

ORDINANCE NO. 432


20071126000535510 1/6 \$26.00
Shelby Cnty Judge of Probate, AL
11/26/2007 08:03:33AM FILED/CERT

AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF PELHAM, ALABAMA SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.

WHEREAS, a certain petition signed by the property owners requesting territory therein described be annexed to the City of Pelham, together with a map of said territory showing its relationship to the corporate limits of the City has been filed with the City Clerk of the City of Pelham; and

WHEREAS, the Council has determined and found that the matters set forth and alleged in said petition are true, and that it is in the public interest that said property be annexed to the City of Pelham;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Pelham as follows:

Section 1. That said Council hereby assents to the annexation of said territory to the City of Pelham, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-20 through 11-42-43, as amended) so as to embrace and include said territory, in addition to the territory already within its present corporate limits, within the corporate area of said City, which said territory is not within the corporate limits or "City Boundary" of another municipality. Said territory is described as follows:

See Attached

Section 2. The City of Pelham hereby agrees to comply with those provisions of Act No. 604 enacted at the 1976 Regular Session of the Legislature of Alabama pertaining to the assumption and payment of an annexed fire district debt or the payment to said fire district of an amount equal to six times the amount of dues that the portion of said fire district being annexed paid to said fire district during the preceding year.

Section 3. That the City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed territory with the Probate Judge of Shelby County, Alabama, and also cause a copy of this ordinance to be published in accordance with state law.

Willard Payne, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of Ordinance No. 432 hereupon attached, be suspended and immediate consideration given to the passage of said Ordinance. Said motion was seconded by Rosemary Metcalf, a member, and upon a roll call vote was unanimously passed. The vote on said motion was as follows:


Karyl Rice
President of the Council yes

Willard Payne
Council Member yes

Rosemary Metcalf
Council Member yes

Mike Dickens
Council Member yes

Bob Sullivan
Council Member yes


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THEREUPON Willard Payne, a member moved and Rosemary Metcalf, a member seconded the motion that said Ordinance be given vote. Said Ordinance passed by vote of all members of the Council present and the Council President declared the same passed.

ADOPTED this 19th day of November 2007.

Karyl D. Rice
President of the City Council

Willard C. Payne
Council Member

Rosemary Metcalf
Council Member

Michael J. Dickens
Council Member

Robert D. Sullivan
Council Member

Seal

ATTEST

Donna Tucker
City Clerk

APPROVED

Bobby Hayes
Mayor

POSTING AFFIDAVIT


I, the undersigned, Clerk of the City Council of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE 432 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at its regular meeting on the 19th day of November 2007 and duly published by posting an exact copy thereof on the 19th day of November 2007 at three public places within the city, including the City Hall, City Park and Library, all being public places in the City of Pelham, Alabama.

Donna Tucker
City Clerk

Seal

Letter of Petition for Annexation

To: City of Pelham
From: Gary E. Carter
For: Acreage located off of County Road 334 (Dickerson Road)
Date: 11/06/07


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This letter is to serve as an official petition for annexation of property owned by my company, Gary E. Carter ~~Home~~builders Inc. The property is situated off of Dickerson Road and is contiguous to Pelham city limits ~~AEC~~

The current legal description of the land is as follows:

A parcel of land situated in the SW 1/4 of the NW 1/4 of Section 15, Township 20 South, Range 2 West, City of Pelham, Shelby County, Alabama, and being more particularly described as:

Commence at the NE corner of above said 1/4-1/4; Thence S90°00'00"W, a distance of 639.23' to the point of beginning; thence continue along the last described course, a distance of 684.20'; thence S03°03'19"E, a distance of 100.00', thence N87°27'11"E, a distance of 150.00'; thence S02°57'34"E, a distance of 200.00', thence S89°17'02"E, a distance of 534.20'; thence N02°57'19"W, a distance of 300.00' to the POINT OF Beginning.

Said Parcel containing 3.96 acres, more or less...

Situated in Shelby County Alabama

Shelby County Parcel ID # 145150000007.000


Property/Resident Information

There is currently one uninhabitable single family dwelling on the property. No persons live on this parcel of property. No utilities are currently provided to this property. The property has been vacant for a number of years.

Reason for Annexation:

Davy and Jill Lott signed a contract on this property with a clause allowing them to sign that contract over to a builder of their choice for the purposes of building a new home on the property. The Lotts signed the contract over to my company and the property sale closed in September of 2007. Gary E. Carter ~~Home~~builders Inc. is currently under contract with Davy and Jill Lott to build a new home on that property, which is to be sold to them along with the entire parcel of property. Davy Lott is an employee of the Pelham Police Department and he and his wife want to live in the City of Pelham for the excellent city services provided. ~~AEC~~

The attached map shows the parcel of property highlighted in yellow.

