

20090423000150380 1/7 \$29.00
Shelby Cnty Judge of Probate, AL
04/23/2009 02:17:29PM FILED/CERT

Town of Chelsea

P.O. Box 111
Chelsea, Alabama

Certification Of Annexation Ordinance

3.61*

Ordinance Number: X-02-03-25-176

Property Owner(s): Benson Properties, LLC

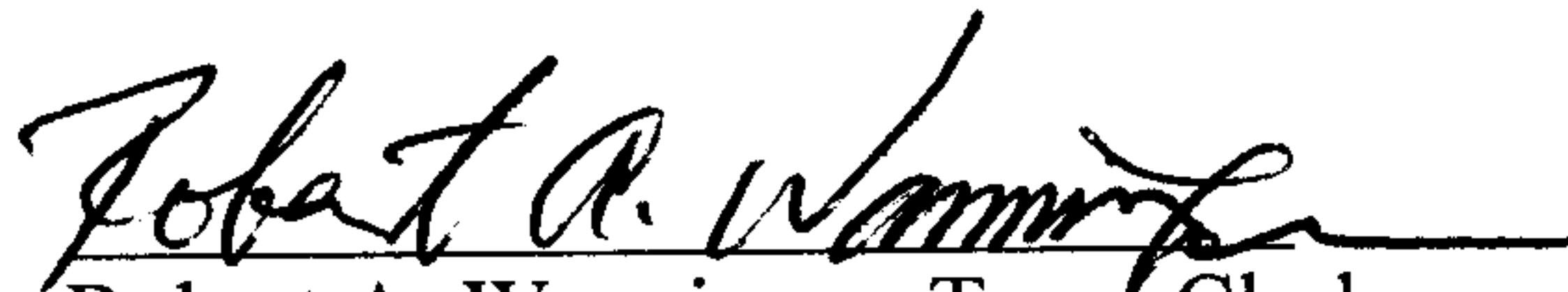
Property: 58-09-08-27-001-017.006
58-09-08-27-001-017.004

I, Robert Wanninger, Town Clerk of the Town of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the Town Council of Chelsea, at the special meeting held on March 25, 2002, as same appears in minutes of record of said meeting, and published by posting copies thereof on March 26, 2002 at the public places listed below, which copies remained posted for five business days (through April 1, 2002):

Chelsea Middle School, 901 Highway 39, Chelsea, Alabama 35043

First National Bank of Shelby County, Chelsea Branch, Highway 280, Chelsea, AL 35043

U.S. Post Office, Highway 280, Chelsea, Alabama 35043


Robert A. Wanninger, Town Clerk

Town of Chelsea, Alabama

Annexation Ordinance No. X-02-03-25-176

Property Owner(s): Benson Properties, LLC

Property: 58-09-08-27-001-017.006
58-09-08-27-001-017.004

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 properties be annexed to the Town of Chelsea has been filed with the Chelsea town clerk; and

