



20231108000329080 1/7 \$40.00
Shelby Cnty Judge of Probate, AL
11/08/2023 02:25:00 PM FILED/CERT

ORDINANCE NO. 05082023-220

AN ORDINANCE ASSENTING TO A CERTAIN PETITION FOR ANNEXATION

Whereas, the owner(s) of a property located and contained within an area contiguous to the corporate limits of Montevallo, and not within the corporate limits or police jurisdiction of any other municipality, have signed and filed a written petition with the City Clerk requesting that such property or territory be annexed to Montevallo, and

WHEREAS, said petition contains an accurate description of the property or territory proposed to be annexed together with a map of the said territory showing its relationship to the corporate limits of Montevallo,

NOW THEREFORE BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MONTEVALLO, ALABAMA, AS FOLLOWS:

1. That the City Council of the City of Montevallo, as and for its governing body, hereby assents to the annexation of that certain land of approximately 22 acres with a physical address of (currently unassigned by 911) but, otherwise identified as Parcel Identification Number: 27.1.02.0.001.005.000, upon the petition of the property owner(s) Phillip J. Lusco, as provided in §11-42-21 of the *1975 Alabama Code* and other applicable law.

LEGAL DESCRIPTION: See Attached Appendix A

2. That the annexed territory be zoned B-2 (General Business District) in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo.
3. That the annexed territory be made a part of Council District 5 until such time as Council Districts are redrawn pursuant to the US Census.
4. That the City Clerk is directed to file a copy of this ordinance, including a description of the property or territory annexed, in the office of the Judge of Probate of Shelby County, and to advertise this ordinance as provided by law.

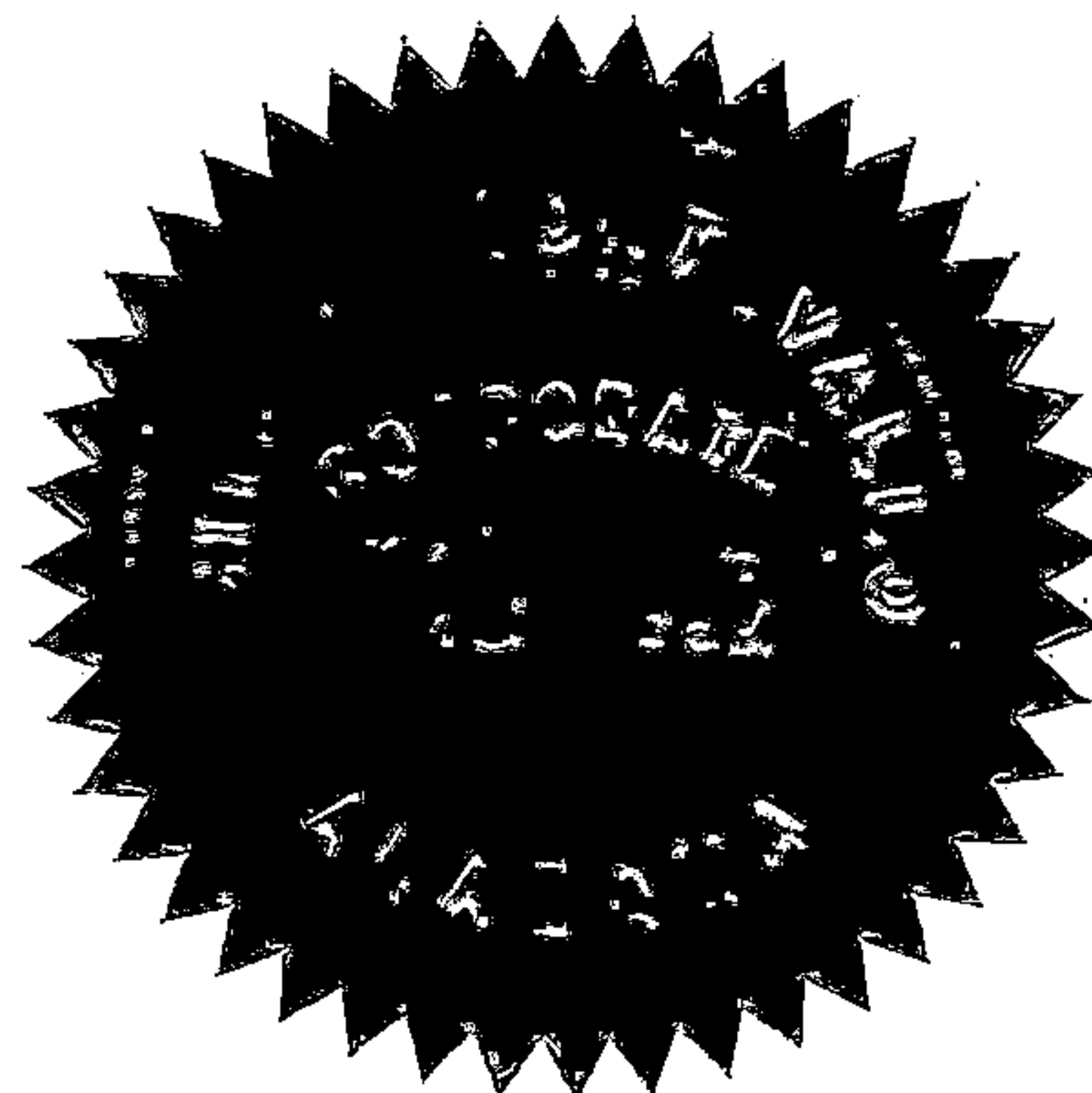
This ordinance shall become effective upon its passage and advertisement as provided by law.

