more or less, described as follows: Beginning at the Southeast corner of the Southwest Quarter of Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$), thence North for a distance of 4.08 chains to a wooden stake; thence North 80 degrees West for a distance of 8.00 chains to an iron pin; thence south for a distance of 5.22 chains to an iron pin located on the South line of the Southwest Quarter of Northwest Quarter (SW $\frac{1}{4}$ of NW $\frac{1}{4}$); thence East along said line for a distance of 8.00 chains to the point of beginning.

EXCEPT easements to Plantation Pipe Line Company of record.



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Shelby County, Alabama, to-wit:

All that property lying north of the Spring Creek Road, and east of the Old Harpersville-Calcis road, and west of the New Harpersville-Calcis road, also known as Shelby County road #467, in Section 9, Tp. 19 South, R 2 East, the same being a triangular piece of property of approximately one and one-half (1½) acres. Said property is bounded on the south by the Benny F. Foster property and on the west by the Herbert H. Thomas property, and on the north by the James Owens property and on the east by Shelby County Highway #467.

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EXHIBIT "A"

PROPERTY DESCRIPTION

W 1/2 of NE 1/4, Section 4, Township 24, Range 14 E, situated in Shelby County, Alabama.

Also, all existing timber excepted.



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EXHIBIT "A"
PROPERTY DESCRIPTION

East 1/2 of SE1/4 of Section 13, Township 19, Range 1 East and West 1/2 of SW1/4 of Section 18, Township 19, Range 2 East, in Shelby County, Alabama. One-half interest in mineral rights excepted.

Legend H. Amberson and
Frances V. Amberson

Together with the right to the use of a non-exclusive easement to be used for road purposes only as more particularly described in the easement agreement from Hammiemill Paper Company to ~~Legend H. Amberson and Frances V. Amberson~~ dated to-wit, July 21, 1966 and filed in the Office of the Judge of Probate of Shelby County, Alabama, ~~Legend H. Amberson and Frances V. Amberson~~

EXHIBIT "A"

PROPERTY DESCRIPTION



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PARCEL 1:

The West 1/2 of the SE1/4 of Section 13, Township 19 South, Range 1 East, situated in Shelby County, Alabama.

PARCEL 2:

The West 50 feet of the NW1/4 of NE1/4 of Section 24, Township 19 South, Range 1 East, situated in Shelby County, Alabama, and that part of the West 100 feet of SW1/4 of NE1/4 of Section 24, Township 19 South, Range 1 East, lying North of right of way of Florida Short Route Highway, situated in said County.

EXHIBIT "A"

A part of the Northwest 1/4 of the Southwest 1/4 of Section 18,
Township 19 South, Range 2 East and being more particularly described
as follows:

Begin at the Northeast corner of the said 1/4-1/4 section for the
point of beginning; thence run Southerly 420 feet along the 1/4-1/4
section line to a point; thence run Westerly 312 feet to a point;
thence Northerly 420 feet, more or less, to the North boundary line
of 1/4-1/4 section; thence Easterly 312 feet, more or less, to the
point of beginning.


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Inst # 1999-35842

08/26/1999-35842
10:33 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
008 CRH 27.00

**MINUTES OF ACTION BY WRITTEN CONSENT
IN LIEU OF SPECIAL MEETING
OF THE MANAGERS
OF THOMAS LAND COMPANY, L.L.C.**


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In lieu of the special meeting of the Managers of **THOMAS LAND COMPANY, L.L.C.** (the "Company"), a Alabama limited liability company, the undersigned Managers of the Company, who constitute all of the Managers of the Company, in accordance with the bylaws, hereby approve and consent to the following resolutions:

I. **Authorization To Sell Real Estate of Company.**

RESOLVED, that Herbert H. Thomas, M.D. as President of the Company shall be, and hereby is, authorized to negotiate, contract and sell any parcels of real estate held by the Company in his sole discretion and as he deems advisable and in the best interest of the Company; and

RESOLVED FURTHER, that Herbert H. Thomas, M.D. as President of the Company is authorized to take any and all actions necessary to negotiate, contract and sell such parcels of real estate, including but not limited to, execution of the closing documents.

II. **Ratification and Indemnity of Officer of Company.**

RESOLVED, that the Company hereby ratify, confirm and adopt as the acts of this Company, all prior actions of Herbert H. Thomas, M.D. purporting to act on behalf of the Company, and that the Company indemnify and hold harmless Herbert H. Thomas, M.D. in connection therewith.

ROM : HTHOMAS
DEC-11-08 MON 21:31 DELMAR'S BODACIOUS B-E-Q P.01

Dec. 12 2000 11:04AM P3

PHONE NO. :

FROM : HTHOMAS

12/11/2000 22:04

3342691289

PHONE NO. :

Dec. 11 2000 10:29PM P3

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FROM : HTHOMAS
MUNNY LNU FIRM

PHONE NO. :
TEL: 214-302 7817

Dec. 11 2000 10:28PM P3

Dec 11:00 21:31 No 001 P 03

Each Manager, by signing this consent, waives notice of the time, place, and purpose of the special meeting of the Managers and agrees to the transaction of the business of the special meeting by unanimous written consent of the Managers in lieu of such special meeting. This written consent may be executed in two or more counterparts.

DATED this 11 day of December, 2000.



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APPROVED:

Robert H. Thomas, M.D.
Robert H. Thomas, M.D., Manager

Louise P. Thomas
Louise P. Thomas, Manager

Cathy Thomas Hill
Cathy Thomas Hill, Manager

Robert H. Thomas, III
Robert H. Thomas, III, Manager

Mary Foy Thomas Morris
Mary Foy Thomas Morris, Manager