Whereas, said petition has been signed by the owner(s) of said properties; and

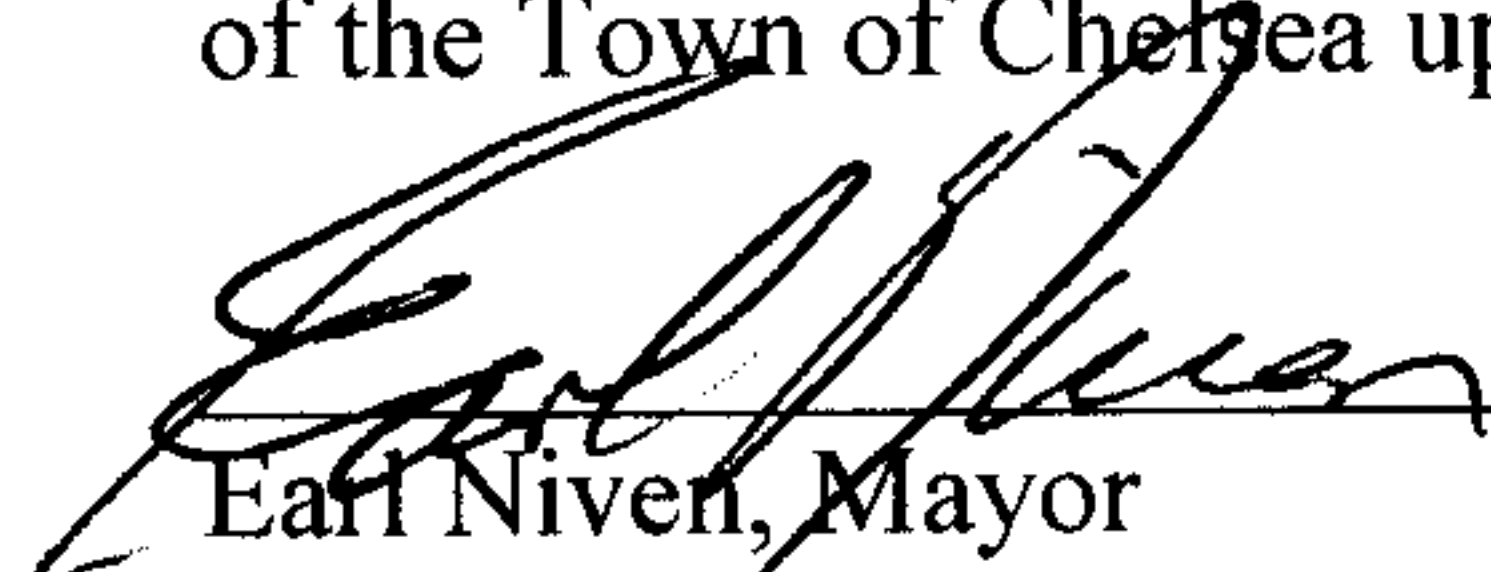
Whereas, said petition contains (as Petition Exhibits A&B) an accurate description of said properties together with a map of said properties (Exhibit C) showing the relationship of said properties to the corporate limits of Chelsea; and

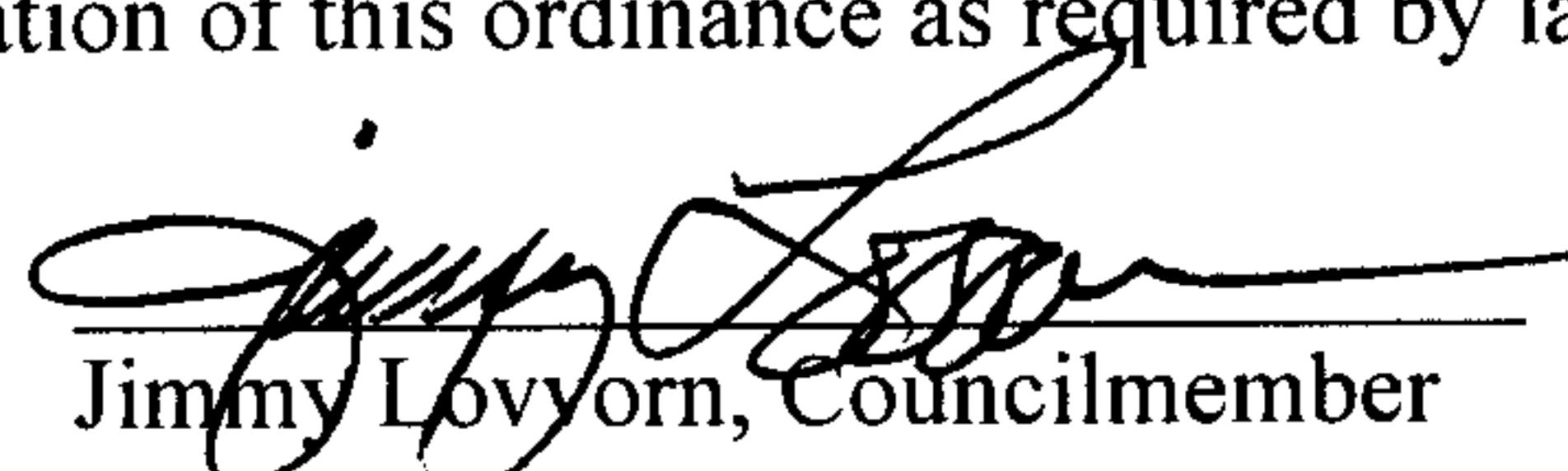
Whereas, said properties are contiguous to the corporate limits of Chelsea, or are a part of a group of properties submitted at the same time for annexation, which is zoned A-R, which together are contiguous to the corporate limits of Chelsea;

