

ORDINANCE NUMBER 969-2024A



20240308000064020 1/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

**AN ORDINANCE TO ALTER, REARRANGE AND EXTEND THE CORPORATE LIMITS OF THE CITY OF HELENA, ALABAMA, SO AS TO EMBRACE AND INCLUDE WITHIN THE CORPORATE AREA OF SAID CITY ALL TERRITORY NOW WITHIN SUCH CORPORATE LIMITS AND ALSO CERTAIN OTHER TERRITORY CONTIGUOUS TO SAID CITY.**

**WHEREAS** a petition signed by Eugene Vonderau and Mary Lou Vonderau the owner(s) of all of the land within the territory therein described and proposed to be annexed to the 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 of the City of Helena; and

**WHEREAS**, this 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 annexed to the City of Helena.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Helena as follows:

**Section 1.** That said Council and the City of Helena hereby assent to the annexation of said territory to the City of Helena, Alabama, the corporate limits of the City to be extended and rearranged pursuant to the provisions of Chapter 42, Article 2, Code of Alabama 1975 (Sections 11-42-20 through 11-42-23, as amended) so as to embrace and include said territory in addition to the territory already within its present corporate limits, within the corporate area of said City, which said territory is not within the corporate limits of another municipality and the new boundary line does not lie at any point more than half the distance between the old city boundary and the corporate boundary of any municipality. Said territory is described as follows:

**Parcel ID Number 12 9 32 0 000 005. 021**  
**300 South Cove Court**  
**Bessemer, AL 35022**

**Description**

**LEGAL DESCRIPTION**

Lot 7, according to the Survey of Resubdivision of Lots 1 and 4 South Cove 3<sup>rd</sup> Sector as recorded in Map Book 21, Page 70, in the Office of the Judge of Probate of Shelby County, Alabama.

**All situated in SHELBY County, Alabama. LESS AND EXCEPT any part of subject property lying within a public road right of way.**

**Section 2.** That the City Clerk shall file a certified copy of this ordinance containing an accurate description of said annexed territory with the Probate Judge of SHELBY County, Alabama, and cause a copy of this ordinance to be posted in three (3) public places in the City of Helena and this ordinance to be sent to the Justice Department for their approval.

