

304

City of Chelsea

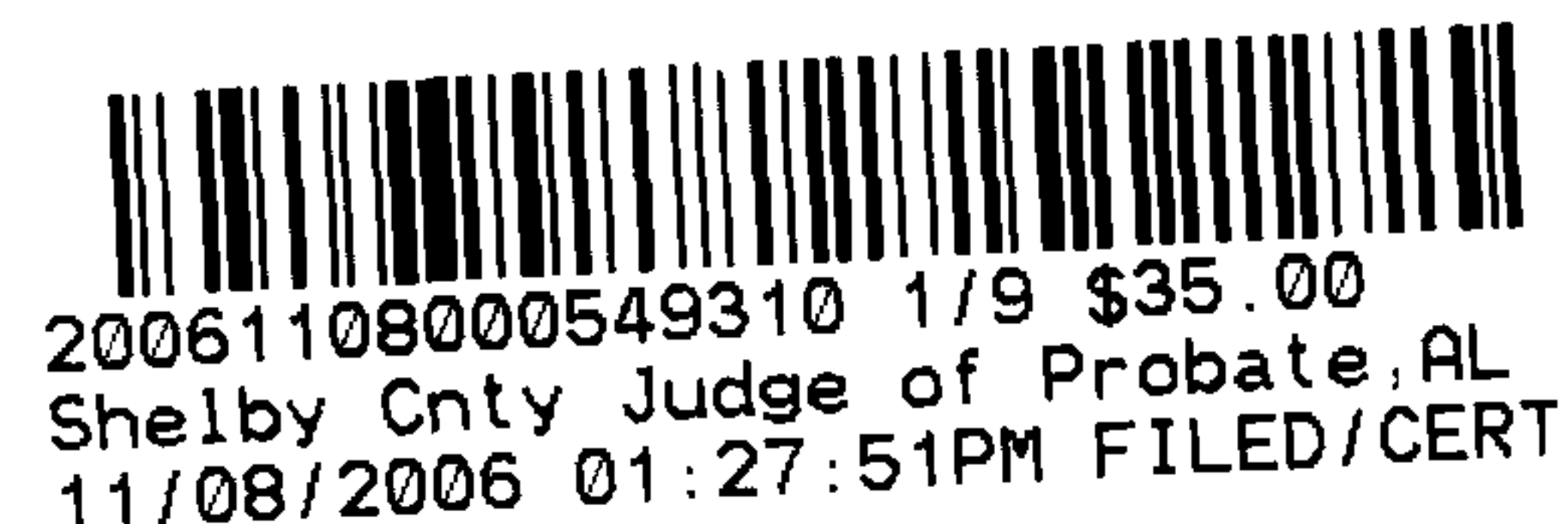
P.O. Box 111
Chelsea, Alabama

Certification Of Annexation Ordinance

Ordinance Number: X-06-02-21-304

Property Owner(s): Muller, Martin

Property: Part of 08-9-29-0-000-009.000
08-8-28-0-000-009.000



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 February 21, 2006, as same appears in minutes of record of said meeting, and published by posting copies thereof on February 22, 2006, at the public places listed below, which copies remained posted for five business days (through March 1, 2006).

Chelsea City Hall, 11611 Chelsea Road, Chelsea, Alabama 35043
Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043
U.S. Post Office, Highway 280, Chelsea, Alabama 35043


Robert A. Wanninger, City Clerk

Petition Exhibit A

Property owner(s): Muller, Martin

Property: Part of 08-9-29-0-000-009.000
08-8-28-0-000-009.000



20061108000549310 2/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERT

Property Description

The above-noted property, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Petition Exhibit B), Book 264, Page 533 and Book 259, Page 545 .

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

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

City of Chelsea, Alabama

Annexation Ordinance No. X-06-02-21-304

20061108000549310 3/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERT

Property Owner(s): Muller, Martin

Property: Part of 08-9-29-0-000-009.000 and 08-8-28-0-000-009.000

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 City of Chelsea has been filed with the Chelsea City Clerk; and

