

*Certification  
Of  
Annexation Ordinance*

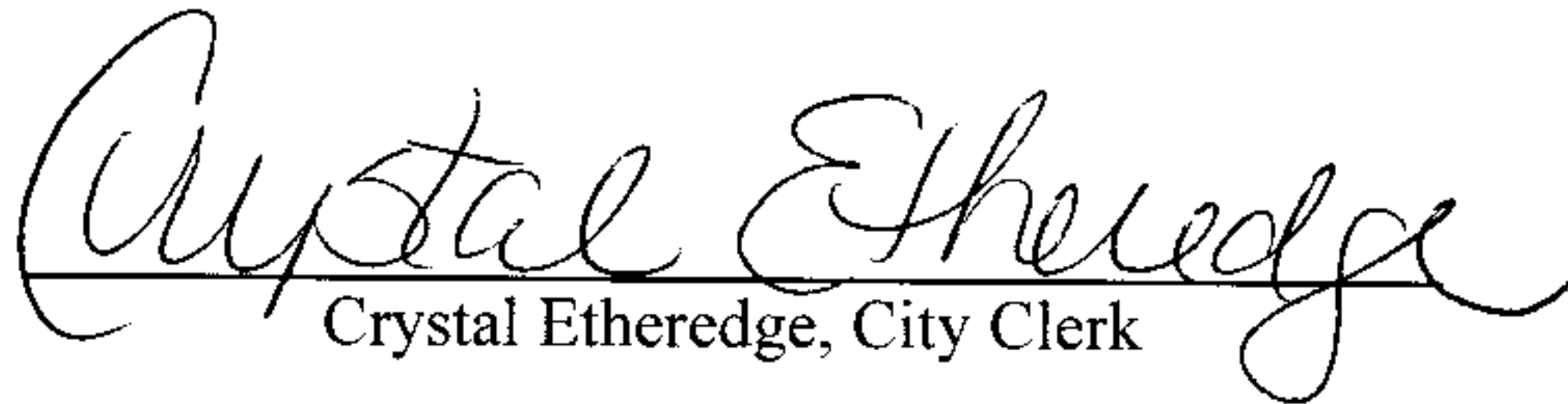
Ordinance Number: **X-2019-01-22-784**

Property Owner(s): **Sugar Enterprises, LLC**

Property: **Parcel ID #09 4 20 4 001 001.000**

I, Crystal Etheredge, City Clerk of the City of Chelsea, Alabama, hereby certify the attached to be a true and correct copy of an Ordinance adopted by the City Council of Chelsea, at the regular meeting held on January 22, 2019 and as same appears in minutes of record of said meeting, and published by posting copies thereof on January 23, 2019, at the public places listed below, which copies remained posted for five business days (through January 30<sup>th</sup>, 2019).

Chelsea City Hall, 11611 Chelsea Road, Chelsea, Alabama 35043  
U.S. Post Office, Highway 280, Chelsea, Alabama 35043  
Chelsea Public Library, Highway 280, Chelsea, Alabama 35043  
Chelsea Senior Lodge, 706 County Rd 36, Chelsea, Alabama 35043  
City of Chelsea Website - [www.cityofchelsea.com](http://www.cityofchelsea.com)

  
Crystal Etheredge, City Clerk



20190405000111150 1/13 \$51.00  
Shelby Cnty Judge of Probate, AL  
04/05/2019 12:38:01 PM FILED/CERT

## City of Chelsea, Alabama

**Annexation Ordinance No.: X-2019-01-22-784**

Property Owner(s): **Sugar Enterprises, LLC**

Property: **Parcel ID #09 4 20 4 001 001.000**

Pursuant to the provisions of Section 11-42-21 of the Code of Alabama (1975),

**Whereas**, the attached written petition (as Exhibit A) that the above-noted property be annexed to The City of Chelsea has been filed with the Chelsea City Clerk; and

**Whereas**, said petition has been signed by the owner(s) of said property; and

**Whereas**, said petition contains (as Petition Exhibit B) an accurate description of said property together with a map of said property (Exhibit C) showing the relationship of said property to the corporate limits of Chelsea; and