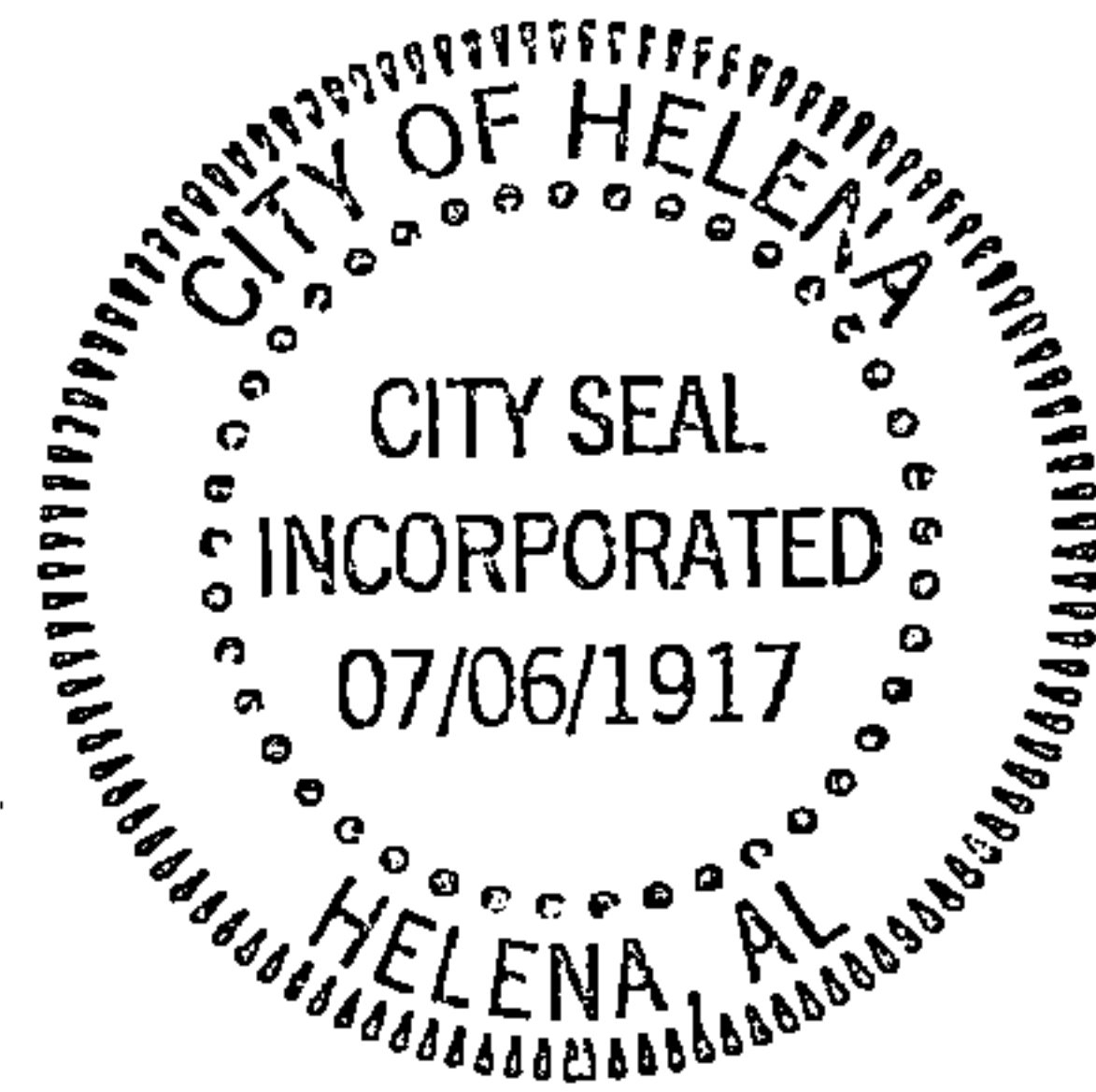
STATE OF ALABAMA  
SHELBY COUNTY

20240308000064020 2/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

I, Amanda C. Traywick, City Clerk of the City of Helena, do hereby certify that the above is a true correct copy of **Ordinance Number 969-2024A** duly adopted by the Council of the City of Helena at its meeting held 26 day of February, 2024, and as same appears of record in the ordinance records of said City, and approved by the Mayor and City Council on 26 day of February, 2024.

Given under my hand and corporate seal of the City of Helena, this the 26 day of February, 2024.

[SEAL]



*Amanda C Traywick*  
Amanda C. Traywick, City Clerk

20240308000064020 3/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

**CERTIFICATION**

I, Amanda C. Traywick, the duly appointed and acting Clerk of the City of Helena, Alabama, do hereby certify that the within Ordinance Number **969-2024A** is a true copy as recited in the said City Clerk's Minute Book and posted by me as provided by law in three public places in said City, being on the bulletin board of the City Hall, City Website, and in the Helena Public Library in said City, that said Ordinance shall become a duly lawful Ordinance of said City on the 2 day of March, 2024, five or more days after the posting of the same as provided by law.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 26 day of February, 2024.

[SEAL]



*Amanda C. Traywick*  
Amanda C. Traywick, City Clerk



969-224A



20240308000064020 4/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

### PETITION TO ANNEX INTO THE CITY LIMITS OF THE CITY OF HELENA, ALABAMA

To the Mayor and City Council of the City of Helena, Alabama:

We, the Undersigned, constituting all of the owners of all hereinafter described real property do hereby execute and file with the City Clerk this written petition asking and requesting that our property hereinafter described by annexed to the City of Helena, Alabama under the authority of Sections 11-42-20 through 11-42-24, Code of Alabama, 1975.

Said property is described as follows: (legal description see attached)

We further certify that said property is contiguous to the City of Helena, Alabama and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property including in the above description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than the other municipality as required by Sections 11-42-21, Code of Alabama, 1975. A map of said property is hereto attached.

We do hereby request that the City Council and the City Clerk give such notice, hold such hearings, and adopt such ordinances and do all such things or acts as is required by law so that the corporate limits of the City of Helena, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 18 Day of January, 2024

Eugene Vonderan  
Property Owner Name

Eugene Vonderan  
Signature

Mary Lou Vonderan  
Property Owner Name

Mary Lou Vonderan  
Signature

\_\_\_\_\_  
Property Owner Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Property Owner Name

\_\_\_\_\_  
Signature

Address of Property: 300 South Cove Court, Bessemer  
Alabama 35022



PETITION



20240308000064020 5/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

I/we, Eugene & MaryLou Vonderam, the undersigned property owner(s), being owners of all of the land within the territory described as follows:

Lot 7, according to the Survey of Resubdivision Lots 1 + 4, South Cove 3<sup>rd</sup> Sector, as recorded in Map Book 21 Page 70, in the Office of Probate of Shelby County, AL.

Acreage of Property: 3

do hereby petition the City of Helena, County of Shelby or Jefferson, Alabama, to annex the above described property in the corporate limits of the City of Helena, Alabama. Attached hereto as Exhibit A and made part and parcel hereof as fully as if set out herein, is a map of said property which we own, showing its relationship to the corporate limits of the City of Helena, Alabama, which said map herewith filed with the City Clerk of the City of Helena, Alabama.

Dated this 18 day of January, 2024.

Parcel # and Address

12-9-32-0-000-005.021

300 SOUTH COVE COURT

Name and Phone

Eugene Vonderam (205) 566-5911

How many people live on the parcel land, how many are of voting age, how many are not of voting age and the race of each person.

2 voting age adults, Caucasian.

Reason for annexation

Benefits of being in the city limits of Helena  
Fire + Police protection.



20240308000064020 6/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

Mailing Address: PO Box 635

City: Helena State: AL Zip Code: 35080

Phone Number of Property Owner (Home): — (205) 566-5911

Work: \_\_\_\_\_ Cell: (205) 966-1363

Email Address: gene.vonderau@gmail.com

Require documentation upon presentation of the petition to annex.

- Copy of ownership deed
- Copy of tax map from the probate office or County GIS map showing location of property to be annexed
- A legal description of property to be annexed in a word document format
- A list of all property owners which adjourn the property to be annexed into the City
- Zoning of property adjoining this property residential
- Acreage of property to be rezoned: 3 acres
- Current use of the property: residential
- Proposed use of the property: residential

