

20080610000235320 1/11 \$41.00  
Shelby Cnty Judge of Probate, AL  
06/10/2008 09:33:57AM FILED/CERT

**ORDINANCE NUMBER 0805A**

**COUNCIL MEMBER COST  
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 of approximately 479.418 acres at Highway 119, upon the petition of The United States of America, the owner, as provided in §11-42-21 of the *1975 Alabama Code* and other applicable law.

Legal description:





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Commence at the southeast corner of Section 9, Township 22 South, Range 3 West, Shelby County, Alabama and being also the POINT OF BEGINNING; thence from said point of beginning, run along the south line of said Section 9, North 88 degrees 29'-30" West, 1887.87 feet; thence North 01 degree 20'-15" East, 1336.98 feet to the north right of way of an unnamed road (30' row); thence along the north right of way the following three (3) courses: North 79 degrees 23'-36" West, 344.85 feet; along a curve concave to the south (Rad 558.51 feet) a chord of South 85 degrees 52'-51" West, 283.97 feet; along a curve concave to the north (Rad 313.21 feet) a chord of South 84 degrees 45'-53" West, 147.41 feet to the west line of the SE 1/4 of said Section 9; thence along the west line of said SE 1/4, North 00 degrees 46'-53" East, 652.61 feet; thence South 89 degrees 27'-04" East, 875.08 feet; thence North 00 degrees 14'-48" West, 632.42 feet to the north line of said SE 1/4; thence along the north line of said SE 1/4, South 89 degrees 25'-53" East, 1112.00 feet to the southwest corner of the E 1/2 of the E 1/2 of the NE 1/4 of said Section 9; thence along the west line of said E 1/2 of the E 1/2 of the NE 1/4, North 00 degrees 27'-05" East, 2644.10 feet to the northwest corner of said E 1/2 of the E 1/2 of the NE 1/4; thence North 00 degrees 59'-40" West, 1343.50 feet to the northwest corner of E 1/2 of the SE 1/4 of the SE 1/4 of Section 4; thence along the north line of said E 1/2 of the SE 1/4 of the SE 1/4, South 87 degrees 31'-06" East, 49.88 feet; thence South 03 degrees 01'-42" East, 19.49 feet; thence South 84 degrees 12'-00" East, 287.18 feet; thence North 00 degrees 41'-15" West, 36.08 feet to the north line of said E 1/2 of the SE 1/4 of the SE 1/4; thence along the north line of said E 1/2 of the SE 1/4 of the SE 1/4, South 87 degrees 31'-06" East, 329.49 feet to the northeast corner of said E 1/2 of the SE 1/4 of the SE 1/4; thence along the east line of said Section 4, South 00 degrees 43'-43" East, 1345.86 feet to the common corner of Sections 3, 4, 9, and 10; thence along the west line of said Section 10, South 00 degrees 26'-29" West, 983.07 feet; thence South 87 degrees 17'-58" East, 1849 feet, more or less, to the centerline of Shoal Creek; thence 1869 feet, more or less, along the centerline of said Shoal Creek as it meanders, a chord of South 12 degrees 25'-38" East, 1741 feet, more or less, to the centerline of Killough Mill Road (abandoned); thence along the centerline of said road the following three (3) courses: North 56 degrees 28'-57" East, 546 feet, more or less; along a curve concave to the south (Rad 250.00 feet) a chord of North 78 degrees 35'-02" East, 188.12 feet; South 79 degrees 18'-54" East, 305.87 feet to the south right of way of Killough Mill Road (Quinn Lane) (30' row); thence along the south right of way of said road the following five (5) courses: along a curve concave to the north (Rad 125.00 feet) a chord of South 62 degrees 50'-33" East, 181.69 feet; along a curve concave to the south (Rad 160.00 feet) a chord of North 87 degrees 13'-25" East, 91.85 feet; South 76 degrees 05'-47" East, 723.11 feet; along a curve concave to the south (Rad 985.00 feet) a chord of South 70 degrees 11'-14" East, 202.82 feet; South 64 degrees 16'-40" East, 610.67 feet to the northwest right of way of Alabama Highway 119 (row varies); thence along the northwest right of way of said Alabama Highway 119 the following two (2) courses: South 34 degrees 13'-47" West, 1222.23 feet; along a curve concave to the north (Rad 5689.58 feet) a chord of South 34 degrees 30'-06" West, 56.66 feet; thence North 55 degrees 13'-29" West, 493.53 feet; thence South 36 degrees 12'-08" West, 252.70 feet; thence South 52 degrees 23'-34" East, 493.62 feet to the northwest right of way of said Alabama Highway 119; thence along the northwest right of way of said Alabama Highway 119 the following three (3) courses: along a curve concave to the north (Rad 5689.58 feet) a chord of South 40 degrees 31'-29" West, 584.99 feet; North 46 degrees 31'-43" West, 10.00 feet; along a curve concave to the north (Rad 5679.58 feet) a chord of South 45 degrees 09'-10" West, 333.27 feet; thence North 60 degrees 49'-09" West, 2163 feet, more or less, to the centerline of Shoal Creek; thence 1553 feet, more or less, along the centerline of said Shoal Creek as it meanders, a chord of South 11 degrees 49'-51" East, 1471 feet, more or less, to the south line of said Section 10; thence along the south line of said Section 10, North 87 degrees 48'-47" West, 1838 feet, more or less, to the southwest corner of said Section 10 and the point of beginning.



