

ORDINANCE NO. 09-A02

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

WHEREAS, a petition signed by the owners of all of the land within the territory therein described and proposed to be annexed to the City, 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 Alabaster, Alabama; and

WHEREAS, this 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 Alabaster, Alabama.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ALABASTER, ALABAMA, AS FOLLOWS:

Section 1. That the City Council and the City of Alabaster, Alabama hereby assent to the annexation of said territory to the City of Alabaster, 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 11-42-23, 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 police jurisdiction of another municipality, and/or the new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any municipality. Said territory is described as follows:

Said tracts of land being a part of Section 11, Township 21, Range 3 West, Shelby County, Alabama, also known as Roy Property off Highway 119 South.

#1. Begin at the SE corner of the SE1/4 of NW1/4 of Section 11, Township 21, Range 3 West, run East along the South boundary of the SW1/4 of the NE1/4 of said Section 11 for a distance of 654.81 feet; thence turn an angle of 87 deg. 05 min. to the left and run for 760.5 feet, more or less, to a point on the South right-of-way of the L & N R.R. South bound track; thence turn an angle of 93 deg. 45 min. to the left and run 691.6 feet; thence turn an angle of 89 deg. 06 min. to the left and run 210 feet; thence turn an angle of 89 deg. 06 min. to the right and run 284.0 feet to the East right-of-way of the Montevallo Road; thence run South along the East right-of-way of the said Montevallo Road to the point of intersection of the East right-of-way and the South boundary of the SE1/4 of NW1/4 of Section 11, Township 21, Range 3 West; thence run East along the said South boundary of SE1/4 of NW1/4 of Section 11, Township 21 South, Range 3 West 320.8 feet, more or less, to the point of beginning. This being parts of the SE1/4 of NW1/4 and SW1/4 of NE1/4 of Section 11, Township 21 South, Range 3 West. Situated in Shelby County, Alabama.

#2. Commencing at the southwest corner of said SE 1/4 of the NW 1/4, thence east along the south line of said SE 1/4 of NW 1/4 a distance of 1025 feet, more or less, to the present east right of way of Alabama Highway 119; and the point of beginning of the property herein to be conveyed; thence northerly along said right of way line a distance of 579 feet, more or less, to the north property line; thence east along said property line a distance of 56 feet, more or less, to a point that is 65 feet easterly of and at right angles to the centerline of said Project No. STPAA-458 (1); thence southerly, parallel with said centerline, a distance of 58 feet, more or less, to a point that is 65 feet easterly of and at right angles to said centerline at P. T. Station 501+10.56; thence southerly, parallel with said centerline, along a curve to the right (concave northerly), a distance of 467 feet, more or less, to a point that is 65 feet easterly of and at right angles to said centerline at Station 496+50; thence southerly along a line (which if extended would intersect a point that is 80 feet easterly of and at right angles to said centerline at Station 490+00) a distance of 56 feet, more or less, to the south property line; thence westerly along said property line a distance of 70 feet, more or less, to the point of beginning. Containing 0.856 acre, more or less.



#3. Commence at the SW corner of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11, Township 21 South, Range 3 West and run Easterly along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 679.31 feet to a fence corner and the point of beginning of the parcel being described; thence turn an angle of 89 deg. 02 min. 10 sec. to the left and run Northerly along said fence line a distance of 201.07 feet to a 20" diameter Oak tree with a railroad spike set in it's center at a height of 5 feet; thence turn an angle of 2 deg. 23 min. 0 sec. to the left and run Northerly a distance of 594.65 feet to a steel pin corner set on the center of an existing creosoted fence post on the South right-of-way line of the L & N Railroad and the end of the agreement line; thence run Northwesterly along the South right-of-way line of the L & N Railroad to the intersection thereof with the West line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence run South along the West line of the E $\frac{1}{2}$ of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11 to the intersection thereof with the South line of the SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of said Section 11; thence run East along the South line of said SW $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 11 a distance of 22.0 feet to the point of beginning, according to survey of Joseph E. Conn, Jr., Registered Land Surveyor, dated April 14, 1985.

#4. Begin at the southwest corner of the NW $\frac{1}{4}$ of Sec. 11, Township 21 South, Range 3 West; Thence run northerly along the west boundary line of said Sec. 11, Tsp. 21S., R.3W. for 722.85 feet; Thence turn an angle of 88 degrees, 38 minutes to the right and run easterly 368.89 feet; to a point on the west bank of Buck Creek; Thence turn an angle of 75 degrees 06 minutes to the right and run southeasterly 348.3 feet, including the meanderings of said creek; Thence turn an angle of 70 degrees, 10 minutes to the left and continue southeasterly 271.5 feet; Thence turn an angle of 90 degrees to the right and run southwesterly 125.5 feet; Thence turn an angle of 93 degrees, 44 minutes to the left and run easterly 1563.64 feet, more or less, to a point on the west Right of Way line of Alabama State Highway No. 119; Thence run southwesterly along the west R.O.W. line of said highway to the point of intersection of the west R.O.W. line of Ala. State Highway No. 119 and the south boundary line of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S., R.3W.; Thence run westerly along the south boundary line of the NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S., R.3W. to the point of beginning.