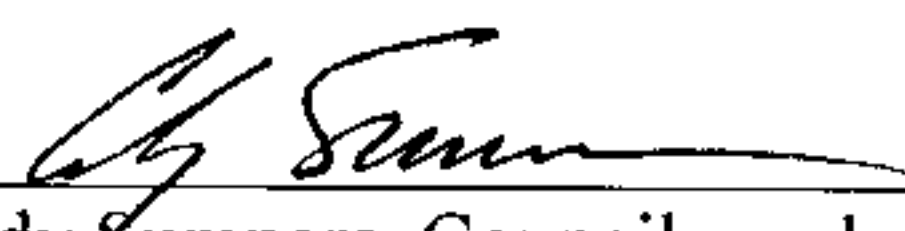
**Whereas**, said property is contiguous to the corporate limits of Chelsea, or is a part of a group of properties submitted at the same time for annexation, which is (E-1) which together is contiguous to the corporate limits of Chelsea;

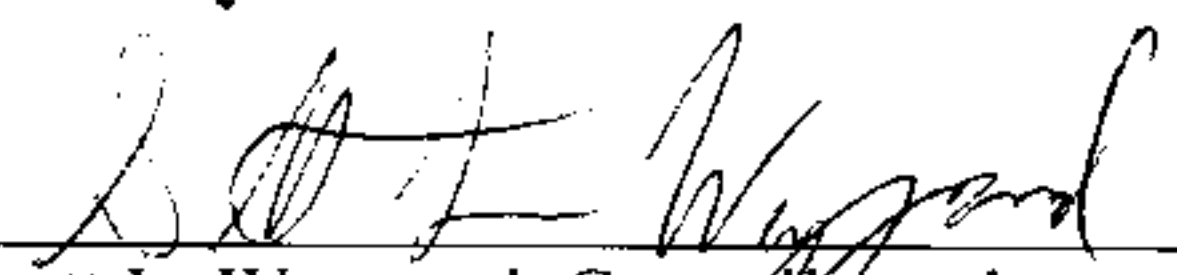
**Whereas**, said territory does not lie within the corporate limits or police jurisdiction of any other municipality


**Therefore, be it ordained** that the City Council of the City of Chelsea assents to the said annexation: and

**Be it further ordained** that the corporate limits of Chelsea be extended and rearranged so as to embrace and include said property, and said property shall become a part of the corporate area of the City of Chelsea upon the date of publication of this ordinance as required by law.


  
Tony Picklesimer, Mayor


  
Cody Sumners, Councilmember

  
Scott L. Weygand, Councilmember

  
David Ingram, Councilmember

  
Tiffany Bittner, Councilmember

  
Casey Morris, Councilmember

  
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**Petition Exhibit B**

Property Owner(s): **Sugar Enterprises, LLC**

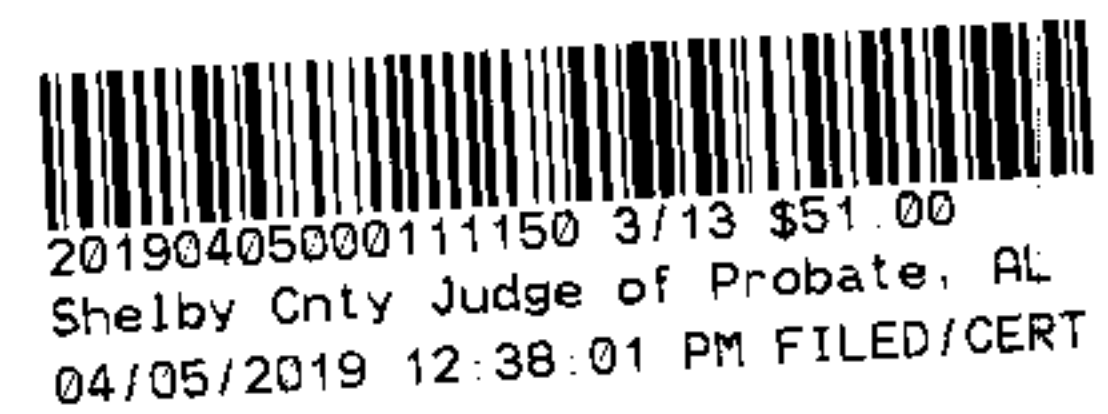
Property: **Parcel ID #09 4 20 4 001 001.000**

**Property Description**

The above-noted property, for which annexation into Chelsea is requested in this petition, is described in the attached copy of the deed (Petition Exhibit B), recorded in Instrument #20060718000346360, and is filed with the Shelby County Probate Judge.