Said parcel lying and being in the SE 1/4 and the E 1/2 of the E 1/2 of the NE 1/4 of Section 9, the E 1/2 of the SE 1/4 of the SE 1/4 of Section 4, and in Section 10, all in Township 22 South, Range 3 West, Shelby County, Alabama and containing 479.418 acres, more or less.

Being the same property as contained in the following deeds: (a) deed dated March 14, 1997, from Chloette O. Brown As executrix and Personal Representative of the Estate of Clyde W. Brown, Deceased, to Chloette O. Brown (1/3 interest) recorded as Instrument No. 1997-16566; (b) deed dated March 14, 1997, from Chloette O. Brown As executrix and Personal Representative of the Estate of Clyde W. Brown, Deceased to Rebecca B. Moore, Rachel B. Fowler and Regina B. Holderness (2/3 interest) recorded as Instrument No. 1997-16567; and (c) deed dated December 12, 2002, from Chloette O. Brown, individually to the Chloette Brown Family, L.L.C. (1/3 interest) recorded as Instrument No. 2002-21227; less the 0.182 acre parcel claimed by the adjacent landowner, Connie Metrock; and less a strip of land extending 17 feet beyond the eastern bank of Shoal Creek and following the meanderings of said eastern bank from the north line of Section 10 to a line extending across the mill dam and commonly known as the Killough Mill Dam.

2. That the annexed territory be zoned AO until rezoned upon a recommendation of the Planning and Zoning Commission.
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.

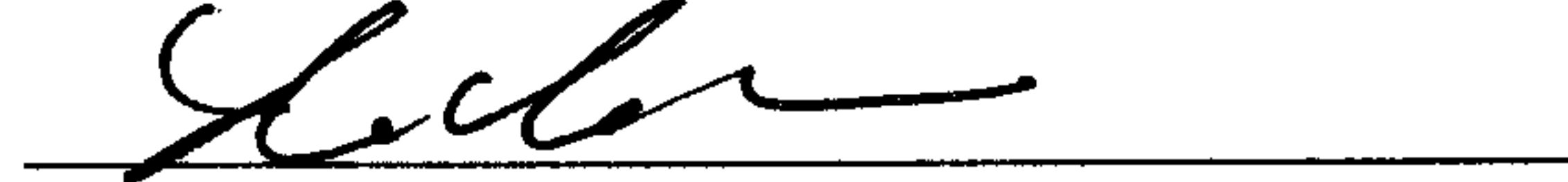
This ordinance shall become effective upon its passage and advertisement as provided by law.

Approved and adopted this day, May 12, 2008.



Mayor Sharon Anderson

Attest:



Herman Lehman, City Clerk

I certify that the attached Ordinance 0805A, adopted by the Montevallo City Council on May 12, 2008, 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, 277 Park Drive, Montevallo,



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beginning May 13, 2008 and continuing for more than four weeks thereafter.

A handwritten signature in black ink, appearing to read 'Herman Lehman', written over a horizontal line.

