

ORDINANCE 2006-1  
ORDINANCE TO ANNEX CONTIGUOUS PROPERTY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF HAMILTON AS FOLLOWS:

WHEREAS, The City Hamilton is the owner of property located and contained within an area contiguous to the corporate limits of the City of Hamilton, the City has filed a written petition with the City Clerk of the City of Hamilton, requesting that such property be annexed to the City of Hamilton, and,

WHEREAS, such property does not lie within the corporate limits or police jurisdiction of any other municipality and the governing body of the City of Hamilton desires to adopt an ordinance pursuant to the provisions of 11-42-20, et seq., Code of Alabama, 1975, indicating its assent to the annexation of such property, thereby extending the corporate limits of the City of Hamilton so as to embrace and include such property,

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Hamilton, Alabama, that the governing body of said City does hereby assent to the annexation of the following described property to the City of Hamilton, Alabama:

A tract of land containing 69.857 acres, being situated in the South  $\frac{1}{2}$  of the Southeast  $\frac{1}{4}$  of Section 21, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows to-wit: "Beginning at the Southeast corner of said Section 21; thence run N.89 degrees 49' W. Along the South boundary of said Section 21, a distance of 1882.99 feet to its intersection with the Easterly right-of-way of Marion County Highway Number 55; thence run in a Northwesterly direction (chord bearing = N. 42 degrees 59' 31" W.) Along the Easterly right-of-way of said highway and along the arc of a curve to the right (central angle = 02 degrees 59' 02", radius = 1110.92 feet), an arc distance of 57.86 feet to the P.T. of said curve; thence run N. 41 degrees 40' W. And continue along the Easterly right-of-way of said highway, a distance of 210.00 feet to the P.C. of a curve to the right; thence continue in a Northwesterly direction (chord bearing = N. 34 degrees 42' 57" W.) Along the Easterly right-of-way of said highway and along said curve to the right (central angle = 13 degrees 34' 05", radius = 1397.40 feet), an arc distance of 330.91 feet to the P.T. of said curve; thence run N. 27 degrees 56' W and continue along the Easterly right-of-way of said highway a distance of 814.99 feet to the P.C. of a curve to the right; thence continue in a Northwesterly direction (chord bearing = N. 21 degrees 22' 14" W.) Along the Easterly right-of-way of said highway and along the arc of said curve to the right (central angle = 13 degrees 08' 50", radius = 601.61 feet), an arc distance of 138.05 feet to its intersection with the North boundary of the above said South  $\frac{1}{2}$  of SE  $\frac{1}{4}$ ; thence run N. 89 degrees 57' E. Along the North boundary of said South  $\frac{1}{2}$  of SE  $\frac{1}{4}$ , a distance of 2610.91 feet to the Northeast corner of said South  $\frac{1}{2}$  of SE  $\frac{1}{4}$ ; thence run S. 03 degrees 04' E. Along the East boundary of the above said Section 21, a distance of 1330.31 feet to the point of beginning." (Charles Herman Gann)

A tract of land containing 17.245 acres, being situated in the Northeast  $\frac{1}{4}$  of the Northwest  $\frac{1}{4}$  Section 27, Township 11 South, Range 14 West, Marion County, Alabama and being more

particularly described as follows to-wit: "Beginning at the Northwest corner of said NE 1/4 of NW 1/4 of Section 27, which said corner is marked by a 1/2 inch capped rebar; thence run S. 89 degrees 53' E along the North boundary of said NE 1/4 of NW 1/4, a distance of 762.88 feet to its intersection with the Westerly right-of-way of Corridor X; thence run S. 34 degrees 19' along the Westerly right-of-way of said Corridor X, a distance of 731.02 feet to a 6" X 6" concrete right-of-way monument marking the intersection of the Westerly right-of-way of said corridor with the Westerly right-of-way of Marion County Highway Number 55; thence run S. 08 degrees 56' W along Westerly right-of-way of said county highway, a distance of 61.73 feet to a web-wire fence corner; thence run S. 89 degrees 26' W along said web-wire fence, a distance of 504.18 feet to a 18 inch diameter gum tree; thence run S. 64 degrees 37' W and continue along said web-wire fence, a distance of 700.18 feet to its intersection with the West boundary of the above said NE 1/4 of NW 1/4; thence run N. 01 degrees 42' W along the West boundary of said NE 1/4 of NW 1/4, a distance of 971.97 feet to the point of beginning." (Guy & Bernice Mills)