Further, the said property for which annexation into Chelsea is requested in this petition is shown in the indicated shaded area on the attached map in (Petition Exhibit C). Said map also shows the contiguous relationship of said property to the corporate limits of Chelsea.

The said property, for which annexation into Chelsea is requested in this petition, does not lie within the corporate limits of any other municipality.



City Clerk  
City of Chelsea  
P. O. Box 111  
Chelsea, Alabama 35043

## Petition for Annexation

The undersigned owner(s) of the property which is described in the attached "Exhibit A" and which either is contiguous to the corporate limits of the City of Chelsea, or is a part of a group of properties which together are contiguous to the corporate limits of Chelsea, do hereby petition the City of Chelsea to annex said property into the corporate limits of the municipality.

Done the 14 day of January, 2019

Maurice R. Sherrin  
Witness

Sugar Enterprises, LLC  
By Joseph S. Bluestein  
Owner Signature Joseph S. Bluestein, Manager

Sugar Enterprises, LLC  
Print Name

P.O. Box 55727

Birmingham, AL 35255

Mailing Address  
Chelsea, Shelby County, AL

# 094 204 001 001.000  
Property Address (If different)

[REDACTED]  
Telephone Number (Day)

\_\_\_\_\_  
Telephone Number (Evening)

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Owner Signature

\_\_\_\_\_  
Print Name

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Property Address (If different)

\_\_\_\_\_  
Telephone Number (Day)

\_\_\_\_\_  
Telephone Number (Evening)

Number of people on property 0

Proposed property usage: (Circle One)  
Commercial Residential

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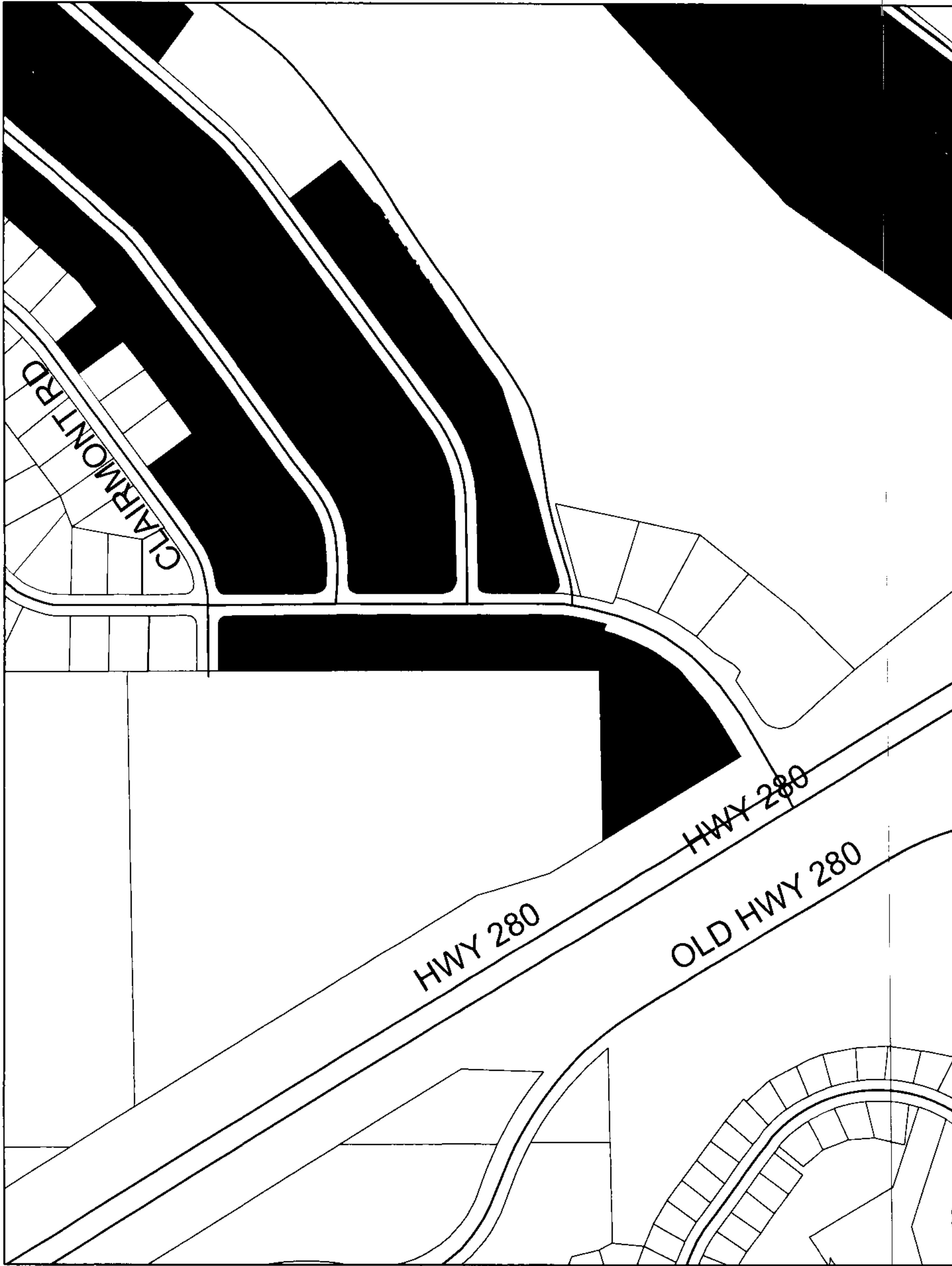


