

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

THE CITY OF PELHAM, ALABAMA,
deannexation

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Case No. PR-2017-000752

ORDER

The City of Pelham, Alabama having presented a copy of a resolution defining certain territory proposed to be excluded from the corporate limits of the City, such copy being certified by the Mayor along with a map of the proposed corporate limits and a statement that no qualified electors reside in the territory proposed to be excluded,


It is ORDERED that the certified copy of the resolution, map, and statement be filed, that the corporate limits of the City of Pelham, Alabama as outlined in said resolution and map are established as the corporate limits of the City of Pelham, Alabama, and that this order with a copy of the resolution and map be recorded in this office in the same record in which annexations are recorded.


Done and ORDERED this 4th day of December, 2017.



JAMES W. FUHRMEISTER
Judge of Probate

cc: WILLIAM R. JUSTICE, ESQ.


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Shelby Cnty Judge of Probate, AL
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I certify this to be a true and
correct copy 
(RM) 12-4-17 Probate Judge
6 pages Shelby County

ORDINANCE NO. 481

AN ORDINANCE TO ALTER, REARRANGE AND REDUCE THE CORPORATE LIMITS OF THE CITY OF PELHAM, ALABAMA

WHEREAS, a certain Petition of Pelham Board of Education for Deannexation of Riverchase Middle School Property ("Petition") signed by the property owner requesting territory therein described be de-annexed from the City of Pelham, together with maps of said territory showing its relationship to the corporate limits of the City has been filed with the City Clerk/Treasurer of the City of Pelham;

WHEREAS, the Petition requests that the City of Pelham de-annex the two parcels of land that are described in the Legal Descriptions attached hereto as Deannexation Parcel 1 and Deannexation Parcel 2 (collectively, the "Territory"); 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 Territory be de-annexed from the City of Pelham;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Pelham, Alabama as follows:

Section 1. That the Pelham City Council hereby assents to the de-annexation of said Territory from the City of Pelham, Alabama, the corporate limits of the City to be reduced and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-200 through 11-42-213, as amended) so as to exclude said Territory from the territory already within its present corporate limits, within the corporate area of said City. Said Territory is described as follows:

Riverchase Middle School Property
Applicant: Pelham Board of Education
Legal Descriptions of 2 Parcels Attached as Deannexation Parcels 1 & 2

Section 2. That the City Clerk/Treasurer shall file a certified copy of this ordinance containing an accurate description of said de-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.

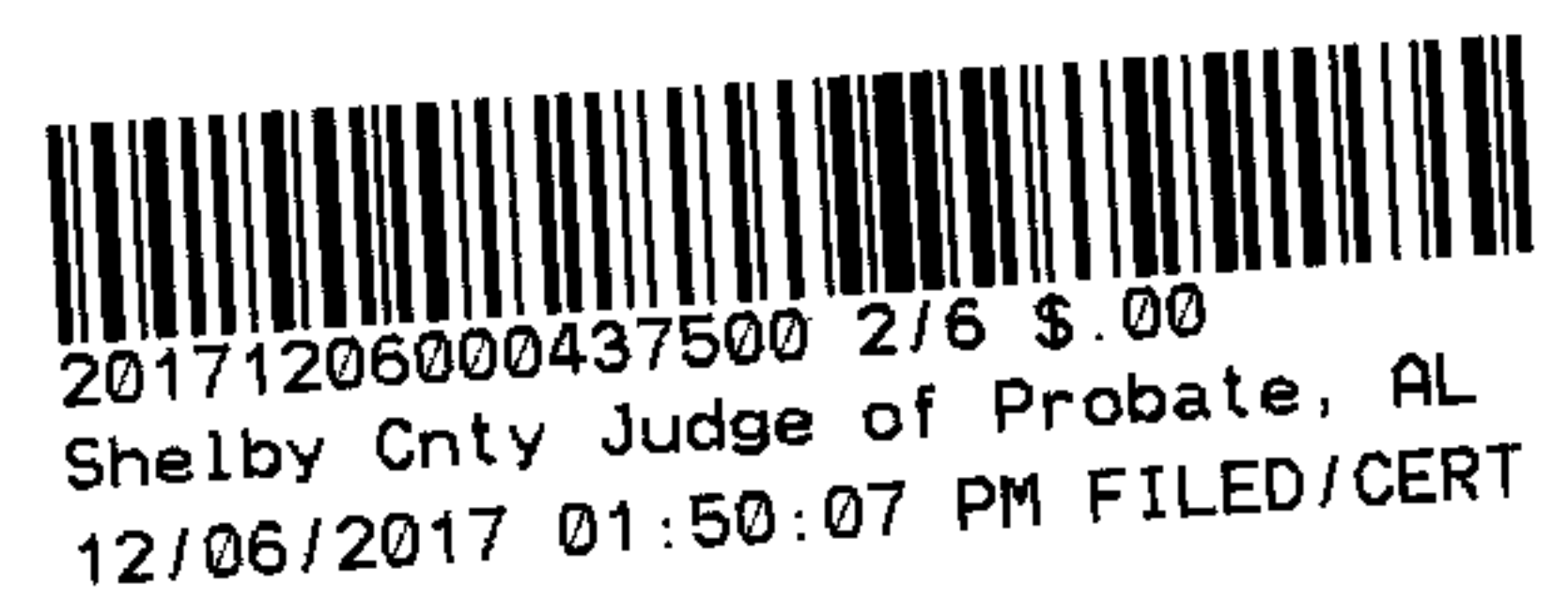
Section 3. Each of the provisions of this ordinance is severable; and if any provision shall be declared to be invalid, the remaining provisions shall not be affected but shall remain in full force and effect.

