

Ordinance 2020-04

AN ORDINANCE OF THE TOWN OF HARPERSVILLE, PROVIDING THAT THE CODE OF ORDINANCES, TOWN OF HARPERSVILLE, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 2020-04 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE:

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF HARPERSVILLE, ALABAMA AS FOLLOWS:

Section 1. The rezoning of property located south of Farmingdale Estates Subdivision on Shelby County Road 444 changing the present zoning A-1 (Agricultural District) to RG (Garden Home Residential District).

Applicant: SDH Birmingham LLC

Legal Description is attached as Exhibit A.

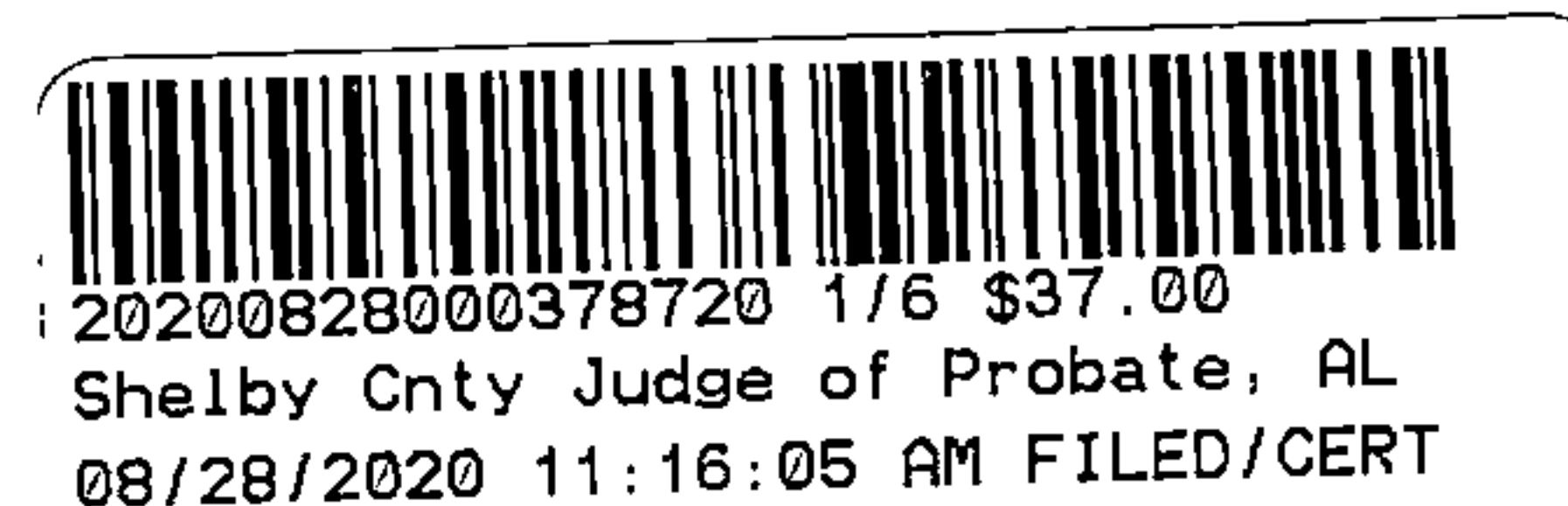
Section 2. Any ordinance or resolution in conflict herewith is repealed as of the effective date of this Ordinance.

Section 3. This Ordinance shall become effective upon its passage and publication or posting as required by law.

Section 4. The sections, subsections, paragraphs, sentences, clauses, and phrases of this Ordinance are severable. If any section, subsection, paragraph, sentence, clause, or phrase of this Ordinance is declared unconstitutional or invalid by a valid judgement of a court of competent jurisdiction, such judgment shall not affect the validity of any other section, subsection, paragraph, sentence, clause, or phrase of this Ordinance. The town council declares it is its intent it would not have enacted this Ordinance with such invalid or unconstitutional provisions.

THEREUPON Sheila K. Rich, a councilmember, moved and Martin Dates, a councilmember, seconded the motion that adoption of said Ordinance 2020-04 be given vote. The roll call vote on said motion was recorded as follows:

Don Greene, Mayor	<u>Yes</u>
Beverly O. Johnson, Councilmember	<u>Not Present</u>
Martin Dates, Councilmember	<u>Yes</u>
Sheila K. Rich, Councilmember	<u>Yes</u>
William Rayfield, Councilmember	<u>Yes</u>
Janet Gill, Councilmember	<u>Yes</u>



Ordinance 2020-04 passed by unanimous roll call vote of those members of the council present and the mayor declared the same passed.

