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Shelby Cnty Judge of Probate, AL
05/05/2021 03:33:50 PM FILED/CERT

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

IN THE MATTER OF

**THE CITY OF PELHAM, ALABAMA
Deannexation.**

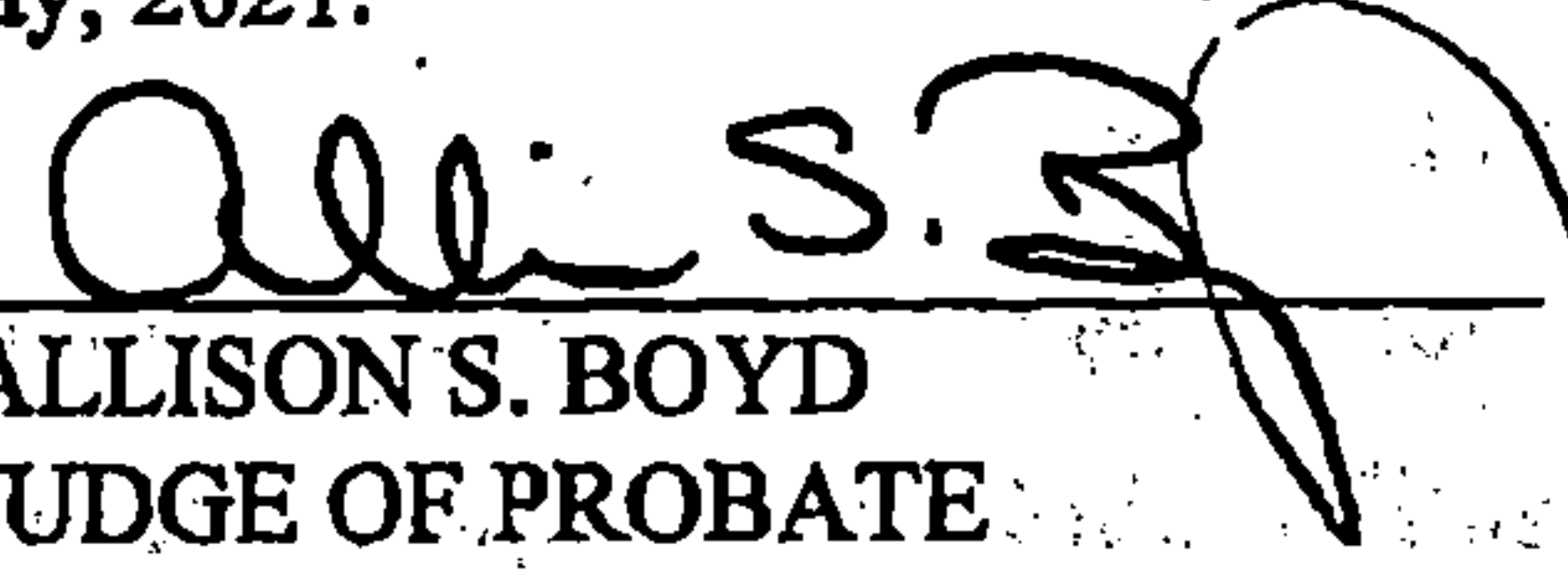
Case No. PR-2021-000320

ORDER

This matter coming before the Court on this the 5th day of May, 2021 on the matter of the filing by The City of Pelham of Ordinance No. 504 - An Ordinance To Alter, Rearrange and Reduce The Corporate Limits Of The City Of Pelham, Alabama, together with a map defining the corporate limits proposed to be established, and a list of the names of all qualified electors residing in the territory proposed to be excluded from the area of such corporation. Notice of this hearing having been given as required by law and no one having appeared to contest or show cause as to why said proposed boundary should not be established and said map recorded, it is hereby **ORDERED, ADJUDGED and DECREED** as follows:

That the copy of Ordinance No. 504 - An Ordinance To Alter, Rearrange And Reduce The Corporate Limits Of The City Of Pelham, Alabama and the map be filed, that the corporate limits of the City of Pelham, Alabama as outlined in said Ordinance and map are established as the corporate limits of the City of Pelham, Alabama, and that this Order with a copy of the Ordinance and map be recorded in this office in the same record in which annexations are recorded.

DONE and ORDERED this the 5th day of May, 2021.