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

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

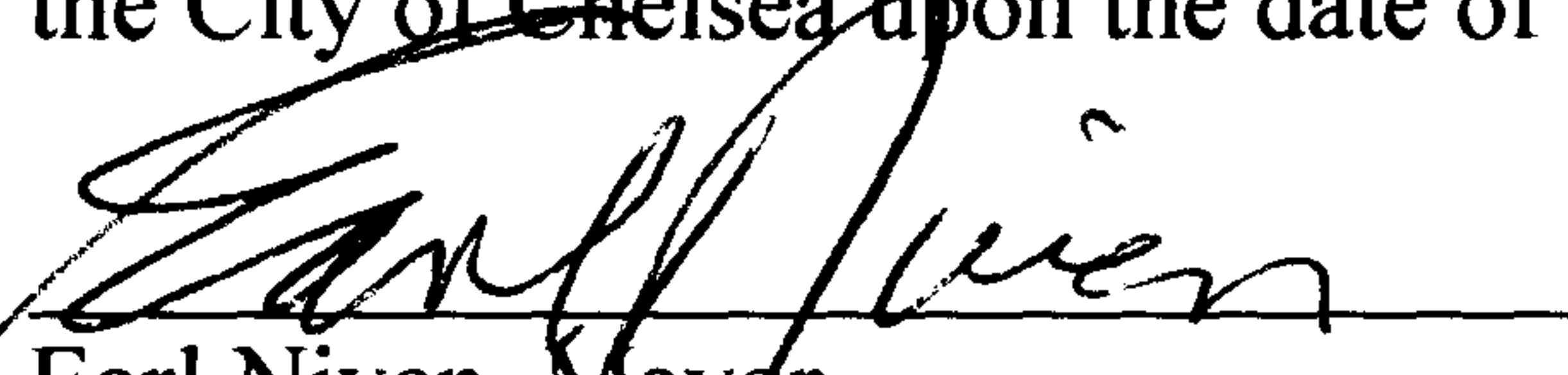
Whereas, said property is contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation, which is zoned AR which together is contiguous to the corporate limits of Chelsea;

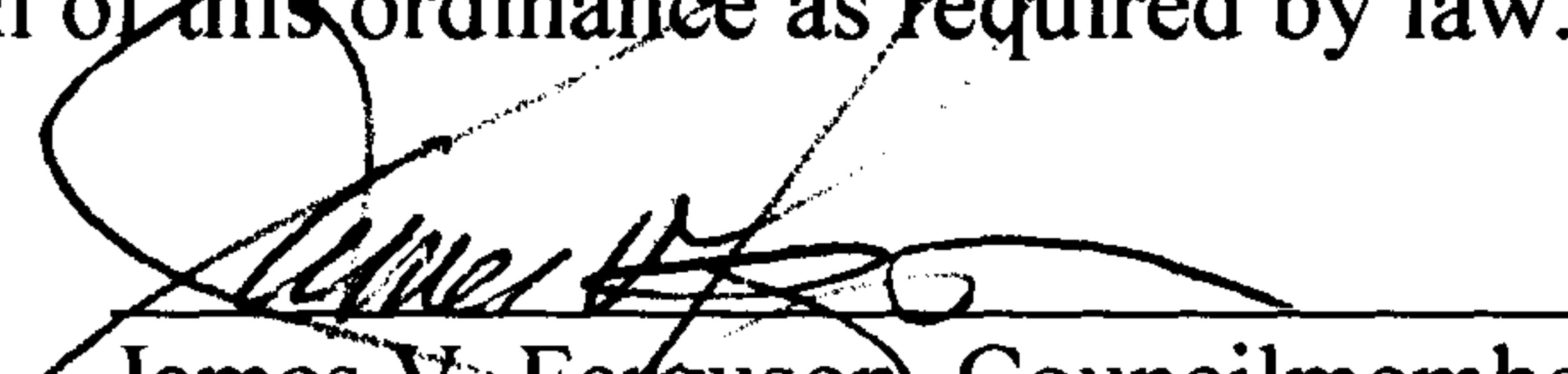
Whereas, said territory does not lie within the corporate limits of any other municipality;

Whereas, even though said properties are located in an area where the police jurisdiction of Chelsea and the police jurisdiction of Westover overlap, the said properties are less than equidistance from the respective corporate limits of Chelsea and Westover (i.e. it is closer to the corporate limits of Chelsea than to the corporate limits of Westover).