Approved and adopted this day, May 8, 2023.

Mayor Rusty Nix

Attest:

Steve Gilbert, City Clerk / Treasurer





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I certify that the attached Ordinance 03132023-220, adopted by the Montevallo City Council on May 8, 2023, was pursuant to §11-45-8(b) of the *1975 Alabama Code*, posted in conspicuous places within the community:

1. Public Outdoor Bulletin Board, City Hall, 541 Main Street, Montevallo.
2. The City Shop, 445 Selma Road, Montevallo.
3. The Park and Recreation Building/Senior Center, Orr Park, 420 Vine Street, Montevallo.
4. The Parnell Memorial Library, 277 Park Drive, Montevallo, beginning May 9, 2023 and continuing for more than four weeks thereafter.

Steve Gilbert

City Clerk / Treasurer



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Petition for Annexation

Mayor Rusty Nix
City of Montevallo
541 Main Street
Montevallo, AL 35115

Mayor Nix:

I, Phillip J. Lusco, being the owner of the following described property do hereby request annexation into the corporate limits of the City of Montevallo. In so doing, I request that the property be zoned B-2 General Business District in accordance with the City of Montevallo Zoning Ordinances adopted and approved on July 1, 2012 and in conjunction with the Comprehensive Plan of the City of Montevallo. I certify as follows:

State of Alabama, County of Shelby, City of Montevallo

The property is located and contained within an area contiguous to the corporate limits of the City of Montevallo, Alabama, a city of more than 2000 population, and show(s) the City of Montevallo, Alabama that such property does not lie with the corporate limits or police jurisdiction of another municipality other than Montevallo, and hereby sign(s) written petition in accordance with 11-41-20 and 11-42-21, Code of Alabama 1975, as amended, requesting that such property described below be annexed to the City of Montevallo, Alabama. Also attached hereto is a map of the said property to be annexed showing its relationship to the corporate limits of the City of Montevallo, Alabama as in accordance with the provision of the Code of Alabama as cited above.

Name of property owner(s) as recorded on county records: Phillip J. Lusco

Signature: Phillip J. Lusco

Physical Address of Property: Undeveloped Land (No 911 Address)

Owners' Mailing Address: 1475 Highway 42, Calera, AL 35040

Acres: 22

Phone: 205-500-1188

Date Filed 4/5/23

Attached is a:

Map and Tax Record

Tax Parcel Identification number: 27 1 02 0 001 005.000



Date: 03-24-2023

Shelby County, AL Property Record Information

Page: 1

PIN#: 27 1 02 0 001 005 000

Assessment Year: 2022

T22S R03W Sec2

Owner Name
LUSCO PHILLIP J

Owner Name

Address
1475 HWY 42

Address

City, State Zip
CALEERA, AL 35040

Site Information

Subdivision Name:	Primary Lot:	Secondary Lot:
Block: 000	Map Book: 0	Map Page: 0
Lot Dimension 1: 0	Lot Dimension 2: 0	Acres: 22
Municipality: Unincorporated		

Description

THE SW1/4 NE1/4 LYING N OF CO RD 22 EXC BEG INT ST HWY 119 & N ROW CO RD 22 E430' N186.06' W130' N30' W300' S TO POB

Remarks

DB 329 P 754;DB 339 P 920;RB 205 P 771;

