

ORDINANCE NO. 450

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 Exhibit "A"

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.

Bill Meadows, a member of the City Council of the City of Pelham, moved that all rules which would prevent the immediate consideration of **Ordinance Number 450**, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Karyl Rice, a member.

The roll call vote on said motion was recorded as follows:

Teresa Nichols President of the Council	<u>Yes</u>
Ron Scott Council Member	<u>Yes</u>
Bill Meadows Council Member	<u>Yes</u>
Steve Powell Council Member	<u>Yes</u>
Karyl Rice Council Member	<u>Yes</u>

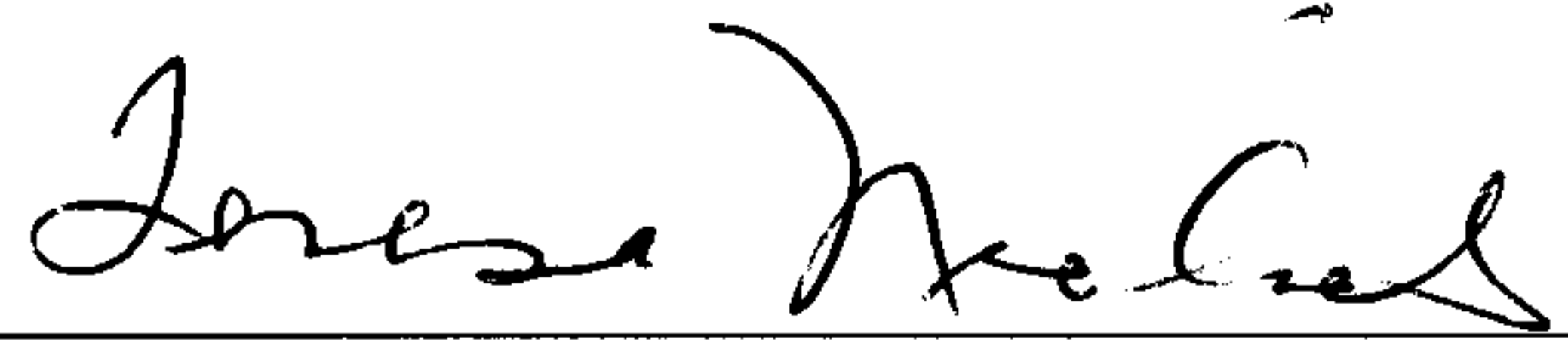
The Council President declared the motion passed by a unanimous vote of those members present in order to give immediate consideration to Ordinance 450.

THEREUPON Karyl Rice, a member moved and Steve Powell, a member seconded the move that said Ordinance 450 be given vote. The roll call vote on said motion was recorded as follows:

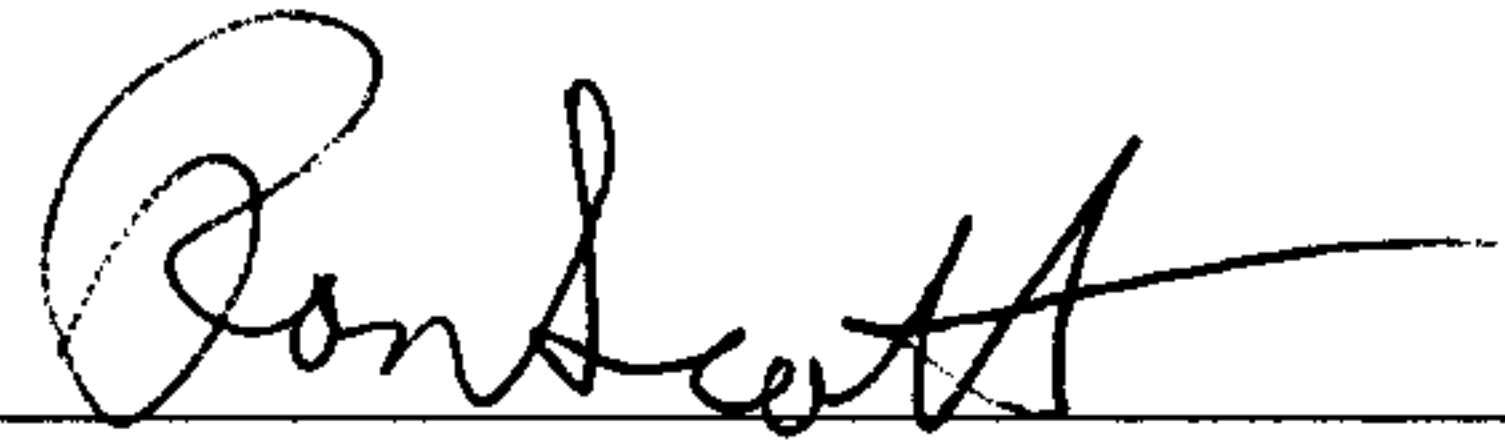
Teresa Nichols President of the Council	<u>Yes</u>
Ron Scott Council Member	<u>Yes</u>
Bill Meadows Council Member	<u>Yes</u>
Steve Powell Council Member	<u>Yes</u>
Karyl Rice Council Member	<u>Yes</u>