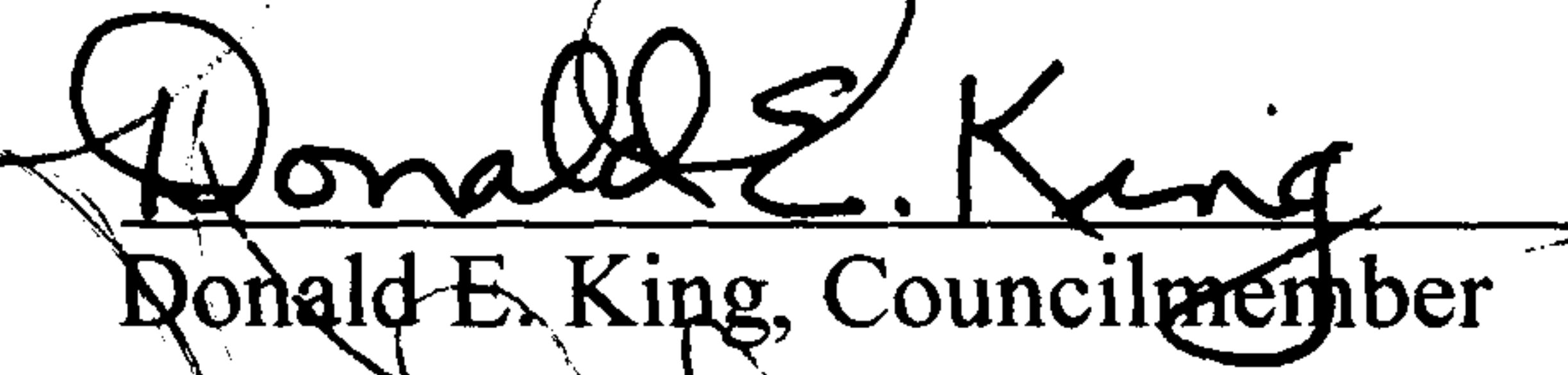
Therefore, be it ordained that the City Council of the City of Chelsea assents to the said annexation: and

Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property, and said property 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.

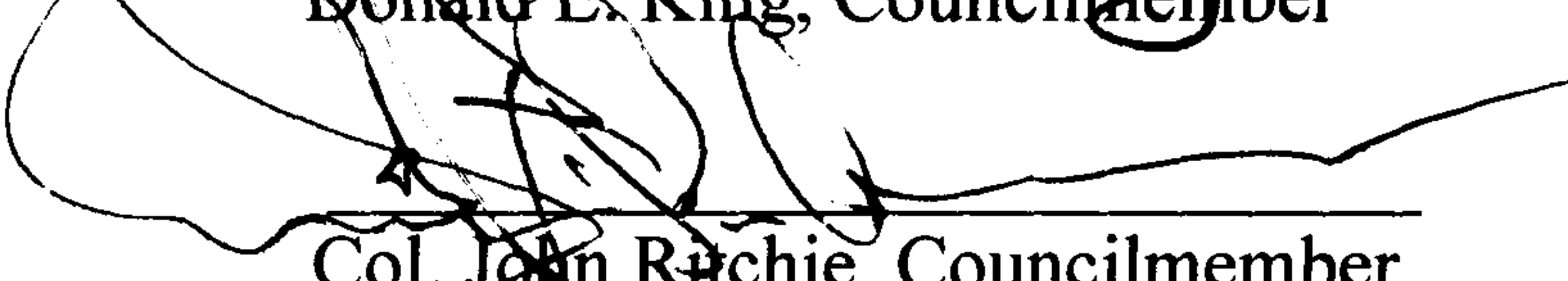

Earl Niven, Mayor


James V. Ferguson, Councilmember

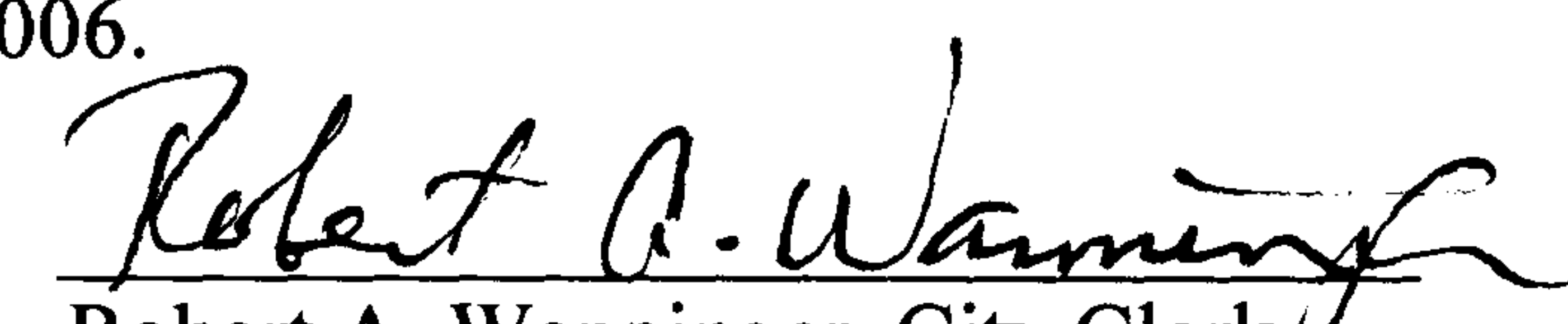

Juanita Champion, Councilmember


Donald E. King, Councilmember


Jeffrey M. Denton, Councilmember


Col. John Richie, Councilmember

Passed and approved 21 day of FEB, 2006.