ORD #:  
X2019-01-22-784

TAX ID #:  
09 5 21



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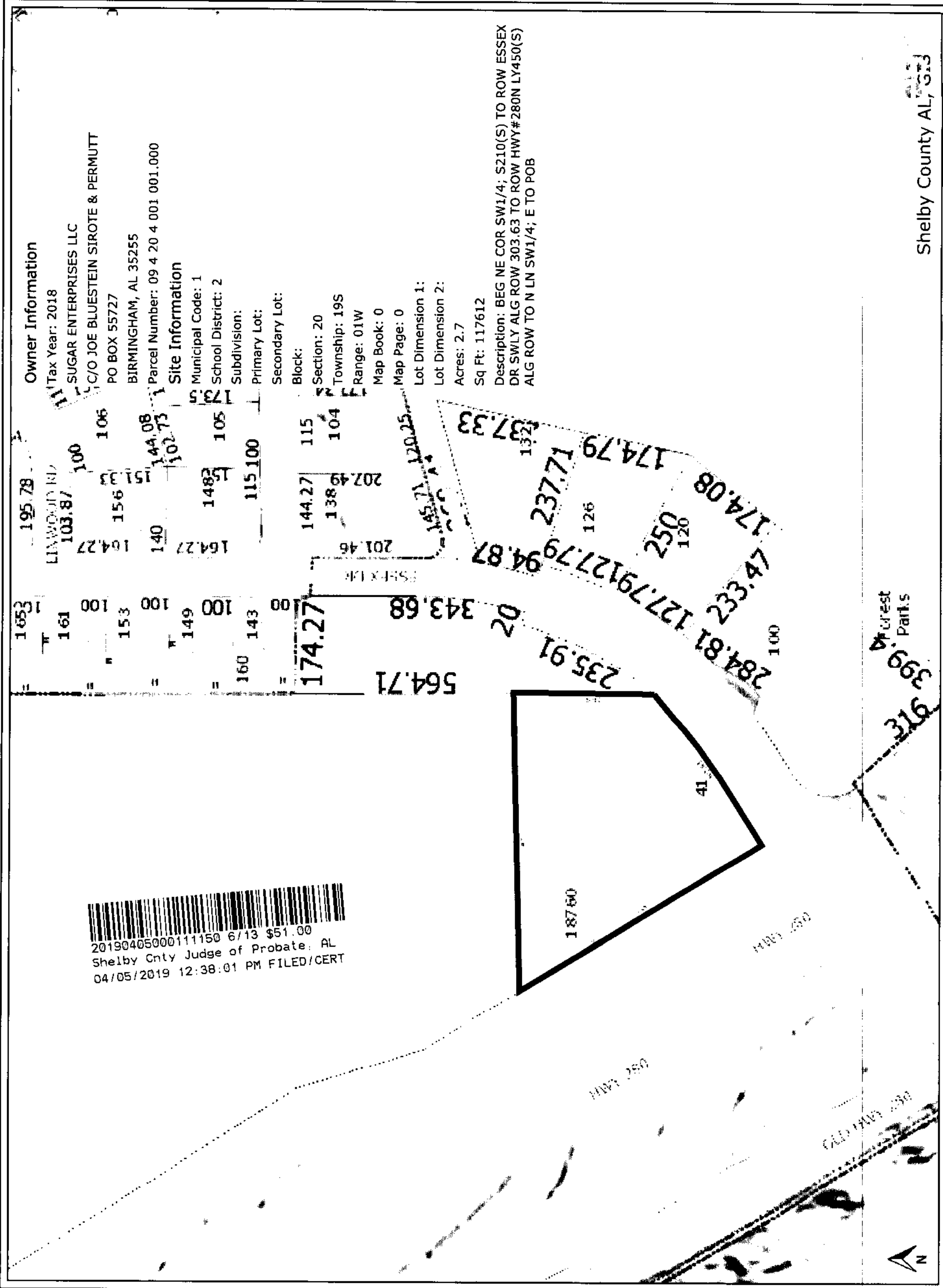


