

## ORDINANCE NO. 17-2338

An ordinance to alter, rearrange and extend the corporate limits of the City of Hoover, Alabama, so as to embrace and include within the corporate limits of said City all territory now within such corporate limits and also certain other territory contiguous to said City.

**WHEREAS**, a petition signed by Scott Rohrer, Blackridge Partners, LLC requesting that certain territory described therein be annexed to the City of Hoover, and

**WHEREAS**, there is attached to the said petition a map of said territory showing its relationship to the corporate limits of the City; and

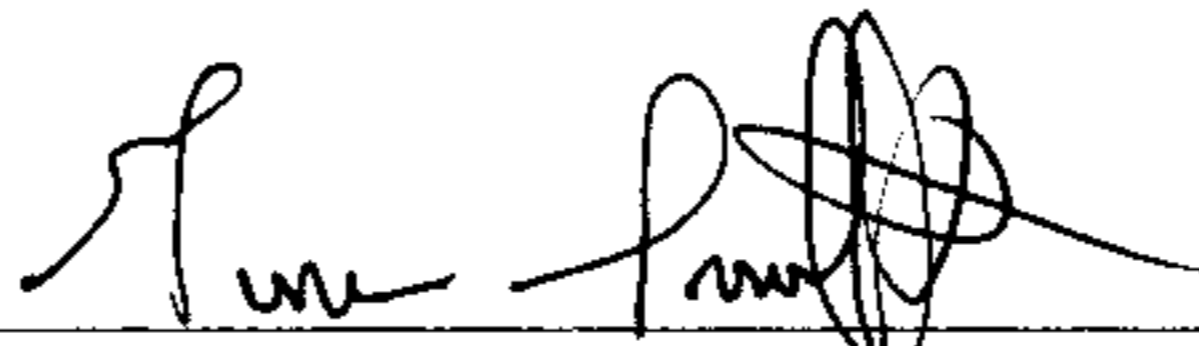
**WHEREAS**, this Council has determined and found that the matters set forth and alleged in the said petition are true and that it is in the public interest that said properties be annexed into the City of Hoover;

**NOW, THEREFORE**, be it ordained by the Council of the City of Hoover as follows:

**SECTION 1:** That said Council hereby assents to the annexation of said territory to the City of Hoover, Alabama, and the corporate limits of the City of Hoover are hereby 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 municipal boundaries of another municipality and does not lie at any point more than one-half the distance between the present corporate limits or municipal boundaries of another municipality and does not lie at any point more than one-half the distance between the present corporate limits and the corporate limits of any other municipality. Said properties are described in **Exhibit "A"** attached hereto and made a part hereof.

**SECTION 2:** 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 a newspaper of general circulation in the City of Hoover.

**ADOPTED** this the 19th day of June, 2017.



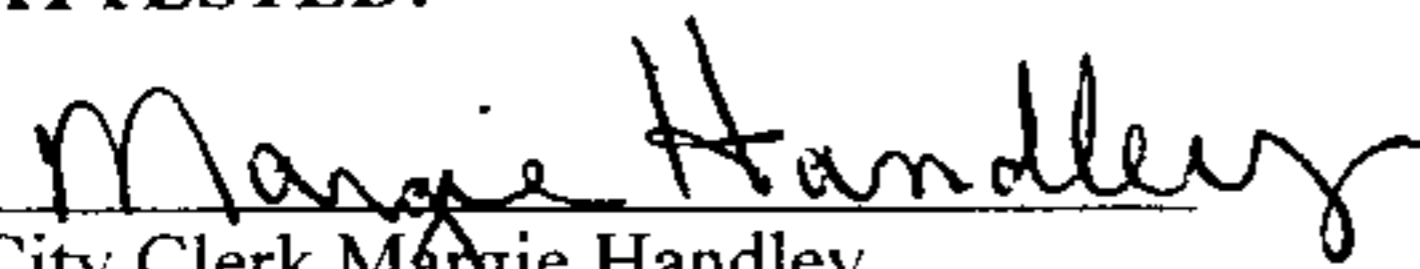
Mr. Gene Smith, President of the Council