Robert A. Wanninger, City Clerk

4094
✓ MARTIN MULLER,

COMPLAINANT

VS.

ROSALYN M. THOMPSON
and RICHARD H. THOMPSON

RESPONDENTS

LAW AND EQUITY COURT

SHELBY COUNTY, ALABAMA

IN EQUITY

CASE NO. 1422

20061108000549310 4/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERTFINAL DECREE

This cause coming to be heard is submitted for Final Decree upon the pleadings and proof as noted from the file and heard orally before the Court and upon a Decree Pro Confesso against the Respondents, Rosalyn M. Thompson and Richard H. Thompson and the same having been duly considered and understood, the Court having considered the matter, is of the opinion that the Complainant is entitled to the relief prayed for against the Respondents, Rosalyn M. Thompson and Richard H. Thompson. It is, therefore,

ORDERED, ADJUDGED AND DECREED BY THE COURT AS
FOLLOWS:

1. That the Complainant is entitled to specific performance as prayed in the original Bill of Complaint.

2. That upon payment by the Complainant of the sum of

The value of the property is as per the appraisal
of \$12,590.22

into the Court and the assumption of that certain mortgage by the Complainant to the First Federal Savings & Loan Association of Bessemer on the subject property; that all of the right, title and interest of the Respondents, Rosalyn M. Thompson and Richard H. Thompson, subject to the provisions contained hereafter in and to all that part of the West Half of SW-1/4 of Section 28, and of the East Half of SW-1/4 of Section 28, lying South of the A B & C Railroad Company, (now Atlantic Coast Line Railroad Company) right of way, in Township 19, Range 1 East. ALSO all that part of the SW-1/4 of SE-1/4

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Shelby Cnty Judge of Probate, AL
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- 2 -

and of the SE-1/4 of SW-1/4 of Section 29, Township 19, Range 1 East lying East of the Shelby County Highway No. 51, except the right of way of the A B & C Railroad Company (now Atlantic Coast Line Railroad Company), Shelby County, Alabama, is hereby divested out of the said Respondents Rosalyn M. Thompson and Richard H. Thompson and vested in the Complainant, Martin Muller, in fee simple, as fully and completely as though a warranty deed were duly executed and delivered by the said Respondents to the said Complainant; subject, however, to the first mortgage to the First Federal Savings & Loan Association of Bessemer which the Complainant assumes and agrees to pay.

3. That the Complainant's Solicitor of Record, Anthony L. Cicio, is hereby awarded the sum of SIX HUNDRED DOLLARS (\$600.00), said sum to be deducted from the proceeds paid into the Court by the Complainant for the Respondents.

4. That the costs hereof are hereby taxed against the Respondents, Rosalyn M. Thompson and Richard H. Thompson and shall be, by the Register or Clerk, deducted from the money ordered to be paid into the Register of the Court by the Complainant and the balance thereof, after deducting said court costs and attorneys fee of Anthony L. Cicio of SIX HUNDRED DOLLARS (\$600.00) shall be paid by the Register to the Respondents, Rosalyn M. Thompson and Richard H. Thompson.

Jurisdiction of this cause is expressly retained for such further orders or decrees as may be necessary to secure the enforcement of the above and foregoing Decree.

