


ORDINANCE NO. 07K


20070724000344190 1/7 \$29.00
Shelby Cnty Judge of Probate, AL
07/24/2007 10:15:27AM FILED/CERT

COUNCIL MEMBER COX
INTRODUCED THE FOLLOWING ORDINANCE

COUNCIL MEMBER GOLDSMITH
SECONDED THE ORDINANCE

AN ORDINANCE CONFIRMING MONTEVALLO ZONING OF CERTAIN LAND ALONG HIGHWAY 119 KNOWN AS AMMERSSEE LAKES IS D2

WHEREAS, certain land along Alabama Highway 119 known as the Ammerssee Lakes development, as more particularly described in the attached, was Annexed into the City of Montevallo by Ordinance Number 99O on November 8, 1999; and

WHEREAS, Bagley Properties, LLC is the owner of said land along Alabama Highway 119 known as the Ammerssee Lakes development; and

WHEREAS, the City of Montevallo's Zoning Map as adopted April 14, 2003 and Comprehensive Plan designate the zoning of said property along Alabama Highway 119 known as Ammerssee Lakes as D2; and

WHEREAS, Bagley Properties, LLC has built two phases of the Ammerssee Lakes development according to D2 standards; and

WHEREAS, at the time of the original annexation and re-zoning of said property to D2 in 1999 the proper zoning paperwork was apparently not filed with the County; and


WHEREAS, the City Clerk has been unable to locate a copy of the original zoning file in order to properly record the re-zoning of Ammersee Lakes; and

WHEREAS, Bagley Properties, LLC has asked that the City of Montevallo re-confirm said zoning of that certain property along Alabama Highway 119 as D2;


NOW THEREFORE 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, Alabama hereby confirms that, as evidenced by the City's Zoning Map as adopted April 14, 2003, Comprehensive Plan and the development of two prior phases at Ammerssee Lakes, said property is Zoned D2.
2. That the City Clerk be directed to post this Ordinance and file a certified copy with the County as required by law.

APPROVED AND ADOPTED THIS THE 9th DAY OF JULY, 2007.


Sharon Anderson, Mayor

ATTEST:


Herman F. Lehman, III, City Clerk

ORDINANCE NUMBER 990

COUNCIL MEMBER HOLSOMBACK INTRODUCED THE FOLLOWING ORDINANCE.

COUNCIL MEMBER GOLDSMITH 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 Bagley Properties LLC, by Thomas Bagley, president, as provided in §11-42-21 of the 1975 *Alabama Code* and other applicable law.

② 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 provided by law.

Approved and adopted this 08 November 1999.


Mayor Grady R Parker

Inst # 2000-10571

03/31/2000-10571
04:13 PM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
005 HWS 18.50

Attest:



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Steven D Gibbs, Clerk

I certify that the attached Ordinance 990, adopted by the Montevallo City Council on 08 November 1999, 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, 820 Valley Street, Montevallo

beginning 10 November 1999 and continuing for more than four weeks thereafter.

According to §11-45-8(b), Ordinance 990 therefore became effective 14 November 1999.


Steven D Gibbs
City Clerk



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BAGLEY PROPERTIES L.L.C.
THOMAS D. BAGLEY PRESIDENT
P. O. BOX 660634
BIRMINGHAM, AL 35266

10-20-99

CITY OF MONTEVALLO
GRADY PARKER, MAYOR
545 MAIN STREET
MONTEVALLO AL 35115

DEAR MR. GRADY PARKER:

PLEASE MAKE THIS MY APPLICATION TO ANNEX INTO THE CITY OF MONTEVALLO
44.75 ACRES OWNED BY BAGLEY PROPERTIES AND SITUATED ON THE SOUTH 1/2 OF
SECTION 2 TOWNSHIP 22 SOUTH, RANGE 3 WEST, LONG LEGAL AND PLAT ATTACHED
MY PLANS ARE TO SUBDIVIDE THIS PROPERTY INTO APPROXIMATELY 8.75 ACRES OF
COMMERCIAL PROPERTY FRONTING 119 AND 55 ACRES OF SINGLE FAMILY DETACHED
RESIDENTIAL HOUSING BEHIND THE COMMERCIAL SITE.

SINCERELY;

BAGLEY PROPERTIES L.L.C.
THOMAS D. BAGLEY PRES.



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**APPENDIX A TO ANNEXATION PETITION OF BAGLEY PROPERTIES, LLC, BY THOMAS
BAGLEY, PRESIDENT**

A tract of land lying in and being a part of the S½, §2, Twp 22S, R3W, Shelby County, Alabama.

