

ORDINANCE NUMBER 04Q

COUNCIL MEMBER GOLDSMITH INTRODUCED THE FOLLOWING ORDINANCE.

COUNCIL MEMBER PENDLETON 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,

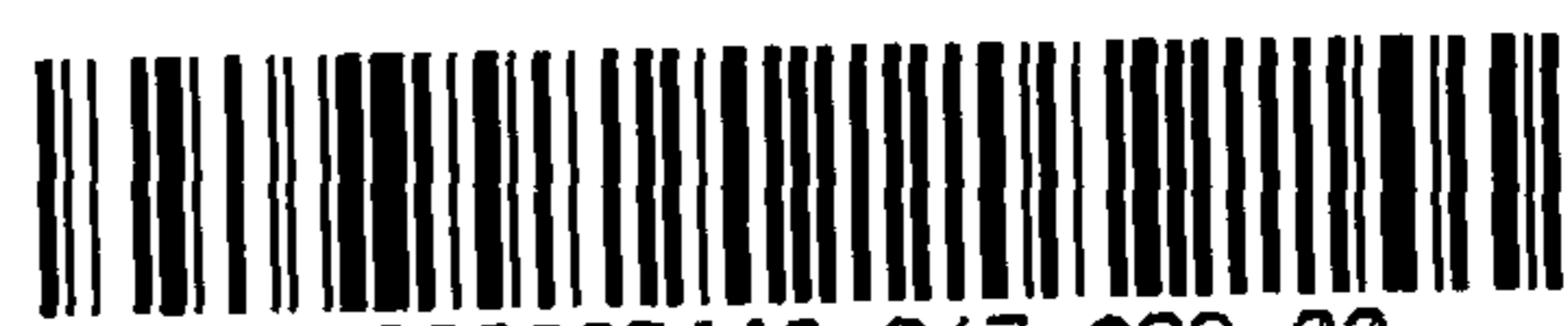
BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

- 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 Nathan Stamps and Mitchell Spears, 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. Annexation petitioners have requested D2 zoning.
- 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.

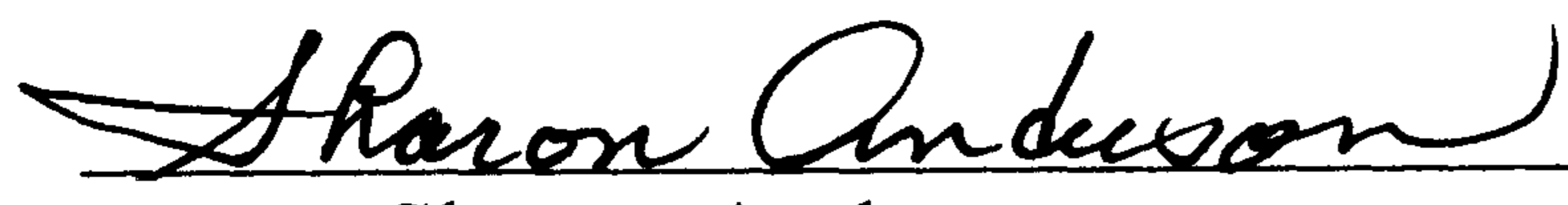
This ordinance shall become effective upon its passage and advertisement as

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provided by law.

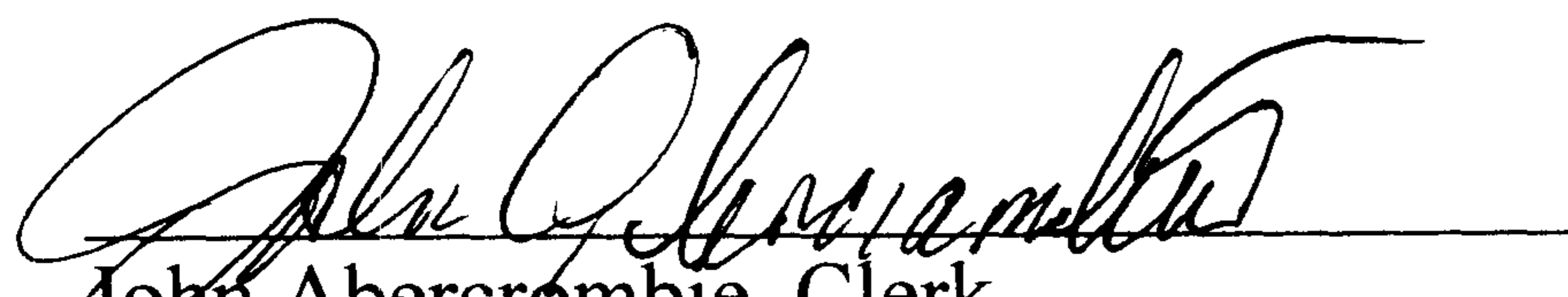

20060117000025440 2/7 \$29.00
Shelby Cnty Judge of Probate, AL
01/17/2006 02:24:04PM FILED/CERT

Approved and adopted this 11 October 2004.