**-BLANK-**

20240308000064020 7/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

**This Instrument Prepared By:**

C. Ryan Sparks, Attorney  
2635 Valleydale Road, Suite 200  
Birmingham, Alabama 35244  
DIRECT: 205-215-8433

**Send Tax Notice To Grantees Address:**

Eugene Vonderau and Mary Lou Vonderau  
P.O. Box 635  
Helena, Alabama 35080

**WARRANTY DEED WITH JOINT RIGHT OF SURVIVORSHIP**

STATE OF ALABAMA  
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That for and in consideration of **FIFTY ONE THOUSAND AND NO/100 (\$51,000.00)** DOLLARS, and other good and valuable consideration, this day in hand paid to the undersigned **KERRY T. ERNST and LINDI M. ERNST, husband and wife**, (herein referred to as "Grantors"), in hand paid by the Grantees herein, the receipt whereof is hereby acknowledged, the Grantors do hereby give, grant, bargain, sell and convey unto the Grantees, **EUGENE VONDERAU and MARY LOU VONDERAU**, (herein referred to as "Grantees"), for and during their joint lives and upon the death of either, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, all of the Grantors' interest in the following-described Real Estate situated in, **SHELBY COUNTY, ALABAMA**, to wit:

Lot 7, according to the Survey of Resubdivision of Lots 1 and 4, South Cove 3rd Sector, as recorded in Map Book 21, Page 70, in the Office of the Judge of Probate of Shelby County, Alabama.

Subject to:

1. General and special taxes or assessments for the year 2017 and subsequent years not yet due and payable.
2. Municipal improvements, taxes, assessments, and fire district dues against subject property, if any.
3. Mineral and mining rights not owned by Grantors.
4. Any applicable zoning ordinances.
5. Easements, encroachments, building set back lines, rights-of-ways as shown of record by recorded plat or other recorded instrument, including any amendments thereto.
6. All matters, facts, easements, restrictions, assessments, covenants, agreements and all other terms and provisions in Map Book , Page .
7. Restrictions, conditions, and Restrictive Covenants appearing of record in Real Book 267, Page 890, amended restrictions recorded under Instrument #1996-24093; Instrument # 1994-31178 and Instrument #2003-22053.
8. Riparian rights to the use of the Lake as shown on recorded map.
9. Utility easements as shown on recorded map.
10. Subject to Shelby County Department of Planning & Development requiring that as long as this subdivision remains private, the roads, structures and drainage shall be maintained by the property owners. It is therefore expressly made a condition of this conveyance that the

Shelby County, AL 03/16/2017  
State of Alabama  
Deed Tax:\$18.00

20170316000088360 1/3 \$39.00  
Shelby Cnty Judge of Probate, AL  
03/16/2017 08:15:18 AM FILED/CERT



2024030800064020 8/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

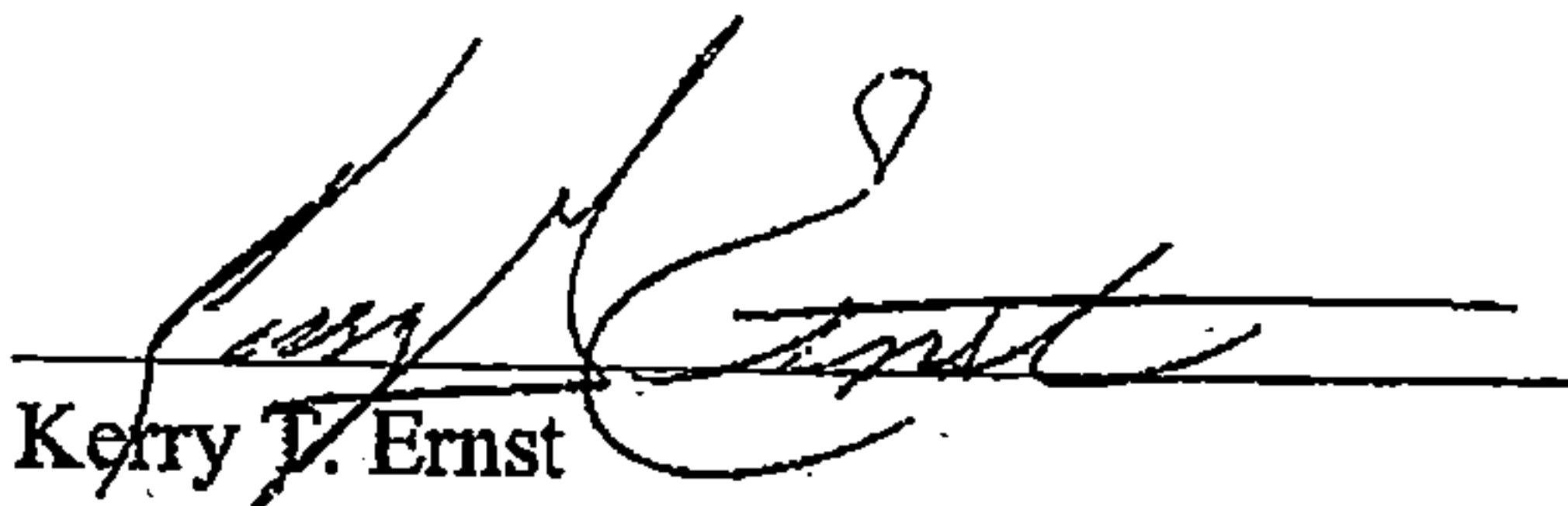
grantee shall contribute ratably with the other property owners in the subdivision to the cost of any materials and labor used in the repair and maintenance of South Cove Court, drainage facilities, and structures associated therewith as shown on the plat of said subdivision. This duty to repair and maintain shall continue until such time as, if, and when the subdivision becomes public.

