

ORDINANCE NO. 457

20141125000372230 1/7 \$32.00
Shelby Cnty Judge of Probate, AL
11/25/2014 03:51:03 PM 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 Legal Description

Brian A. Cunningham and
Susan A. Cunningham
146 Homestead Trail
Pelham, AL 35124


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.

Karyl Rice, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of **Ordinance Number 457**, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Maurice Mercer, a council member.

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

Rick Hayes President of the Council	<u>yes</u>
Ron Scott Council Member	<u>yes</u>
Beth McMillan Council Member	_____
Maurice Mercer Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>


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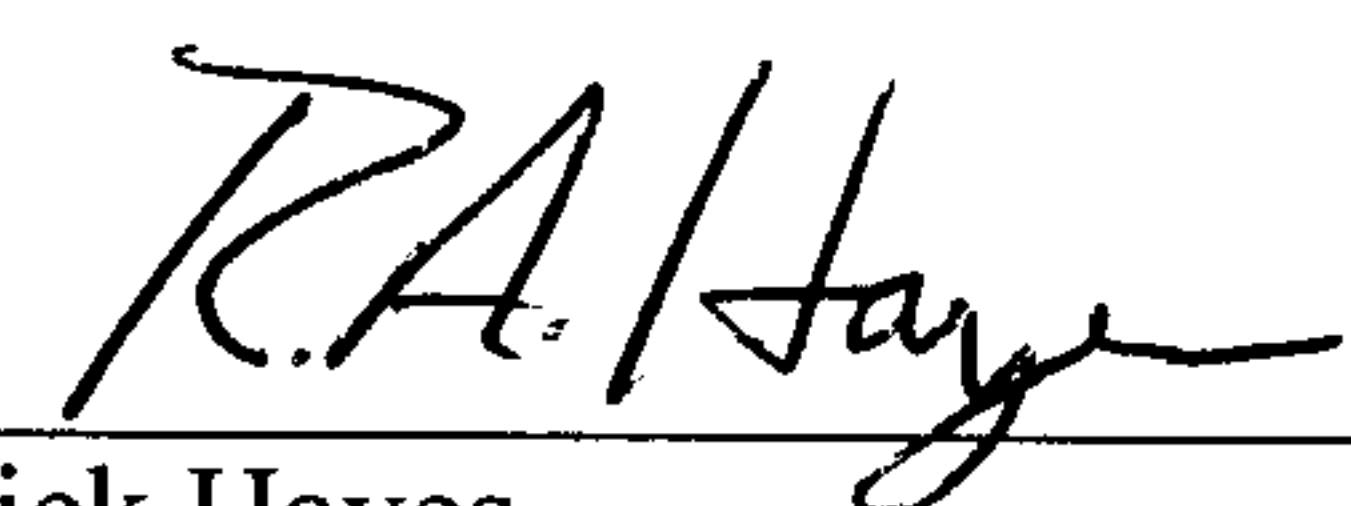
The Council President declared the motion passed by a unanimous vote of those members present in order to give immediate consideration to Ordinance 457.

THEREUPON Karyl Rice, a council member moved and Maurice Mercer, a council member seconded the motion that Ordinance 457 be given vote. The roll call vote on said motion was recorded as follows:

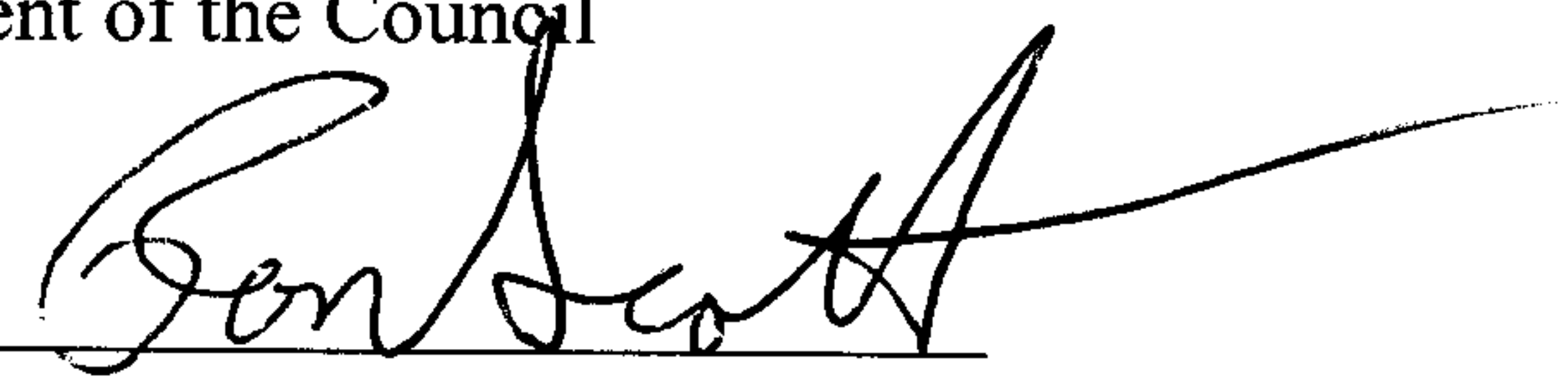
Rick Hayes President of the Council	<u>yes</u>
Ron Scott Council Member	<u>yes</u>
Beth McMillan Council Member	_____
Maurice Mercer Council Member	<u>yes</u>
Karyl Rice Council Member	<u>yes</u>

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

ADOPTED this the 17th day of November 2014.