**ALLISON S. BOYD
JUDGE OF PROBATE**

cc: City of Pelham

COPY

ORDINANCE NO. 504

20210318000134820 1/3 \$28.00
Shelby Cnty Judge of Probate, AL
03/18/2021 08:28:33 AM FILED/CERT

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

WHEREAS, a certain petition signed by the 100% of the property owners of Summer Place and Brook Ridge Estates subdivisions having respectfully requested territory therein described be de-annexed from the City of Pelham (City), together with a map 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; and

WHEREAS, with full understanding that the City will have no duty to provide any services, other than water service, to said property owners post de-annexation; and

WHEREAS, the owners within the Summer Place and Brook Ridge Estates subdivisions are hereby informed and reminded that if their properties are de-annexed and restored to the unincorporated area of Shelby County they will be responsible for assessment and payment of all applicable North Shelby Library District Library dues and fees, garbage fees, charges and assessments, North Shelby Fire Department dues and assessments, and any and all other fees and assessments which are now or shall become due and payable in the future on residents of unincorporated Shelby County that are similarly situated; and

WHEREAS, the Shelby County Commission, having approved the original construction plans and inspected the roads and improvement construction, have hereby agreed to accept the roads within the subdivisions, namely Summer Circle, Autumn Place and Spring Road for maintenance and inclusion into Shelby County's Inventory of Public Roads; and

WHEREAS, the City 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 property 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:

Map Book 17, Page 57
Summer Place-First Sector
Located in Section 23, Township 19 South, Range 2 West - Shelby County, Alabama
Lots 1-14

Map Book 17, Page 132, Page 132A
Summer Place-Second Sector
Located in Section 23, Township 19 South, Range 2 West - Shelby County, Alabama
Lots 9-27

Map Book 20, Page 03
Resurvey of Lots 14 & 15, Block 2 Summer Place 2nd Sector
Located in the NW ¼ of the SE ¼ of Section 23, Township 19 South, Range 2 West,
Shelby County, Alabama
Lots 14-A & 15-A

Map Book 17, Page 133
Brook Ridge Estates
Located in the NW ¼ of the SE ¼ of Section 23, Township 19 South, Range 2 West,
Shelby County, Alabama
Lots A, B, C, D, E, F

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08 APR 2021

Allison S. Boyd
Judge Of Probate

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. This Ordinance shall become effective upon its passage and posting as required by law.

Councilmember Palmer moved that all rules which would prevent the immediate consideration of Ordinance No. 504 be suspended and immediate consideration given. The motion was seconded by Councilmember Wash. The roll call vote on said motion was recorded by the city clerk/treasurer as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Larry Palmer, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Mildred Lanier, Council Member	<u>Yes</u>

Council President Mercer announced that all rules which would prevent the immediate consideration of Ordinance No. 504 be suspended and immediate consideration given passed unanimously by roll call vote.

THEREUPON Rick Wash, a councilmember moved and David Coram, a councilmember seconded the motion that Ordinance No.504 be given vote. The roll call vote on said motion was as follows:

Maurice Mercer Council President	<u>Yes</u>
David Coram Council Member	<u>Yes</u>
Larry Palmer Council Member	<u>Yes</u>
Rick Wash Council Member	<u>Yes</u>
Mildred Lanier Council Member	<u>Yes</u>



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Ordinance No. 504 passed by majority vote of the Council and the Council President declared the same passed.



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ADOPTED this 15th day of March 2021.