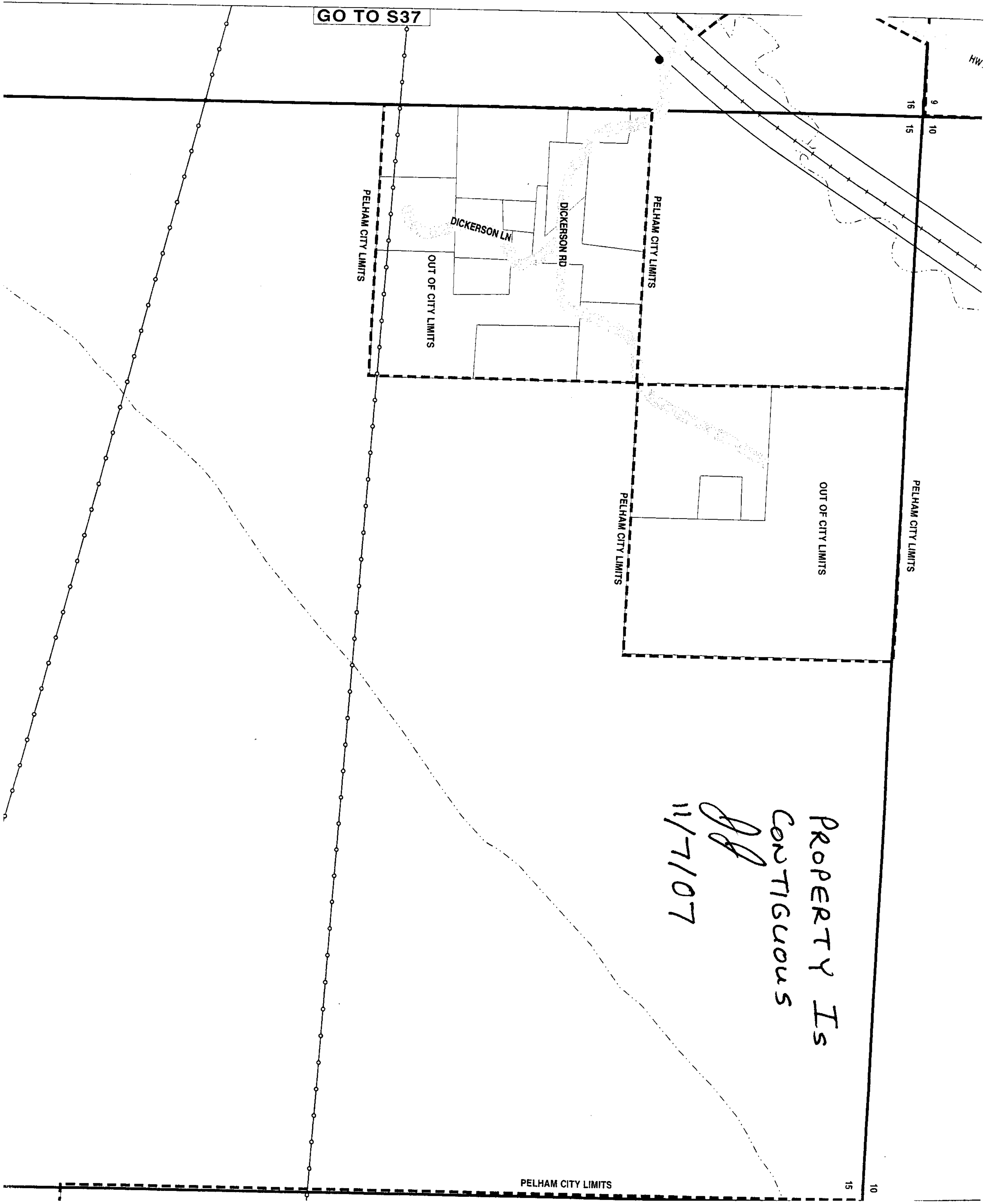


Gary E. Carter
Owner of Gary E. Carter ~~Home~~builders Inc. ~~AEC~~



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GO TO S37

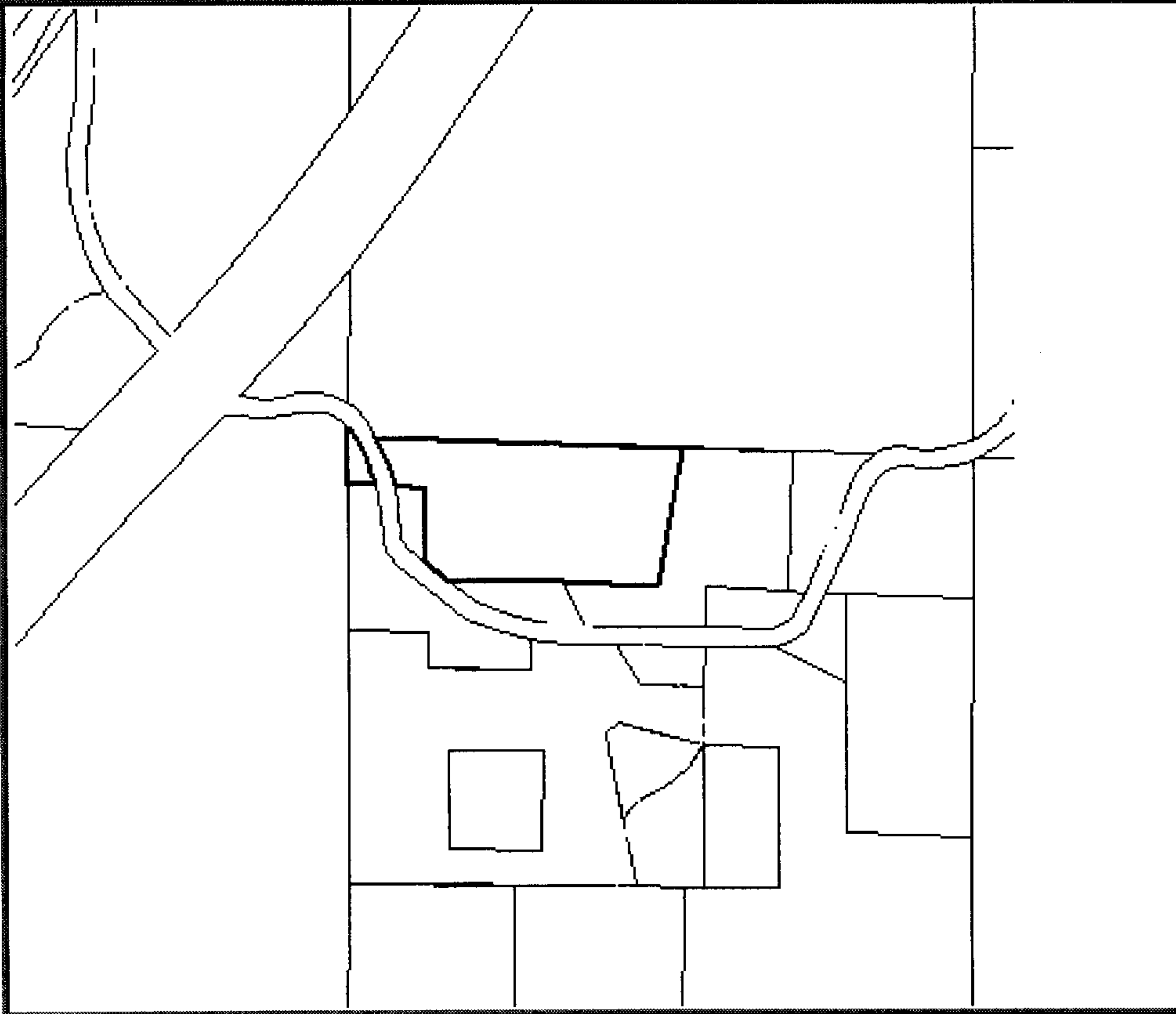


*Property Is
Contiguous
JJ
11-7-07*

PELHAM CITY LIMITS

15
10

Property Information - 14 5 15 0 000 007.000



Owner Information

Name 1	Name2	Address 1	Address 2	City	State	Zip Code
GARY E CARTER HOMEBUILDERS INC		1220 DUNHAM LANE		080HELENA	AL	35080
Subdivision	Primary Lot	Secondary Lot	Block	Section	Township	Range
			000	15	20S	02W
Map Book	Map Page	Lot Dimension 1	Lot Dimension 2	Number of Acres	Square Feet	
0	0	110	640	3.96	172497.60000000001	


Description

POB NW COR SW1/4 OF NW1/4 E 690' S 300' W 475' TO E R/W NW 50' N 200' W 150' TO W LN N110' TO POB LESS 40' RD R/W

Document Information

Recorded Date	Recorded Number
20070921	20070926000452150
20070912	20070917000434940
20070912	20070913000429940

ANNEXATION CHECK LIST

Copy of petition signed by property owners	✓	 20071126000535510 6/6 \$26.00 Shelby Cnty Judge of Probate, AL 11/26/2007 08:03:33AM FILED/CERT
Map of Property	✓	
Description of Property	✓	
Names of Property Owners	✓	
How many single family dwellings on property	✓	
How many people live on parcel of land	✓ ∅	
How many are of voting age	∅	
How many are not of voting age	∅	
The race of each person	∅	
Reason for annexation	<i>City services</i>	