**APPROVED BY:**



Mayor Frank V. Brocato

**ATTESTED:**



City Clerk Margie Handley

20170908000328470 1/12 \$48.00  
Shelby Cnty Judge of Probate: AL  
09/08/2017 03:19:47 PM FILED/CERT

## EXHIBIT A

### Legal Description of Hand Property

A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 Section 5, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3" capped pipe at the Southeast corner of Section 5, Township 20 South, Range 3 West and run in a Westerly direction along the South line of said Section 5 for a distance of 418.44 feet to an uncapped 5/8 inch rebar; thence turn a deflection angle of 87 degrees 57 minutes 11 seconds to the right and leaving said section line run in a northerly direction for a distance of 719.28 feet to an uncapped 5/8 inch rebar; thence turn a deflection angle of 92 degrees 05 minutes 09 seconds to the right and run in an Easterly direction for a distance of 307.04 feet to an uncapped 5/8 inch rebar on the Western right-of-way of the CSX railroad as shown on the CSX right-of-way map 47-7; thence turn a deflection angle of 65 degrees 25 minutes 21 seconds to the right and run in a Southeasterly direction along said right-of-way for a distance of 290.95 feet to a point on the East line of said Section 5; thence turn a deflection angle of 22 degrees 29 minutes 28 seconds to the right and run in a Southerly direction along said Section line for a distance of 454.23 feet to the POINT OF BEGINNING.

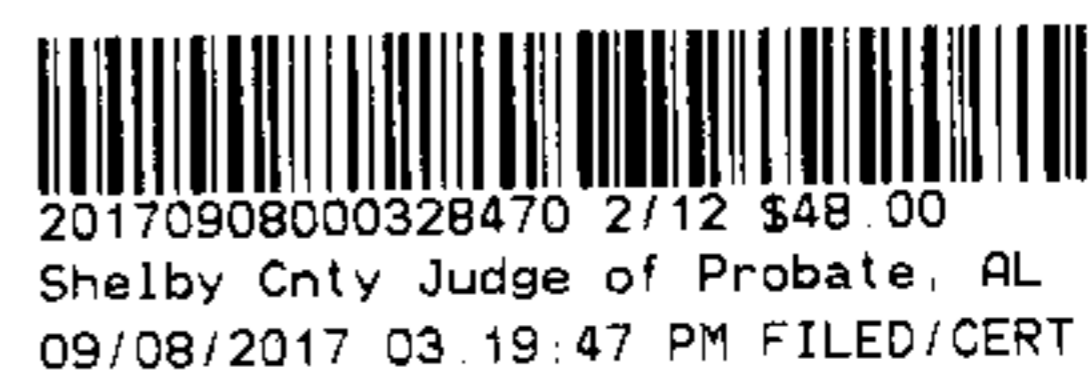
Said parcel containing 6.56 acres, more or less.