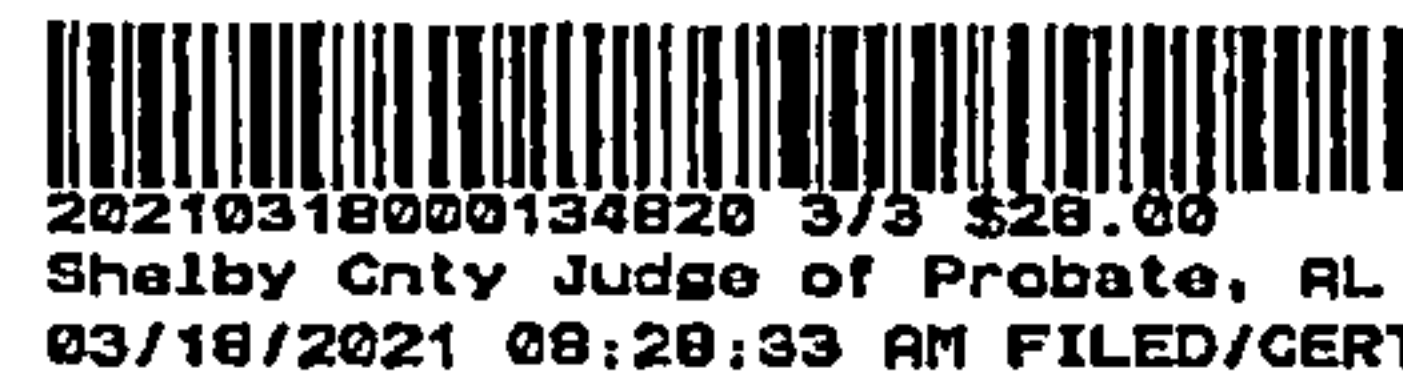

Maurice Mercer, Council President


David Coram, Council Member


Larry Palmer, Council Member


Rick Wash, Council Member

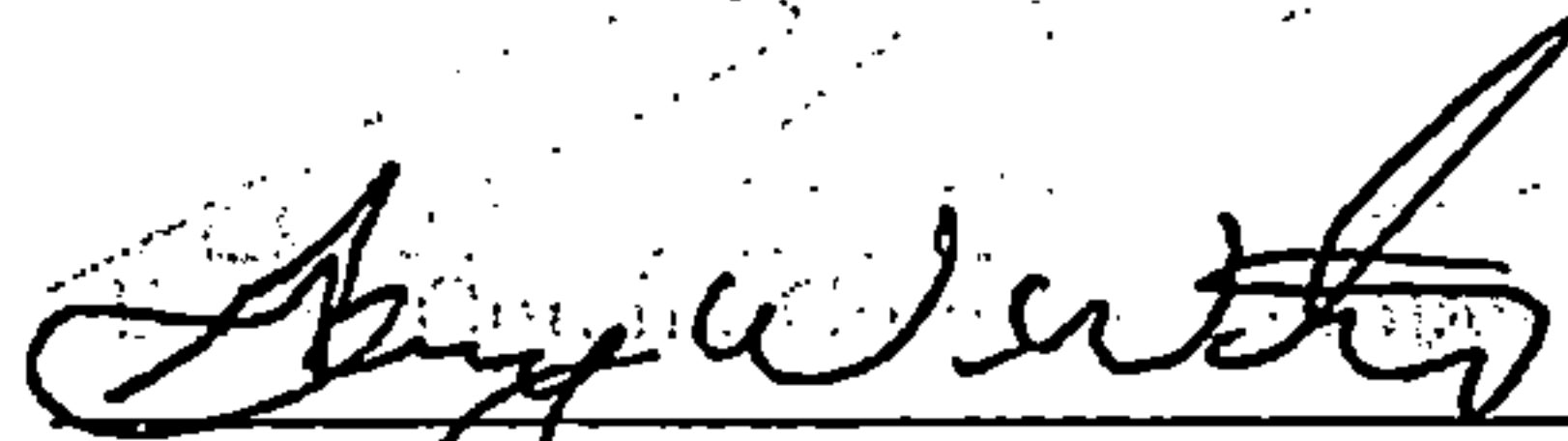