Said Ordinance passed by vote of all members of the Council present and the Council President declared the same passed.

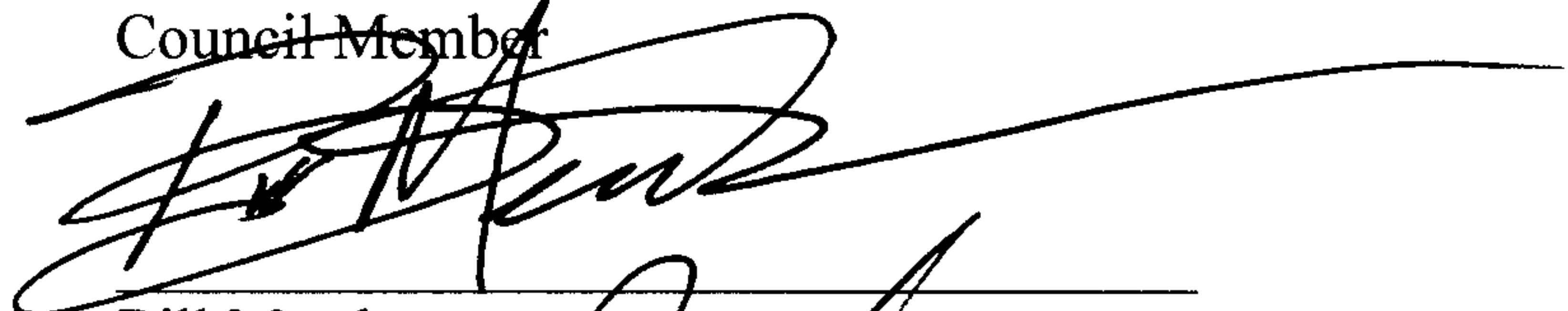
ADOPTED this the 16th day of July 2012.