### Legal Description of Carmichael Property

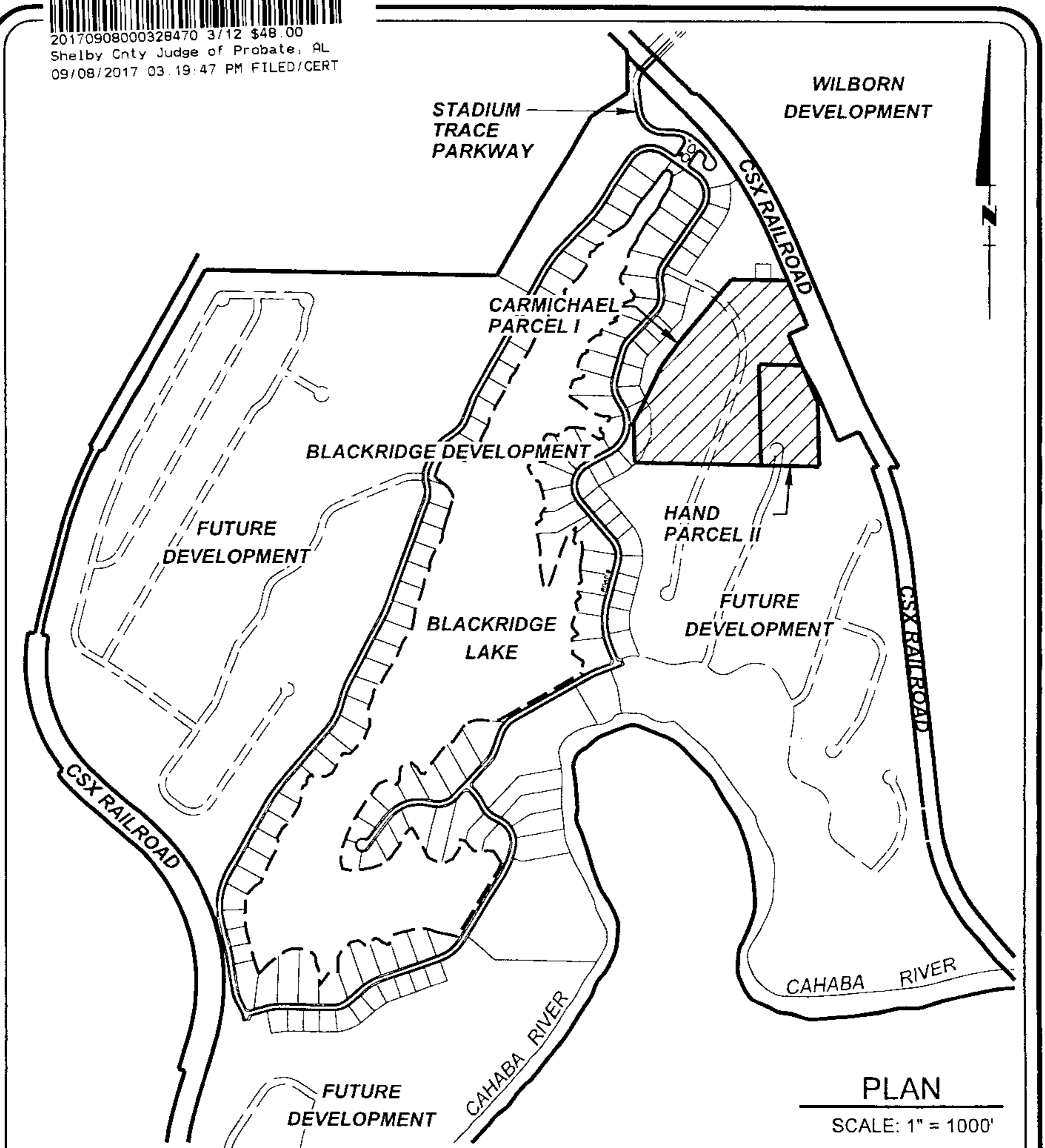
A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southeast corner of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama, and run in a Westerly direction along the South-line of said Section for a distance of 418.42 feet to the POINT OF BEGINNING; thence leaving said South-line of said Section, turn a deflection angle to the right of 87 degrees 57 minutes 11 seconds and run in a Northerly direction for a distance of 719.28 feet; thence turn an interior angle to the right of 272 degrees 05 minutes 09 seconds and run in an Easterly direction for a distance of 307.04 feet to a point along the Southwesterly right-of-way of a CSX Railroad; thence turn an interior angle to the right of 65 degrees 25 minutes 20 seconds and run in a Northwesterly direction along said right-of-way for a distance of 240.29 feet; thence turn an interior angle to the right of 270 degrees 0 minutes 50 seconds and run in a Northeasterly direction along said right-of-way for a distance of 149.97 feet; thence turn an interior angle to the right of 89 degrees 58 minutes 28 seconds and run in a Northwesterly direction along said right-of-way for a distance of 353.70 feet to the point of intersection of said right-of-way and the North-line of said 1/4-1/4 Section; thence leaving said right-of-way, turn an interior angle to the right of 114 degrees 25 minutes 34 seconds and run in a Westerly direction along said North-line for a distance of 403.18 feet to the point of intersection of said North-line and the centerline of the Star Cahaba Spur Railroad; thence turn an interior angle to the right of 130 degrees 22 minutes 06 seconds and run in a Southwesterly direction along said centerline for a distance of 600.00 feet; thence turn an interior angle to the right of 178 degrees 49 minutes 27 seconds and run in a Southwesterly direction along said centerline for a distance of 199.80 feet; thence turn an interior angle to the right of 170 degrees 03 minutes 00 seconds and run in a Southwesterly direction along said centerline for a distance of 300.00 feet; thence turn an interior angle to the right of 182 degrees 37 minutes 00 seconds and run in a Southwesterly direction along said centerline for a distance of 143.12 feet to the point of intersection of said centerline and the West-line of said 1/4-1/4 Section; thence leaving said centerline, turn an interior angle to the right of 150 degrees 22 minutes 38 seconds and run in a Southerly direction for along said West-line for a distance of 292.43 feet to the Southwest corner of said 1/4-1/4 Section; thence turn an interior angle to the right of 92 degrees 01 minutes 27 seconds and run in an Easterly direction along the South-line of said 1/4-1/4 Section for a distance of 907.18 feet to the POINT OF BEGINNING.