Commencing at the SE corner of §2, Twp 22S, R3W; run thence N 00°01'53"E 1467.81 feet to an iron pin which is the point of beginning; Thence run N 00°04'42"W 588.4 feet to an open top iron pipe; thence run S 88°25'03"W 359.69 feet to an axle; thence run S 89°04'51" W 461.12 feet an open top iron pipe; thence run N 81°37'09"W 1078.3 feet to an axle; thence run N 80°55'51"W 609.23 feet to an axle; thence N 04°56'32"E 258.34 feet to an axle; thence run N 83°01'16"W 235.66 feet to an open top iron pipe and a point on the E right of way of Alabama Highway 119; thence run along said right of way with a curve having a chord bearing of S 11°19'55"W, a chord length of 291.22 feet, concave to the E with a radius of 2509.67 feet an arc length of 291.38 feet to a concrete monument; thence run S 14°39'29"W along said right of way 283.65 feet to a point; thence run along said right of way with a curve having a chord bearing of S 09°38'07"W a chord length of 445.82 feet, concave to the W with a radius of 2546 feet, an arc length of 446.39 feet, to an iron pin; thence run S 89°52'18"E 420 feet to an iron pin; thence run S 07°00'56"W 105.04 feet to an iron pin; thence run S 89°52'18"E 2497.93 feet to an iron pin; which is the point of beginning, having an area of ±44.74 acres.

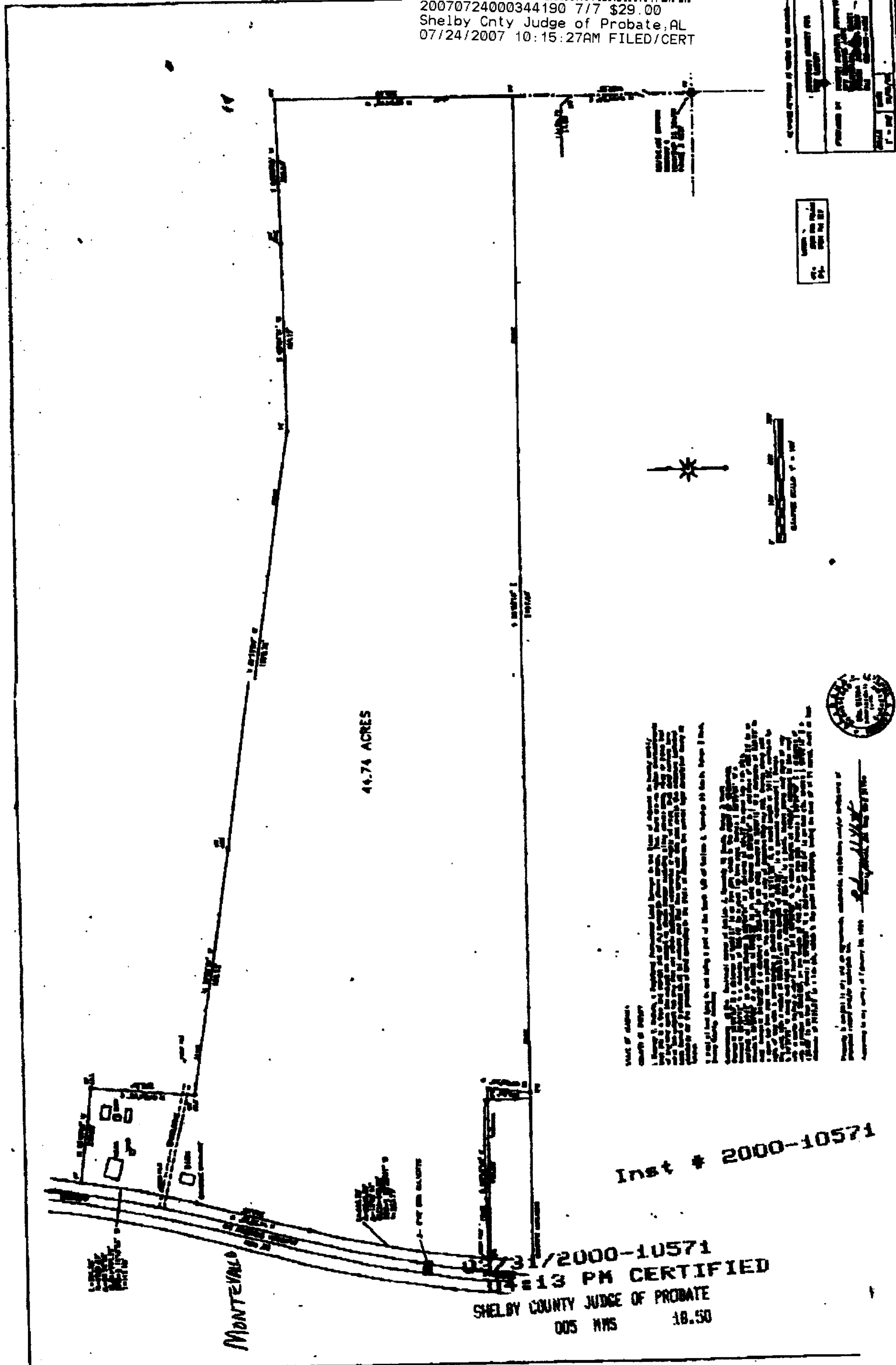
According to a survey of February 10, 1999, by Rodney Y Shiflett, Alabama Surveyor Registration #21784



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