Whereas, said territories do not lie within the corporate limits of any other municipality

Therefore, be it ordained that the town council of the Town of Chelsea assents to the said annexation: and

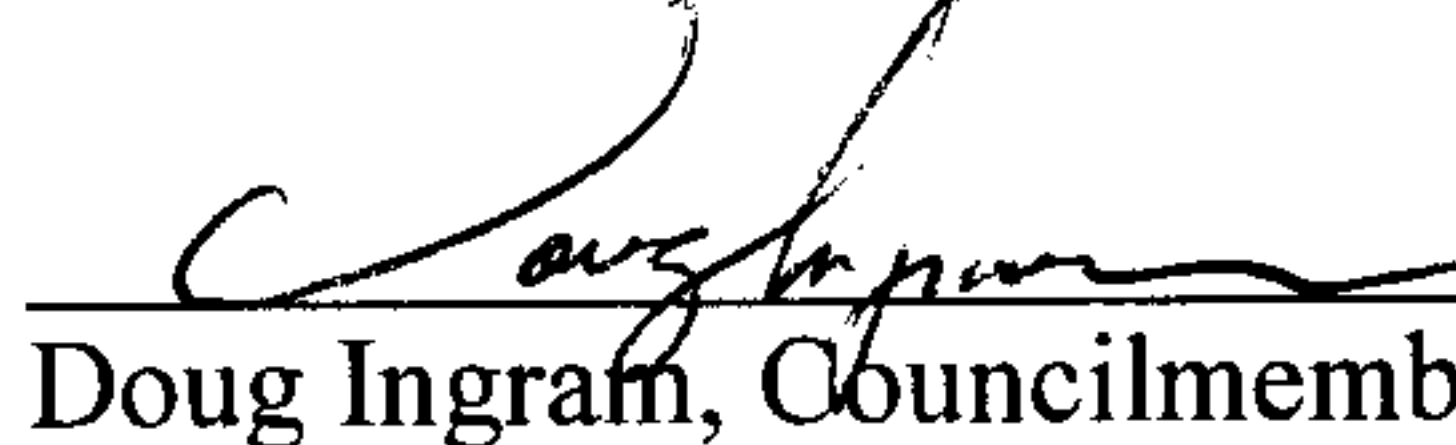
Be it further ordained that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said properties, and said properties shall become a part of the corporate area of the Town of Chelsea upon the date of publication of this ordinance as required by law.