ADOPTED this 3rd day of August 2020.

Don Greene
Don Greene, Mayor

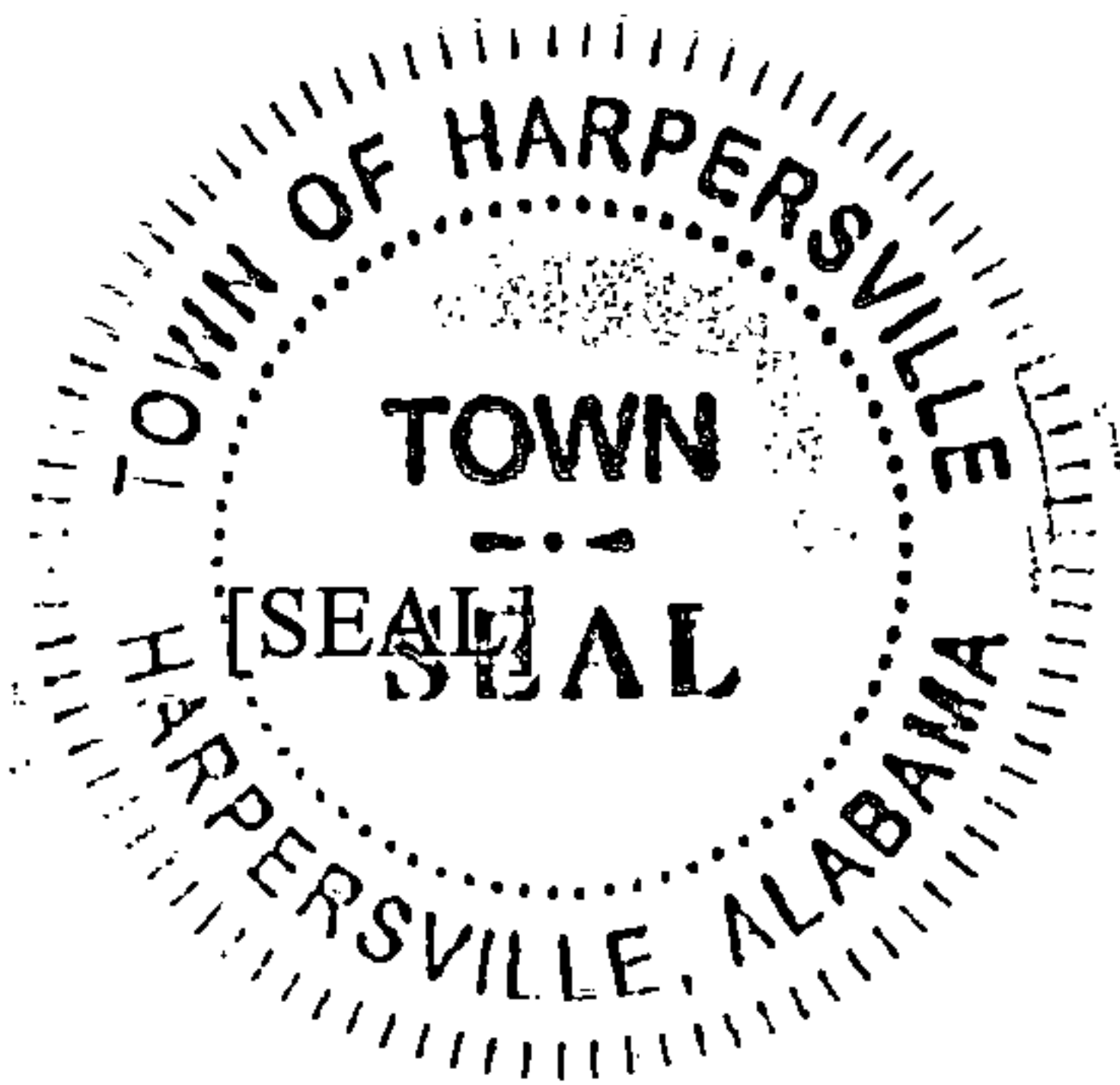
Not Present
Beverly O. Johnson, Councilmember

Martin Dates
Martin Dates, Councilmember

Sheila K. Rich
Sheila K. Rich, Councilmember

William Rayfield
William Rayfield, Councilmember

Janet Gill
Janet Gill, Councilmember



ATTEST:

Jonathan Seale
Jonathan Seale, Town Clerk/Treasurer

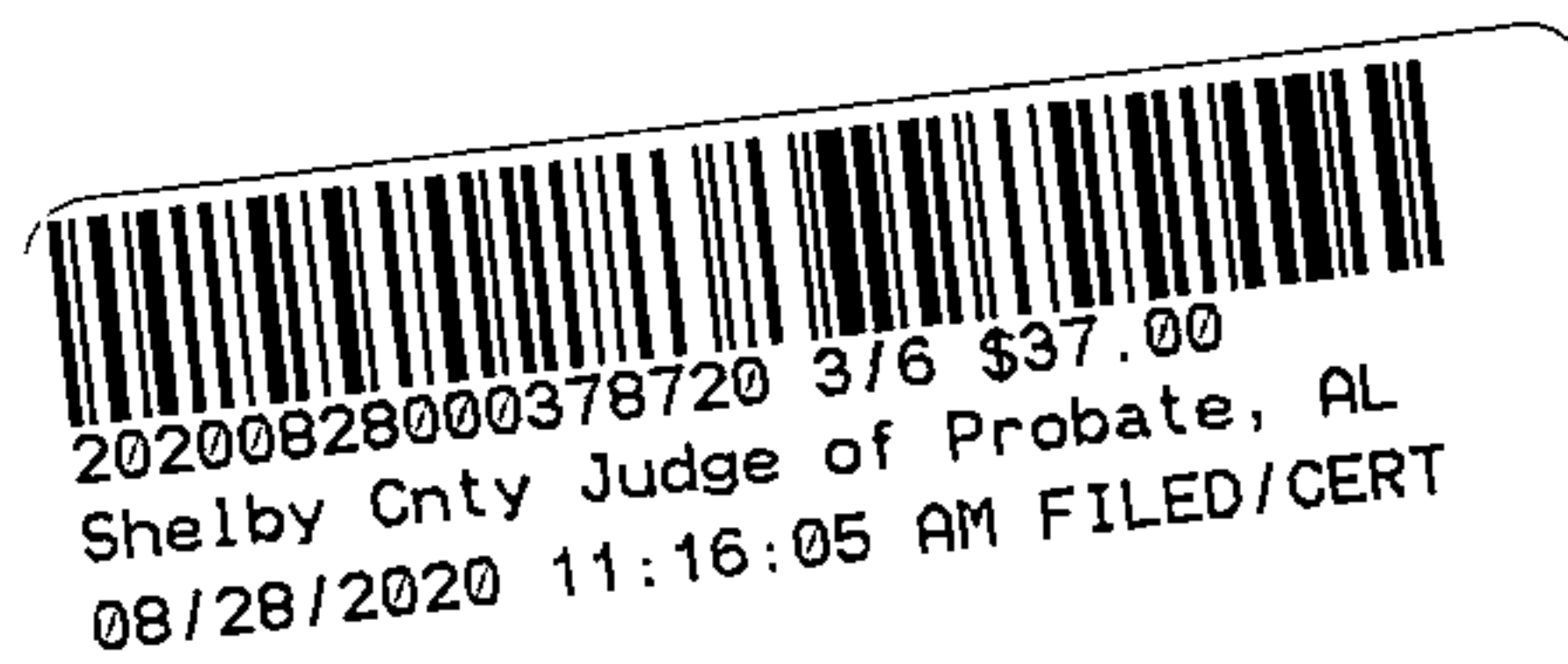
APPROVED:

Don Greene 8-3-2020
Don Greene, Mayor Date

POSTING AFFIDAVIT

I, the undersigned, Clerk of the Town Council of the Town of Harpersville, Alabama, do hereby certify that the above and foregoing ORDINANCE 2020-04 was duly ordained, adopted, and passed by the Town Council of the Town of Harpersville, Alabama at its regular meeting on the 3rd day of August 2020 and duly published by posting an exact copy thereof on the 4th day of August 2020 at four public places within the Town, including Town Hall, Public Library, Community Center, and Post Office. I further certify that said Ordinance is on file in the Office of the Town Clerk/Treasurer and a copy of the full Ordinance may be obtained from the Office of the Town Clerk/Treasurer during normal business hours.