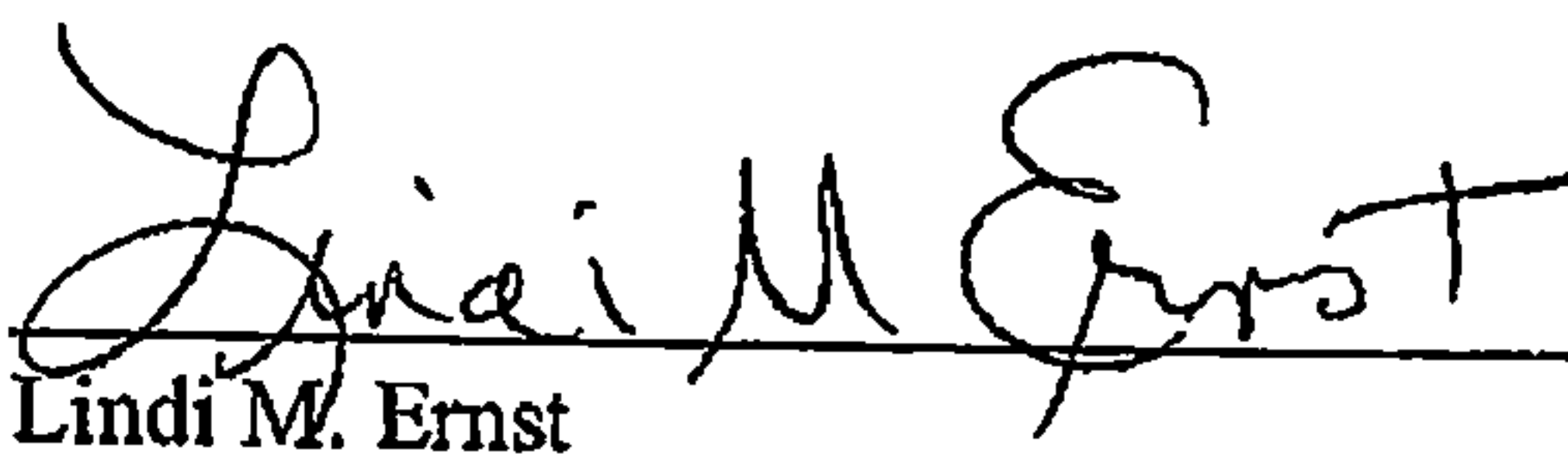
**TO HAVE AND TO HOLD**, the tract or parcel of land above described together with all and singular the rights, privileges, tenements, appurtenances, and improvements unto the said Grantees, for and during their joint lives as joint tenants and upon the death of either of them, then to the survivorship of them in fee simple, and to the heirs and assigns of such survivor, forever.

**AND SAID GRANTORS**, for said GRANTORS', GRANTORS' heirs, successors, executors and administrators, covenants with GRANTEES, and with GRANTEES' heirs and assigns, that GRANTORS are lawfully seized in fee simple of the said Real Estate; that said Real Estate is free and clear from all liens and encumbrances, except as hereinabove set forth, and except for taxes due for the current and subsequent years, and except for any restrictions pertaining to the Real Estate of record in the Probate Office of **SHELBY COUNTY**; and that GRANTORS will, and GRANTORS' heirs, executors and administrators shall, warrant and defend the same to said GRANTEES, and GRANTEES' heirs and assigns, forever against the lawful claims of all persons.