Section 4. All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

Section 5. That this Ordinance shall become effective as required by law on October 7, 2017.

THEREUPON Ron Scott, a member moved and Mildred Lanier, a member seconded the motion that Ordinance No.481 be given vote. The roll call vote on said motion was as follows:

Rick Hayes Council President	Yes _____
Ron Scott Council Member	Yes _____



Beth McMillan
Council Member Yes

Maurice Mercer
Council Member Yes

Mildred Lanier
Council Member Yes

Ordinance No.481 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 2nd day of October 2017.


Rick Hayes, Council President


Ron Scott, Council Member


Beth McMillan, Council Member


Maurice Mercer, Council Member

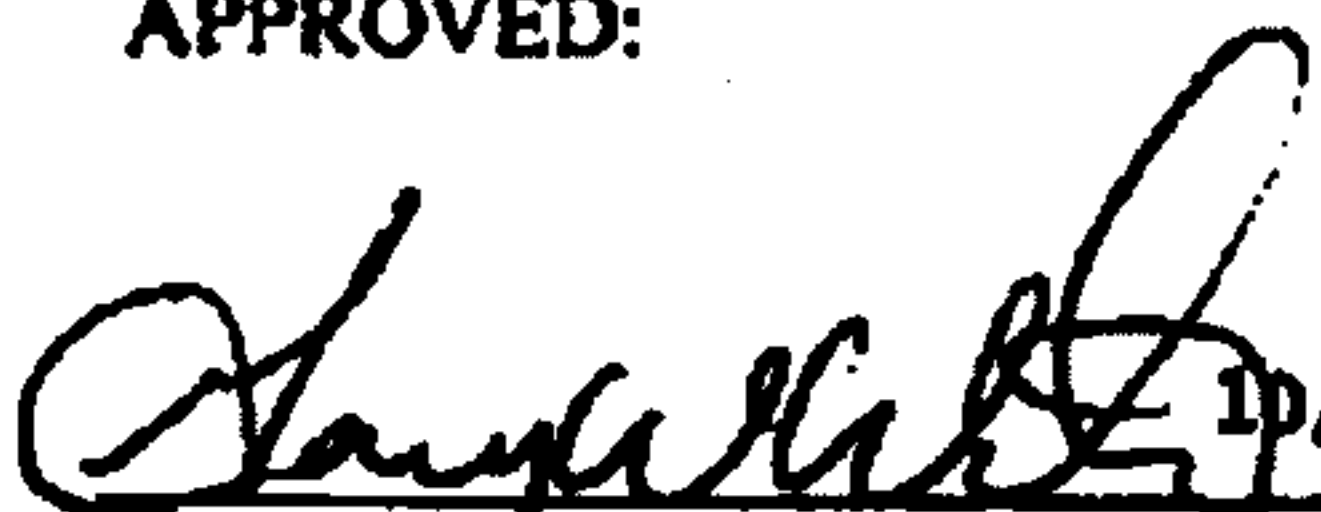

Mildred Lanier, Council Member



ATTEST


Tom Seale, MMC, City Clerk/Treasurer

APPROVED:

 10/2/2017
Gary W. Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 481 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 2nd day of October 2017 and duly published by posting an exact copy thereof on the 3rd day of October 2017 at four public places within the City of Pelham, including the Mayor's Office at City Hall, City Park, Library, Water Works and www.pelhamalabama.gov. 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.