A tract of land containing 42.867 acres, being situated in the Northwest 1/2 of the Northwest 1/4 Section 27 and in the Northeast 1/4 of the Northeast 1/4 of Section 28, all in Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows to-wit: "beginning at the Northwest corner of said Section 27; thence run S. 89 degrees 53' E. along the North boundary of said Section 27, a distance of 1334.82 feet to the Northeast corner of the above said NW 1/4 of NW 1/4; thence run S. 01 degrees 42' E along the East boundary of said NW 1/4 of NW 1/4, a distance of 1327.34 feet to a 1/2 inch capped rebar marking the Southeast corner of said NW 1/4 of NW 1/4; thence run N. 89 degrees 53' W. Along the South boundary of said NW 1/4 of NW 1/4, a distance of 1334.82 feet to a 1/2 inch capped rebar marking the Southwest corner of said NW 1/4 of NW 1/4; thence run N. 89 degrees 49' W along the South boundary of the above said NE 1/4 of NE 1/4. A distance of 218.48 feet to its intersection with the Easterly right-of-way of Marion County Highway Number 55 (70.0 foot wide right-of-way); thence run N. 27 degrees 05' W along the Easterly right-of-way of said highway, a distance of 159.98 feet to the P.C. of a curve to the left; thence continue in a Northwesterly direction (chord bearing = N. 32 degrees 26' 16" W) along the Easterly right-of-way of said highway and along the arc of said curve to the left (central angle = 10 degrees 42' 31", radius = 989.93 feet), an arc distance of 185.02 feet to an iron pipe; thence run N. 83 degrees 08' E, a distance of 382.97 feet to an iron pipe situated on the West boundary of the above said NW 1/4 of NW 1/4; thence run N. 01 degrees 42' W along the West boundary of said NW 1/4 of NW 1/4, a distance of 982.34 feet to the point of beginning; SUBJECT TO, however, a 200.0 foot wide right of way in favor of Tennessee Valley Authority for a High Voltage Transmission line, which runs a Northeast-Southwest direction through the Northwest corner of the herein above described tract of land." (Hilda Stoddard)

A tract of land containing 29.450 acres, being situated in the NE 1/4 of the SE 1/4 of Section 21 and in the NW 1/4 of the SW 1/4 of Section 22, all in Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows to-wit: "Beginning at the SE corner of said NE 1/4 of SE 1/4 of Section 21; thence run N. 89 degrees 57' W along the South boundary of said NE 1/4 of SE 1/4, a distance of 496.01 feet to the point situated 1.50 feet South of an old cedar post standing approximately 30 inches high; thence run N. 03 degrees 01' W, a distance of 1327.33 feet to a point on the North boundary of the above said NE 1/4 of SE 1/4; thence run S 89 degrees 03' E along the North boundary of said NE 1/4 of SE 1/4, a distance

of 350.29 feet to its intersection with the Westerly right-of-way of Corridor "X"; thence run S 63 degrees 21' E along the Westerly right-of-way of said Corridor "X", a distance of 252.04 feet to a concrete right-of-way monument; thence run S 50 degrees 02' E and continue along the Westerly right-of-way of said Corridor "X", a distance of 80.95 feet to a concrete right-of-way monument marking the P.C. of a curve to the right; thence continue in a Southeasterly direction (chord bearing = S 46 degrees 14' E) along the Westerly right-of-way of said highway and along the arc of said curve to the right (central angle = 03 degrees 54' 36", radius = 11309.16 feet), an arc distance of 771.76 feet to a point; thence run S 03 degrees 04' E, parallel with the West boundary of the above said NW 1/4 of SW 1/4, a distance of 622.97 feet to an old concrete monument situated on the South boundary of said NW 1/4 of SW 1/4; thence run N. 89 degrees 53' W along the South boundary of said NW 1/4 of SW 1/4, a distance of 662.40 feet to the point of beginning."