Mayor Sharon Anderson

Attest:



John Abercrombie, Clerk

I certify that the attached Ordinance **04Q**, adopted by the Montevallo City Council on 11 October 2004, 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, 845 Valley Street, Montevallo

beginning 12 October 2004 and continuing for more than four weeks thereafter.

According to §11-45-8(b), Ordinance **04Q** therefore became effective 16 October 2004.



John Abercrombie
City Clerk

RESOLUTION 04Q_{IC}

RESOLUTION 04Q_{IC} TO SUSPEND THE AGENDA:

At the regular city council meeting of 11 October 2004, council member GOLDSMITH introduced and council member PENDLETON seconded Ordinance 04Q, consenting to the annexation of certain property N of the present city limits along Alabama Highway 119, upon the petition of Nathan Stamps and Mitchell Spears, and council member PENDLETON, seconded by council member COX, asked for the unanimous consent of those present that the agenda be suspended so as to give said ordinance immediate consideration.


Whereupon, Mayor Anderson 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 Byrd, Cost, Cox, Goldsmith, and Pendleton.

Nays: None


Whereupon Mayor Anderson 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 04Q.

Approved and adopted this 11 October 2004.



Sharon Anderson, Mayor

Attest:



John Abercrombie, Clerk

Petition for Annexation

042

Mayor Grady R. Parker
City of Montevallo
545 Main Street
Montevallo, AL 35115
205 665-2555

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.

D-2 Zoning is requested.

Nathan S. Stamps
Owner Nathan S. Stamps

Mitchell A. Spears
Owner Mitchell A. Spears
665-0095 or
665-5076

Telephone Number
P.O. Box 119
Montevallo AL 35115

Mailing Address
Hwy 119
Montevallo AL 35115

Physical Address

10-4-04

Date


Attached is a:

Legal description or

Tax Parcel Identification number: 27-1-02-0-000-001 or
(found on your tax notice)

Name of property owner as recorded on county records: Nathan S. Stamps
and Mitchell A. Spears

*STAMPS / SPEARS
LEGAL DESCRIPTION*


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Begin at the SE corner of Section 2, Township 22 South, Range 3 West, Shelby County, Alabama; thence North 89 degrees 45 minutes 44 seconds West along the South line of said section for a distance of 2584.75 feet; thence North 01 degree 11 minutes 00 seconds West for a distance of 150.05 feet; thence North 01 degree 29 minutes 41 seconds West for a distance of 146.99 feet; thence South 89 degrees 37 minutes 41 seconds West for a distance of 303.02 feet to the easterly right of way line of Alabama Highway 119; thence North 04 degrees 46 minutes 20 seconds West along said right of way line for a distance of 499.91 feet; thence North 87 degrees 57 minutes 41 seconds East and leaving said right of way for a distance of 2000.46 feet; thence North 02 degrees 21 minutes 50 seconds West for a distance of 556.36 feet; thence North 87 degrees 43 minutes 59 seconds East for a distance of 900.18 feet; thence South 02 degrees 21 minutes 50 seconds East for a distance of 1467.31 feet to the POINT OF BEGINNING.

According to the survey of Rodney Shiflett, dated July 20, 1999.

LESS AND EXCEPT

Commence at the Southeast corner of Section 2, Township 22 South, Range 3 West; thence run West along the South line of said Section 2 for 2333.78 feet; thence turn an angle to the right of 84 degrees 59 minutes 24 seconds and run North for 300.55 feet to the point of beginning; thence continue along the last described course for 415.40 feet; thence turn an angle to the left of 87 degrees 15 minutes 59 seconds and run West for 534.95 feet to a point on the East right of way of Alabama Highway No. 119; thence turn an angle to the left of 92 degrees 44 minutes 01 seconds and run South along the East right of way for 399.80 feet; thence turn an angle to the left of 85 degrees 35 minutes 59 seconds and run East for 535.92 feet to the point of beginning.

According to the survey of Steven H. Gay, RLS#17522, dated January 9, 2002.

Subject to all items of record.



20060117000025440 6/7 \$29.00
Shelby Cnty Judge of Probate, AL
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ORD 04Q: APPENDIX A TO THE ANNEXATION PETITION OF NATHAN STAMPS AND MITCHELL SPEARS

Begin at the SE corner of §2, Twp 22S, R3W, Shelby County, Alabama; run thence N 89°45'44"W along the S line of said § for 2584.75 feet; thence run N 01°11'00"W for 150.05 feet; thence run N 01°29'41"W for 146.99 feet; thence run S 89°37'41"W for 303.02 feet to the E right of way line of Alabama Highway 119; thence run N 04°46'20"W along said right of way line for 499.91 feet; thence run N 87°57'41"E and leaving said right of way for 2000.46 feet; thence run N 02°21'50"W for 556.36 feet; thence run N 87°43'59"E for 900.18 feet; thence run S 02°21'50"E for 1467.81 feet to the point of beginning. Said parcel of land contains ±65.85 acres.

All according to a survey by Rodney Y Shiflett, PLS 21784, drawn 20 July 1999.

