

IN THE PROBATE COURT OF SHELBY COUNTY, ALABAMA

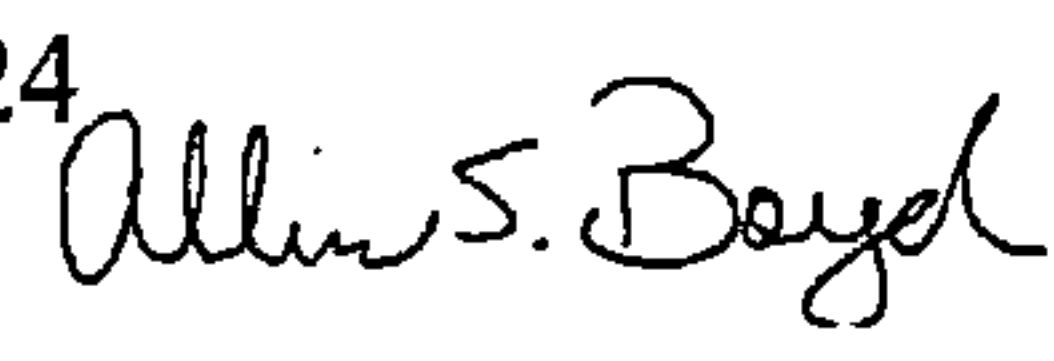
IN THE MATTER OF)
)
THE CITY OF PELHAM, ALABAMA) CASE NO.: PR-2024-000098
Deannexation.)

ORDER


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Shelby Cnty Judge of Probate, AL
02/14/2024 02:17:23 PM FILED/CERT

This matter coming before the Court on this the 14th day of February, 2024 on the matter of the filing by The City of Pelham of Ordinance No. 516 – 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. 516 – 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 14th day of February, 2024 

Allison S. Boyd
Judge of Probate

cc: Tom Seale, Pelham City Clerk

ORDINANCE NO. 516

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

WHEREAS, a certain petition signed by the property owner 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 owner post de-annexation; and

WHEREAS, the owner within is hereby informed and reminded that if their property is de-annexed and restored to the unincorporated area of Shelby County they may 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 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:

Parcel Number: 58-10-6-23-0-002-003.001, and more particularly described as follows:

Commence at the NE corner of the SE 1/4 of the NE 1/4 of Section 23, Township 19 South, Range 2 West, and from the East boundary of said 1/4 - 1/4 section line turn right 46°12'15" and run Southwesterly 845.41 feet, to the Point of Beginning; thence turn right 91°56'30" and run 537.85 feet to a point on the Southeasterly right of way line of Shelby County Highway 119; from said point turn left 90°00'00" and run along said right of way 503.00 feet; thence departing said right of way line turn left 91°00'00" and run 563.28 feet; thence turn left 91°56'30" and run 493.82 feet to the Point of Beginning. Situated in Shelby County, Alabama.

END OF LEGAL DESCRIPTION

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.



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Allison S. Boyd
Judge of Probate



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David Coram, a member of the Pelham City Council, moved that all rules which would prevent the immediate consideration of Ordinance No. 516, hereupon attached, be suspended and immediate consideration given to passage of said Ordinance. Said motion was seconded by Chad Leverett, a member, and passed unanimously by roll call vote.

The vote on said motion was as follows:

Maurice Mercer, Council President	<u>Yes</u>
David Coram, Council Member	<u>Yes</u>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Vacant, Council Member	<u>NA</u>

All rules which would prevent the immediate consideration of Ordinance No. 516 be suspended and immediate consideration given passed unanimously by roll call vote.

THEREUPON David Coram, a councilmember moved and Chad Leverett, a councilmember seconded the motion that Ordinance No. 516 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>
Chad Leverett, Council Member	<u>Yes</u>
Rick Wash, Council Member	<u>Yes</u>
Vacant, Council Member	<u>NA</u>

Ordinance No. 516 passed by majority vote of the Council and the Council President declared the same passed and adopted.

ADOPTED this 22nd day of January 2024.

Maurice Mercer
Maurice Mercer, Council President

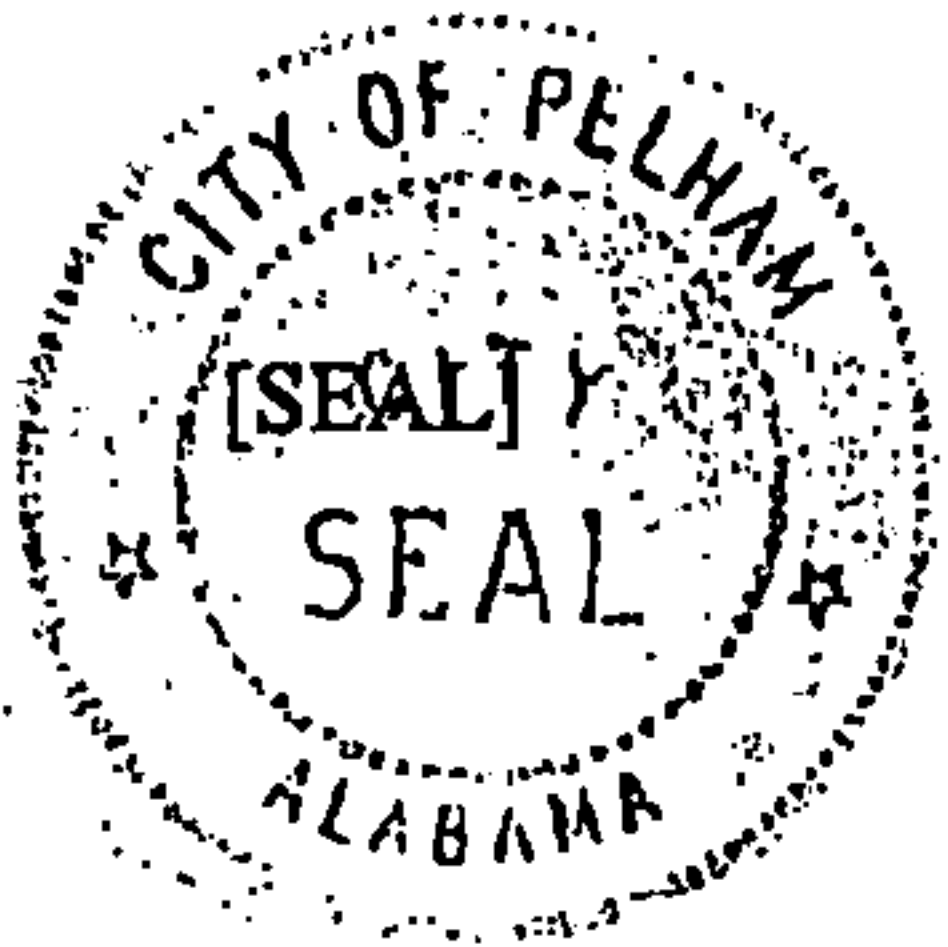
David Coram
David Coram, Council Member

Chad Leverett
Chad Leverett, Council Member

Rick Wash
Rick Wash, Council Member

NA
Vacant, Council Member

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ATTEST

APPROVED

CITY OF PELHAM, ALABAMA

Tom Seale, MMC, City Clerk/Treasurer

Gary Waters, Mayor

Jan. 22, 2024

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. 516 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 22nd day of January 2024 and duly published by posting an exact copy thereof on the 23rd day of January 2024 at four public places within the City of Pelham, including the Mayor's Office at City Hall, Pelham City Park, Pelham Public Library, Pelham Water Department and 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



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Robert Langston – Cahaba Valley Road Deannexation Request