 Rick Hayes
 President of the Council

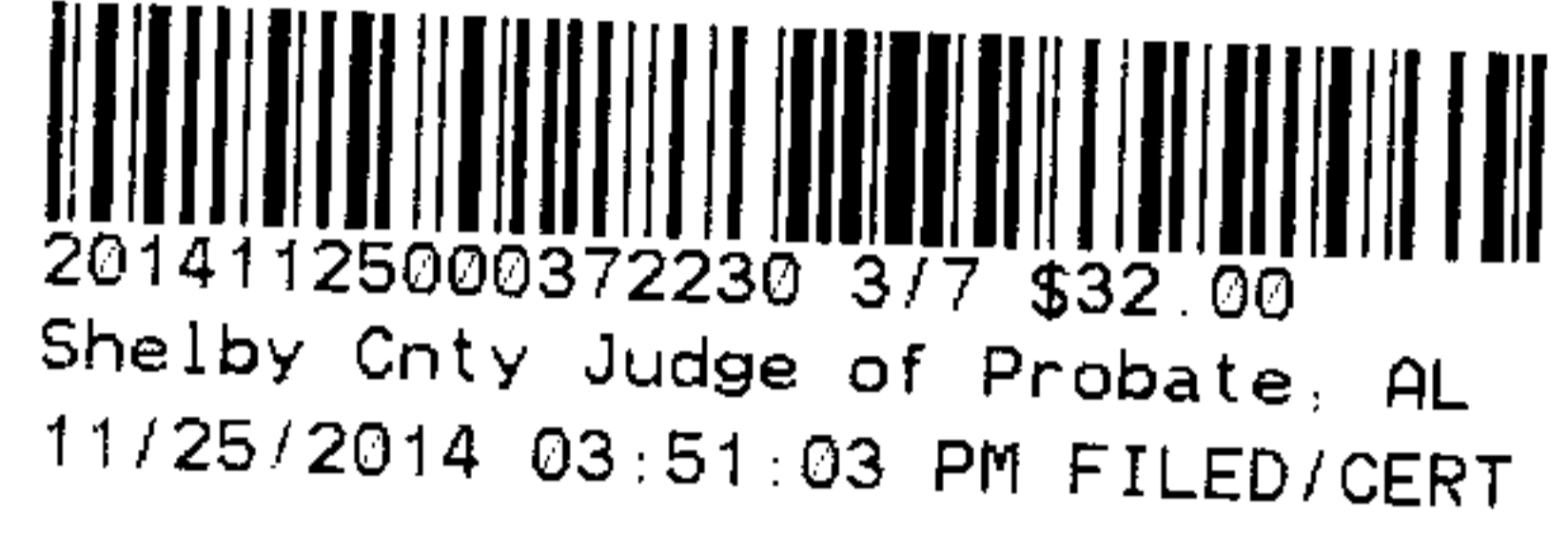
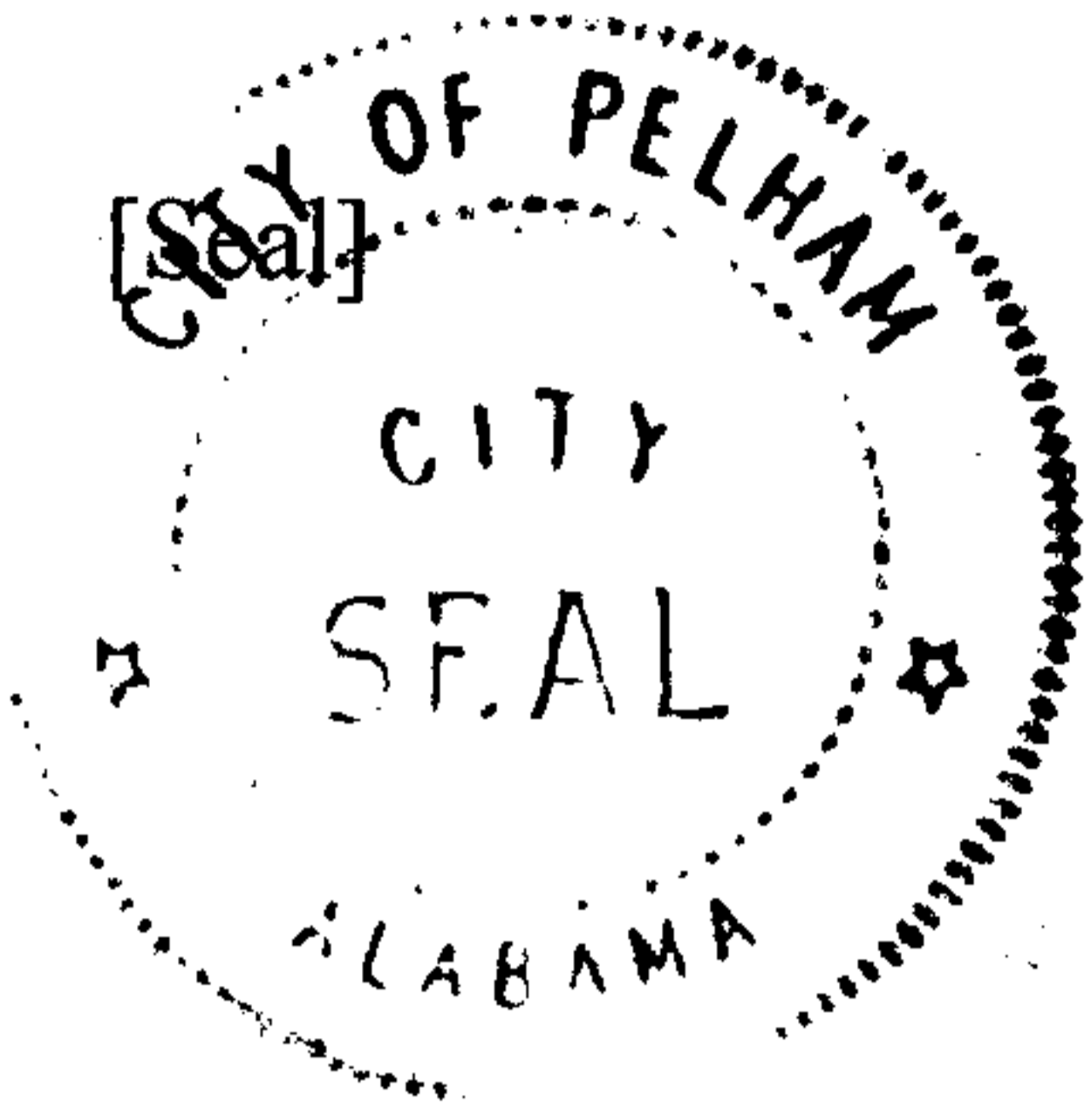