#5. Also: A part of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 10, Tsp. 21 S., R.3W. described as follows: Begin at the Southeast corner of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 10, Tsp. 21 S., R.3W.; Thence run westerly along the south boundary line of the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 10, Tsp. 21S., R.3W. for 234.0 feet; Thence run northerly parallel to the east boundary line of Sec. 10, Tsp. 21S., R.3W. for 722.85 feet; Thence run easterly parallel to the south boundary line of said $\frac{1}{4}$ - $\frac{1}{4}$ section for 234.0 feet to a point on the east boundary line of Sec. 10, Tsp. 21S., R.3W.; Thence run southerly along the east boundary line of said Sec. 10 for 722.85 feet to the point of beginning. This land being parts of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 11 and the SE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 10, Township 21 South, Range 3 West and being Revised Parcel No. 2 of the R. L. Roy Property Division.

#6. From the point of intersection of the South boundary line of the NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S, Range 3W and the West R. O. W. Line of Alabama State Highway Number 119 run Westerly along the South boundary line of the said NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S, Range 3W. for 250 feet to point of beginning of the land herein described and conveyed; Thence continue Westerly along the South boundary line of the NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S, Range 3W. for 300 feet; Thence turn an angle of 90 deg. to the right and run Northerly 200 feet; Thence turn an angle of 90 deg. to the right and run Easterly 300 feet; Thence turn an angle of 90 deg. to the right and run Southerly 200 feet to the point of beginning. This land being a part of the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 11, Tsp. 21S, Range 3W, and being 1.37 acres more or less.

Said tracts of land contain a total of approximately 25.89 +/- Acres described in Parcel ID#'s 23-1-11-2-004-016.000 (11 Ac.), 23-1-11-2-001-009.000 (2.89 Ac.) and 23-1-11-1-001-005.000 (12 Ac.).

Applicants: Lamont L. Roy (Power of Attorney, Julia L. Roy) and Julia L. Roy.

Section 2. That the City Clerk shall file a certified copy of this ordinance containing an accurate corrected description of said annexed territory with the Judge of Probate of Shelby County, Alabama, and also cause a copy of this ordinance to be published or posted, in accordance with the Code of Alabama.

Section 3. That the Zoning Map of the City of Alabaster, Alabama, and any other official maps or surveys of the City shall be amended to reflect the annexation of the above described property, and that a copy of this Ordinance be transmitted to the City Planning Commission and the Zoning Administrator.

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Shelby Cnty Judge of Probate, AL
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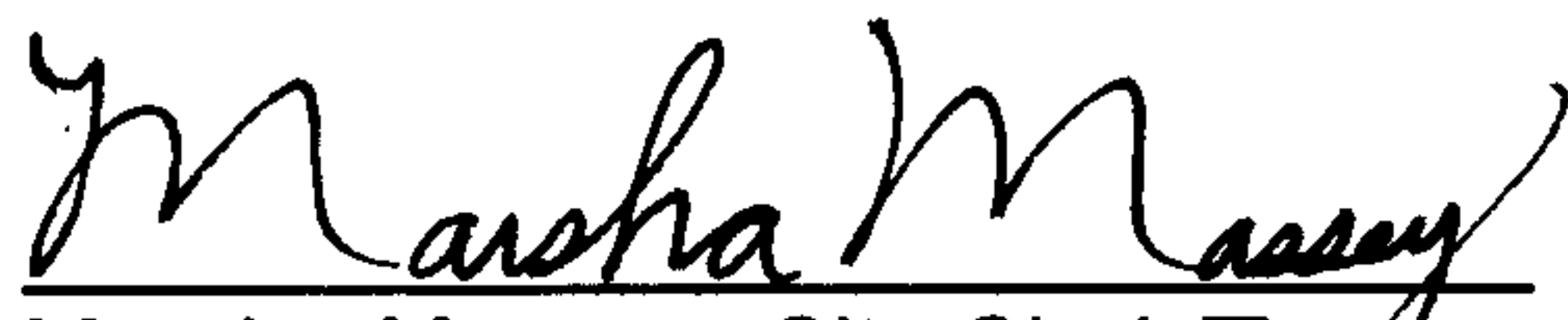
Section 4. That this property is temporarily zoned MR as provided in the Zoning Ordinance of the City of Alabaster, Alabama.

Section 5. That this property is part of election Ward 6.