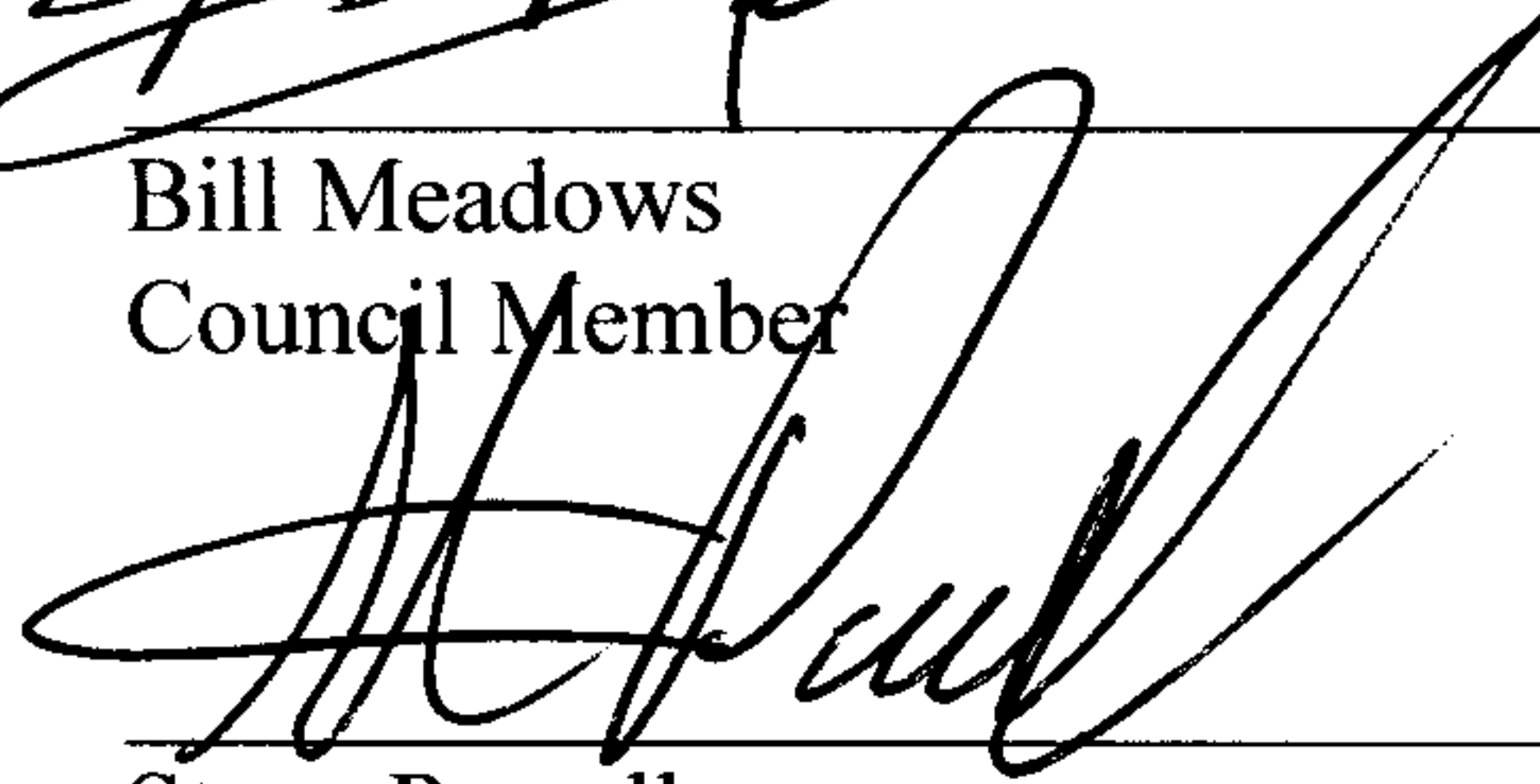
Teresa Nichols
President of the Council



Ron Scott
Council Member



Bill Meadows
Council Member