Herman Lehman

City Clerk

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THE SECRETARY OF VETERANS AFFAIRS  
WASHINGTON

April 21, 2008

20080610000235320 5/11 \$41.00  
Shelby Cnty Judge of Probate, AL  
06/10/2008 09:33:57AM FILED/CERT

PETITION FOR ANNEXATION

Mayor Sharon Anderson  
City of Montevallo  
545 Main Street  
Montevallo, AL 35115

Dear Mayor Anderson:

The United States of America is the record owner of a parcel of land described in the attached legal description. The property is contiguous with the current city limits of Montevallo, and pursuant to your letter of November 6, 2007, we have considered your request that the Birmingham National Cemetery be annexed into the Montevallo city limits. After analysis, I agree that the annexation would be in the interest of the United States.

Therefore, the United States of America, acting through the Secretary of Veterans Affairs as record owner of the property, requests the City of Montevallo take the necessary steps to annex the property described below, into the City of Montevallo. Please consider this request at your earliest convenience.

Owner: The United States of America, for the benefit and use of the National Cemetery Administration, United States Department of Veterans Affairs

Physical Address of Property: Hwy 119 North, Montevallo, AL

Owner's Mailing Address: U.S. Department of Veterans Affairs  
810 Vermont Ave, NW, LAF 415  
Washington, DC 20420  
Attn: Kelli Woodard (00CFM3C)

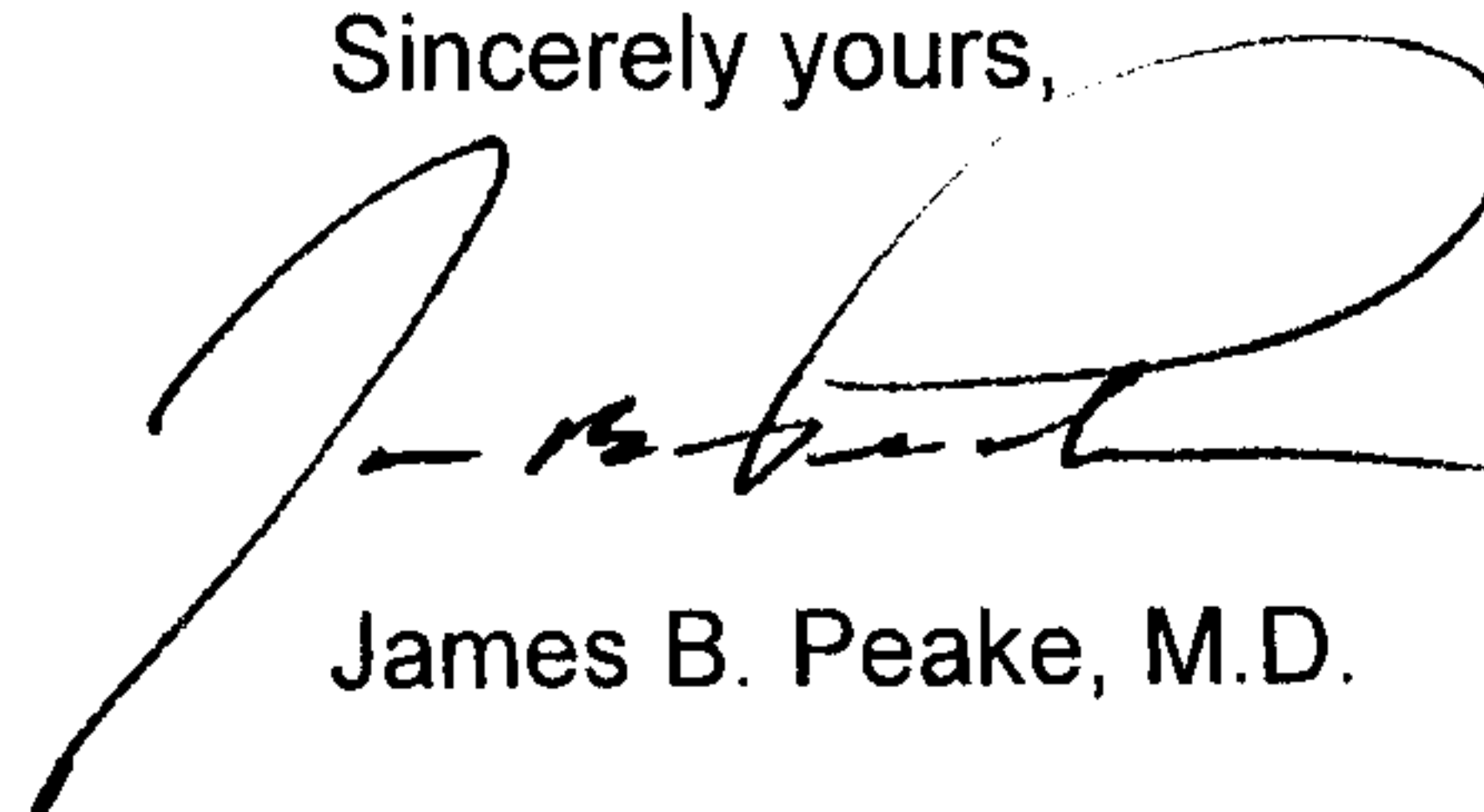
Phone: 202-565-5297  
Number of Acres: 479.418