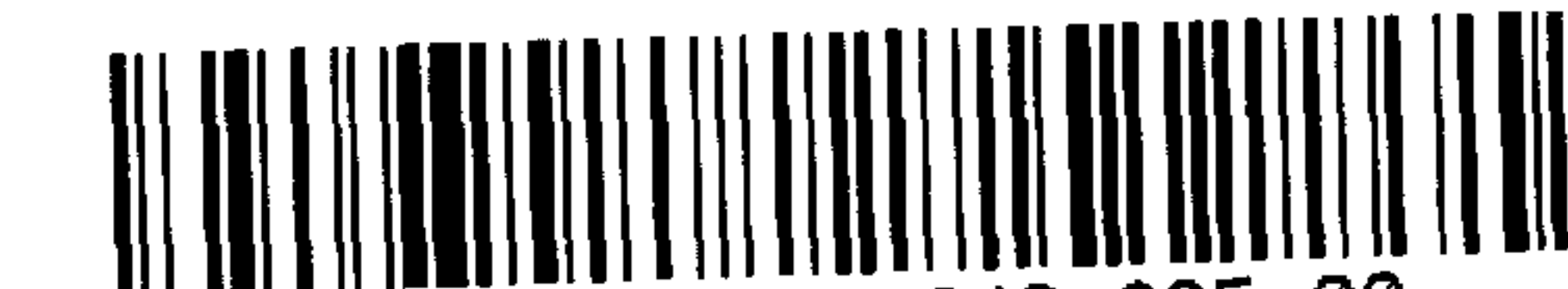
DONE AND ORDERED this the 25 day of September, 1969.

W. C. O. E. Halden
Judge, Law and Equity Court, In Equity
Sitting

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SHELBY COUNTY JUDGE OF PROBATE
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SEP 25 1969
SHELBY COUNTY JUDGE OF PROBATE
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20061108000549310 6/9 \$35.00
 Shelby Cnty Judge of Probate, AL
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COMPLAINANT, :
 ROSELYN M. THOMPSON :
 and RICHARD H. THOMPSON, :
 RESPONDENTS. :
 LAW AND EQUITY COURT :
 SHELBY COUNTY, ALABAMA :
 IN EQUITY :
 CASE NO. 1418

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AMENDED FINAL DECREE

1970.

Upon motion made by the Complainant as to a correction of a
 final decree of the Court, dated September 25, 1960, and upon the pleading
 in proof as noted, the Court being of the opinion that the original decree
 in the above styled cause should be corrected and otherwise amended.
 It is therefore,

ORDERED, ADJUDGED AND DECREED BY THE COURT THAT
 PARAGRAPH TWO OF THE FINAL DECREE BE AMENDED AS FOLLOWS:

2. That upon payment by the Complainant of the sum of TWELVE
 THOUSAND FIVE HUNDRED NINETY AND 7/100 DOLLARS (\$12,590.71)
 into the Court and the assumption of that certain mortgage by the Complainant
 to the First Federal Savings and Loan Association of Bessemer on the
 subject property; that all of the right, title and interest of the Respondents,
 Roselyn M. Thompson and Richard H. Thompson, subject to the provisions
 contained hereafter in and to all that part of the West Half of SW 1/4 of
 Section 28, and of the East Half of SE 1/4 of Section 29, lying South of
 the A B & C Railroad Company, (now Atlantic Coast Line Railroad Company)
 right of way, in Township 19, Range 1 East. ALSO all that part of the
 SW 1/4 of SE 1/4 and of the SE 1/4 of SW 1/4 of Section 29, Township 18,
 Range 1 East lying East of the Shelby County Highway No. 81, except the
 right of way of the A B & C Railroad Company, (now Atlantic Coast Line
 Railroad Company), Shelby County, Alabama, is hereby divested out of the
 Respondents, Roselyn M. Thompson and Richard H. Thompson and

DO NOT WRITE

vested in the Complainant, Martha Miller, in fee, simple, sole and
completely as though a warranty deed were duly executed and delivered
by the said Respondents to the said Complainant; subject, however, to
the first mortgage to the First Federal Savings and Loan Association
of Ressemer which the Complainant assumes and agrees to pay.