 Ron Scott
 Council Member

 Beth McMillan
 Council Member

Maurice Mercer
Maurice Mercer
Council Member

Karyl Rice
Karyl Rice
Council Member



ATTEST

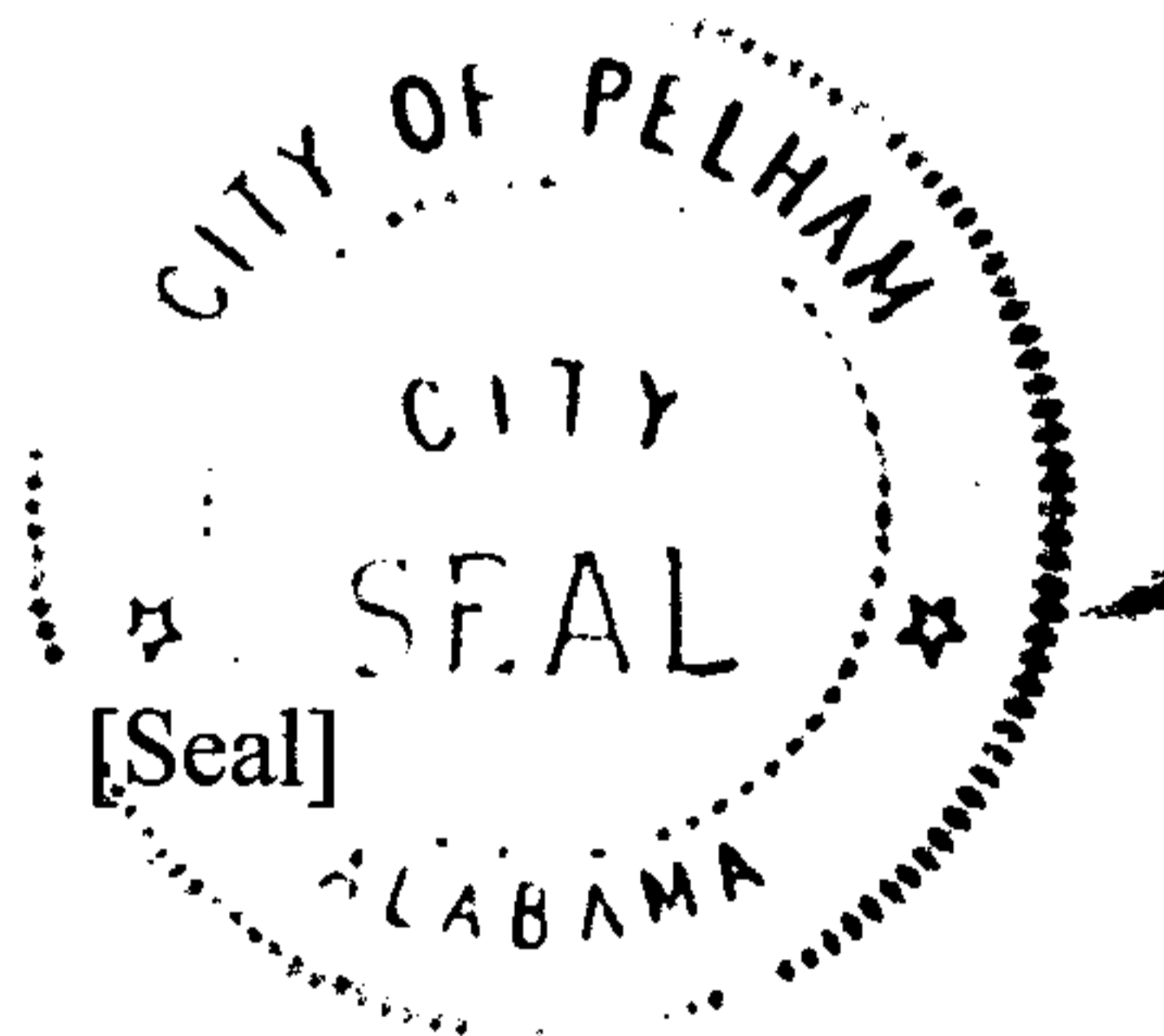
APPROVED

Marsha Yates
Marsha Yates, CMC, City Clerk

Gary W. Waters 11-17-2014
Gary W. Waters, Mayor

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk of the City of Pelham, Alabama, do hereby certify that the above and foregoing **ORDINANCE NO. 457** was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a regular meeting of such Council held on the 17th day of November 2014 and duly published by posting an exact copy thereof on the 18th day of November 2014 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamonline.com. I further certify that said ordinance is on file in the office of the City Clerk and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.



Marsha Yates
Marsha Yates, City Clerk, CMC



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MEMORANDUM

TO: Chairman Rick Hayes, Council Members, Mayor Waters

FROM: Jesse Jowers

RE: Request for Annexation – 146 Homestead Trail – Cunningham

DATE: November 17, 2014

I have reviewed the above referenced request for annexation of property based on the information provided by the applicant. The property has been found to be contiguous to the corporate limits of the City of Pelham, according to our Geographic Information System (GIS) and the City of Pelham Zoning Map.