A tract of land containing 10.489 acres, being situated in the North 1/2 of the SE 1/4 and in the South 1/2 of the NE 1/4, all in Section 21, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows: Commence at the NE corner of the NE 1/4 of SE 1/4 of said Section 21; thence run N. 89 degrees 18' W along the North boundary of said NE 1/4 of SE 1/4, a distance of 495.09 feet to the point of beginning of the tract of land herein described to wit; thence run S 03 degrees 01' E, a distance of 389.41 feet to the head of a ditch and an old fence corner; thence run the following consecutive bearings and distances down said ditch and old fence (S 86 degrees 06' W, 319.40 feet; N 87 degrees 01' W, 156.47 feet; N 85 degrees 04' W, 232.24 feet; N 71 degrees 26' W, 161.71 feet; S 83 degrees 48' W, 62.84 feet; S 89 degrees 03' W, 75.32 feet; N. 76 degrees 58' W, 47.36 feet) to a 1/2 inch capped rebar; thence run N 30 degrees 37' W a distance of 401.11 feet to a 2 inch capped iron pipe situated on the Easterly right-of-way of Marion County Highway Number 55; thence run in a Northeasterly direction (chord bearing = N 45 degrees 36' 21" E) along the Easterly right-of-way of said highway and along the arc of a curve to the left (central angle -07 degrees 24' 13", radius = 1437.73 feet), an arc distance of 185.65 feet to the P.T. of said curve; thence run N 41 degrees 54' E and continue along the Easterly right-of-way of said highway, a distance of 42.52 feet to a 2 inch capped iron pipe; thence run S 42 degrees 55' E, a distance of 298.46 feet to a 2 inch capped iron pipe; thence run N 65 degrees 48' E, a distance of 120.60 feet to a 2 inch capped iron pipe situated at an old fence corner and on the North boundary of the above said NE 1/4 of SE 1/4; thence run S 89 degrees 18' E along the North boundary of said NE 1/4 of SE 1/4, a distance of 753.11 feet to the point of beginning.

A tract of land containing 2.292 acres, being situated in the South 1/2 of the NE 1/4 and in the North 1/2 of the SE 1/4, all in Section 21, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows: Commence at the NE corner of the NE 1/4 of SE 1/4 of said Section 21; thence run N 89 degrees 18' W along the North boundary of said NE 1/4 of SE 1/4, a distance of 1248.20 feet to a 2 inch capped iron pipe, said pipe being the point of beginning of the tract of land herein described to-wit; thence run S. 65 degrees 48' W, a distance of 120.60 feet to a 2 inch capped iron pipe; thence run N 42 degrees 55' W, a distance of 298.46 feet to a 2 inch capped iron pipe situated on the Easterly right-of-way of Marion County Highway Number 55; thence run N. 41 degrees 54' E along the Easterly right-of-way of said highway, a distance of 85.38 feet to a concrete right-of-way monument marking the P.C. of a curve to the left; thence continue in a Northeasterly direction (chord bearing = N. 31 degrees 26'

54" E) along the Easterly right-of-way of said highway and along the arc of said curve to the left (central angle = 20 degrees 54' 43", radius = 751.20 feet), an arc distance of 274.17 feet to a ½ inch capped rebar marking the beginning of a right-of-way flare; thence run N. 39 degrees 40' 34" E along the said right-of-way flare, a distance of 124.56 feet to its intersection with an old fence; thence run S 03 degrees 31' E along the said old fence, a distance of 562.18 feet to the point of beginning. (James & Mary White)

A tract of land containing 24.229 acres, being situated in the South ½ of the Southwest ¼ and in the Northwest ¼ of the Southwest ¼, all in Section 22, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows: Commence at the Southwest corner of said Section 22; thence run S 89 degrees 53' E along the South boundary of said Section 22, a distance of 1001.12 feet to the point of beginning of the tract of land herein described to-wit; thence run N .03 degrees 24' W along an old barbed wire fence, a distance of 1330.83 feet to its intersection with the South boundary of the above said NW ¼ of SW ¼; thence run N. 89 degrees 53' W along the South boundary of said NW ¼ of SW ¼, a distance of 330.79 feet to an old 6" X 6" CONCRETE MONUMENT; THENCE RUN n .03 DEGREES 03' w., parallel with the West boundary of said NW ¼ of SW ¼ a distance of 622.69 feet to a point on the Westerly right-of-way of Corridor "X"; thence run in a Southeasterly direction (chord bearing = S 39 degrees 13' 58" E.) Along the Westerly right-of-way of said Corridor X and along the arc of a curve to the right (central angle = 10 degrees 05' 39", radius = 11309.16 feet), an arc distance of 1992.41 feet to a concrete right-of-way monument marking the P.T. of said curve; thence run S 34 degrees 19' E and continue along the Westerly right-of-way of said Corridor X, a distance of 498.86 feet to its intersection with the South boundary of the above said South ½ of Southwest ¼; thence run N 89 degrees 53' W along the South boundary of said South ½ of SW ¼, a distance of 1096.58 feet to the point of beginning. SUBJECT TO, however, a 200 foot wide right-of-way in favor of Tennessee Valley Authority for a High Voltage Transmission line, which runs a Northeast-Southwest direction through the South-Central portion of the herein above described tract of land.