Please find the enclosed legal description and tax parcel records for parcel numbers:

27-2-09-0-000-001.000  
27-2-04-0-000-001.000  
27-2-10-0-000-004.000

All held in the name of The United States of America.

Sincerely yours,



James B. Peake, M.D.

Enclosures



## EXHIBIT "A"

20070726000348440 4/5 \$25.00  
Shelby Cnty Judge of Probate, AL  
07/26/2007 11:05:01AM FILED/CERT

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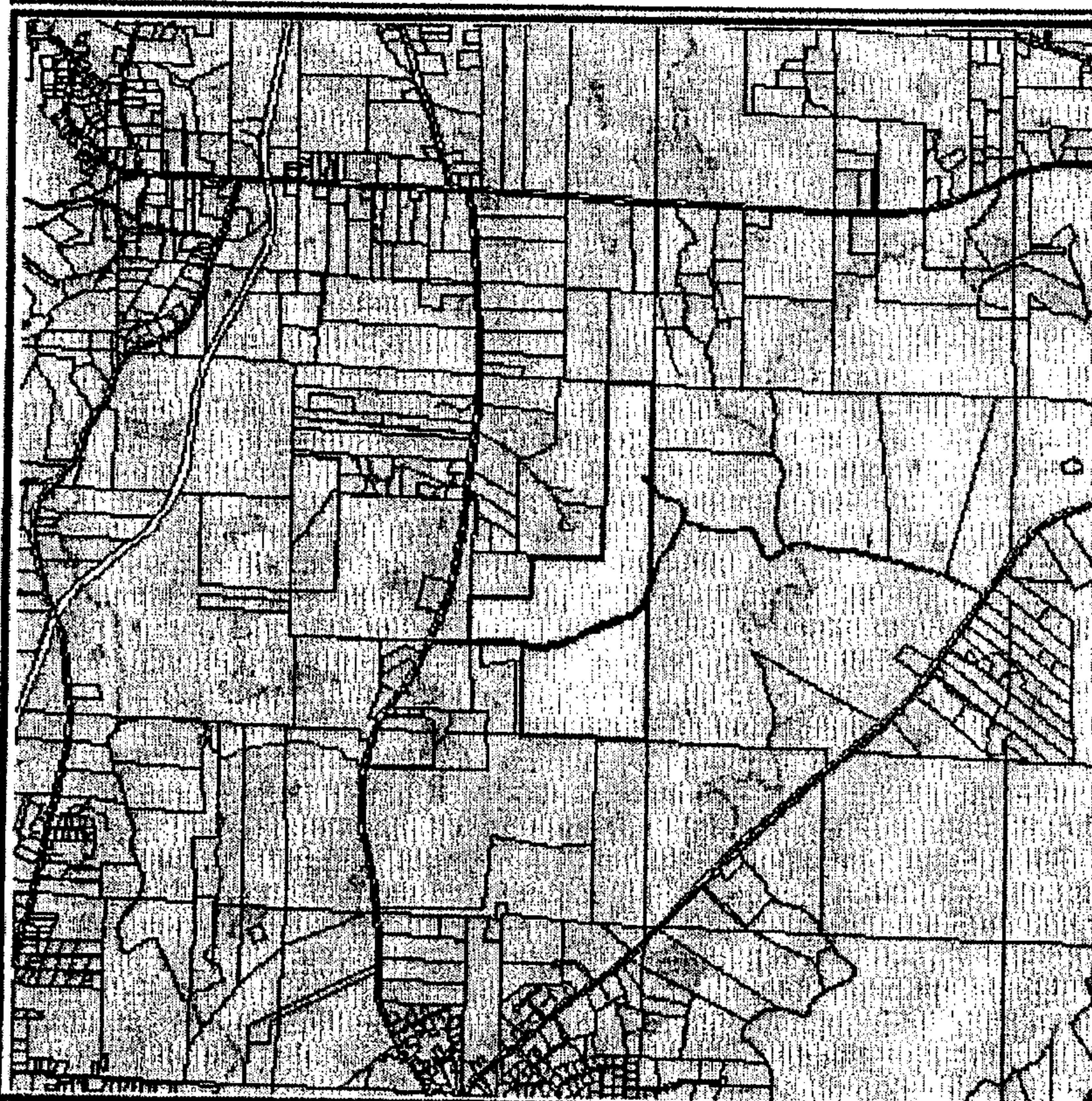
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## Property Information - 27 2 09 0 000 001.000