**IN WITNESS WHEREOF**, the said Grantors have hereunto set their hands and seals on this day of March 9, 2017.

**GRANTORS:**

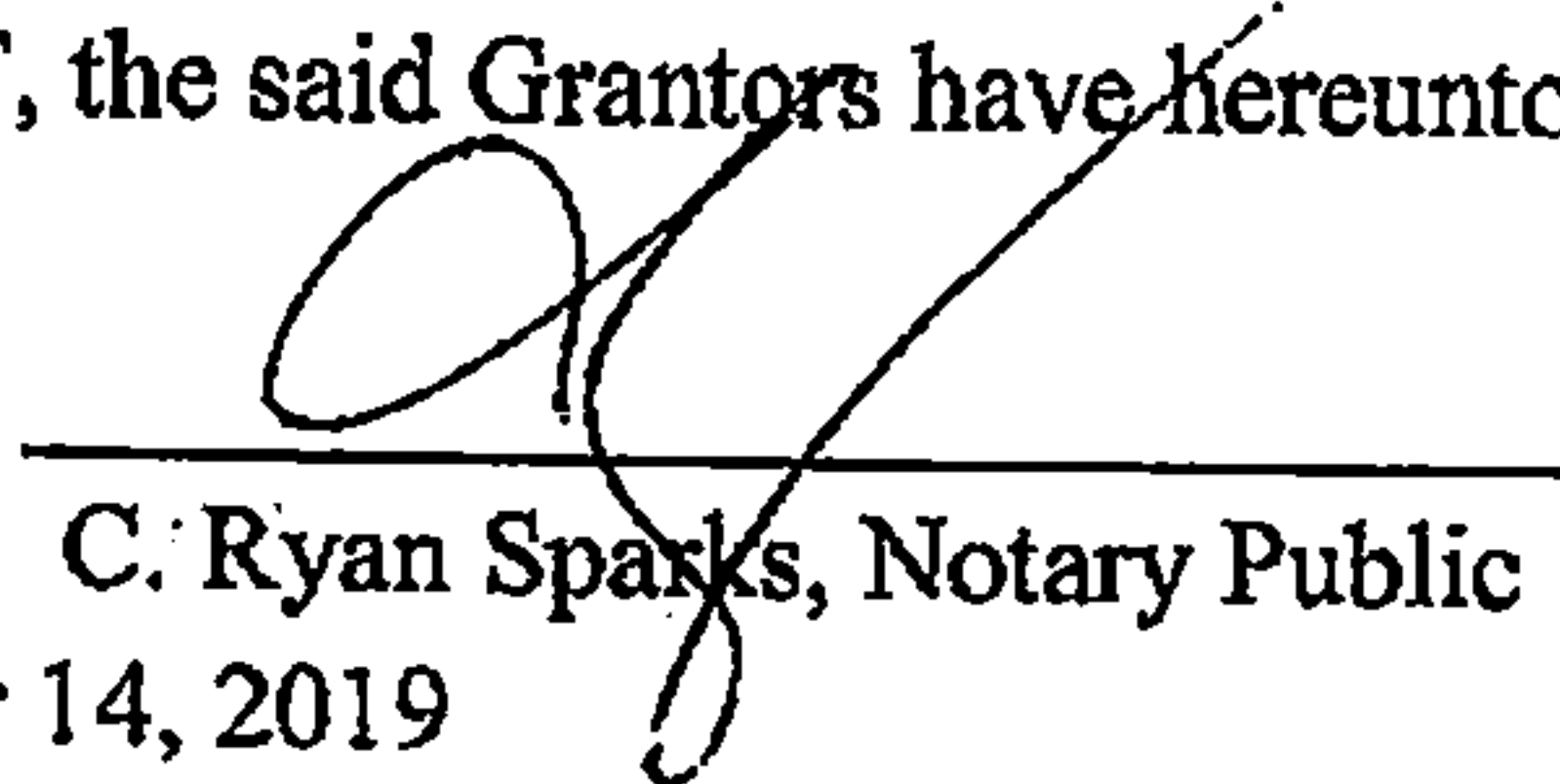
  
Kerry T. Ernst

  
Lindi M. Ernst

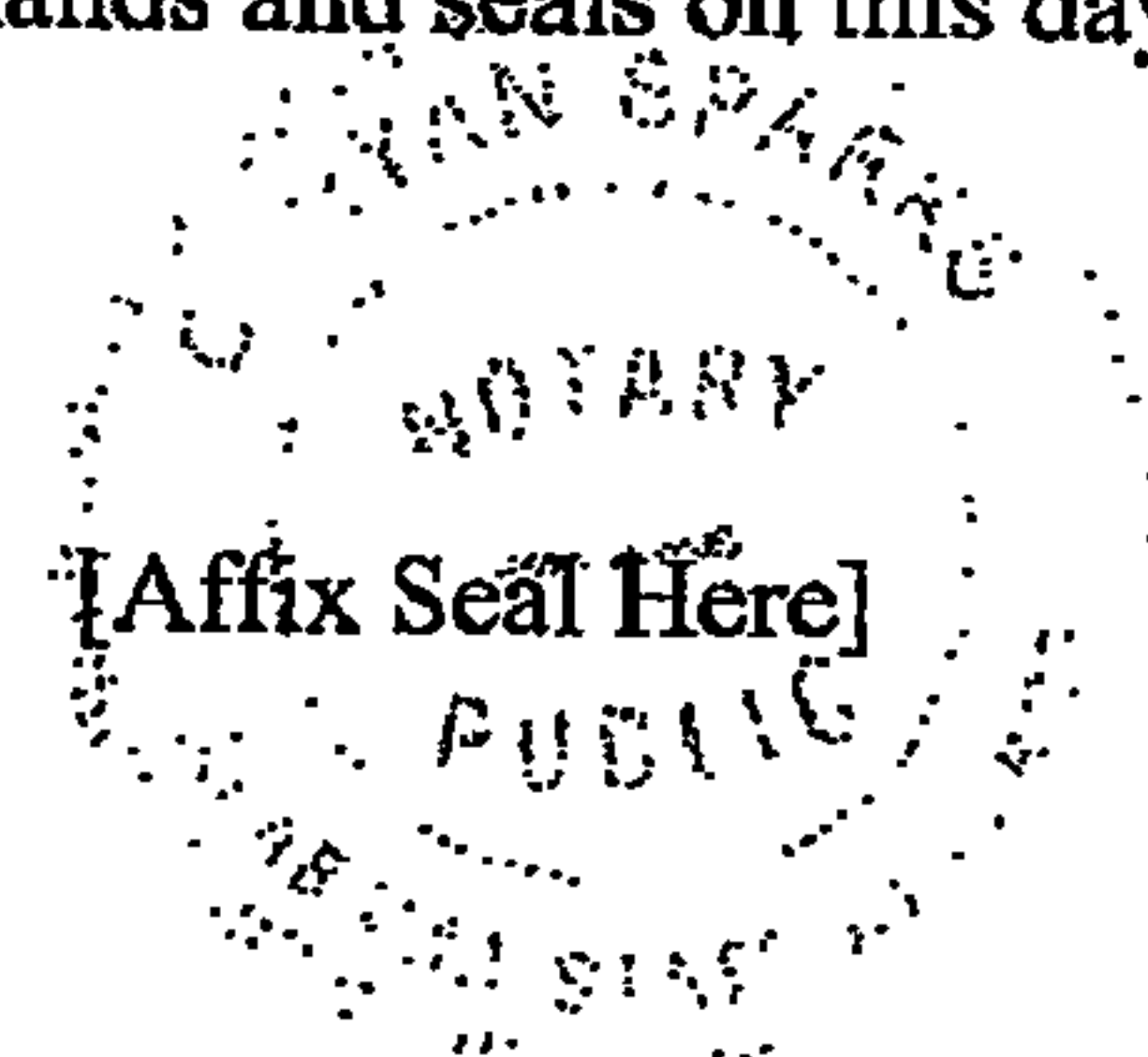
**STATE OF ALABAMA  
COUNTY OF SHELBY**

I, the undersigned, a Notary Public, in and for said State and County, do hereby certify that Kerry T. Ernst and Lindi M. Ernst, whose names are each signed to the above and foregoing conveyance, and who are each known to me, acknowledged before me on this day that, being informed of the contents of this instrument, Kerry T. Ernst and Lindi M. Ernst each executed the same voluntarily on the day the same bears date.