Thank you.

November 7, 2014

Pelham City Council
C/O Marsha Yates, CMC
City Clerk
P.O. Box 1419
Pelham, AL 35124



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Re: 146 Homestead Trail, Pelham, AL 35124

Dear Sirs / Madam,

This letter is to petition for annexation of our property into the city limits of Pelham. We understand that Pelham offers excellent fire and police protection as well as well trained emergency technicians to answer medical calls. We already have Pelham water, no sewer, and we rely on Waste Pro for garbage service. On our 1.15 acres, there is only one residence, and the two of us living there. We are both voters are of the white race.

Please act on this quickly since our homeowners insurance renews November 25, 2014 and we need our rates to apply.

Thank you,

A handwritten signature in black ink, appearing to read "Brian A. Cunningham". The signature is stylized with a large, sweeping flourish at the end.

Brian A. Cunningham
146 Homestead Trail, Pelham, AL 35124
205-618-9142 (h)
205-296-0665 (c)

A handwritten signature in black ink, appearing to read "Susan A. Cunningham". The signature is written in a cursive style.

Susan A. Cunningham
146 Homestead Trail, Pelham, AL 35124
205-618-9142 (h)
205-966-5984 (c)



COURTESY TAX NOTICE

10/01/2014



R52505Z

CUNNINGHAM SUSAN & BRIAN SR

MARKET VALUE: 109,390.00
 ASSD. VALUE 10,940.00
 HOMESTEAD 4,000.00
 CU VALUE 0.00
 MUNICIPALITY COUNTY

PARCEL NUMBER 14 2 10 0 000 003.001
 RECEIPT# 52505
 TAX YEAR 2014
 TOTAL TAX DUE: \$440.36

AL. Firefighter's Annuity and Benefit Fund. If you want to donate an additional \$2.00 to this fund, please check box

COM NW COR SW1/4 NE1/4 TH W610 450(S) TH S370 TO BEG TH S200.07 NE251.52 N2
00.07 SW251.52 TO POB



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S: 10 T: 20S R: 02W
ACRES: 1.15
DIM: 0.00 x 0.00

Return top stub with payment

OWNER NAME: CUNNINGHAM SUSAN & BRIAN SR
 PARCEL NUMBER: 14 2 10 0 000 003.001
 RECEIPT#: 52505
 TAX YEAR: 2014
 TAX DUE: \$440.36

Pay your Property Taxes Online at ptc.shelbyal.com. E-Checks and credit cards are accepted online only. Acceptable payment methods in our office are check, certified check, money order, or cash. If mailing payment, submit the top portion to ensure proper credit. To receive a paid receipt, please include a self addressed, stamped envelope.

Make Payment to: DON ARMSTRONG
 PROPERTY TAX COMMISSIONER
 P.O. BOX 1298
 COLUMBIANA, AL 35051



unitedway.shelbyal.com

Taxes are due 10/01 of this year and are delinquent after 12/31.

Note: All Business Personal Property taxes must be paid prior to accepting payment of Real Property

Please check all information on this notice. If you no longer own this property, please notify us at (205) 670-6900. If your mortgage company pays the taxes, please forward this bill to them as a reminder.

Thank you for your cooperation. We are here to serve you.