Said parcel containing 23.74 acres, more or less.



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Shelby Cnty Judge of Probate, AL  
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Alabama Engineering Company, Inc.  
2 Office Park Circle, Suite 11  
Birmingham, Alabama 35223  
Phone (205) 803-2161  
Fax (205) 803-2162

## Carmichael & Hand Vicinity Map

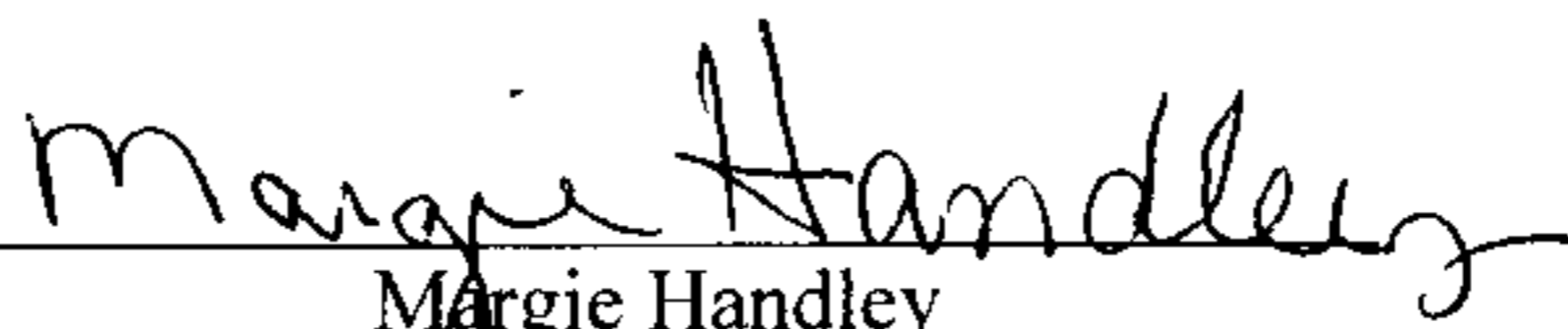
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## CERTIFICATION

I, Margie Handley, City Clerk for the City of Hoover, Alabama, hereby certify that **Ordinance No. 17-2338** was adopted by the City Council of the City of Hoover, Alabama on the 19th day of June, 2017, and advertised in accordance with state law.

  
\_\_\_\_\_  
Margie Handley  
City Clerk

PETITION FOR ANNEXATION TO THE  
CITY OF HOOVER, ALABAMA

RECEIVED  
APR 17 2017  
CITY OF HOOVER

To the Honorable Mayor and City Council of the City of Hoover, Alabama:

The undersigned, **BLACKRIDGE PARTNERS, LLC**, an Alabama limited liability company ("Petitioner"), hereby petitions and requests that the CITY OF HOOVER, ALABAMA, an Alabama municipal corporation (the "City"), annex the hereinafter described real property pursuant to, and subject to, the Code of Alabama (1975) §§ 11-42-21 and 11-52-85.

R E C I T A L S:

WHEREAS, Petitioner is the fee simple owner of that certain real property (the "Hand Property") containing approximately seven (7) acres, more or less, which is more particularly described in Exhibit A attached hereto and incorporated herein by reference; and

WHEREAS, as a condition to the annexation of the Hand Property, the Petitioner desires the Hand Property be zoned Planned Residential (PR-1) under the Blackridge Planned Unit Development Zoning Application and Developmental Plan adopted by the City on June 6, 2016 (the "PUD Plan").