**IN WITNESS WHEREOF**, the said Grantors have hereunto set their hands and seals on this day of March 9, 2017.

  
C. Ryan Sparks, Notary Public

My Commission Expires: December 14, 2019



2017031600088360 2/3 \$39.00  
Shelby Cnty Judge of Probate, AL  
03/16/2017 08:15:18 AM FILED/CERT

**Real Estate Sales Validation Form**

*This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1*

Grantor's Name Kerry T. Ernst  
Mailing Address Lindi M. Ernst  
153 Windwood Circle  
Alabaster, AL 35007

Grantee's Name Eugene Vonderau  
Mailing Address Mary Lou Vonderau  
P.O. Box 635  
Helena, AL 35080

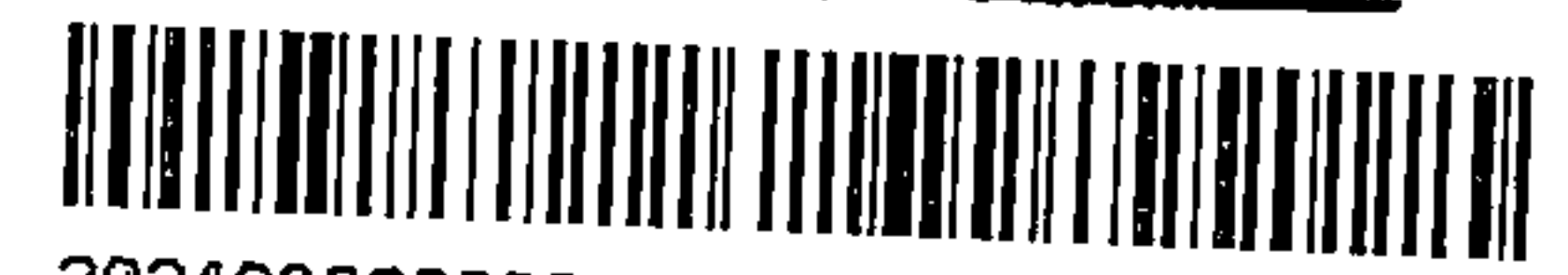
Property Address Lot 7 South Cove MB 21 Page 70  
\_\_\_\_\_  
\_\_\_\_\_

Date of Sale 3/9/17  
Total Purchase Price \$ 51,000.00  
or  
Actual Value \$ \_\_\_\_\_  
or  
Assessor's Market Value \$ \_\_\_\_\_

The purchase price or actual value claimed on this form can be verified in the following evidence: (check one) (Recordation of documentary evidence is not required)

- Bill of Sale
- Sales Contract
- Closing Statement

- Appraisal
- Other

  
20240308000064020 9/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

**Instructions**

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

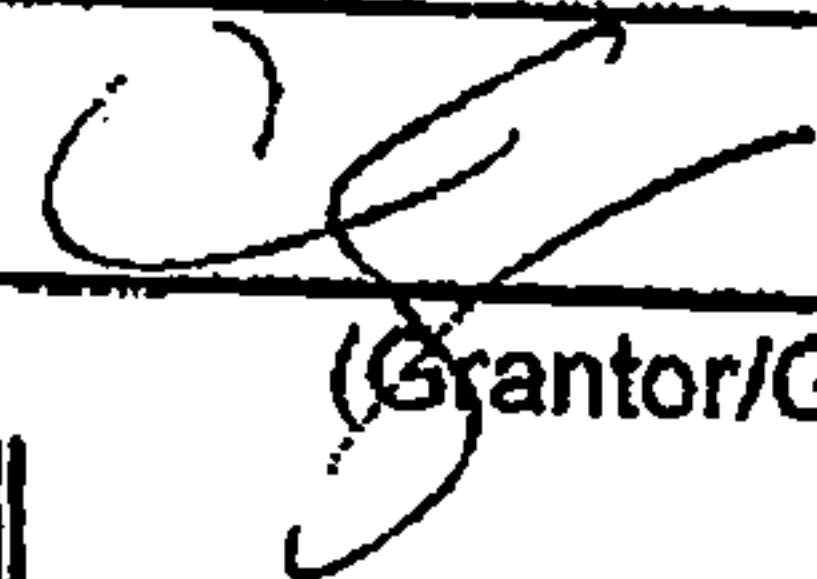
If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 3/9/17

Print C. Ryan Sparks

Sign \_\_\_\_\_



(Grantor/Grantee/Owner/Agent) circle one

Form RT-1

Unattested \_\_\_\_\_

(verified by)



20170316000088360 3/3 \$39.00  
Shelby Cnty Judge of Probate, AL  
03/16/2017 09:15:18 AM FILED/CERT

