

306

City of Chelsea

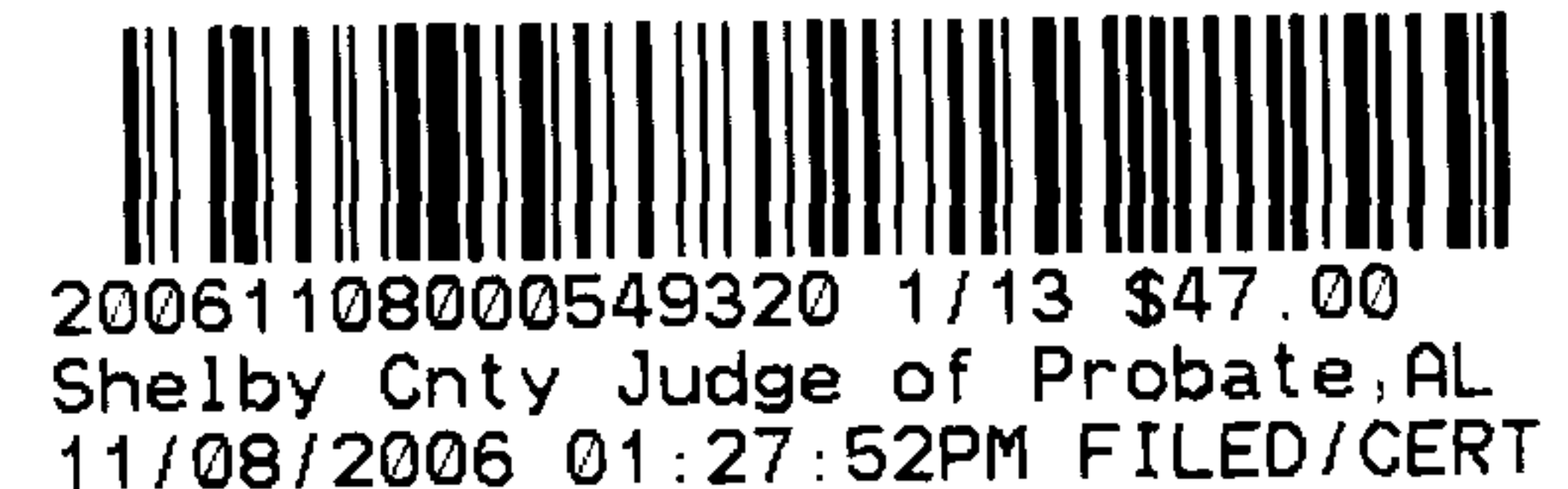
P.O. Box 111
Chelsea, Alabama

Certification
Of
Annexation Ordinance

Ordinance Number: X-06-03-21-306

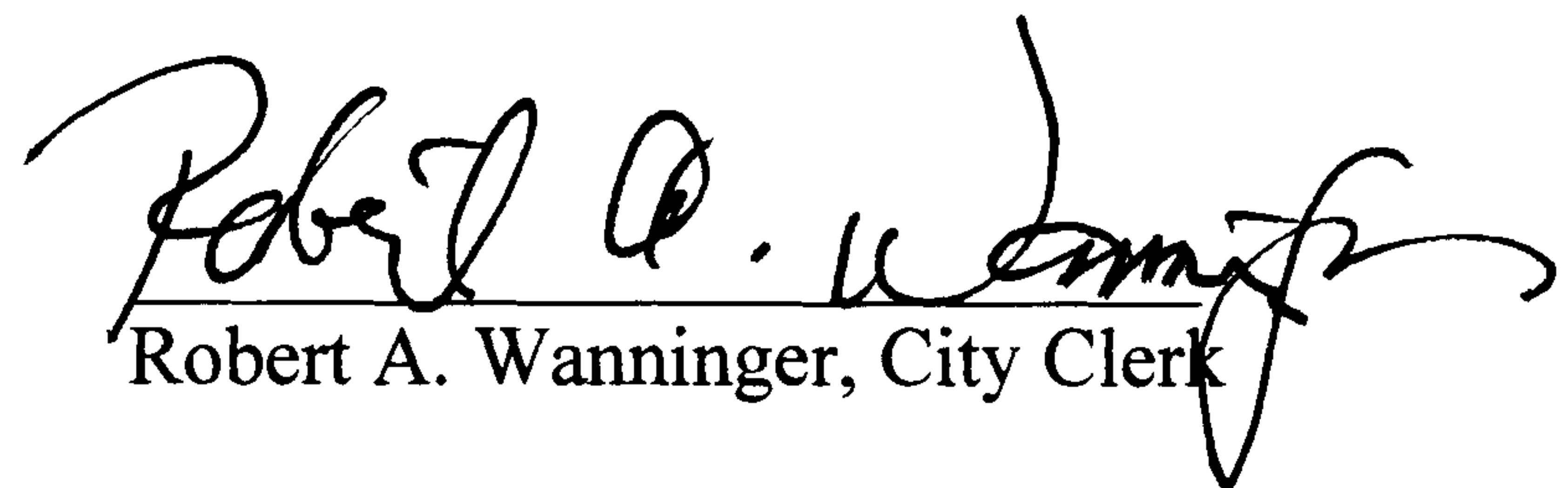
Property Owner(s): Muller, Martin

Property: Part of 08-9-29-0-000-009.000
08-8-28-0-000-009.000
08-8-33-0-000-006.001



