

ORDINANCE NUMBER 19-2451

**AN ORDINANCE DE-ANNEXING CERTAIN PROPERTY
FROM THE CITY OF HOOVER**

BE IT ORDAINED by the City Council of the City of Hoover, Alabama, in regular meeting duly assembled, a quorum being present, as follows:

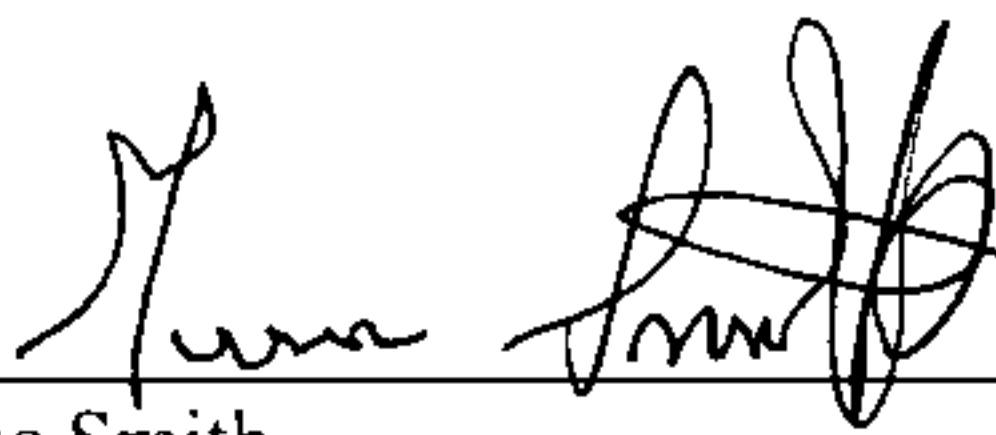
SECTION 1. Whereas petitions signed by Eugene E Linton, Jr. and Villeta M Linton presented to the City Clerk of the City of Hoover, Alabama, copies of which are attached hereto and marked Exhibit "A", requesting the property described therein be de-annexed from the City of Hoover, said property being situated in Shelby County, Alabama, and described as follows:

See attached Exhibit "B"

SECTION 2. That the City Council of the City of Hoover, Alabama hereby finds that said property was annexed into the City limits of the City of Hoover and should now be de-annexed, and it is in the best interest of the City of Hoover that said property be de-annexed and the City of Hoover does hereby assent to the de-annexation of said property from the City of Hoover, Alabama.

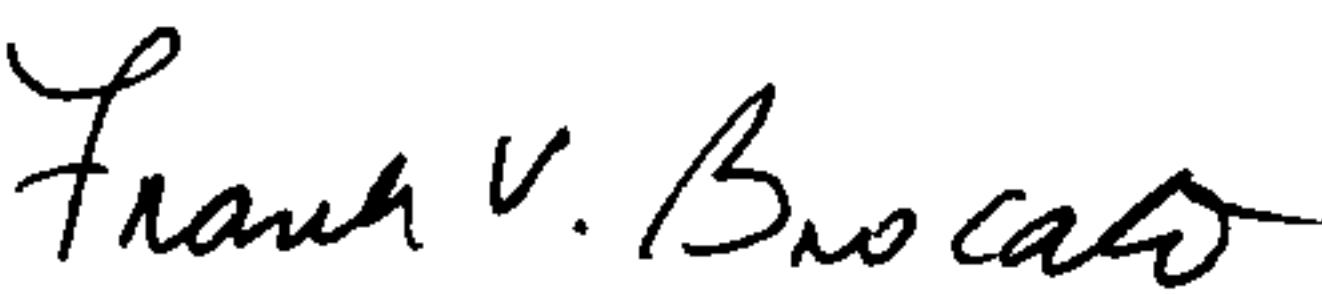
SECTION 3. The City Clerk shall file a certified copy of this ordinance containing an accurate description of said de-annexed territory with the Probate Judge of Shelby County, Alabama, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Hoover.

ADOPTED this the 5th day of August, 2019.