DONE AND ORDERED this the 12 day of March

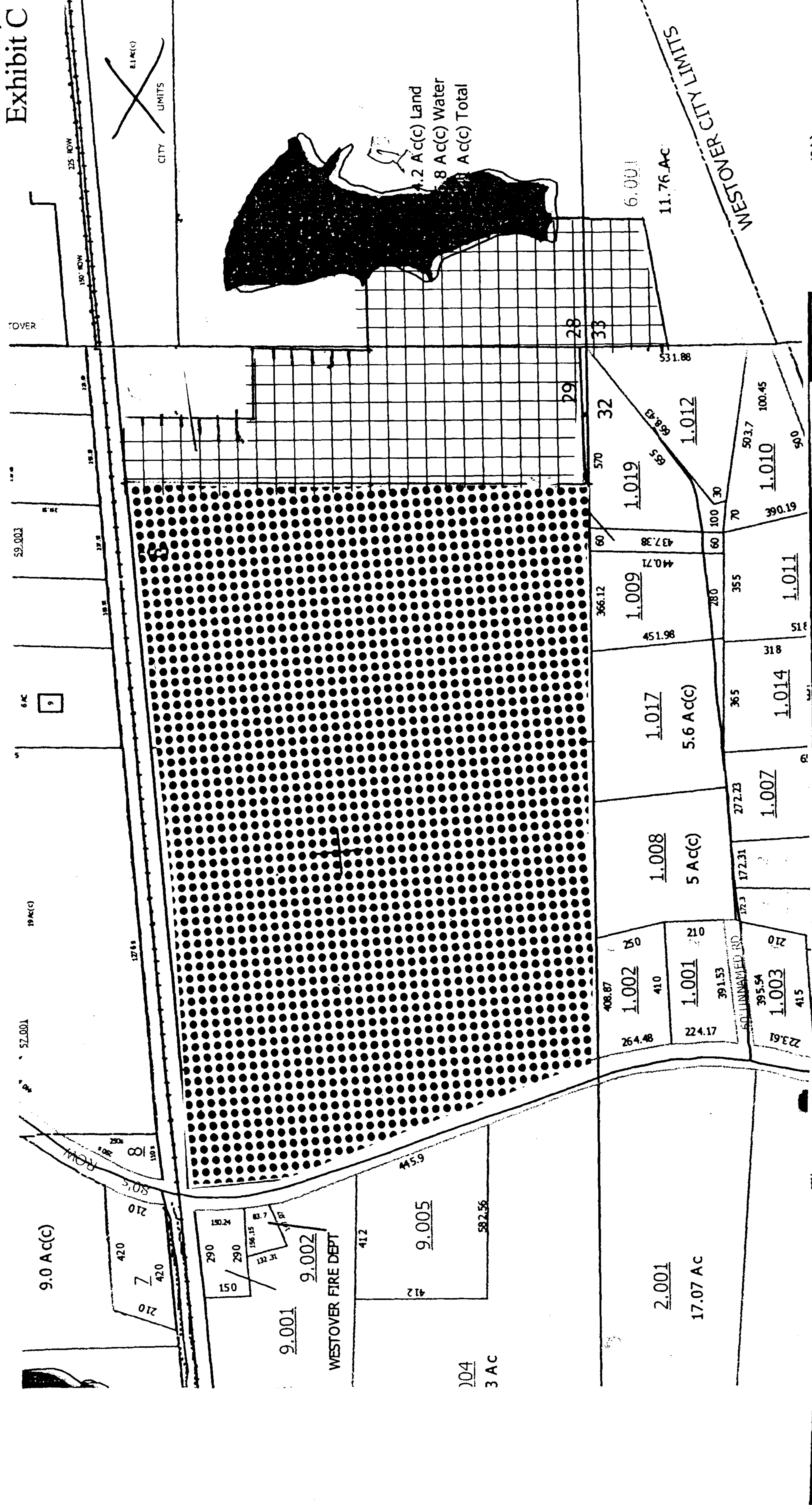
1978.

Charles H. Miller
JUDGE, Law and Equity Court, to-wit:
Sitting.

FILED
MAR 15 1978
CLERK OF COURT
SHELBY COUNTY, ALA.