WHEREAS, Petitioner is the fee simple owner of that certain real property (the "Carmichael Property") containing approximately twenty-three (23) acres, more or less, which is more particularly described in Exhibit B attached hereto and incorporated herein by reference; and

WHEREAS, the Hand Property and the Carmichael Property (collectively, the "Annexation Property") is situated wholly within Shelby County, Alabama and is contiguous to the existing corporate limits of the City as shown in Exhibit C attached hereto and incorporated herein by reference; and

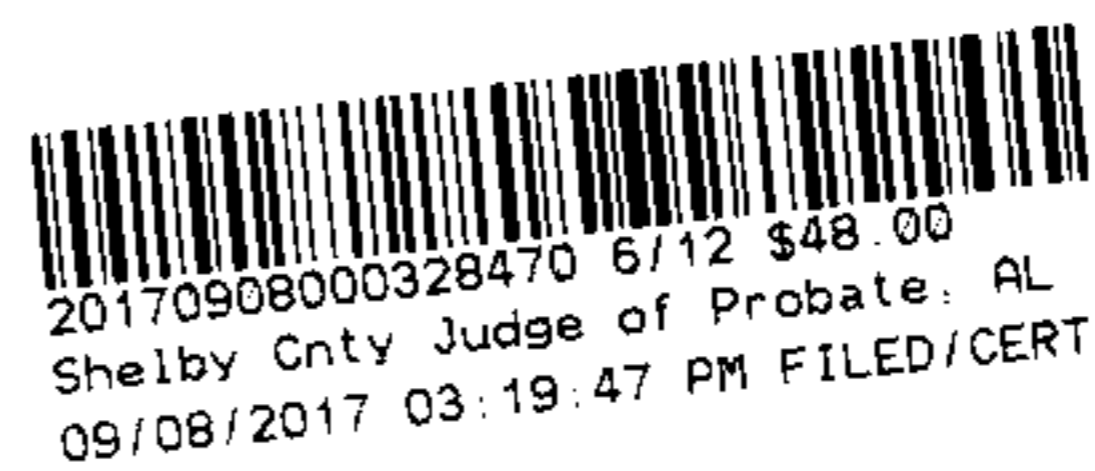
WHEREAS, as a condition to the annexation of the Hand Property and the Carmichael Property, the Petitioner desires the Annexation Property be zoned Planned Residential (PR-1) under the Blackridge Planned Unit Development Zoning Application and Developmental Plan adopted by the City on June 6, 2016 (the "PUD Plan").

WHEREAS, pursuant to *Ala. Code* (1975), § 11-52-85 (1975), a municipality may pre-zone property proposed for annexation prior to the effective date of annexation. Based on that statute, Petitioner has contemporaneously herewith requested that the City zone the Annexation Property as part of the PUD Plan pursuant to the First Amendment to Blackridge Planned Unit Development Zoning Application filed contemporaneously herewith with the City (the "First Amendment").

WHEREAS, Petitioner requests that the Honorable Mayor and City Council of the City do all things necessary and requisite under the laws of the State of Alabama in connection with the annexation herein requested and to accept the annexation of the Hand Property on the terms and conditions hereinafter set forth.

NOW THEREFORE, Petitioner does hereby petition the City to annex the Hand Property and The Carmichael into the municipal limits of the City of Hoover, Alabama subject to (i) the transfer of density allocation set forth in the First Amendment and (ii) the City zoning the Annexation Property as Planned Residential (PR-1) (as part of the PUD Plan pursuant to the First Amendment) (iii) the City zoning the Annexation Property Planned Residential (PR-1) (as part of the PUD Plan pursuant to the First Amendment)). If, for any reason, the First Amendment is not approved by the City within 180 days from the date hereof, then any annexation action taken by the City with respect to the Hand Property and the Carmichael Property shall be deemed null and void and all of the terms and provisions of this Agreement shall thereafter be deemed to have been revoked, rescinded and otherwise withdrawn by Petitioner and shall no longer be binding upon Petitioner.

*[Signature on the following page.]*



IN WITNESS WHEREOF, Petitioner has caused this Petition of Annexation to be executed as of this the 12 day of April, 2017.