Jonathan Seale, Town Clerk/Treasurer



20050711000346260 1/1 \$336.50
Shelby Cnty Judge of Probate, AL
07/11/2005 03:42:21PM FILED/CERT

WARRANTY DEED

This Instrument Was Prepared By:

SEND TAX NOTICE TO:

Frank K. Bynum, Esquire
#17 Office Park Circle
Birmingham, Alabama 35223

F & J Partnership
800 Financial Center
Birmingham, AL 35203

STATE OF ALABAMA)

KNOW ALL MEN BY THESE PRESENTS,

Shelby County, AL 07/11/2005
State of Alabama

COUNTY OF SHELBY)

Deed Tax: \$325.50

That in consideration of Three hundred twenty five thousand eighty and no/100 dollars (\$325,080.00) to the undersigned Grantor, Tonya Wade Tate as Trustee of The Otho Wade Trust, (herein referred to as Grantor), in hand paid by the Grantee herein, the receipt of which is hereby acknowledge, the said Grantor does by these presents, grant, bargain, sell and convey unto F & J Partnership (herein referred to as Grantee), the following described real estate, situated in the State of Alabama, County of Shelby, to-wit:

Parcels 9 and 10, according to the Survey of Tanyard Branch Estates, as recorded in Map Book 30, page 94, in the Probate Office of Shelby County, Alabama.

Subject to existing easements, restrictions, set back lines, right of ways, limitations, if any, of record.


All of the purchase price recited above was paid from a mortgage loan closed simultaneously herewith.

TO HAVE AND TO HOLD unto the said Grantee, its successors and assigns, forever.

And said Grantor does for itself, its successors and assigns, covenant with said Grantee, its successors and assigns, that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall, warrant and defend the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, Tonya Wade Tate as Trustee of The Otho Wade Trust, who is authorized to execute this conveyance, has hereto set its signature and seal, this 30th day of June, 2005.

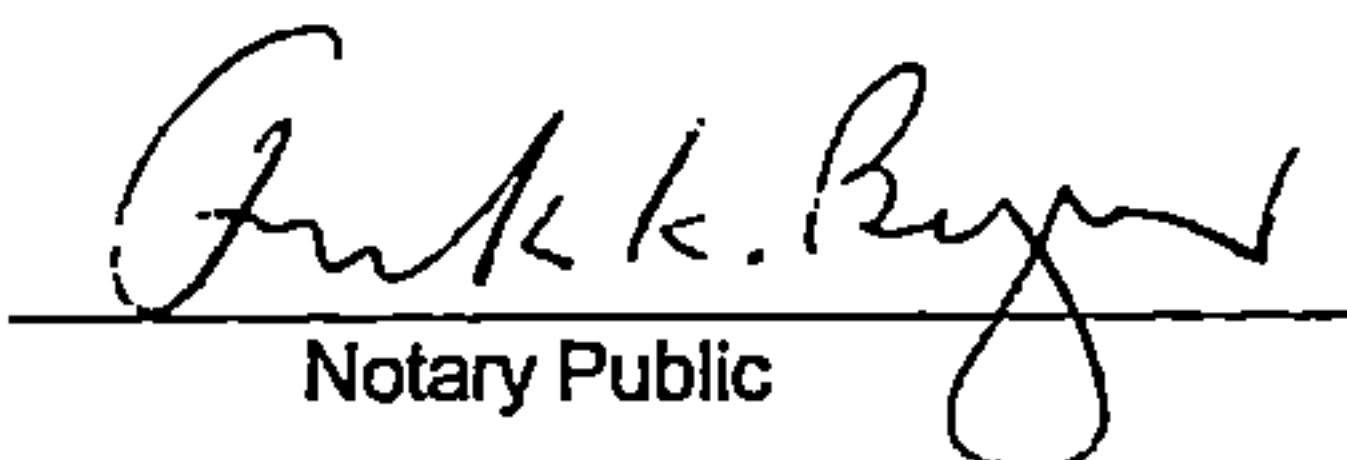
The Otho Wade Trust

by: 
Tonya Wade Tate
its Trustee

STATE OF ALABAMA)
COUNTY OF JEFFERSON)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that **Tonya Wade Tate, as Trustee of The Otho Wade Trust**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, she, in her capacity as Trustee of The Otho Wade Trust, and with full authority executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this the 30th day of June, 2005.


Notary Public

My Commission Expires: 11/20/2008

20200828000378720 4/6 \$37.00
Shelby Cnty Judge of Probate, AL
08/28/2020 11:16:05 AM FILED/CERT

Map Book 30 Page 94