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## Owner Information

| Name 1                   | Name2                            | Address 1                      | Address 2                              | City            | State       | Zip Code |
|--------------------------|----------------------------------|--------------------------------|--|-----------------|-------------|----------|
| UNITED STATES OF AMERICA | NATIONAL CEMETERY ADMINISTRATION | DEPARTMENT OF VETERANS AFFAIRS | 811 VERMONT AVENUE NORTHWEST ROOM 251A | WASHINGTON      | DC          | 20571    |
| Subdivision              | Primary Lot                      | Secondary Lot                  | Block                                  | Section         | Township    | Range    |
|                          |                                  |                                | 000                                    | 9               | 22S         | 03W      |
| Map Book                 | Map Page                         | Lot Dimension 1                | Lot Dimension 2                        | Number of Acres | Square Feet |          |
| 0                        | 0                                | 0                              | 0                                      | 175             | 7623000     |          |

## Description

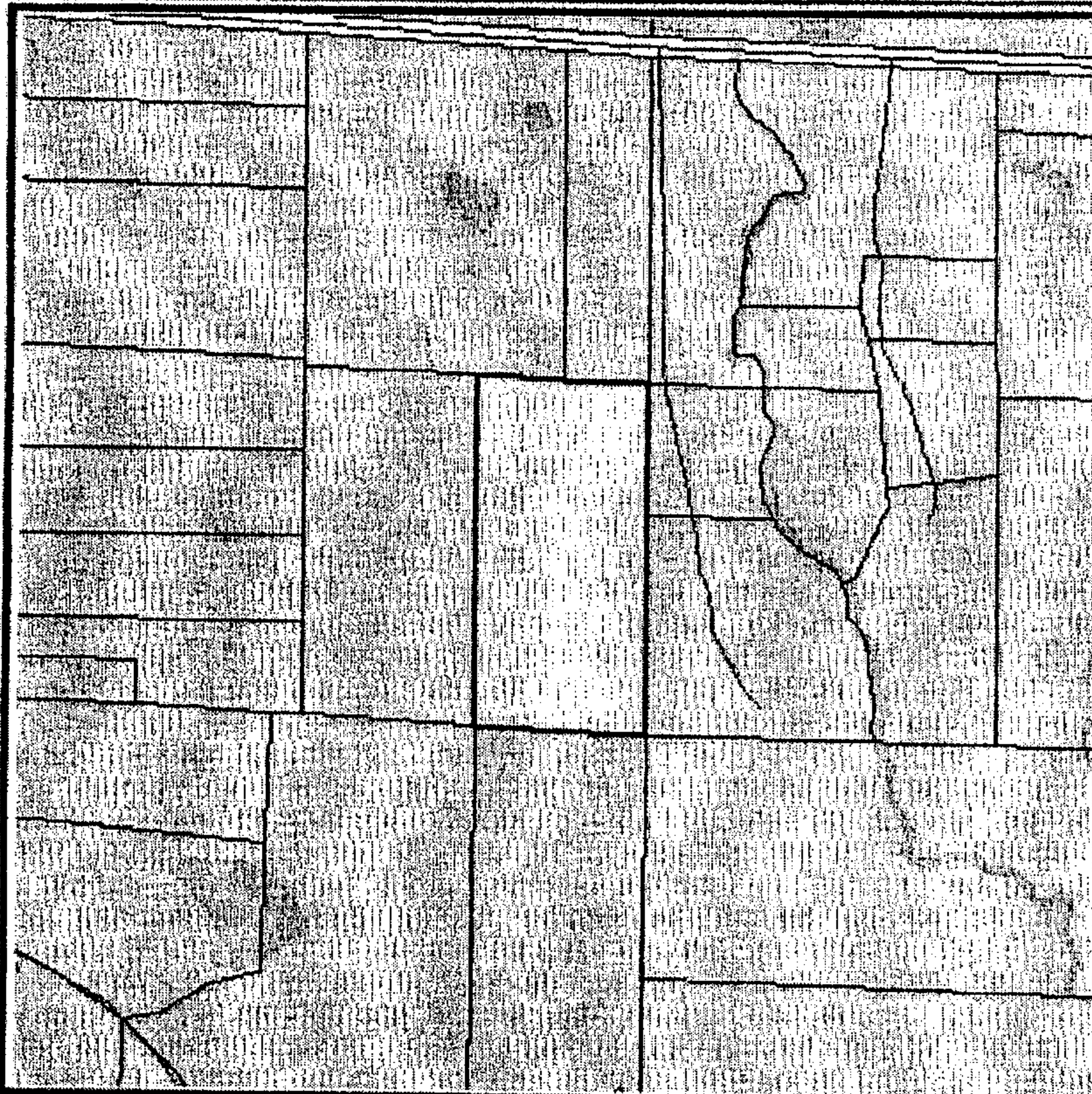
E1/2 OF E1/2 OF NE1/4 SEC 9 & THE SE1/4 LESS W1/2 OF SW1/4 SE1/4 & LESS W 8 75' OF N660' OF SE1/4 LESS BEG @ PT 1970(S) W OF & 1080 N OF SE COR N 225( S) E 140(S) S 212.8'W 120 (S) TO POB EXC RD ROW \*\* HOLDERNESS REGI NA B (2/3 INT) \*\*

## Document Information

| Recorded Date | Recorded Number   |
|---------------|-------------------|
| 20070726      | 20070726000348440 |
| 20021212      | 20020064558000000 |
| 19970314      | 19970001656700000 |
| 19970314      | 19970001656600000 |



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## Owner Information

| Name 1                   | Name2                            | Address 1                      | Address 2                              | City            | State       | Zip Code |
|--------------------------|----------------------------------|--------------------------------|--|-----------------|-------------|----------|
| UNITED STATES OF AMERICA | NATIONAL CEMETERY ADMINISTRATION | DEPARTMENT OF VETERANS AFFAIRS | 811 VERMONT AVENUE NORTHWEST ROOM 251A | WASHINGTON DC   |             | 20571    |
| Subdivision              | Primary Lot                      | Secondary Lot                  | Block                                  | Section         | Township    | Range    |
|                          |                                  |                                | 000                                    | 4               | 22S         | 03W      |
| Map Book                 | Map Page                         | Lot Dimension 1                | Lot Dimension 2                        | Number of Acres | Square Feet |          |
| 0                        | 0                                | 0                              | 0                                      | 20              | 871200      |          |