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 March 21, 2006, as same appears in minutes of record of said meeting, and published by posting copies thereof on March 22, 2006, at the public places listed below, which copies remained posted for five business days (through March 29, 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

City of Chelsea, Alabama

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Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:52PM FILED/CERT

Annexation Ordinance No. X-06-03-21-306

Property Owner(s): Muller, Martin

Property: Part of 08-9-29-0-000-009.000, 08-8-28-0-000-009.000, and 08-8-33-0-000-006.001

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 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

Juanita Champion, Councilmember

Jeffrey M. Denton, Councilmember

James V. Ferguson, Councilmember

Donald E. King, Councilmember

Col. John Ritchie, Councilmember

Passed and approved 21ST day of MARCH 2006.

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
08-8-33-0-000-006.001



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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 259, Page 546, Book 264, Page 503, and Instrument Number 1992-22060.

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.

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



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FINAL 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

Five thousand five hundred Ninety
and No/100 Dollars (\$5,590.24)

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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- 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. F. H. O. R.
Judge, Law and Equity Court, In Equity
Sitting

FILED IN OFFICE THIS 25 day of

BOOK 259 PAGE 546

RECORDED
INDEXED
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SEP 25 1969

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FILED

COMPLAINANT,

LAW AND EQUITY COURT
SHELBY COUNTY, ALABAMA
IN EQUITY

ROSELYN M. THOMPSON
vs. RICHARD H. THOMPSON,

RESPONDENTS.

CASE NO. 1412

vested in the C
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by the said Ro
the first mortg
of December 1

DO

AMENDED FINAL DECREE

1870.

Upon Motion made by the Complainant as to a correction of a
Final Decree of the Court, dated September 25, 1988, 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 (\$12,890.71)
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 28, lying South of
the A H & C Railroad Company, (now Atlantic Coast Line Railroad Company)
right of way, in Township 18, 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 28, Township 18,
Range 1 East lying East of the Shelby County Highway No. 81, except the
right of way of the A H & C Railroad Company, (now Atlantic Coast Line
Railroad Company), Shelby County, Alabama, is hereby divested out of the
said Respondents, Roselyn M. Thompson and Richard H. Thompson and

DO NOT WRITE IN THESE SPACES



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Shelby Cnty Judge of Probate, AL
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vested in the Complainant, Martin Miller, 1870, 1871, 1872, 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 October

1870.

Charles H. Holden
JUDGE, Law and Equity Court, in Equity
Sitting.

RECEIVED
NOV 12 2006
CLERK OF COURT
SHELBY COUNTY, ALABAMA

2006-11-08

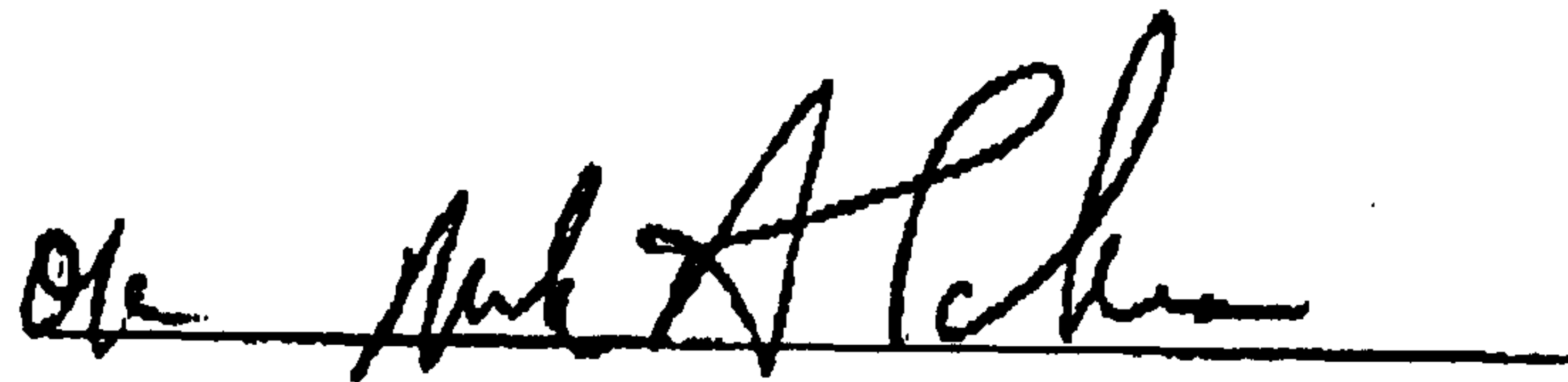
**PROPOSED ANNEXATION
CITY OF CHELSEA
REV. MARTIN MULLER PROPERTY**

TRACT 2:

Commence at the SE corner of the NE $\frac{1}{4}$ of SE $\frac{1}{4}$, Section 29, Township 19 South, Range 1 East; thence run West along the South line of said NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29, a distance of 165 feet to the point of beginning of the property described herein; thence run North parallel to the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 180 feet, more or less, to the South right of way line of the CSX Railroad; thence run in an Easterly direction along said South right of way line of said railroad a distance of 82.5 feet, more or less, to a point; thence run South parallel to the East line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 190 feet, more or less, to a point on the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, which point is also on the North line of the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 29; thence continue South along the same line a distance of 330 feet, more or less, to a point; thence run West 82.5 feet to a point; thence run North 330 feet to the point of beginning.

Prepared and approved by:

Mike T. Atchison, Attorney





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

TRACT 4:

Commence at the SW corner of the SW $\frac{1}{4}$ of SW $\frac{1}{4}$, Section 28, Township 19 South, Range 1 East; thence run East along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 495 feet to the point of beginning; thence continue East along said South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 412.5 feet to a point; thence run North parallel to the West line of $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 330 feet to a point; thence run West parallel to the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 412.5 feet; thence run South parallel to the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 330 feet to the point of beginning.

Prepared and approved by:
Mike T. Atchison, Attorney



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Shelby Cnty Judge of Probate, AL
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OK Mike T. Atchison

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

TRACT 5:

Commence at the NW corner of the NW $\frac{1}{4}$ of NW $\frac{1}{4}$; Section 33, Township 19 South, Range 1 East; thence run South along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 250 feet to the point of beginning; thence continue South along said West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section a distance of 140 feet, more or less, to a point; thence run Northeast a distance of 510 feet, more or less, to a point lying on a line that lies 495 feet East of and parallel to the West line of $\frac{1}{4}$ - $\frac{1}{4}$ Section, said point being approximately 270 feet South of the North line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section; thence run North parallel to the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section, a distance of 90 feet, more or less, to a point; thence run Southwest 500 feet, more or less, to the point of beginning, said point lying on the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section.

Prepared and approved by:
Mike T. Atchison, Attorney

ok Mike T. Atchison



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Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:52PM FILED/CERT

(TITLE NOT CHECKED BY PREPARER)
(INFORMATION FURNISHED BY GRANTEE)

SEND TAX NOTICE TO:

(Name) Rev. Martin Muller

(Address) 1730 Oxmoor Rd./B'ham, Al. 35209

This instrument was prepared by

(Name) Gloria Bahakel, Atty.

(Address) 2131-12th Avenue North/B'ham, Al. 35234

Form 1-1-87 Rev. 1-88

WARRANTY DEED—Lawyers Title Insurance Corporation, Birmingham, Alabama

STATE OF ALABAMA

SHELBY COUNTY

KNOW ALL MEN BY THESE PRESENTS:

That in consideration of \$100.00 and other good and valuable consideration

to the undersigned grantor (whether one or more), in hand paid by the grantee herein, the receipt whereof is acknowledged, ~~ix~~
~~we~~,
William M. Slaughter, a married man, and Carol L. Slaughter, a single woman

(herein referred to as grantor, whether one or more), grant, bargain, sell and convey unto

Rev. Martin Muller

(herein referred to as grantee, whether one or more), the following described real estate, situated in
Shelby County, Alabama, to-wit:

Commence at the Northwest corner of Section 33 Township 19 South Range 1 East for the point of beginning. Thence run easterly along the North boundary line of said section for a distance of 375.0 feet. Thence turn an angle of 117°56'16" right and run a distance of 686.46 feet to the centerline of a pipeline easement. Thence turn an angle of 40°58'39" right and run a distance of 55.0 feet to the west boundary line of said Section 33 Township 19 South Range 1 East. Thence turn an angle of 110°53'48" right and run a distance of 626.27 feet to the point of beginning. Containing 3.0 acres more or less.

Subject to easements, restrictions and reservations of record.

The above property does not constitute the homestead of grantor, William M. Slaughter.

Inst # 1992-22060

10/02/1992-22060
01:33 PM CERTIFIED

TO HAVE AND TO HOLD to the said grantee, his, her or their heirs and assigns forever.