CITY LIMITS

TO BE ANNEXED

SUGAR ENTERPRISES LLC





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Shelby Cnty Judge of Probate, AL  
04/05/2019 12:38:01 PM FILED/CERT

Owner Information

Tax Year: 2018  
SUGAR ENTERPRISES LLC  
C/O JOE BLUESTEIN SIROTE & PERMUTT  
PO BOX 55727  
BIRMINGHAM, AL 35255  
Parcel Number: 09 4 20 4 001 001.000

Site Information

Municipal Code: 1  
School District: 2  
Subdivision:  
Primary Lot:  
Secondary Lot:

Block:

Section: 20

Township: 19S

Range: 01W

Map Book: 0

Map Page: 0

Lot Dimension 1:

Lot Dimension 2:

Acre: 2.7

Sq Ft: 117612

Description: BEG NE COR SW1/4; S210(S) TO ROW ESSEX  
DR SWLY ALG ROW 303.63 TO ROW HWY#280N LY450(S)  
ALG ROW TO N LN SW1/4; E TO POB

Shelby County AL, 333

Shelby County Land Information  
Date Printed:

Use this item at your own risk. Accuracy is not guaranteed for any reason. The material and information contained in this document is provided for general information only and should not be used for legal, engineering or surveying purposes. Shelby County specifically disclaims all warranties, express or implied regarding this document. Shelby County is not liable and/or responsible for the consequences caused by or related to, in any way, the actions take or not take in reliance on this document.

20060718000346360 1/6 \$652.00  
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Send Tax Notice to:  
Sugar Enterprises, L.L.C.  
2951 Pine Haven Drive  
Birmingham, AL 35213

THIS DEED IS DONE WITHOUT  
BENEFIT OF A TITLE SEARCH

STATE OF ALABAMA     )  
                                  )  
SHELBY COUNTY         )

Shelby County, AL 07/18/2006  
State of Alabama  
Deed Tax: \$625.00

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS,

WHEREAS, on the 16th day of December, 1992, James Murray McNabb (also known as J.M. McNabb and James M. McNabb) died and his Last Will and Testament was probated, the estate administered by Joseph S. Bluestein and SouthTrust Bank of Alabama, N.A., co-executors of the Estate of James Murray McNabb, decedent, and a Decree on Final Settlement ordered on the 22<sup>nd</sup> day of November, 1994, as set forth in the attached Decree on Final Settlement;

WHEREAS, Joseph S. Bluestein and SouthTrust Bank of Alabama, N.A., as co-trustees of the James M. McNabb Trust Estate B Non-Exempt was a beneficiary of the estate of J.M. McNabb and did receive all property to which it was entitled from the co-executors, including an interest in McNabb Realty Company;

WHEREAS, McNabb Realty Company did purchase from Frank T. Pearce and Harry W. Pearce the real estate described hereinbelow (hereinafter referred to as Real Estate), as evidenced by Warranty Deed dated January 20, 1995, and recorded in the Judge of Probate of Shelby County, Alabama, at 10:35 a.m. on January 26, 1995, under instrument number 1995-02179;

WHEREAS, on January 20, 1995, McNabb Realty Company was an Alabama general partnership consisting of Joseph S. Bluestein and SouthTrust Bank, N.A., co-trustees, of the James M. McNabb Trust Estate B Non-exempt, and Gertrude K. McNabb and Mary Jo Phillips;