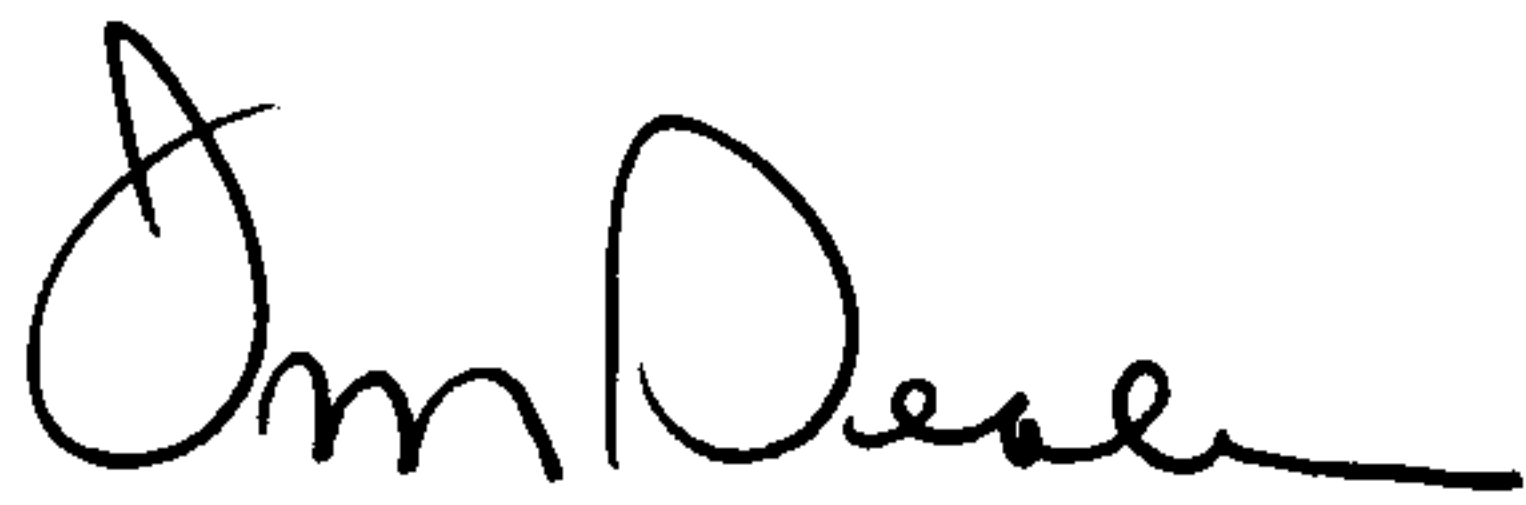
Steve Powell
Council Member



Karyl Rice
Council Member

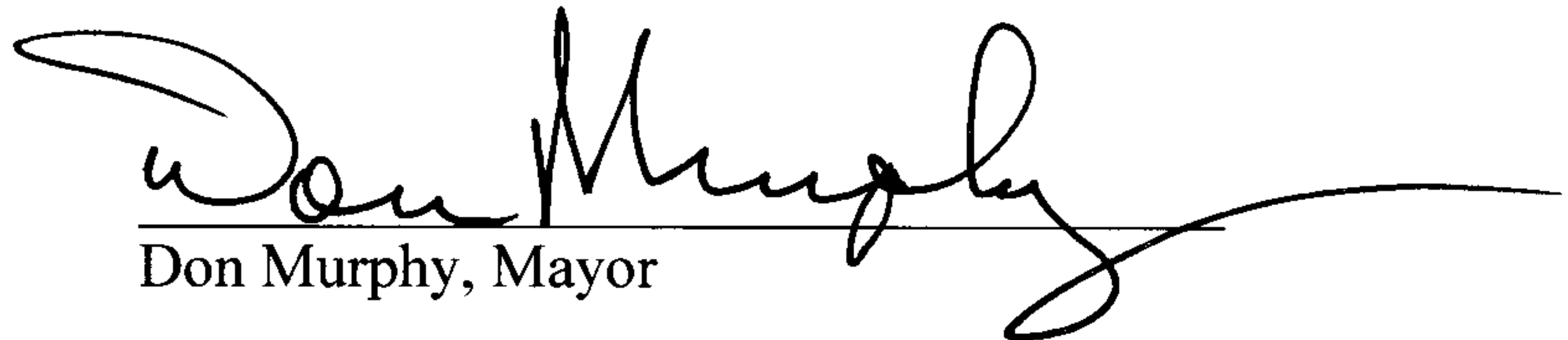
[SEAL]