Tom Seale, MMC, City Clerk/Treasurer



DEANNEXATION TERRITORY - PARCEL 1


NOTE: The land described below was annexed by the City in 1988 in Ordinance 174. This land presently is within Shelby Co. Parcel # 11 7 25 0 001 001.001, but not all of the area within this Tax Parcel lies in the City.

A tract of land situated in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 25; thence South 89 deg. 00 min. 35 sec. East, 238.09 feet along the South line of said section to a point; thence North 80 deg. 59 min. 25 sec. East, 537.27 feet; thence North 60 deg. 12 min. 00 sec. East, 215.04 feet; thence North 50 deg. 34 min. 00 sec. East, 245.55 feet; thence North 71 deg. 15 min. 00 sec. East, 276.25 feet; thence North 63 deg. 07 min. 00 sec. East, 957.81 feet; thence South 80 deg. 57 min. 49 sec. East, 227.19 feet; thence South 80 deg. 36 min. 30 sec. East, 658.20 feet to the point of beginning of the property herein described; thence continue along last described course a distance of 988.20 feet to the South line of said Section; thence North 89 deg. 00 min. 35 sec. West, 1,270.83 feet to a point; thence run North a distance of 300 feet to a point; thence run in a Northeasterly direction a distance of 1,425.00 feet, more or less, to the point of beginning of the property herein described.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL:
A tract of land situated in the S $\frac{1}{2}$ of the SW $\frac{1}{4}$, and the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 25, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 25; thence South 89 deg. 00 min. 35 sec. East, 238.09 feet along the South line of said section to a point; thence North 80 deg. 59 min. 25 sec. East, 537.27 feet; thence North 60 deg. 12 min. 00 sec. East, 215.04 feet; thence North 50 deg. 34 min. 00 sec. East, 245.55 feet; thence North 71 deg. 15 min. 00 sec. East, 276.25 feet; thence North 63 deg. 07 min. 00 sec. East, 957.81 feet; thence South 80 deg. 57 min. 49 sec. East, 227.19 feet; thence South 80 deg. 36 min. 30 sec. East, 658.20 feet to the point of beginning of the property herein described; thence continue along last described course a distance of 988.20 feet to the South line of said section; thence North 89 deg. 00 min. 35 sec. West 870.83 feet to a point; thence North 80 deg. 59 min. 25 sec. East a distance of 400 feet to a point; thence run in a Northeasterly direction a distance of 900 feet, more or less, to the point of beginning of the property herein described.