WHEREAS, on the 29<sup>th</sup> day of April, 1997, Gertrude K. McNabb died and her Last Will and Testament was probated, the estate administered by Mary Jo Phillips and Joseph S. Bluestein, co-executors of the Estate of Gertrude K. McNabb, decedent, and a Decree of Final Settlement ordered on the 7<sup>th</sup> day of December, 2000, as set forth in the attached Decree of Final Settlement;

WHEREAS, in accordance with paragraph 2 of Article 10 of the Partnership Agreement of McNabb Realty Company, upon the death of the last to die of J.M. McNabb and

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Gertrude K. McNabb, the partnership shall automatically terminate and be liquidated in accordance with the following procedure:

- (a) The market value of partnership property shall be determined;
- (b) Unpaid deficiencies in net profits to which J.M. McNabb and Gertrude K. McNabb are entitled for the three immediately preceding calendar years prior to liquidation shall be credited to the capital accounts of J.M. McNabb and Gertrude K. McNabb;
- (c) All post-partnership appreciation shall be credited to the capital account of Mary Jo Phillips;
- (d) Partnership debts, expenses and liquidation of any loans by partners to the partnership shall be paid;
- (e) Capital accounts of Gertrude K. McNabb and J.M. McNabb shall be liquidated by distributing to their personal representative property equal in value to each of their respective capital accounts; and
- (f) The balance of any property remaining shall be transferred to Mary Jo Phillips.

WHEREAS, McNabb Realty Company was terminated in accordance with Paragraph 2 of Article 10 of the Partnership Agreement and the Real Estate distributed to Mary Jo M. Phillips in liquidation thereof.

IN CONSIDERATION of the above premises, and other good and valuable consideration, the undersigned being all successor parties in interest to McNabb Realty Company, do by these presents grant, bargain, sell and convey unto Sugar Enterprises, L.L.C. (hereinafter referred to as "the Grantee"), all of their right, title and interest in and to the following described real estate situated in Shelby County, Alabama, to-wit:

A parcel of land situated in the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  and the NE  $\frac{1}{4}$  of the SE  $\frac{1}{4}$  of Section 20, Township 19 South, Range 1 West, Shelby County, Alabama, being more particularly described as follows:

Beginning at the NE corner of the SE  $\frac{1}{4}$  of the NE  $\frac{1}{4}$  of Section 20, Township 19 South, Range 1 West, Shelby County, Alabama, thence S 01'29'13" E along the East Section line of said  $\frac{1}{4}$  -  $\frac{1}{4}$  a distance of 1532.41 feet to a capped iron pin set (SMW LS 19753) and the Northern right of way line of Essex Drive (100' private right of way); thence leaving said  $\frac{1}{4}$  Section line with a curve turning to the right with an arc length of 179.30 feet, with a radius of 575.00 feet, with a chord bearing of S 48'17'09" W, and a chord length of 178.57 feet to a capped iron pin set (SMW LS 19753); thence S 52'22'40" W a distance of 132.14 feet to a 5/8" rebar found and the Northern right of way of State Highway #280; thence along said right of way line N 32'23'59" W a distance of



638.61 feet to a capped iron pin set (SMW LS 19753); thence continue along said right of way N 18°01'09" W a distance of 207.13 feet to a 6" concrete right of way monument; thence continue along said right of way N 32°45'52" W a distance of 699.23 feet to a 6" concrete right of way monument; thence follow the right of way line for State Highway #280 on bearing N 33°23'10" W a distance of 442.63 feet to a 5/8" capped rebar found (Jackins 18399) and the North line of the SE ¼ of the NE ¼; thence along said ¼ - ¼ line N 88°15'26" E a distance of 1227.21 feet to the Point of Beginning. Said described tract of land containing 28.15 acres, more or less, lying in the SE ¼ of the NE ¼ and the NE ¼ of the SE ¼ of Section 90, Township 19 South, Range 1 West, Shelby County, Alabama.

SUBJECT TO THE FOLLOWING:

1. Taxes for 2006 and subsequent years. 2006 ad valorem taxes are a lien but not due and payable until October 1, 2006.
2. Permit to Alabama Power Company recorded in Deed Book 103, page 154 in Probate office of Shelby County, Alabama.
3. Right of way to Shelby County recorded in Deed Book 95, page 215 and Deed Book 95, page 535 in Probate Office.
4. Right of way to State of Alabama recorded in Deed Book 296, page 441 in Probate Office.
5. Permit for line clearing executed on the 11<sup>th</sup> of July, 2006.