Map Book 21 page 30

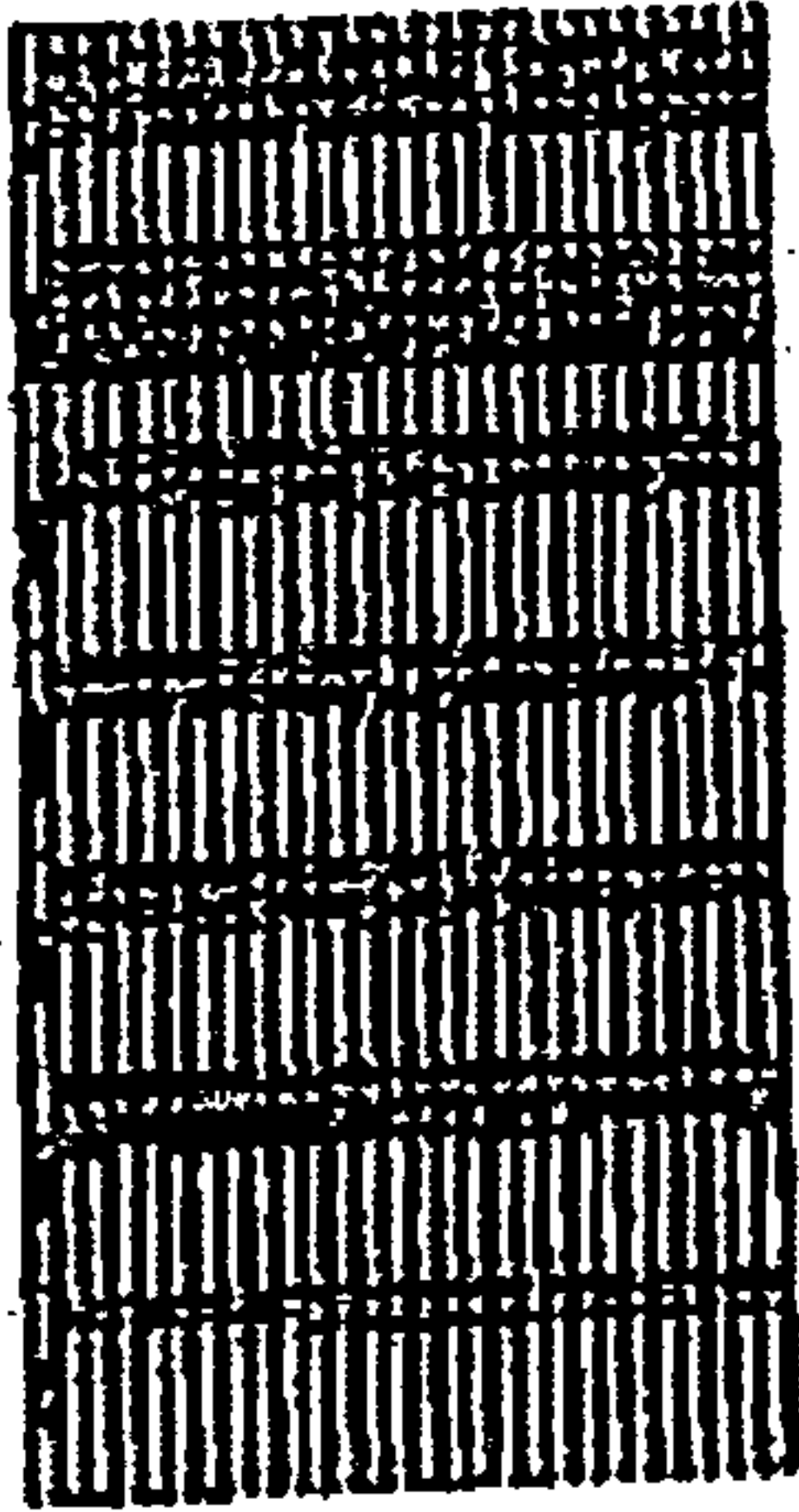
# A RESUBDIVISION OF LOTS 1&4 SOUTH COVE 3RD SECTOR

as recorded in Map Book 16, Page 100 Shelby County, Alabama

A SPALDING (PREVIOUS) RESUBDIVISION SITUATED  
IN THE 1/4 SECTION 24, TOWNSHIP 20 SOUTH,  
RANGE 4 WEST, MOBILE COUNTY,  
ALABAMA

