

ORDINANCE NO. 135-216

AN ORDINANCE OF THE CITY OF PELHAM, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 135-216 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE:

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

SECTION ONE: The rezoning of property located on Highway 11 changing the present zoning A-1 Agricultural District to R-G Residential Garden Home.

Applicant: HighPointe Properties, LLC

Legal Description is attached as Exhibit A.

SECTION TWO: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

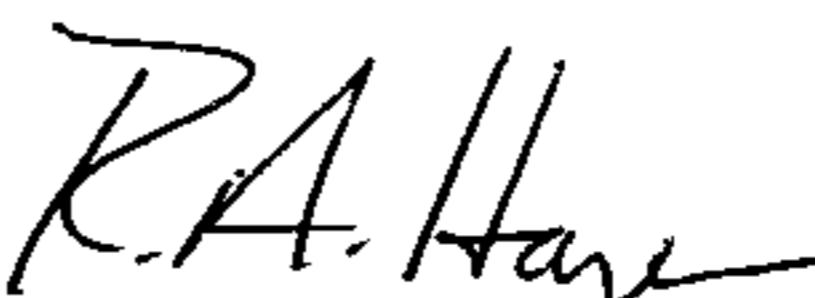
SECTION THREE: This ordinance shall become effective on the 10th day of March 2018.

THEREUPON Ron Scott, a council member moved and Mildred Lanier, a council member seconded the motion that Ordinance No. 135-216 be given vote. The roll call vote on said motion was as follows:

Rick Hayes, Council President	<u>Yes</u>
Ron Scott, Council Member	<u>Yes</u>
Beth McMillan, Council Member	<u>Yes</u>
Maurice Mercer, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Ordinance No. 135-216 passed by majority vote of the Council and the Council President declared the same passed.

ADOPTED this 5th day of March 2018.



Rick Hayes, Council President



Ron Scott, Council Member



Beth McMillan, Council Member



Maurice Mercer, Council Member



Mildred Lanier, Council Member



ATTEST

A handwritten signature of Tom Seale.

Tom Seale, MMC, City Clerk/Treasurer

APPROVED:

A handwritten signature of Gary W. Waters.

Gary W. Waters, Mayor

5 Mar 2018

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 135-216 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 5th day of March 2018 and duly published by posting an exact copy thereof on the 6th day of March 2018 at four public places within the city, including the Mayor's Office at City Hall, City Park, Water Works and Library, and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the office of the City Clerk during normal business hours.

A handwritten signature of Tom Seale.

Tom Seale, MMC, City Clerk/Treasurer



20180308000075950 2/4 \$24.00
Shelby Cnty Judge of Probate, AL
03/08/2018 01:38:46 PM FILED/CERT

EXHIBIT A

PARCEL I

Instrument number 20150821000291660 as recorded in the Office of the Judge of Probate in Shelby County, Alabama. (Tax ID 58-14-9-30-0-000-002.041)

A parcel of land situated in the Northeast 1/4 of Section 30, Township 20 South, Range 2 West, Shelby County, Alabama and being more particularly described as follows:

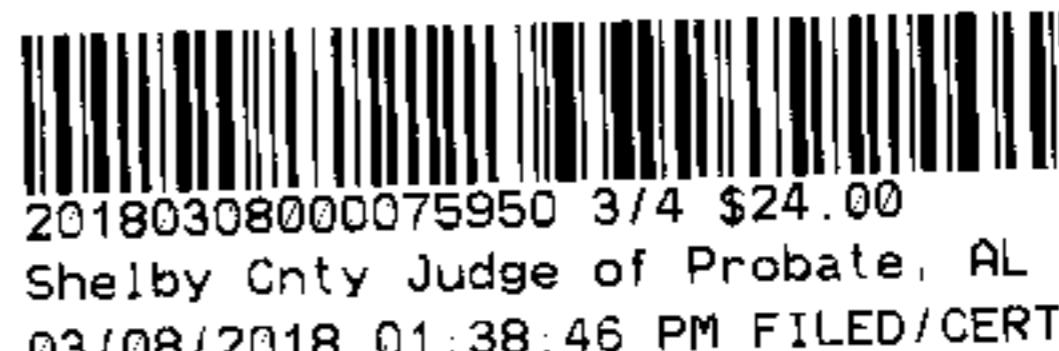
Commence and Begin at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 30, Township 20 South, Range 2 West, Shelby County, Alabama and thence run southerly for a distance of 784.05 feet to a set capped rebar stamped "CARR 0001OLS"; thence turn a deflection angle right of $44^{\circ}19'12''$ and run southwesterly for a distance of 721.48 feet to a point within a 20" hardwood, being 18.69 feet southwest of a found 1/2" open top; thence turn a deflection angle right of $45^{\circ}48'16''$ and run westerly for a distance of 1160.77 to a set capped rebar stamped "CARR 0001OLS"; thence turn a deflection angle right of $90^{\circ}34'13''$ and run northerly for a distance of 672.49 feet to a found 1/2" rebar; thence turn an interior angle left, counter-clockwise, of $180^{\circ}40'45''$ and run northerly for a distance of 507.66 feet to a capped rebar that was unreadable, said point being on the southeasterly right-of-way line of Shelby County Road No. 11; thence turn a deflection angle right of $35^{\circ}29'36''$ and run northeasterly along said road right-of-way line for a distance of 583.80 feet to a set capped rebar stamped "CARR 0001OLS"; thence turn a deflection angle right of $145^{\circ}37'57''$ and run southerly for a distance of 358.04 feet to a set capped rebar stamped "CARR 0001OLS"; thence turn a deflection angle left of $91^{\circ}09'26''$ and run easterly for a distance of 1324.59 feet to a found 1/2" rebar at the Point of Commencement and Beginning.