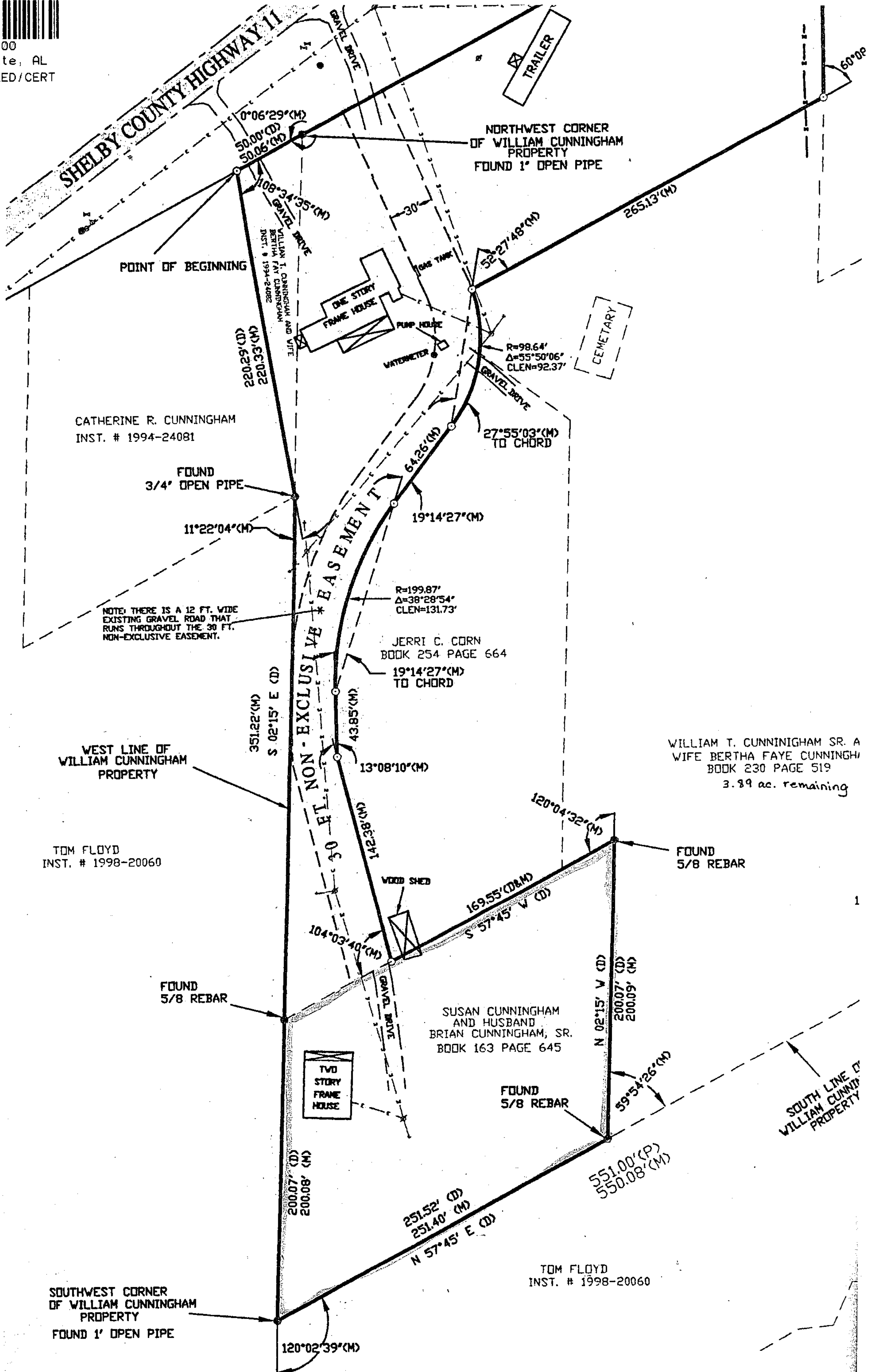
Don Armstrong
 Property Tax Commissioner



R52505Z



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CATHERINE R. CUNNINGHAM
 INST. # 1994-24081

NOTE: THERE IS A 12 FT. WIDE
 EXISTING GRAVEL ROAD THAT
 RUNS THROUGHOUT THE 30 FT.
 NON-EXCLUSIVE EASEMENT.

WEST LINE OF
 WILLIAM CUNNINGHAM
 PROPERTY

TOM FLOYD
 INST. # 1998-20060

JERRI C. CORN
 BOOK 254 PAGE 664

WILLIAM T. CUNNINGHAM SR. A
 WIFE BERTHA FAYE CUNNINGHAM
 BOOK 230 PAGE 519
 3.89 ac. remaining

SUSAN CUNNINGHAM
 AND HUSBAND
 BRIAN CUNNINGHAM, SR.
 BOOK 163 PAGE 645

TOM FLOYD
 INST. # 1998-20060

SOUTHWEST CORNER
 OF WILLIAM CUNNINGHAM
 PROPERTY
 FOUND 1" OPEN PIPE

FOUND
 5/8 REBAR

FOUND
 5/8 REBAR

FOUND
 5/8 REBAR

SOUTH LINE OF
 WILLIAM CUNNINGHAM
 PROPERTY