Mildred Lanier, Council Member



ATTEST


Tom Seale, MMC, City Clerk/Treasurer

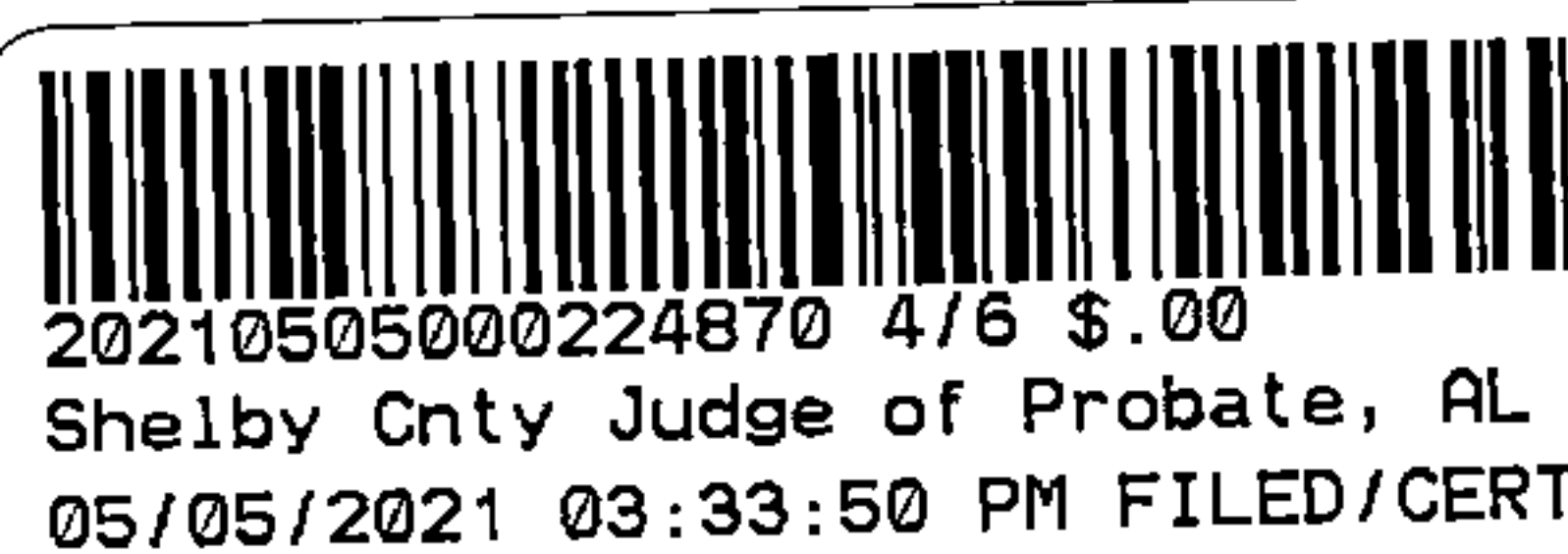
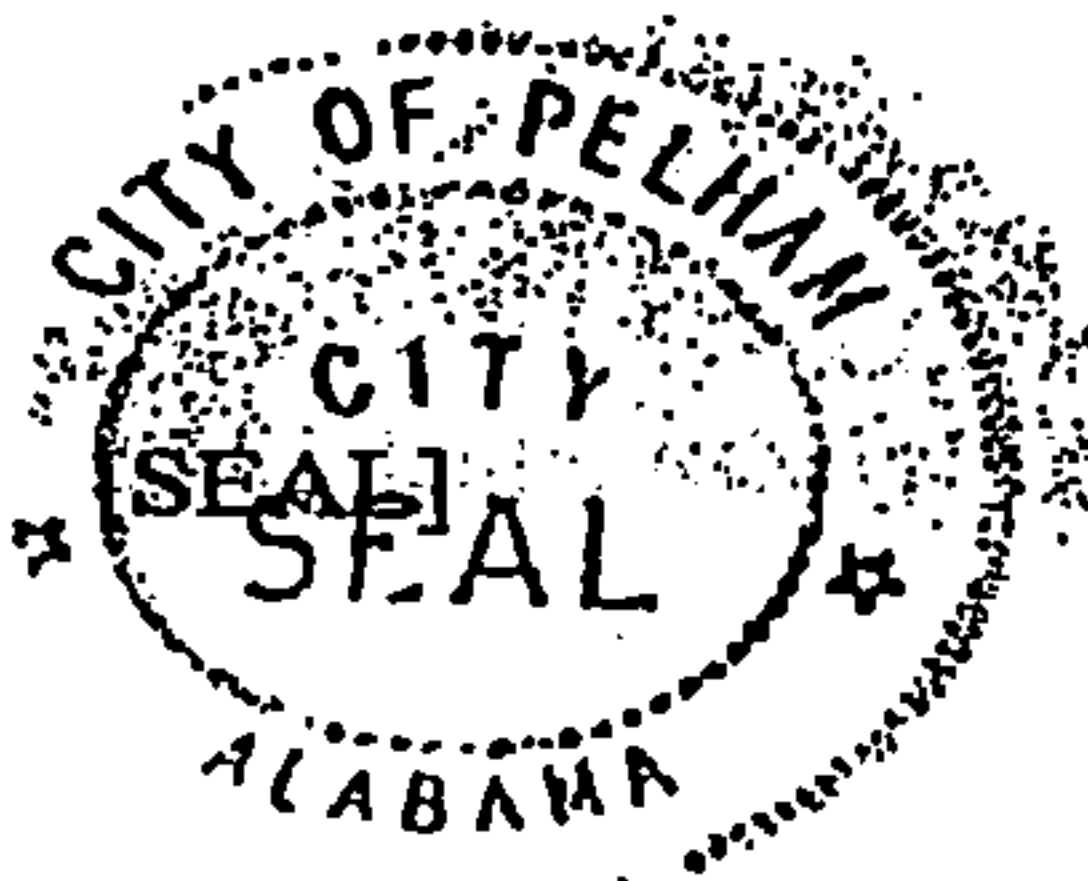
APPROVED:

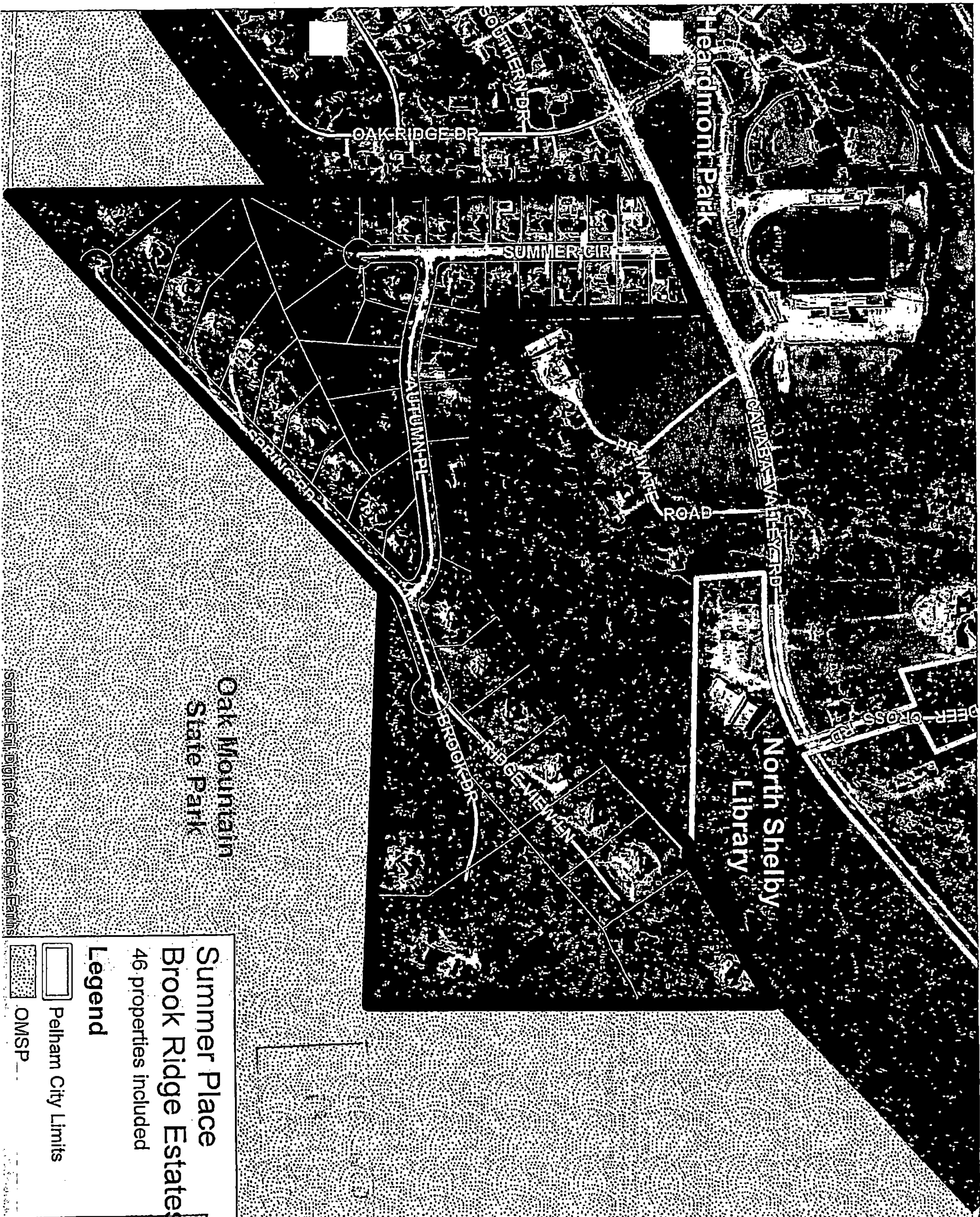
 3/15/2021
Gary W. Waters, Mayor Date

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. 504 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 15th day of March, 2021 and duly published by posting an exact copy thereof on the 16th day of March 2021 at four public places within the City of Pelham, including the Mayor's Office at City Hall, Pelham Parks & Recreation, Pelham Public Library, Pelham Water Department and on the city's website 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/Treasurer during normal business hours.