Gene Smith
Council President

APPROVED BY:

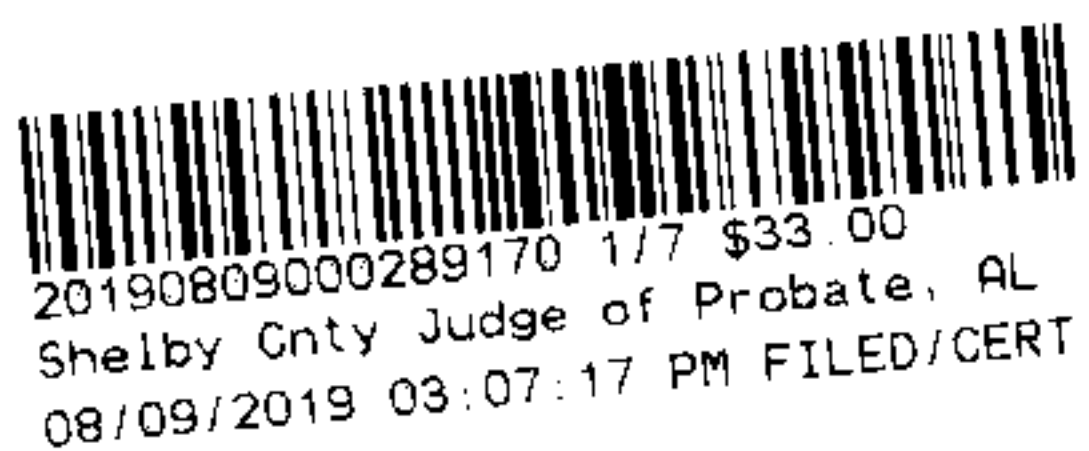


Frank V. Brocato
Mayor

ATTESTED BY:





Wendy Dickerson
City Clerk



CERTIFICATION:

I, Wendy Dickerson, as City Clerk of the City of Hoover, Alabama, hereby certify that the above and foregoing copy of 1 (one) Ordinance Number 19-2451 is a true and correct copy of such Ordinance that was duly adopted by the City Council of the City of Hoover on the 5th day of August, 2019, as same appears in the official records of said City.


Wendy Dickerson
City Clerk


20190809000289170 2/7 \$33.00
Shelby Cnty Judge of Probate, AL
08/09/2019 03:07:17 PM FILED/CERT

STATE OF ALABAMA

COUNTY OF Shelby

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We, the undersigned owners of the property or properties, hereby request and petition the City of Hoover, Alabama, to take whatever action is necessary to cause our property, legally described below, to be de-annexed from the corporate limits of the City of Hoover.

The undersigned petitioners do further petition that the City Council of the City of Hoover, Alabama, set a date for the hearing of this petition.

LOT: 1

BLOCK: 000

SURVEY: 12 6 14 0 001 006 000

RECORDED IN MAP BOOK 42, PAGE 134 IN THE PROBATE
 OFFICE OF Shelby COUNTY, ALABAMA.

LEGAL DESCRIPTION (METES AND BOUNDS) (list below or attach):

Attached

IN WITNESS WHEREOF, the undersigned have hereto set their hands and seals, or caused these presents to be executed by their duly authorized representatives, with full authority.

SIGNATURE(S)

DESCRIPTION OF PROPERTY

Willita Linton LOT 1 BLOCK 000 SURVEY 12 6 14 0 001 006 000
Eng. L. R. F. LOT 1 BLOCK 000 SURVEY 12 6 14 0 001 006 000

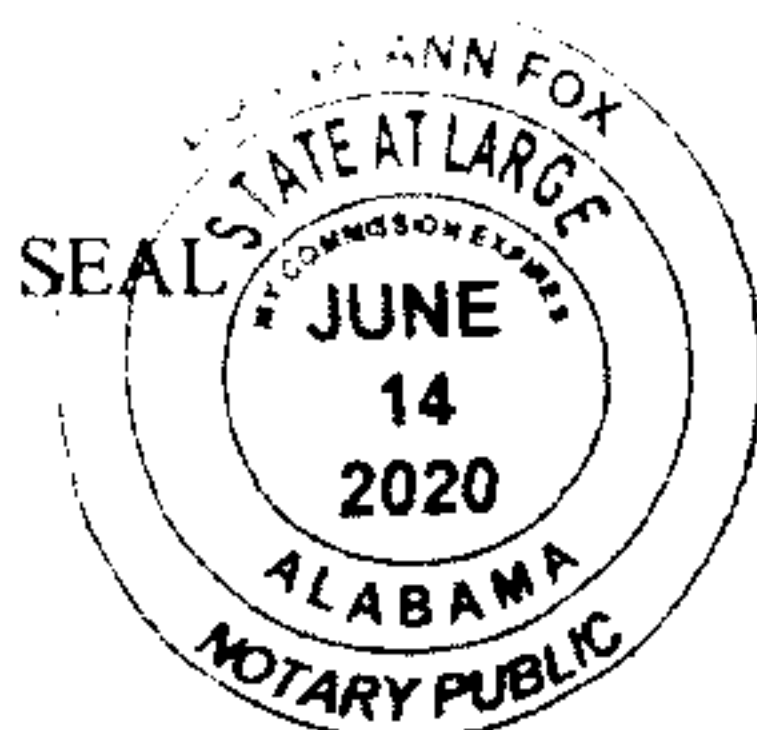
STATE OF ALABAMA

Jefferson COUNTY

Willita Linton being duly sworn says: I am one of the persons who signed the above petition, and I certify that said petition contains the signatures of all the owners of the described property.