TO HAVE AND TO HOLD to the said Grantee, her successors and assigns  
forever.

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IN WITNESS WHEREOF, the said Grantor has hereto set his or her hand and seal on this the 11<sup>th</sup> day of July, 2006.

**J.M. McNabb Trust Estate B Non-Exempt**

By: [Signature]  
Joseph S. Bluestein, Co-Trustee

**Estate of Gertrude K. McNabb**

By: [Signature]  
Joseph S. Bluestein, Co-Trustee

[Signature]  
Mary Jo M. Phillips, Co-Trustee

**Mary Jo M. Phillips**

[Signature]  
Individually, and as the Sole Surviving  
Partner of McNabb Realty Company,  
formerly a General Partnership

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07/18/2006 01:42:45PM FILED/CERT

STATE OF ALABAMA )  
 )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOSEPH S. BLUESTEIN, Co-Trustee of the J.M. McNabb Trust Estate B Non-Exempt, whose name 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 trustee and with full authority, executed the same voluntarily for and as the act of such trust as of the day the same bears date.

Given under my hand and official seal on this the 11<sup>th</sup> day of July, 2006.

Sherie L. Puccio  
NOTARY PUBLIC

MY COMMISSION EXPIRES NOVEMBER 30, 2008

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

STATE OF ALABAMA )  
 )  
Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that JOSEPH S. BLUESTEIN and MARY JO M. PHILLIPS, as Co-Trustees of the Estate Gertrude K. McNabb, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of said instrument, they, as such trustees and with full authority, executed the same voluntarily for and as the act of such trust as of the day the same bears date.

Given under my hand and official seal on this the 11<sup>th</sup> day of July, 2006.

Sherie L. Puccio  
NOTARY PUBLIC

MY COMMISSION EXPIRES NOVEMBER 30, 2008

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

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Shelby Cnty Judge of Probate, AL  
07/18/2006 01:42:45PM FILED/CERT

STATE OF ALABAMA )

Jefferson COUNTY )

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that MARY JO M. PHILLIPS, individually, and as the sole surviving partner of McNabb Realty Company, formerly a General Partnership, whose name 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, she executed the same voluntarily as of the day the same bears date.

July Given under my hand and official seal on this the 14<sup>th</sup> day of July, 2006.

Sherrie L. Puccio  
NOTARY PUBLIC

MY COMMISSION EXPIRES NOVEMBER 30, 2008

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

**This Instrument Prepared By:**  
Joseph S. Bluestein, Attorney at Law  
Sirote & Permutt, P.C.  
P. O. Box 55727  
Birmingham, AL 35255-5727

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**CAHABA VALLEY FIRE AND  
EMERGENCY MEDICAL RESCUE DISTRICT**

*JOHN ROY, BATTALION CHIEF  
FLOYD WILKS, JR, BATTALION CHIEF  
STEPHEN GAITHER, LIEUTENANT  
DAVID SMETEK, LIEUTENANT  
MICAH WOODLEY, LIEUTENANT*

*JAMES D. WITHERINGTON, FIRE CHIEF*

*JOHN YANCEY, BATTALION CHIEF  
BARRY P CASEY, EXECUTIVE OFFICER  
STEPHEN GUNNELS, LIEUTENANT  
RUSS BRADLEY, SAFETY OFFICER  
JONATHAN CURTIS, SAFETY OFFICER  
GRANT R. WILKINSON, SAFETY OFFICER*

February 6, 2019

City Clerk  
City of Chelsea  
11611 Chelsea Road  
Chelsea, AL 35043

Re: Sugar Enterprises, LLC  
Vacant land on Highway 280  
Birmingham, AL  
Parcel ID: 09-4-20-4-001-001.000 & 09-4-20-1-001-007.000

To Whom It May Concern:


Please be advised the buy-out compensation has been received for the above listed properties for the purpose of being annexed into the City of Chelsea. This letter is valid through September 30, 2019.

If you have any questions concerning this matter, please feel free to contact me.

Best Regards,



Shannon Lamoureux  
Bookkeeping



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