**PETITIONER:**

**BLACKRIDGE PARTNERS, LLC**, an Alabama limited liability company

By: [Signature]

Printed Name: Scott Rehner

Title: VP Marketing Sales

STATE OF ALABAMA        )

COUNTY OF JEFFERSON    )

I, Linda Simayo, a Notary Public in and for said County, in said State, hereby certify that Scott Rehner whose name as VP of **BLACKRIDGE PARTNERS, LLC**, 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 said instrument, he, as such VP and with full authority, executed the same voluntarily for and as the act of said limited liability company.


GIVEN UNDER MY HAND AND SEAL OF OFFICE this the 12 day of April, 2017.

Linda S Mayo

Notary Public

My Commission Expires: \_\_\_\_\_

[SEAL]

  
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**LINDA S MAYO**  
Notary Public, Alabama State At Large  
My Commission Expires April 18, 2020

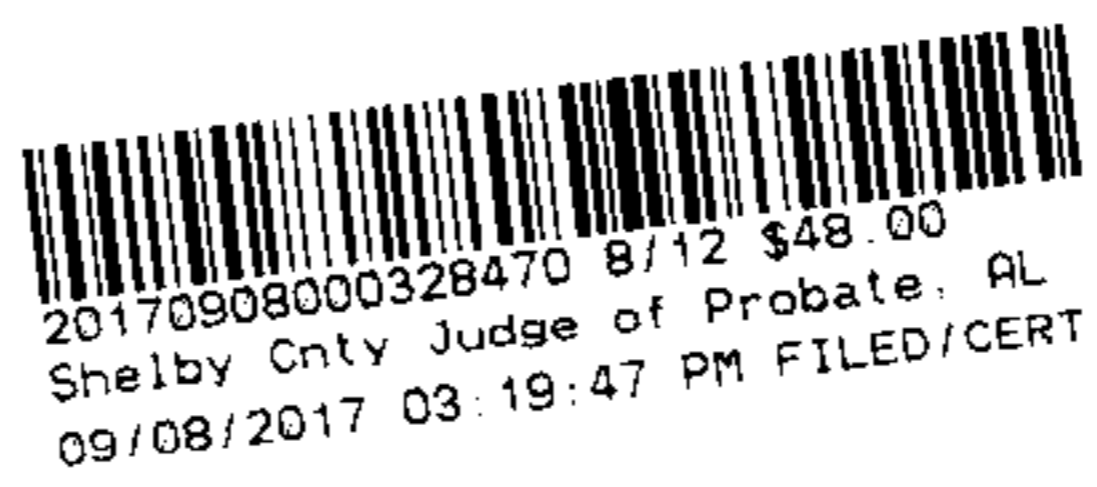
## EXHIBIT A

### LEGAL DESCRIPTION OF HAND PROPERTY

A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 Section 5, Township 20 South, Range 3 West, Shelby County, Alabama, being more particularly described as follows:

BEGIN at a 3" capped pipe at the Southeast corner of Section 5, Township 20 South, Range 3 West and run in a Westerly direction along the South line of said Section 5 for a distance of 418.42 feet to an uncapped 5/8 inch rebar; thence turn a deflection angle of  $87^{\circ}57'11''$  to the right and leaving said section line run in a northerly direction for a distance of 719.28 feet to an uncapped 5/8 inch rebar; thence turn a deflection angle of  $92^{\circ}05'09''$  to the right and run in an Easterly direction for a distance of 307.04 feet to an uncapped 5/8 inch rebar on the Western right-of-way of the CSX railroad as shown on the CSX right-of-way map 47-7; thence turn a deflection angle of  $65^{\circ}25'21''$  to the right and run in a Southeasterly direction along said right-of-way for a distance of 290.95 feet to a point on the East line of said Section 5; thence turn a deflection angle of  $22^{\circ}29'28''$  to the right and run in a Southerly direction along said Section line for a distance of 454.23 feet to the POINT OF BEGINNING.

Said parcel containing 6.56 acres, more or less.