Willita Linton
 Signature of Certifier

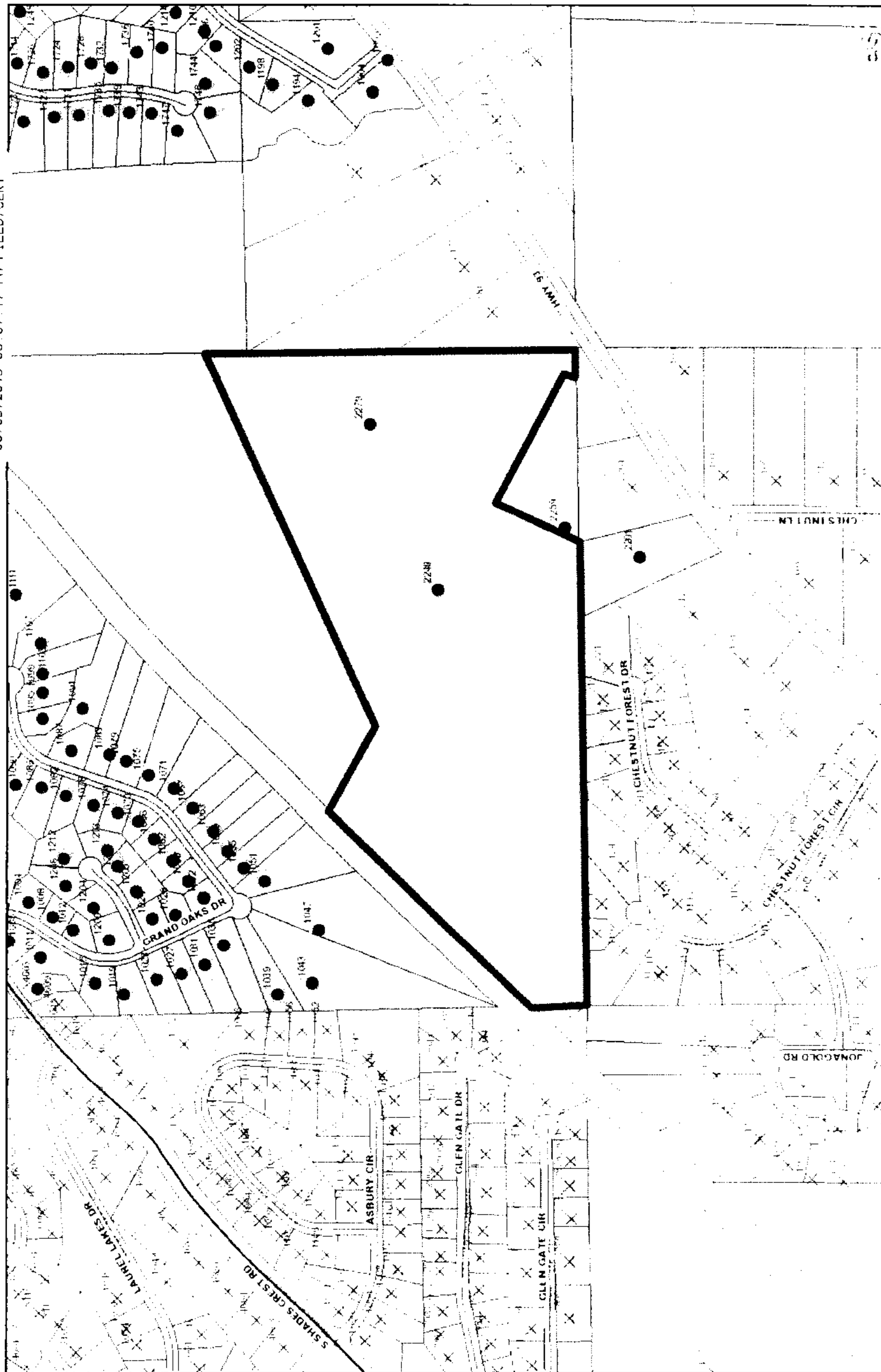
Subscribed and sworn before me this the 29 day of June, 2019.