Earl Niven, Mayor


Jimmy Lovvorn, Councilmember

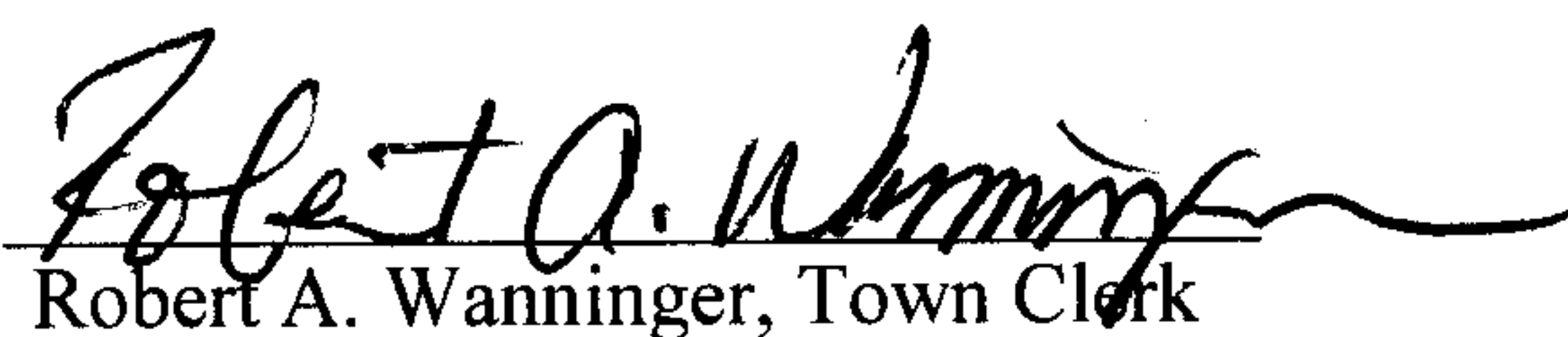

Allen Boone, Councilmember


S. Earl Niven, Jr., Councilmember


Doug Ingram, Councilmember


John Ritchie, Councilmember

Passed and approved 25 day of MARCH


Robert A. Wanninger, Town Clerk

Petition Exhibit A

Property owner(s): Benson Properties, LLC

Property: 58-09-08-27-001-017.006
58-09-08-27-001-017.004

Property Description

The above-noted properties, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Petition Exhibit B) Which was recorded with the Shelby County judge of probate as instrument number 2000-01316.

Further, the said properties for which annexation into Chelsea is requested in this petition are shown in the indicated shaded area on the attached map in Petition Exhibit C. Said map also shows the contiguous relationship of said properties to the corporate limits of Chelsea.

These said properties, for which annexation into Chelsea is requested in this petition, do not lie within the corporate limits of any other municipality.

Town Clerk
Town of Chelsea
P.O. Box 111
Chelsea, Alabama 35043

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Petition for Annexation

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the town of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the town of Chelsea to annex said property into the corporate limits of the municipality.

Done the 19th day of Feb, 2009

Rita Jackson
Witness

Benson Properties LLC
Owner

1000 Eagle Point Corp. DR. Bham AL 35242
Mailing Address
180 Chelsea Corner Way 150 Chelsea Corner Way - Bayou Grill
SE/EO corner 100 Chelsea Corner Way - Plaza
Property Address (if different)

205 408-1003
Telephone Number

Witness

Owner

Mailing Address

Property Address

Telephone number

(All owners listed on the deed must sign)

Exhibit B 10/2

This instrument prepared by:
Mary Thornton Taylor, Esquire
Dominick, Fletcher, Yeilding,
Wood & Lloyd, P.A.
2121 Highland Avenue
Birmingham, Alabama 35205

Send tax notice to:
Benson Properties, L.L.C.
176 Highland View Drive
Birmingham, AL 35242

STATUTORY WARRANTY DEED

STATE OF ALABAMA)
) KNOW ALL MEN BY THESE PRESENTS:
SHELBY COUNTY)

That for and in consideration of SEVEN HUNDRED EIGHTY THOUSAND AND NO/100 DOLLARS (\$780,000.00) to the undersigned **DOUBLE OAK WATER RECLAMATION, L.L.C.**, an Alabama limited liability company ("Grantor"), in hand paid by **BENSON PROPERTIES, L.L.C.** ("Grantee"), the receipt and sufficiency of which are hereby acknowledged, Grantor does by these presents grant, bargain, sell and convey unto the said Grantee the following described real estate situated in Shelby County, Alabama, to-wit:

Lots 4 and 5, according to the survey of The Shoppes at the Corners, Phase 2, as recorded in Map Book 26, page 89, in the Probate Office of Shelby County, Alabama; being situated in Shelby County, Alabama.

The Property is conveyed subject to the following:

- (1) General and special taxes and assessments for 2000 and subsequent years not yet due and payable;
- (2) All easements, restrictions, covenants, reservations, rights-of-way and other matters of record;
- (3) Mineral and mining rights not owned by Grantor;

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns forever.

ALL of the consideration was paid from proceeds of a mortgage loan closed simultaneously herewith.

Inst # 2000-01316

01/12/2000-01316
10:03 AM CERTIFIED
SHELBY COUNTY JUDGE OF PROBATE
002 CJ1 12.00

CLAYTON T. SWEENEY, ATTORNEY AT LAW

Exhibit B 2 of 2

IN WITNESS WHEREOF, Grantor **DOUBLE OAK WATER RECLAMATION, L.L.C.** has heretofore set its signature and seal this 10th day of January, 2000.

DOUBLE OAK WATER RECLAMATION, L.L.C.

By: South Edge, Inc., Its Manager

By:

William L. Thornton, III
Its Vice President

STATE OF ALABAMA)

JEFFERSON COUNTY)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **William L. Thornton, III**, whose name as Vice President of South Edge, Inc., an Alabama corporation, as Manager of **DOUBLE OAK WATER RECLAMATION, L.L.C.**, an Alabama limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation, acting in its capacity as Manager as aforesaid.