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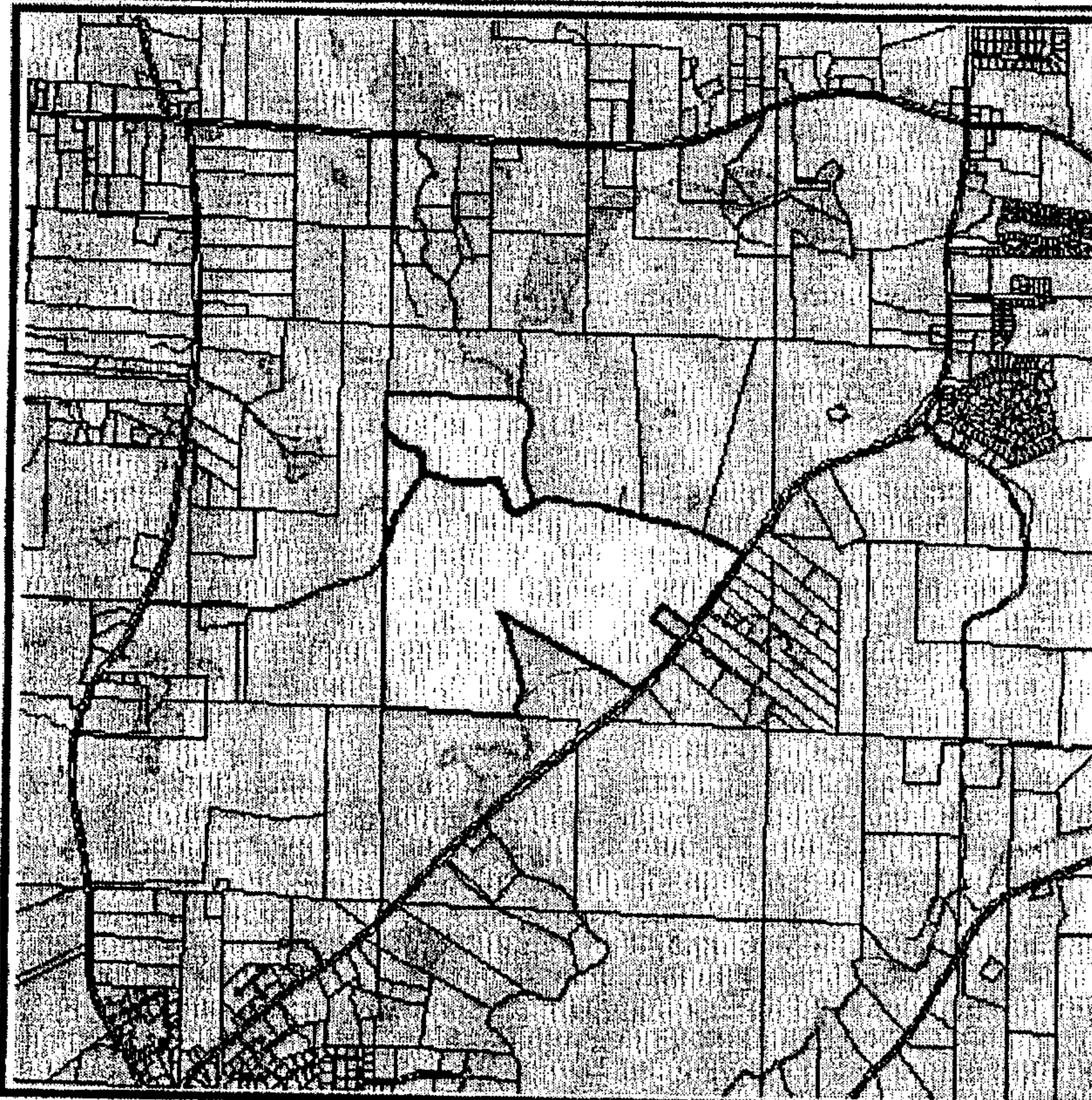
E1/2 OF SE1/4 OF SE1/4 S4 T22SR3W \*\* HOLDERNESS REGINA B (2/3 INT) \*\*

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| Map Book                 | Map Page                         | Lot Dimension 1                | Lot Dimension 2                        | Number of Acres | Square Feet |          |
| 0                        | 0                                | 0                              | 0                                      | 300             | 13068000    |          |

## Description

BEG SW COR SEC 10 N 4310(S) E 1800(S) TO SHOAL CRK SE'LY ALG SD CRK TO N ROW OF KILLOUGH MILL RD E ALG SD RD ROW TO NW RD ROW OF HWY 119 SW ALG RD ROW 12 00 NWLY 494 SWLY 252.84 SELY 494 TO POB \*\* HOLDERNESS REGINA B (2/3 INT) \*\*

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