20061108000549310 7/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERT

Exhibit C



20061108000549310 8/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERT

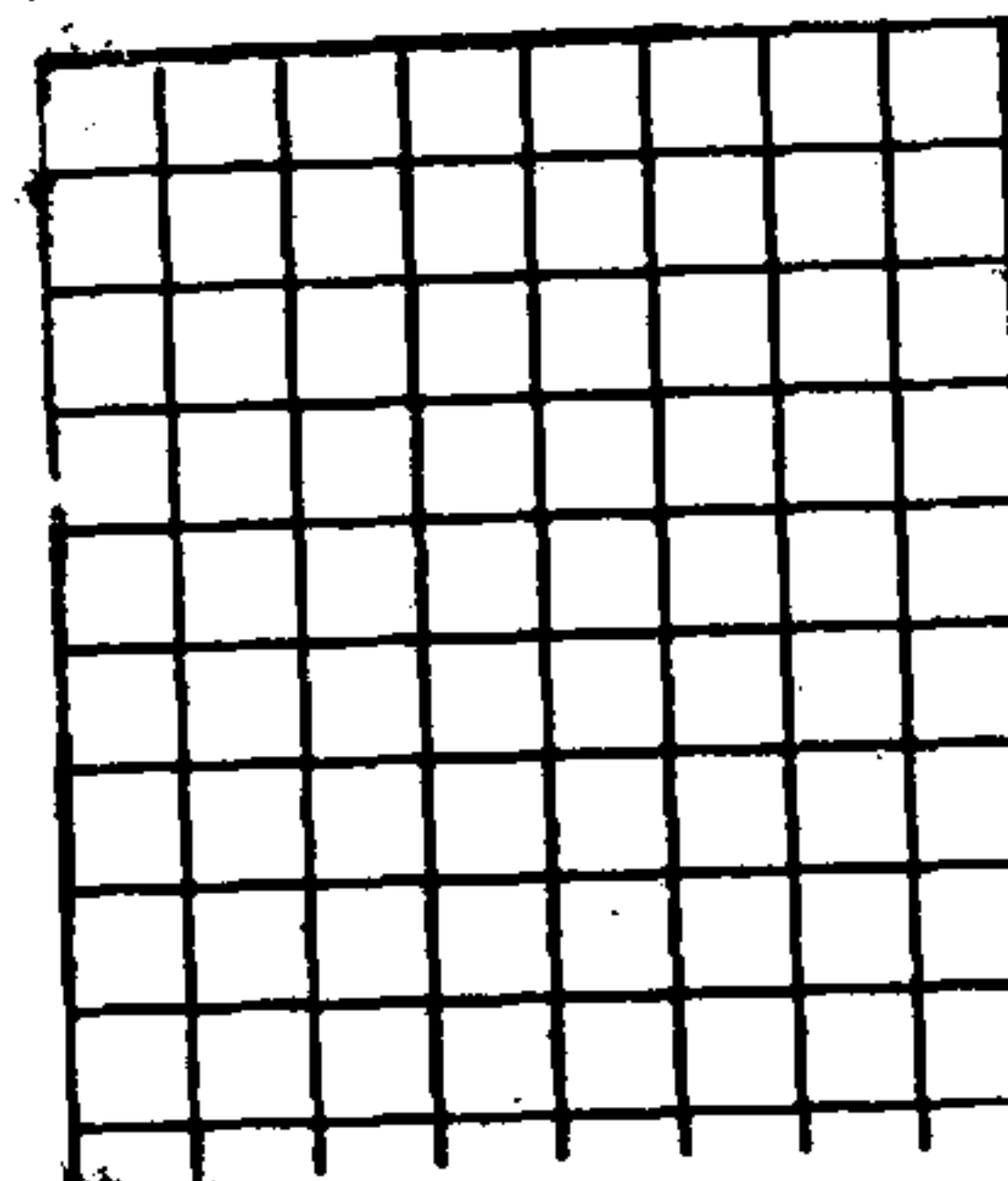
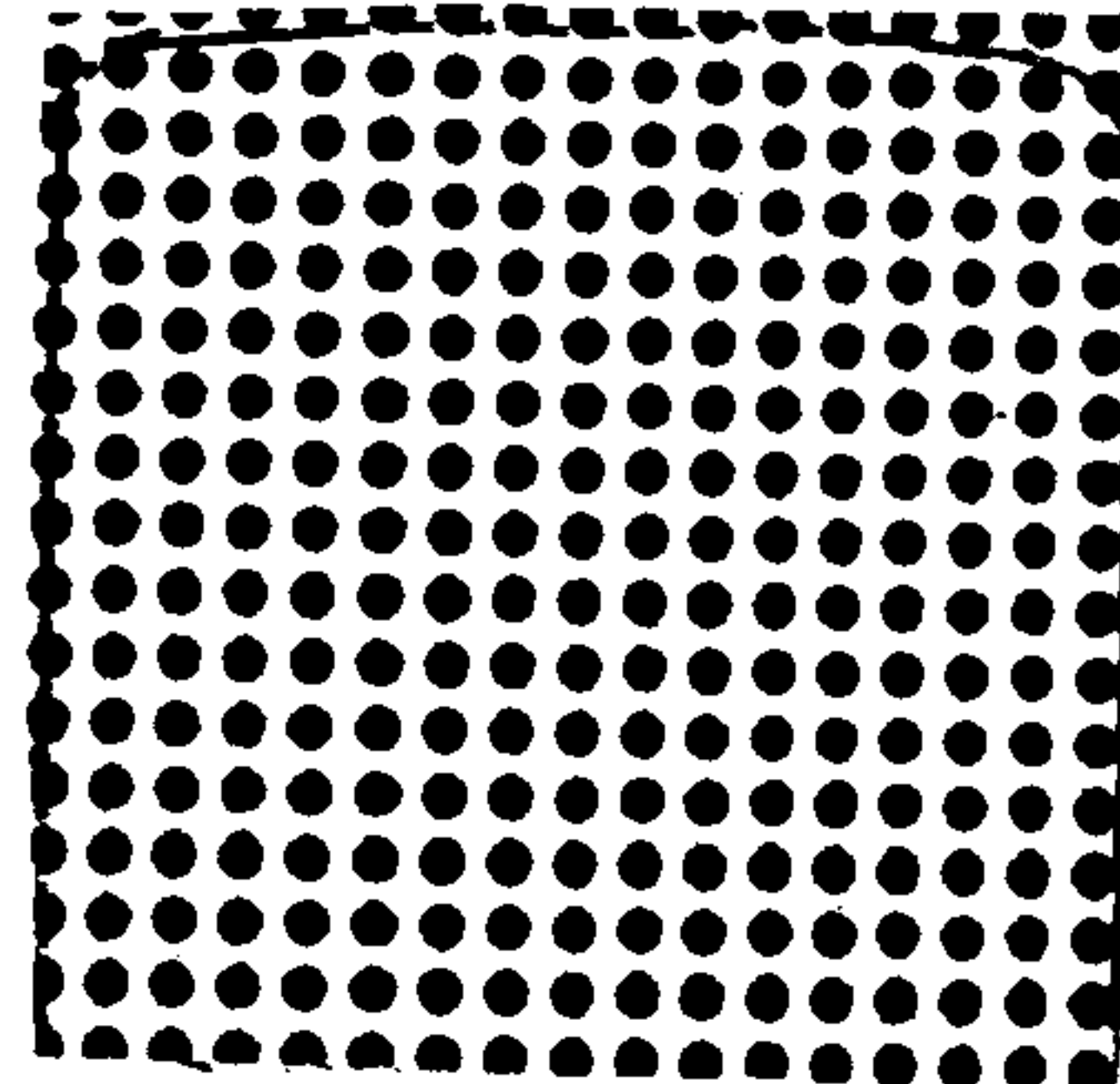
Tax ID Map Number