[Signature]
 Notary Public
 My commission expires 06-14-2020

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Scale P
651 ft

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Southeast ¼ of Section 14, Township 20 South, Range 4 West; thence S 1° 23' 38" E along the west line of said subdivision a distance of 1,322.35 feet to the POINT OF BEGINNING.

Easements for ingress, egress and utilities described as follows:

Begin at a 3" capped pipe being the Southwest corner of Section 13, Township 20 South, Range 4 West, Shelby County, Alabama, said point also being the Southwest corner of Lot 1, Crawford's Addition to Genery Gap as recorded in Map Book 7, Page 122 in the office of the Judge of Probate, Shelby County, Alabama; thence N 1° 23' 38" W along the Western line of said section and Lot 1 a distance of 72.44 feet to a point; thence S 62° 30' 00" E, leaving said section line and lot line a distance of 91.93 feet to a point on the Northwesternly Right of Way line of Shelby County Highway 93; thence S 56° 39' 52" W, along said Right of Way a distance of 53.36 feet to the intersection of said Right of Way with the South line of said section; thence S 88° 57' 17" W, leaving said Right of Way and along the south line of said section and said lot a distance of 35.21 feet to the POINT OF BEGINNING.

A 20 foot wide easement located in the NE ¼ of Section 23 and the SE ¼ of Section 14, Township 20 South, Range 4 West, more particularly described as follows:

Commence at a 3" capped pipe being the NE corner of said NE ¼ ; thence in a Southerly direction along the Easterly line of said Section 23, a distance of 21.96 feet to the Northwesternly R/W line of County Road, 93; thence 57 degrees 03 minutes right, in a Southwesterly direction along said R/W line, a distance of 615.88 feet to the beginning of a curve to the left, having a radius of 2,864.72 feet; thence in a Southwesterly direction along said curve and R/W line, a distance of 194.16 feet to a 2" open top pipe being the POINT OF BEGINNING of this easement, said easement lying 20' easterly of and parallel to the following described course; thence 111 degrees 12 minutes 50 seconds right from a line tangent to said curve, in a Northwesternly direction, a distance of 470.99 feet to the intersection with the North line of said NE ¼ and the end of the western boundary of this easement, the eastern boundary of the easement continuing the last described course another 26.52 feet to the intersection of the northwestern boundary line of Parcel 1.

This conveyance subject to:

- 1. Taxes for the year 2012 and subsequent years.**
- 2. Title to all minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto, including release of damages, are not insured herein.**
- 3. Right-of-way granted to Alabama Power Company recorded In Book 206, Page 539.**
- 4. Right of way as may affect subject property recorded In Volume 12, Page 387.**
- 5. Agreement as set out in Book 128, Page 238.**
- 6. Right-of-way granted to Alabama Power Company recorded in Book 134, Page 426 and Deed Book 223, Page 894.**
- 7. Oil and gas leases recorded in Deed Book 339, Page 146.**
- 8. Right-of-way to Shelby County recorded in Deed Book 154, Page 568.**
- 9. Easement granted to Alabama Power Company recorded in Inst. No. 20040910000506310 and Inst. No. 2006-60164.**



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Exhibit B

10. Easement for ingress, egress and utilities as recorded in Inst. No. 20110617000178270 and Inst. No. 20110914000271050.

One Hundred, Forty Thousand and no/100's Dollars (\$140,000.00) of the above consideration is paid by a Purchase Money Mortgage which is filed simultaneously herewith.

TO HAVE AND TO HOLD, unto the said GRANTEES, as joint tenants, with right of survivorship, their heirs and assigns forever, it being the intention of the parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during the joint lives of the GRANTEES herein) in the event that one GRANTEE herein survives the other, the entire interest in fee simple shall pass to the surviving GRANTEE, and if one does not survive the other, then the heirs and assigns of the GRANTEES herein shall take as tenants in common. And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEES, their heirs and assigns, that it is lawfully seized in fee simple of said premises, that they are free of all encumbrances, unless otherwise noted above; that it has a good right to sell and convey the same as aforesaid; that it will and its successors and assigns shall warrant and defend the same to the said GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its Managing Member who is authorized to execute this conveyance has hereunto set its signature and seal this the 14th day of February, 2012.