PARCEL II

Tract I of Instrument number 20060501000202370 as recorded in the Office of the Judge of Probate in Shelby County, Alabama. (Tax ID 58-14-9-30-0-000-001.060)

Northeast 1/4 of Section 30, Township 20 South, Range 2 West, described as follows:

Beginning at the SW corner of the NE 1/4 of the NE 1/4 of said Section 30, go North 89 degrees 29 minutes 43 seconds West for 990.43 feet; thence North 36 degrees 18 minutes 16 seconds East for 1040.02 feet; thence North 52 degrees 29 minutes 35 seconds West for 473.71 feet to the South boundary of Shelby County Highway No. 11; thence north 37 degrees 30 minutes 37 seconds East along said South boundary 60.00 feet; thence South 52 degrees 29 minutes 35 seconds East for 422.00 feet to the beginning of a curve to the left, having a central angle of 56 degrees 11 minutes and a radius of 251.02 feet; thence Northeasterly along said curve for 246.15 feet to the point of tangent; thence North 71 degrees 19 minutes 25 seconds East for 117.00 feet; thence North 00 degrees 12 minutes 30 seconds West for 410.13 feet; thence South 89 degrees 32 minutes 54 seconds East for 48.20 feet; thence South 00 degrees 28 minutes 21 seconds West for 326.78 feet; thence South 89 degrees 37 minutes 24 seconds East for 374.51 feet to the East boundary of Grantchester Lane; thence South 08 degrees 22 minutes 58 seconds West for 60.00 feet; thence South 89 degrees 37 minutes 24 seconds East for 80.00 feet; thence South 20 degrees 33 minutes 03 seconds West for 1010.78 feet; thence North 89 degrees 29 minutes 43 seconds West for 100.00 feet to the point of beginning.



LESS AND EXCEPT instrument number 20090317000098690 (Tax ID 58-14-9-30-0-000-001.064)

A parcel of land situated in the Northwest 1/4 of the Northeast 1/4 of Section 30, Township 20 South, Range 2 West, Shelby County, Alabama, being more particularly described as follows:

Begin at the Northeast corner of said Section 30; thence South 00 degrees 28 minutes 21 seconds West for a distance of 326.30 feet; thence North 89 degrees 37 minutes 24 seconds West for a distance of 45.30 feet; thence North 00 degrees 12 minutes 30 seconds West for a distance of 326.31 feet; thence South 89 degrees 32 minutes 54 seconds East for a distance of 47.55 feet to the point of beginning; being situated in Shelby County, Alabama.

PARCEL III

A part of Instrument number 20040707000375240 (Tax ID 58-14-9-30-0-000-001.000)

A parcel situated in the Section 30, Township 20 South, Range 2 West, Shelby County, Alabama being more particularly described as follows:

BEGIN at a 1/2" rebar at the NW corner of the SE 1/4 of the NE 1/4 of Section 30, Township 20 South, Range 2 West, Shelby County, Alabama; thence S 0°03'04" W along the west line of said 1/4-1/4 section a distance of 783.61 feet to a 1/2" rebar capped Carr on the northwesterly right-of-way of CSX Railroad; thence N 44°19'45" E leaving said 1/4-1/4 line and along said right-of-way a distance of 773.38 feet to a point; thence N 45°40'47" W leaving said right-of-way a distance of 539.49 feet to a point; thence S 20°05'16" W a distance of 155.69 feet to a 1/2" rebar capped Carr on the north line of said 1/4-1/4 section; thence S 89°49'09" W along the north line of said 1/4-1/4 section a distance of 100.27 feet to the POINT OF BEGINNING.

END OF LEGAL DESCRIPTION