Tom Seale, MMC, City Clerk/Treasurer





Source: Esri, DigitalGlobe, GeoEye, Earth*

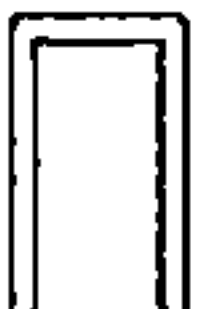
Oak Mountain
State Park

Heardmont Park

North Shelby
Library

**Summer Place
Brook Ridge Estates**
46 properties included

Legend

-  Pelham City Limits
-  OMSP

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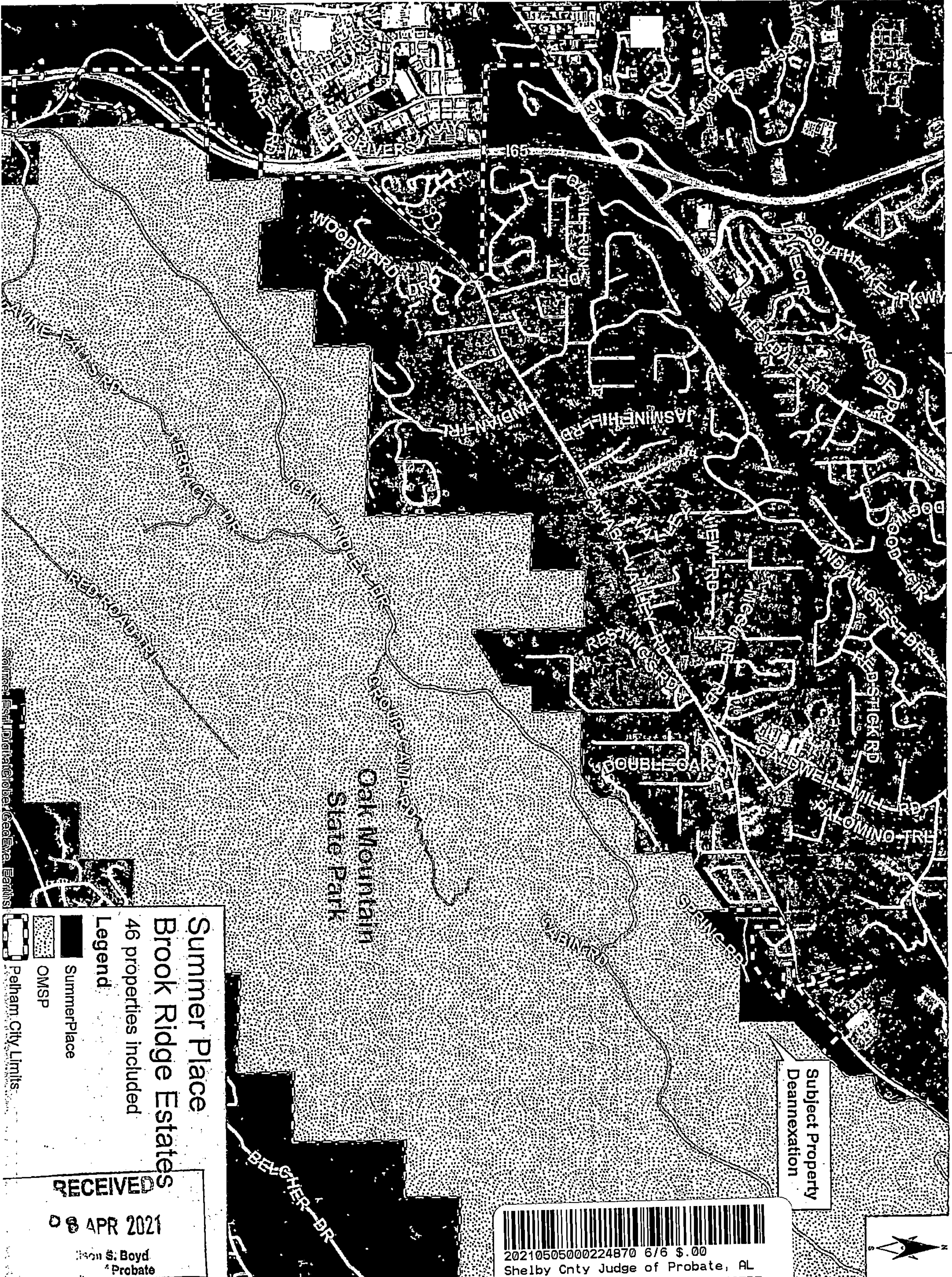
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Summer Place
Brook Ridge Estates
46 properties included

Legend

- SummerPlace
- OMSP
- Pelham City Limits

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Don S. Boyd
Probate



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Subject Property
Deannexation