ATTEST



Tom Seale, CMC, City Clerk

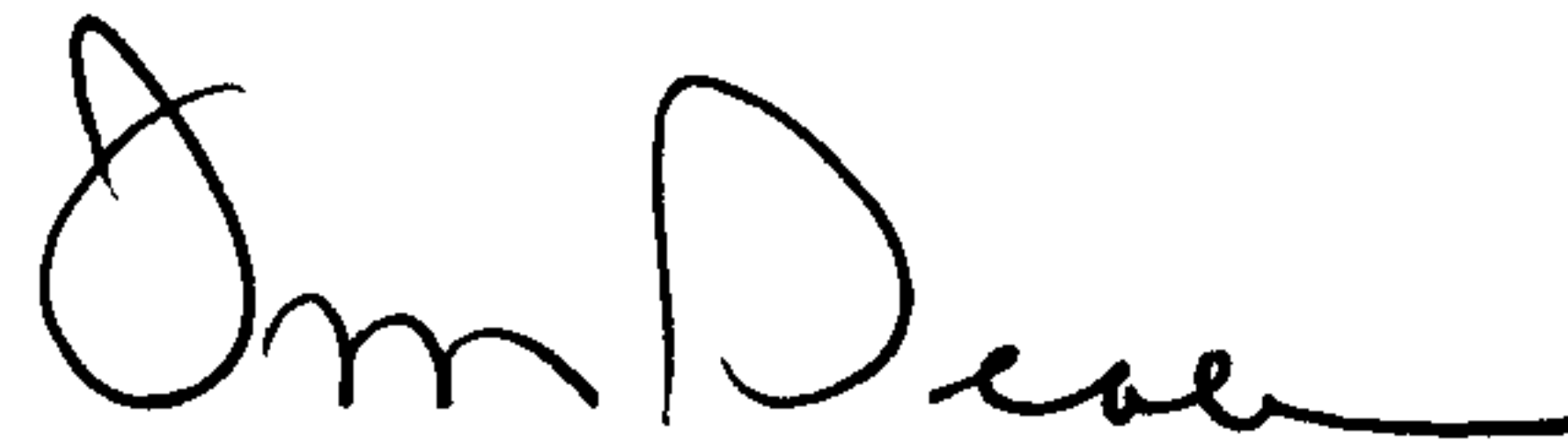
APPROVED



Don Murphy, 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 450 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at its regular meeting on the 16th day of July 2012 and duly published by posting an exact copy thereof on 17th day of July 2012 at three public places within the city, including the Mayor's Office at City Hall, City Park and Library, all being public places in the City of Pelham, Alabama.



Tom Seale, CMC, City Clerk

[SEAL]



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Shelby Cnty Judge of Probate, AL
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EXHIBIT A

A parcel of land situated in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, NW $\frac{1}{4}$ of the NW $\frac{1}{4}$, SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$, all in Section 7, Township 20 South, Range 2 West, of Shelby County, Alabama, and being more particularly described as follows:

Beginning at the NW corner of Section 7, Township 20 South, Range 2 West; thence South 85 degrees 23 minutes 20 seconds East and along the North line of said NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ and run a distance of 1328.62 feet; thence South 84 degrees 52 minutes 41 seconds East and run along the North line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 1003.00 feet to the Southwesterly right of way line of Interstate Highway No. 65 (Right of way varies); thence South 31 degrees 59 minutes 03 seconds West and run along said right of way a distance of 558.73 (map) 565.94 feet (description); thence South 04 degrees 11 minutes 43 seconds East and continue along said right of way a distance of 38.80 feet to the intersection with the Easterly line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence leaving said right of way on a bearing of South 04 degrees 13 minutes 04 seconds West and run along said Easterly line a distance of 442.60 feet to the intersection with said Southwesterly right of way line of said I-65; thence South 27 degrees 30 minutes 58 seconds West and along said right of way a distance of 6.36 feet; thence South 00 degrees 12 minutes 07 seconds East and run a distance of 32.65 feet to the intersection with the Easterly line of the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence leaving said right of way and running along said Easterly line of said $\frac{1}{4}$ - $\frac{1}{4}$ on a bearing of South 04 degrees 13 minutes 04 seconds West a distance of 344.83 feet to the South line of said $\frac{1}{4}$ - $\frac{1}{4}$; thence North 85 degrees 12 minutes 25 seconds West and run along said Southerly boundary line of said NE $\frac{1}{4}$ of the NW $\frac{1}{4}$, a distance of 1330.10 feet to the NE corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$; thence South 03 degrees 57 minutes 27 seconds West and run along the Easterly line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 1318.18 feet to the NE corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence South 03 degrees 58 minutes 32 seconds West and run along the Easterly line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 1317.97 feet to the SE corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence North 85 degrees 13 minutes 56 seconds West and run along the South line of said $\frac{1}{4}$ - $\frac{1}{4}$ a distance of 1301.63 feet to the SW corner of the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$; thence North 04 degrees 17 minutes 47 seconds East and run along the Westerly line of said NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ on a bearing of North 04 degrees 17 minutes 47 seconds East a distance of 1304.74 feet to the SW corner of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, which is Southeasterly most corner of Little Oak Ridge Estates, Seconds Sector, as recorded in Map Book 5, Page 39, in the Office of the Judge of Probate in Shelby County, Alabama; thence North 03 degrees 07 minutes 55 seconds East and run along said Easterly boundary line of said Little Oak Ridge Estates a distance of 1327.08 feet to the Northeasterly most corner of said Little Oak Ridge Estate; thence North 03 degrees 00 minutes 26 seconds East and run along the Westerly boundary line of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ a distance of 1325.02 feet to the point of beginning. According to survey of Robert C. Farmer, RLS #14720, dated November 22, 1993.