## EXHIBIT B

### LEGAL DESCRIPTION OF CARMICHAEL PROPERTY

A parcel of land situated in the Southeast 1/4 of the Southeast 1/4 of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the Southeast corner of Section 5, Township 20 South, Range 3 West, Shelby County, Alabama, and run in a Westerly direction along the South-line of said Section for a distance of 418.42 feet to the POINT OF BEGINNING; thence leaving said South-line of said Section, turn a deflection angle to the right of 87°57'11" and run in a Northerly direction for a distance of 719.28 feet; thence turn an interior angle to the right of 272°05'09" and run in an Easterly direction for a distance of 307.04 feet to a point along the Southwesterly right-of-way of a CSX Railroad; thence turn an interior angle to the right of 65°25'20" and run in a Northwesterly direction along said right-of-way for a distance of 240.29 feet; thence turn an interior angle to the right of 270°0'50" and run in a Northeasterly direction along said right-of-way for a distance of 149.97 feet; thence turn an interior angle to the right of 89°58'28" and run in a Northwesterly direction along said right-of-way for a distance of 353.70 feet to the point of intersection of said right-of-way and the North-line of said 1/4-1/4 Section; thence leaving said right-of-way, turn an interior angle to the right of 114°25'34" and run in a Westerly direction along said North-line for a distance of 403.18 feet to the point of intersection of said North-line and the centerline of the Star Cahaba Spur Railroad; thence turn an interior angle to the right of 130°22'06" and run in a Southwesterly direction along said centerline for a distance of 600.00 feet; thence turn an interior angle to the right of 178°49'27" and run in a Southwesterly direction along said centerline for a distance of 199.80 feet; thence turn an interior angle to the right of 170°03'00" and run in a Southwesterly direction along said centerline for a distance of 300.00 feet; thence turn an interior angle to the right of 182°37'00" and run in a Southwesterly direction along said centerline for a distance of 143.12 feet to the point of intersection of said centerline and the West-line of said 1/4-1/4 Section; thence leaving said centerline, turn an interior angle to the right of 150°22'38" and run in a Southerly direction for along said West-line for a distance of 292.43 feet to the Southwest corner of said 1/4-1/4 Section; thence turn an interior angle to the right of 92°01'27" and run in an Easterly direction along the South-line of said 1/4-1/4 Section for a distance of 907.18 feet to the POINT OF BEGINNING.

Said parcel containing 23.74 acres, more or less.