And ~~he~~(we) do for ~~myself~~ (ourselves) and for ~~my~~ (our) heirs, executors, and administrators covenant with the said GRANTEES, their heirs and assigns, that ~~we~~ (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 GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set ~~our~~ hands(s) and seal(s), this 30th
day of September, 1992

(Seal)

(Seal)

(Seal)

Will - M Slaughter (Seal)
Carol L. Slaughter (Seal)

STATE OF ALABAMA

Jefferson COUNTY

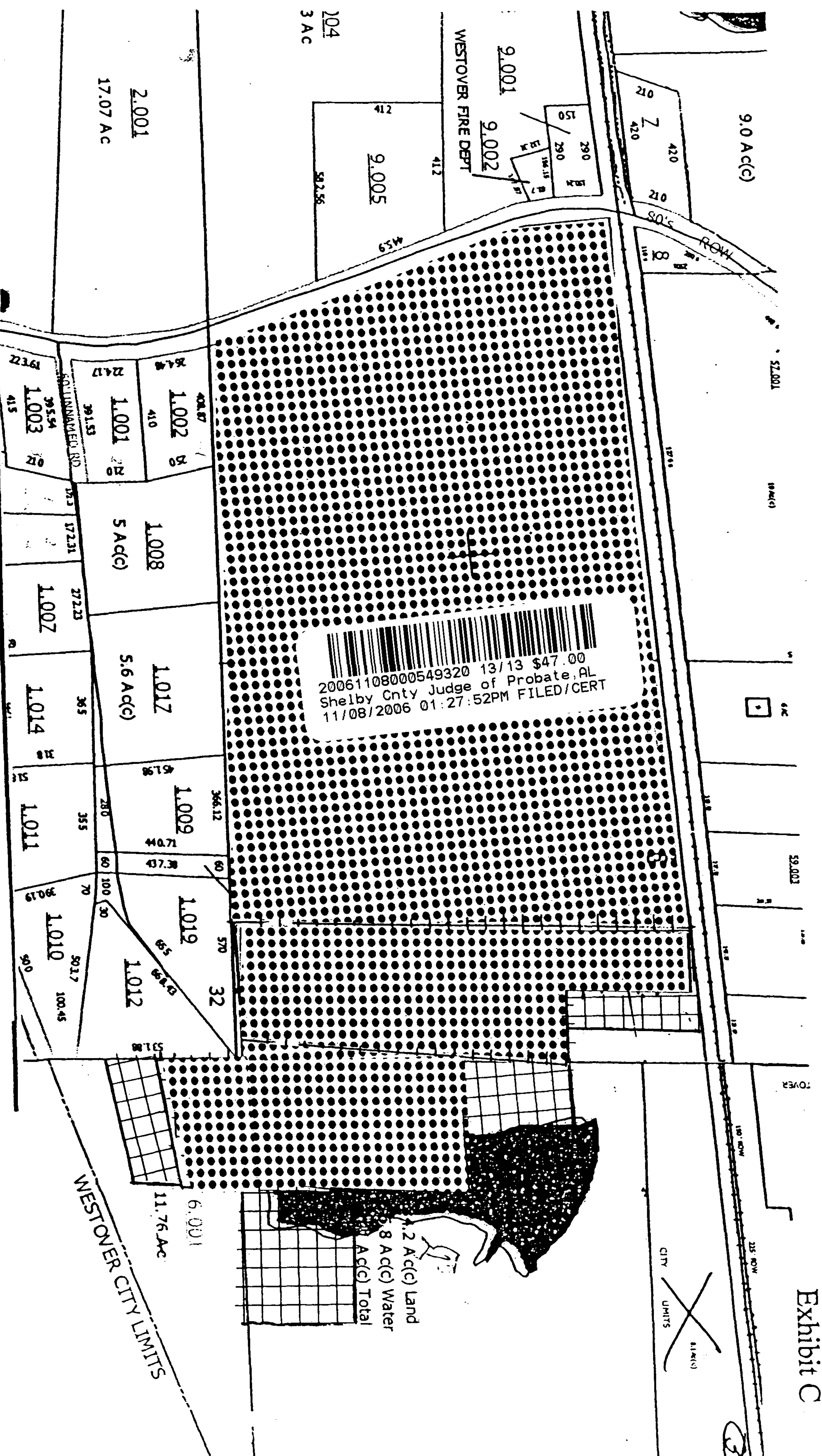
General Acknowledgment

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that William M. Slaughter, a married man, and Carol L. Slaughter, a single woman whose name is AKA signed to the foregoing conveyance, and who AKA 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 bore date.

Given under my hand and official seal this 30th day of September, A. D., 1992

Kathleen Webster
Com. exp. 7/20/96 Notary Public.

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Shelby Cnty Judge of Probate, AL
11/08/2006 01:27:52PM FILED/CERT



Chelsea City Limits

Area to be annexed

Tax ID Map Number

58.08-.09
58-08-08