ATTEST:

JCD LANDS, LLC

It's Managing Member
Farmer Keith, LLC by
David Keith, Member

STATE OF ALABAMA
COUNTY OF SHELBY

I, the undersigned, a Notary Public in and for said County, in said State hereby certify that, David Keith, whose name as Member of Farmer Keith, LLC, the Managing Member of JCD Lands, LLC, an Alabama limited liability company is signed to the foregoing conveyance and who is known to me, acknowledged before me, that, being informed of the contents of the conveyance, he, as such member of Farmer Keith, LLC, the Managing Member of JCD Lands, LLC and with full authority executed the same voluntarily for and as the act of JCD Lands, LLC.

Given under my hand and seal this the 14th day of February, 2012.

Notary Public

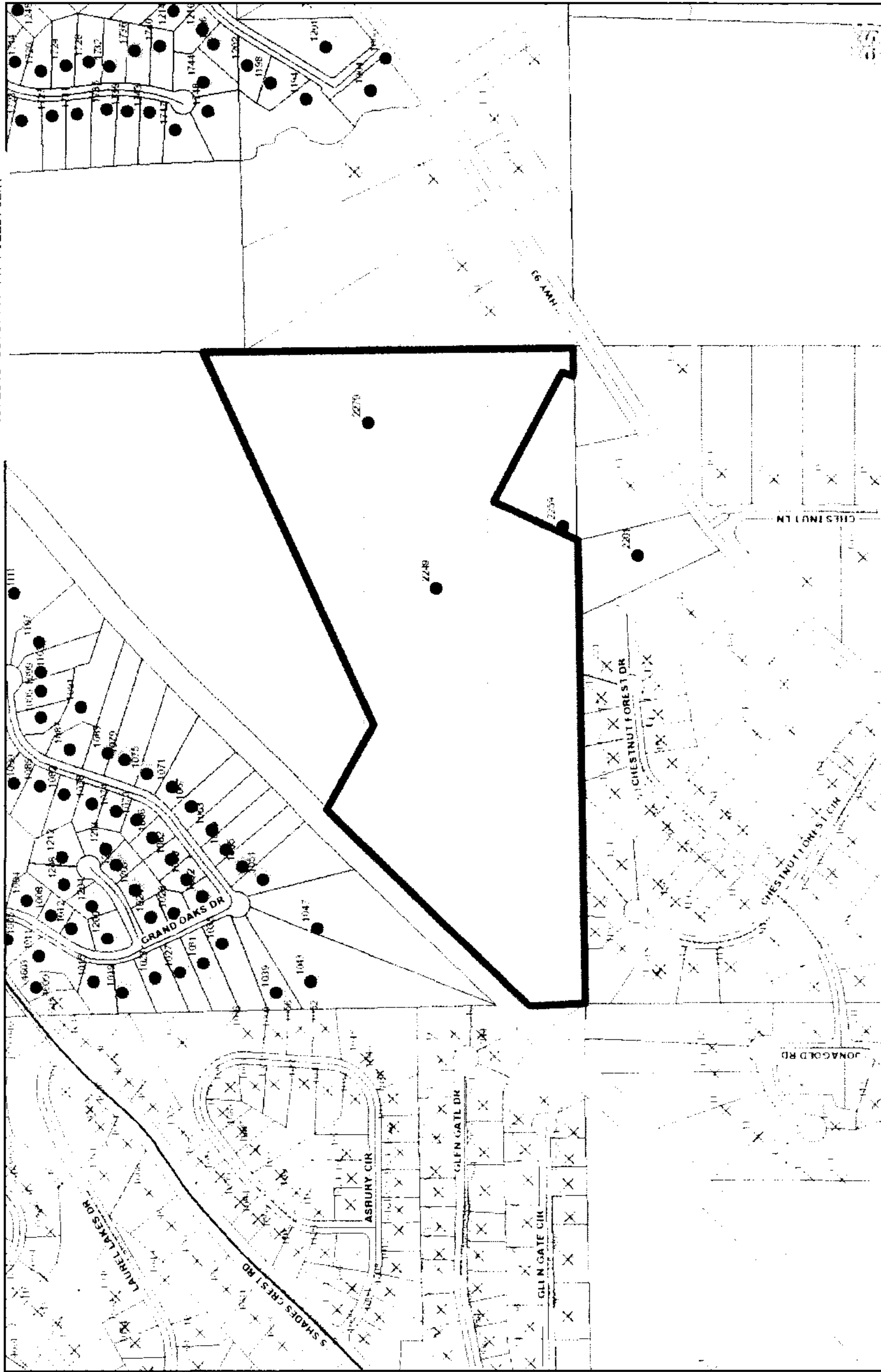


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SECRET

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