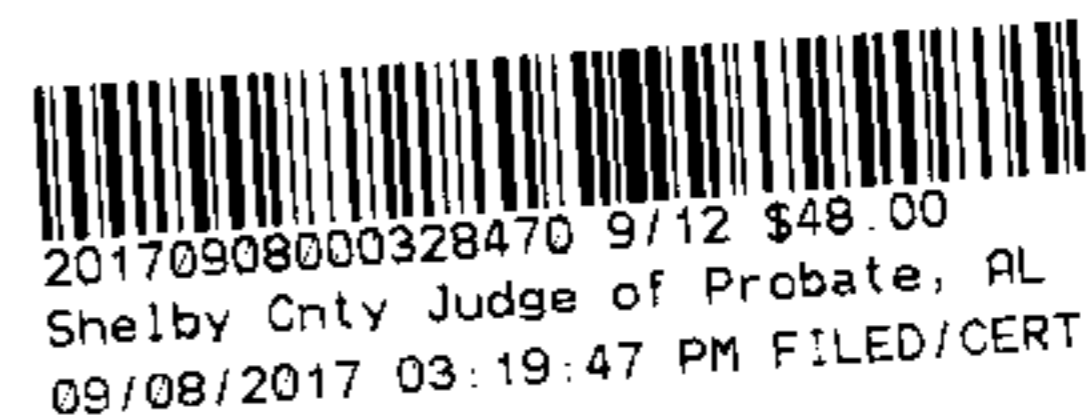



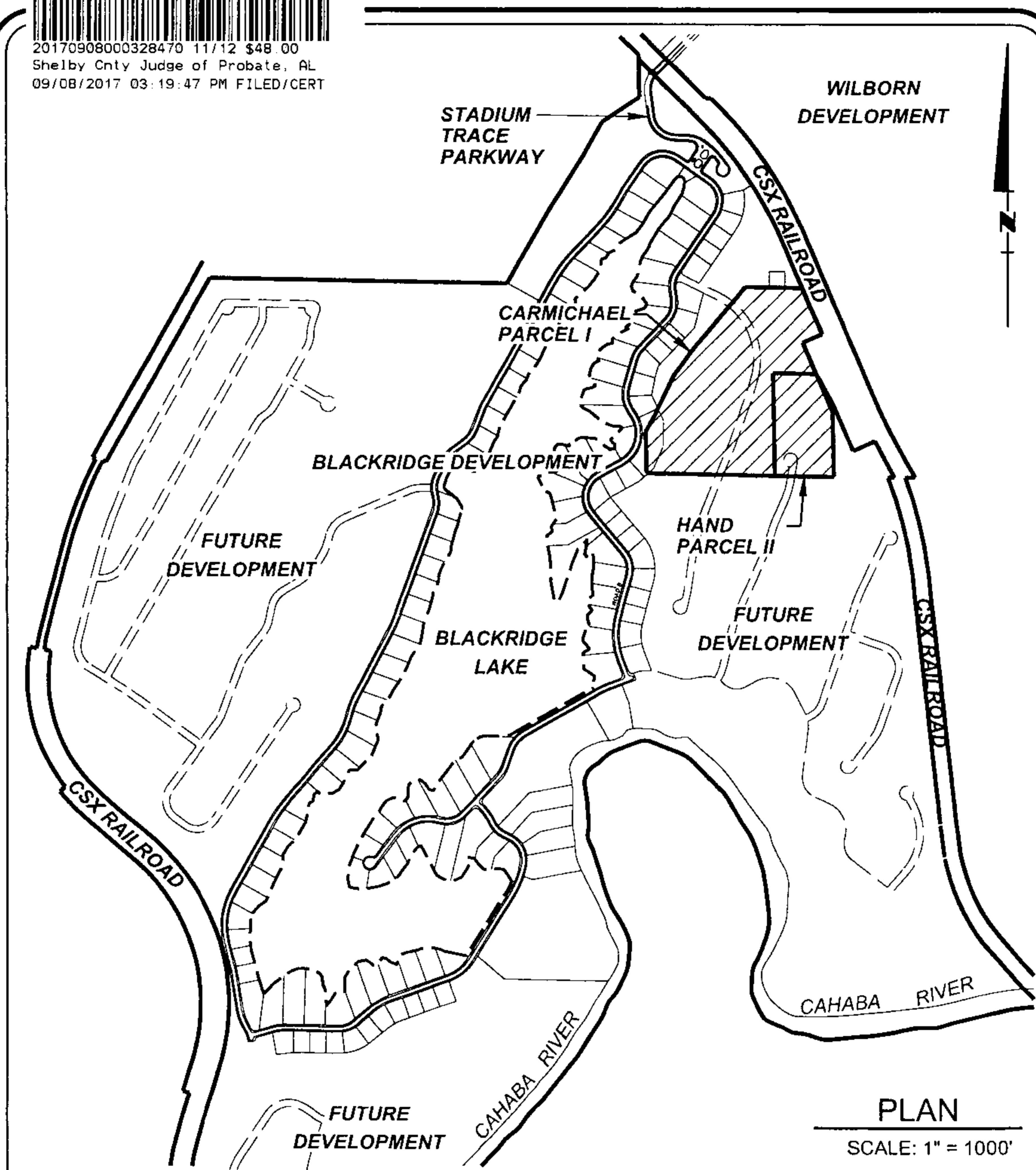
EXHIBIT C

VICINITY MAP OF HAND AND CARMICHAEL PROPERTY

  
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Shelby Cnty Judge of Probate, AL  
09/08/2017 03:19:47 PM FILED/CERT



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Alabama Engineering Company, Inc.  
2 Office Park Circle, Suite 11  
Birmingham, Alabama 35223  
Phone (205) 803-2161  
Fax (205) 803-2162

## Carmichael & Hand Vicinity Map

04/14/2017

**CLERK'S CERTIFICATION**

\*\*\*\*\*

I hereby certify that the attached is a true and correct copy of a petition(s) presented to the City Council of the City of Hoover by persons whose Name(s) appear thereon, requesting that their property be annexed to the City of Hoover.

Margie Handley  
City Clerk



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