Given under my hand and seal, this 10th day of January, 2000.

Mary Catherine Johnson
Notary Public

(SEAL)

My commission expires: 7/24/2001

DFY/93399

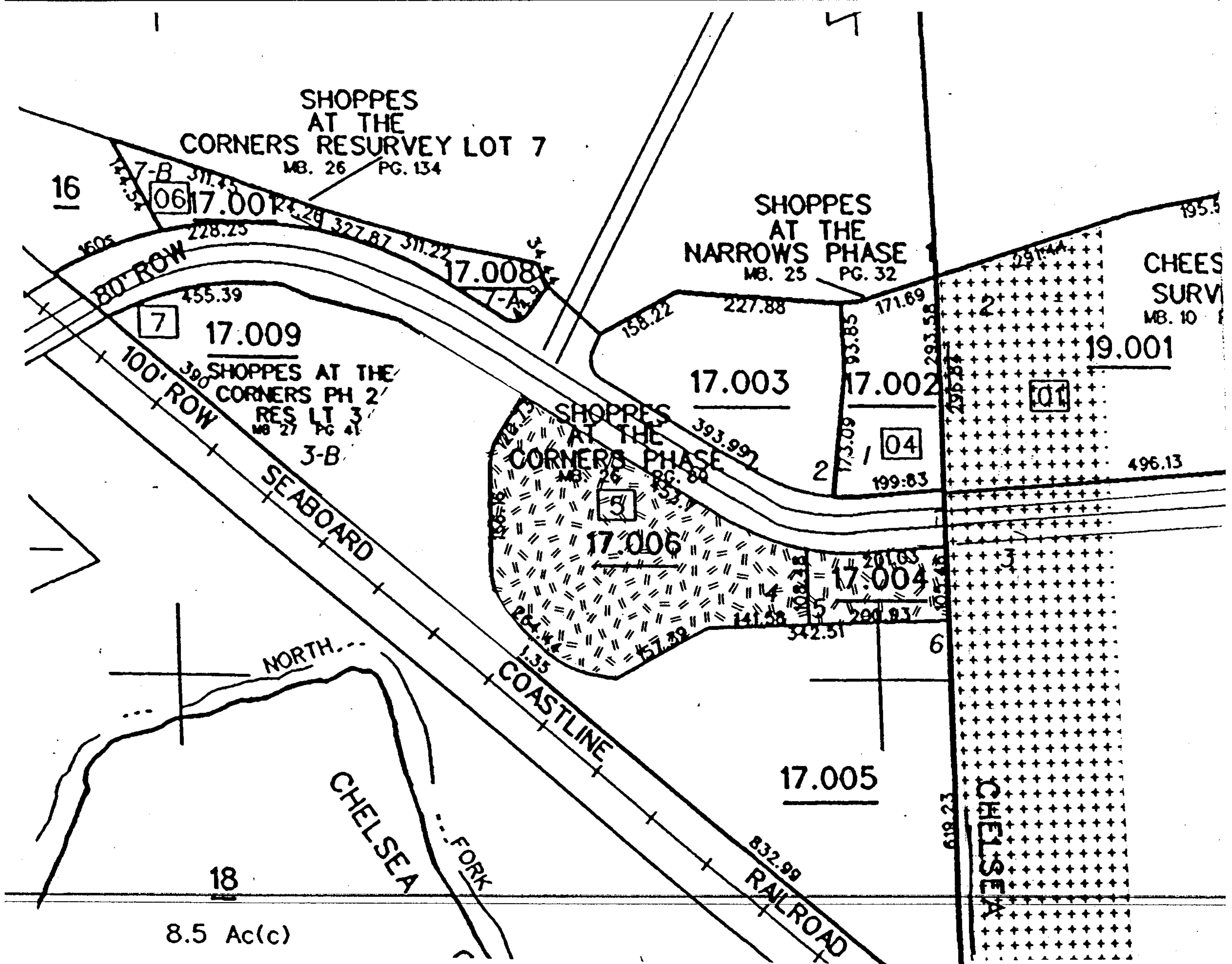
Page 2

Inst # 2000-01316

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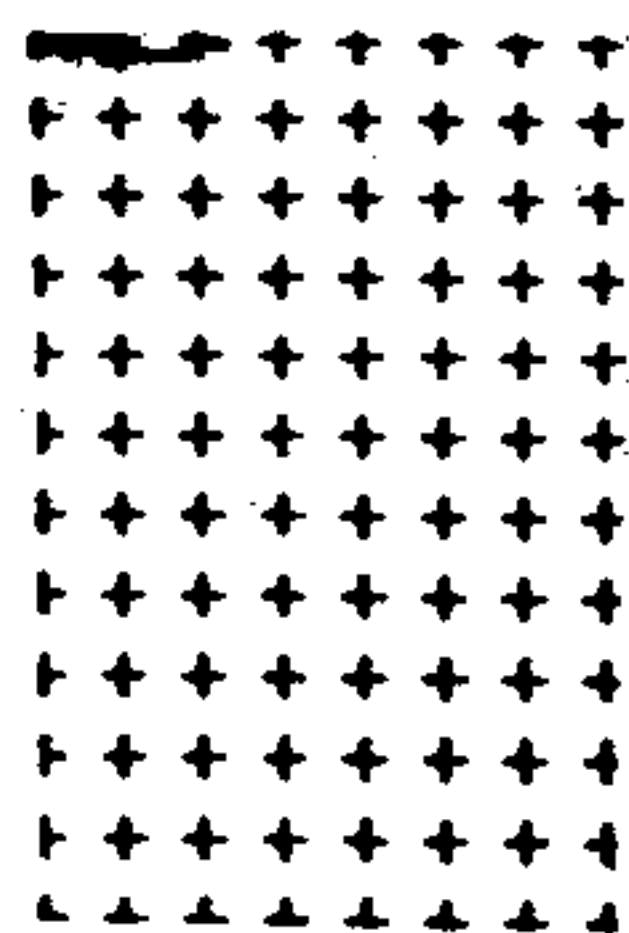