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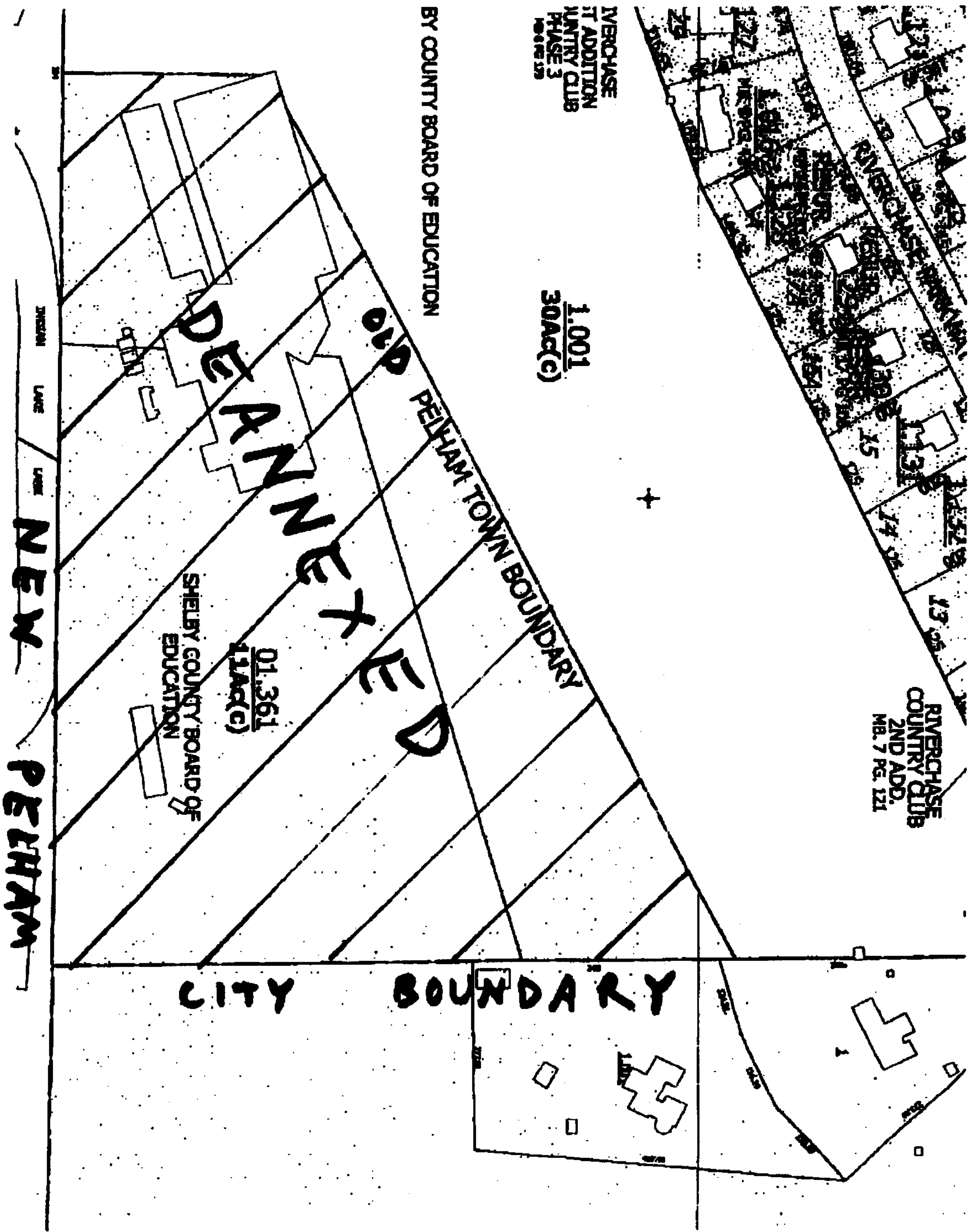
DEANNEXATION TERRITORY - PARCEL 2

NOTE: The land described below was annexed by the City in 1988 in Ordinance 173. This land presently encompasses Shelby Co. Parcel # 11 7 25 001 001.381 and before its deannexation all of it lies within the City.

A tract of land situated in the S $\frac{1}{4}$ of the SW $\frac{1}{4}$, and the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35, Township 19 South, Range 3 West, Shelby County, Alabama and being more particularly described as follows:

Commence at the SW corner of Section 35; thence South 89 deg. 00 min. 35 sec. East, 238.89 feet along the South line of said section to a point; thence North 80 deg. 59 min. 25 sec. East, 337.27 feet; thence North 60 deg. 12 min. 00 sec. East, 215.04 feet; thence North 50 deg. 34 min. 00 sec. East, 245.55 feet; thence North 71 deg. 18 min. 00 sec. East, 276.26 feet; thence North 63 deg. 07 min. 00 sec. East, 307.81 feet; thence South 80 deg. 57 min. 48 sec. East, 227.19 feet; thence South 80 deg. 36 min. 30 sec. East, 688.30 feet to the point of beginning of the property herein described; thence continue along last described course a distance of 688.30 feet to the South line of said section; thence North 85 deg. 00 min. 35 sec. West 878.03 feet to a point; thence North 80 deg. 59 min. 25 sec. East a distance of 400 feet to a point; thence run in a Northeasterly direction a distance of 900 feet, more or less, to the point of beginning of the property herein described.

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