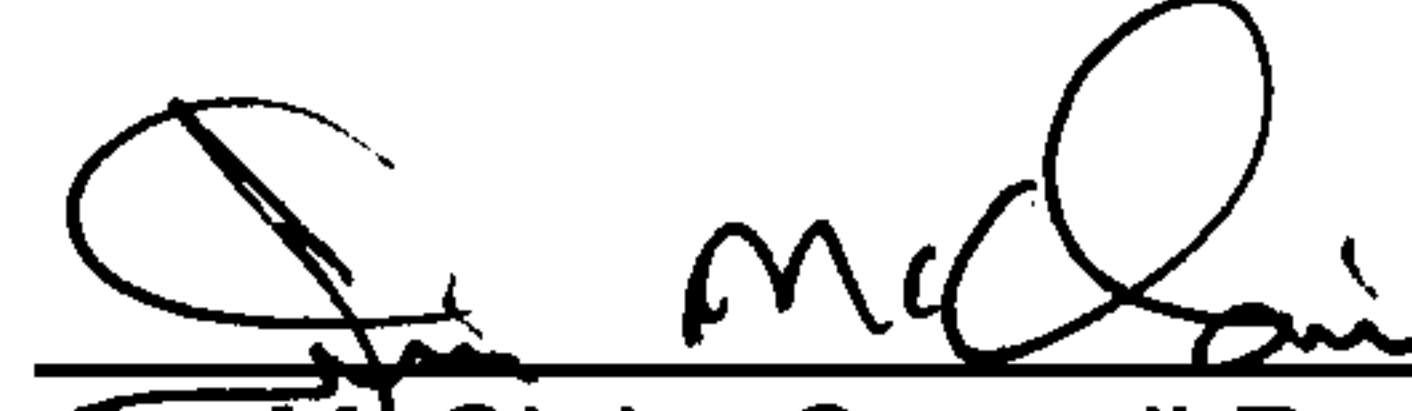
Effective Date. This Ordinance shall become effective immediately after passage and adoption by the City Council of the City of Alabaster, Alabama and posting or otherwise required by law.

ADOPTED AND APPROVED THIS 19 DAY OF MARCH 2009.

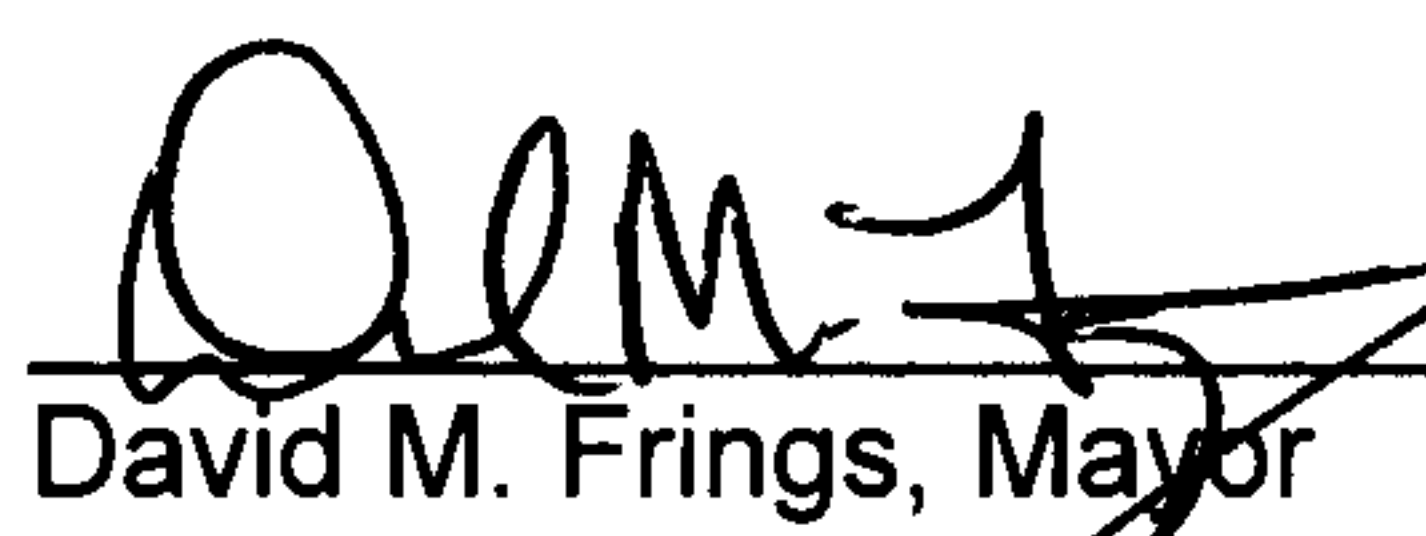
ATTEST:


Marsha Massey, City Clerk/Treas.

CITY OF ALABASTER, ALABAMA


Jim McClain, Council President

APPROVED:


David M. Frings, Mayor


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