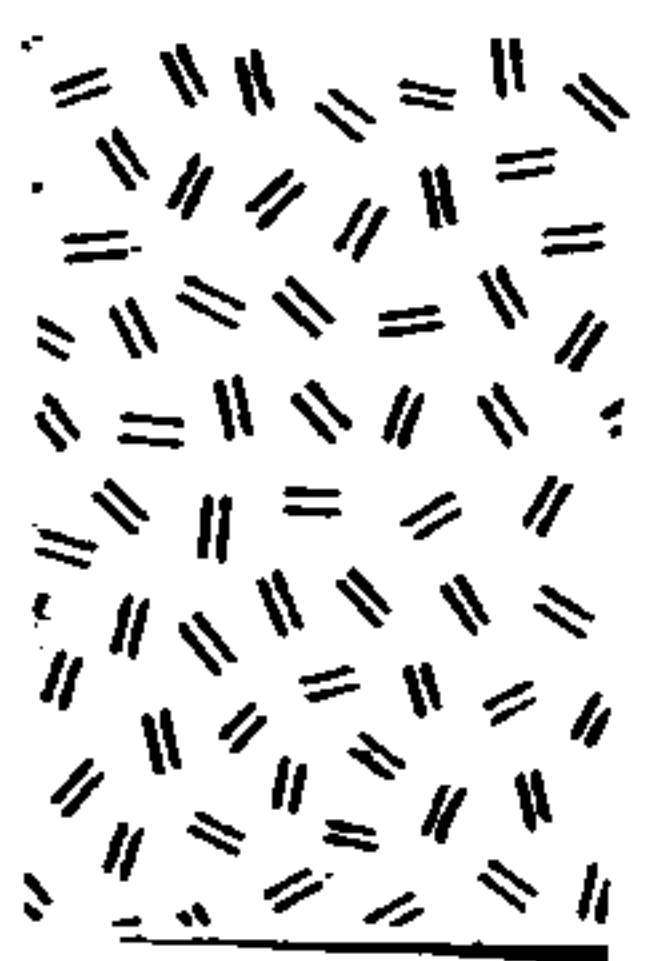


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area to be annexed

Chelsea Town Limits



Tax ID Map Number 58-09-08-27

Exhibit C



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