THE PURPOSE OF THIS RESUBDIVISION IS TO CREATE 14 LOTS  
FROM LOTS 1 AND 4

CONVEYOR: RUBY A. GRAMM, SHERIFF  
SHELBY COUNTY, ALABAMA

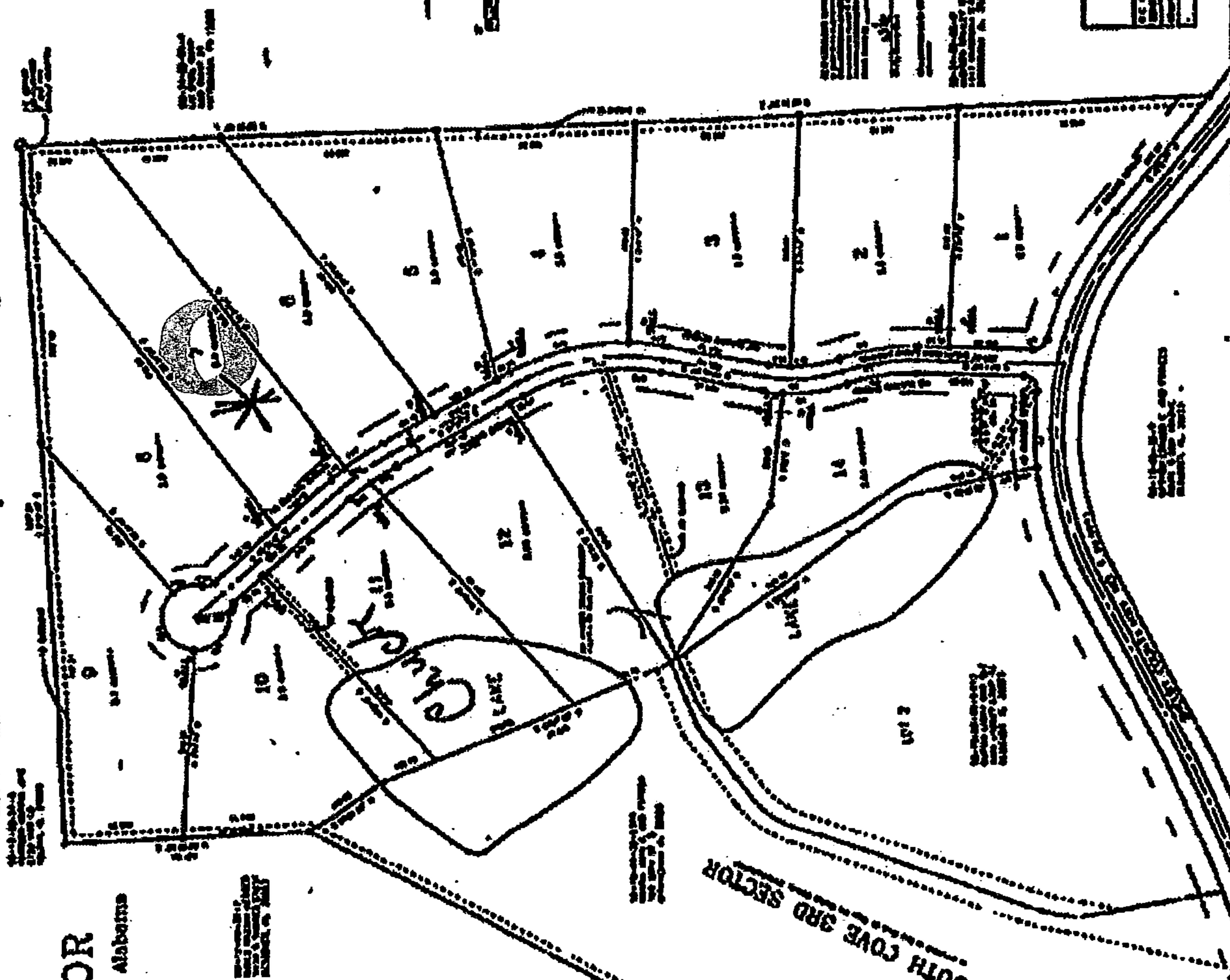


*[Handwritten signatures and notes, including names like Ruby A. Gramm and others, and various dates and times.]*



20240308000064020 10/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

*[Small handwritten notes or stamps in the top left corner.]*



SOUTH COVE 3RD SECTOR	
LOT 1	...
LOT 2	...
LOT 3	...
LOT 4	...
LOT 5	...
LOT 6	...
LOT 7	...
LOT 8	...
LOT 9	...
LOT 10	...
LOT 11	...
LOT 12	...
LOT 13	...
LOT 14	...

**LOT 7 SOUTH COVE COURT**



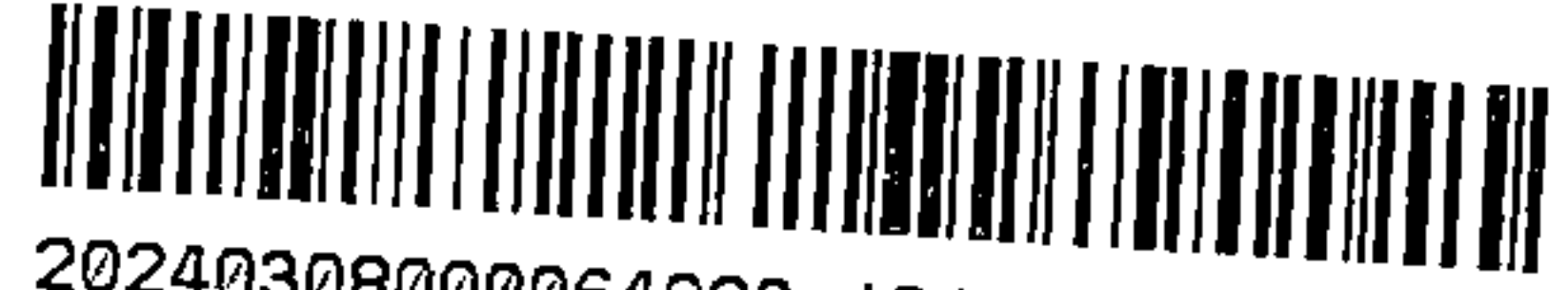
20240308000064020 11/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

Lot 7, according to the Survey of Resubdivision of Lots 1 and 4 South Cove 3<sup>rd</sup> Sector as recorded in Map Book 21, Page 70, in the Office of the Judge of Probate of Shelby County, Alabama.

SURROUNDING PROPERTIES OF:

VONDERAU, EUGENE & MARY LOU

LOT 7, SOUTH COVE SUBDIVISION



20240308000064020 12/12 \$55.00  
Shelby Cnty Judge of Probate, AL  
03/08/2024 11:12:43 AM FILED/CERT

Lot 6, on the west side is owned by: Corey P. Morgan & Olivia C. McConnell

The Land South of Lot 7 is owned by: Valley Creek Land & Timber, LLC

Lot 9, on the East side is owned by: John Barron Smith & Deborah Golden-Smith.

South Cove Court fronts this property on the North side.