58-08-09

58-08-08

Area to be annexed

Chelsea City Limits



**PROPOSED ANNEXATION
CITY OF CHELSEA
REV. MARTIN MULLER PROPERTY**

20061108000549310 9/9 \$35.00
Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:51PM FILED/CERT

TRACT 1:

Commence at the SW corner of the E $\frac{1}{4}$ of E $\frac{1}{2}$ of SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, Township 19 South, Range 1 East for the point of beginning; thence run in a Northerly direction along the West line of said $\frac{1}{2}$ - $\frac{1}{2}$ - $\frac{1}{4}$ - $\frac{1}{4}$ Section and along the West line of the E $\frac{1}{2}$ of E $\frac{1}{2}$ of NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29, a distance of 1480 feet, more or less, to a point on the South right of way line of the CSX Railroad; thence run in a Northeasterly direction along said railroad right of way a distance of 170 feet, more or less, to its intersection with a line parallel and lying 165 feet West of the East line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29; thence run in a Southerly direction parallel with East line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ approximately 180 feet, more or less, to a point on the South line of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$; thence continue Southerly along the same course a distance of 330 feet to a point in the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section; thence run Easterly a distance of 165 feet, more or less, to a point on the East line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29; thence run Southerly along the East line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29, a distance of 330 feet to the NE corner of the S $\frac{1}{2}$ of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29; thence run Easterly along the North line of the S $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 28, Township 19 South, Range 1 East, a distance of 495 feet to a point; thence run South parallel to the West line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of said Section 28, a distance of 660 feet to a point on the South line of said SW $\frac{1}{4}$ of SW $\frac{1}{4}$; thence continue South a distance of 180 feet to a point; thence run in a Southwesterly direction a distance of 500 feet, more or less, to a point on the West line of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$, Section 33, Township 19 South, Range 1 East lying 250 feet South of the NW corner of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$; thence run North along the West line of said NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of said Section 33, a distance of 250 feet to the NW corner of said Section 33, which point is also the SE corner of Section 29, Township 19 South, Range 1 East; thence run West along the South line of said SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29, a distance of 330 feet, more or less, to the point of beginning.

Prepared and approved by:
Mike T. Atchison, Attorney

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