Less and Except:

Part of the West half of the NW $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows: Beginning at the SW corner of the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7, run in a northerly direction along the West line of said $\frac{1}{4}$ - $\frac{1}{4}$ Section for a distance of 65.36 feet; thence turn an angle to the right of 90° and run in an easterly direction for a distance of 108.0 feet; thence turn an angle to the right of 54° 31' 11" and run in a southeasterly direction for a distance of 132.64 feet; thence turn an angle to the left of 107° 01' 11" and run in a northeasterly direction for a distance of 260.0 feet; thence turn an angle to the left of 9° and run in a northeasterly direction for a distance of 510.0 feet; thence turn an angle to the right of 90° and run in a southeasterly direction for a distance of 450.0 feet; thence turn an angle to the right of 90° and run in a southwesterly direction for a distance of 1660.0 feet; thence turn an angle to the right of 61° 30' and run in a westerly direction for a distance of 190.0 feet to a point on the West line of the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of said Section 7; thence turn an angle to the right of 90° and run in a northerly direction along the West line of said SW $\frac{1}{4}$ of the NW $\frac{1}{4}$, for a distance of 1061.74 feet, more or less, to the point of beginning; containing 17.82 acres, more or less.

A Parcel of land situated in the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 7, Township 20 South, Range 2 West, Shelby County, Alabama, and being more particularly described as follows:

Commence at the SW Corner of above mentioned $\frac{1}{4}$ - $\frac{1}{4}$; thence N04°17'47"E along the Section line, a distance of 478.60'; thence N87°23'29"E, a distance of 254.02'; thence S43°30'58"E, a distance of 151.46'; thence S72°29'21"E, a distance of 101.53'; thence S85°30'17"E, a distance of 68.43'; thence N80°08'38"E, a distance of 76.74'; thence N66°30'21"E, a distance of 306.65'; thence N03°58'32"E, a distance of 120.25'; thence N27°47'49"W, a distance of 146.23'; thence N55°59'14"E, a distance of 139.51'; thence N39°50'14"E, a distance of 50.00'; thence S50°09'46"E, a distance of 49.54'; thence N48°25'38"E, a distance of 424.96'; thence S03°58'32"W along the $\frac{1}{4}$ - $\frac{1}{4}$ line, a distance of 1057.40' to a point, said point lying on the Northwesterly R.O.W. line of Shelby County Highway #33 (80' R.O.W.); thence S57°17'39"W along said R.O.W., a distance of 133.20'; thence S59°59'10"W along said R.O.W., a distance of 99.00'; thence S61°19'24"W along said R.O.W., a distance of 20.87'; thence N85°13'56"W, leaving said R.O.W. and along $\frac{1}{4}$ - $\frac{1}{4}$ line, a distance of 1095.13' to the POINT OF BEGINNING.

Said Parcel containing 18.59 acres, more or less.

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Shelby Cnty Judge of Probate, AL
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