Document Links

- https://probaterecords.shelbyal.com/shelby/search.do?dmy=19991214000504101=&indexName=details&templateName=Details_SN&lq=19991214000504101
- https://probaterecords.shelbyal.com/shelby/search.do?dmy=19960701000210191=&indexName=details&templateName=Details_SN&lq=19960701000210191
- https://probaterecords.shelbyal.com/shelby/search.do?dmy=19960110000009401=&indexName=details&templateName=Details_SN&lq=19960110000009401
- https://probaterecords.shelbyal.com/shelby/search.do?dmy=19960103000000941=&indexName=details&templateName=Details_SN&lq=19960103000000941
- https://probaterecords.shelbyal.com/shelby/search.do?dmy=19960103000001591=&indexName=details&templateName=Details_SN&lq=19960103000001591

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This form furnished by: **Cahaba Title, Inc.**

Eastern Office
(205) 833-1571
FAX 833-1577

Riverchase Office
(205) 988-3600
FAX 988-5905

This instrument was prepared by:
(Name) M. E. Hall
(Address) _____

Send Tax Notice to:
(Name) M. E. Hall
(Address) P. O. Box 419
Montevallo, AL 35115

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

STATE OF ALABAMA }
Shelby COUNTY } **KNOW ALL MEN BY THESE PRESENTS,**

That in consideration of One Hundred Twenty-five Thousand and no/100----- DOLLARS
to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt of which is hereby acknowledged, we,
Michael Anthony Hall and wife, Anita G. Hall
(herein referred to as grantors), do grant, bargain, sell and convey unto
M. E. Hall and Mary Hall
(herein referred to as GRANTEES), as joint tenants, with right of survivorship, the following described real estate, situated in
Shelby County, Alabama, to-wit:

Legal attached as Exhibit "A"


Inst # 1996-00159

Less and except mineral and mining rights not owned by the Grantors.

SUBJECT TO THE FOLLOWING:

1. Ad valorem taxes.
2. Transmission Line permit to Alabama Power Company as shown by instrument recorded in Deed Book 136 Page 335; Deed Book 143 Page 434 and Deed Book 87 Page 277 in Probate Office.
3. Right of way granted to Shelby County by instrument recorded in Deed Book 124 Page 179 in Probate Office.

1996-00159
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SHELBY COUNTY JUDGE OF PROBATE
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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 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 I (we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said GRANTEES, their heirs and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the GRANTEES, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hand(s) and seal(s) this 1st day of August, 19 92.

WITNESS

Jeanette D. Morgan (Seal)
Yvonne D. Hughes (Seal)
Judge K. Santa Cruz (Seal)

Michael Anthony Hall (Seal)
Anita G. Hall (Seal)
Anita G. Hall (Seal)

STATE OF ALABAMA }
Shelby County } **General Acknowledgment**

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Michael Anthony Hall and wife, Anita G. Hall, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 1st day of August A.D., 19 92.
Notary Public, Alabama State Article 13-1-1
My Commission Expires October 4, 1993
Judge K. Santa Cruz
Notary Public



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EXHIBIT "A"

A parcel of land situated in the SW 1/4 of the NE 1/4 of Section 2, Township 22 South, Range 3 West, described as follows: Commence at the Northeast corner of the SW 1/4 of the NE 1/4 of Section 2, and go South 01 deg. 45 min. 52 sec. East along the East boundary of said 1/4 1/4 Section for 49.54 feet to the Southeast corner of Lot 11, of the Meadow Green Subdivision, as recorded in Map Book 6 page 59 in the Probate Office of Shelby County, Alabama, being the point of beginning; thence North 89 deg. 17 min. 30 sec. West along the South boundary of said Subdivision for 1330.27 feet to the East boundary of Highway 119; thence South 01 deg. 09 min. 00 sec. East along said East boundary for 555.24 feet; thence North 89 deg. 48 min. 13 sec. East for 420.00 feet; thence South 01 deg. 21 min. 15 sec. East for 210.00 feet to the North boundary of Highway No. 22; thence South 89 deg. 37 min. 00 sec. East along said North boundary for 308.47 feet to the beginning of a curve to the right having a central angle of 30 deg. 33 min. 50 sec. and a radius of 1210.31 feet; thence Easterly along said curve for 645.63 feet to the East boundary of said 1/4 1/4 Section; thence North 01 deg. 45 min. 52 sec. West along said East boundary for 922.00 feet to the point of beginning; being situated in Shelby County, Alabama.

LESS AND EXCEPT any portion of above described property which lies between existing fence, as shown on the survey of James A. Riggins, dated February 22, 1988, along the Easterly boundary of said property and the East property line as described above.

Inst # 1996-00159

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