A tract of land containing 13.853 acres, being situated in the Northeast ¼ of Section 27, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows-to-wit: "Beginning at the Southwest corner of said NE ¼ of NW ¼ of Section 27; thence run N. 01 degrees 42' W along the West boundary of said NE ¼ of NW ¼, a distance of 355.37 feet to a web-wire fence; thence run N. 64 degrees 37' E along said web-wire fence, a distance of 700.18 feet to a 18 inch diameter gum tree; thence run N. 89 degrees 26' E and continue along said web-wire fence, a distance of 504.18 feet to its intersection with the Westerly right-of-way of Marion County Highway Number 55; thence run S. 08 degrees 56' W along the Westerly right-of-way of said highway, a distance of 448.61 feet to a right-of-way-change; thence run N. 81 degrees 35' W., perpendicular to the centerline of said highway, a distance of 20.00 feet to a right-of-way change concrete monument thence run S. 26 degrees 25' W and continue along the Westerly right-of-way of said highway, a distance of 248.03 feet to its intersection with the South boundary of the above said NE ¼ of NW ¼; thence run N. 89 degrees 53' W along the South boundary of said NE ¼ of NW ¼, a distance of 926.46 feet to the point of beginning. (Stanley & Mary Ritch)

A tract of land containing 29.030 acres, being situated in the North ½ of the SE ¼ of Section

21, Township 11 South, Range 14 West, Marion County, Alabama, and being more particularly described as follows: Commence at the SE corner of said N ½ of SE ¼ of Section 21; thence run S. 89 degrees 57' W along the South boundary of said N ½ of SE ¼, a distance of 496.01 feet to a point 1.50 feet South of an old cedar post approximately 30 inches high, said point being the point of beginning of the tract of land herein described to-wit; thence continue S. 89 degrees 57' W, along the South boundary of said N ½ of SE ¼, a distance of 1525.55 feet to a ½ inch capped rebar; thence run N. 19 degrees 40' E, a distance of 889.08 feet to a ½ inch capped rebar situated on the Southeasterly corner of the Fulton Bridge Baptist Church property; thence run N. 05 degrees 47' E along the easterly boundary of said church property, a distance of 74.93 feet to a ½ inch capped rebar; thence run N. 29 degrees 37' E and continue along the Easterly boundary of said church property, a distance of 108.79 feet to a ½ inch capped rebar situated on an old fence and ditch; thence run the following consecutive bearings and distances along the said old ditch and fence (S. 89 degrees 06' E, 41.75 feet; S. 76 degrees 58' E., 78.75 feet; N. 89 degrees 03' E, 75.32 feet; N. 83 degrees 48' E, 62.84 feet; S 71 degrees 26' E., 161.71 feet; S. 85 degrees 04' E., 232.24 feet; S. 87 degrees 01' E, 156.47 feet; N 86 degrees 06' E, 310.40 feet to a 1/12 inch capped rebar situated on the West boundary of the White property; thence run S. 03 degrees 01' E along the West boundary of said White property, a distance of 937.92 feet to the point of beginning. (Lorene Irvin)

A tract of land containing 30.406 acres, being situated in the SW ¼ of Section 21, Township 11 South, Range 14 West, Marion County, Alabama and being more particularly described as follows to-wit: "beginning at the Southwest corner of said Section 21; thence run N. 03 degrees 04' W along the West boundary of said SW ¼ of SW ¼ a distance of 1330.31 feet to the Northwest corner of said SW ¼ of SW ¼; thence run S. 89 degrees 53' E along the North boundary of said SW ¼ of SW ¼, a distance of 993.19 feet to an old barbed wire fence; thence run S. 03 degrees 24' E along said old barbed wire fence, a distance of 1330.83 feet to a point on the South boundary of said SW ¼ of SW ¼; thence run N. 89 degrees 53' W along the South boundary of said SW ¼ of SW ¼, a distance of 1001.12 feet to the point of beginning: SUBJECT TO, however, a 200.0 foot wide right-of-way in favor of Tennessee valley Authority for a High Voltage Transmission line, which runs a Northeast-Southwest direction through the Southeast corner of the herein above described tract of land." (Mary Sue Gann, Attorney in Fact for Melanie Barksdale)

BE IT FURTHER ORDAINED that the corporate limits to the City of Hamilton are hereby extended and rearranged so as to embrace and include the foregoing and such property shall hereby become a part of the corporate area of the City of Hamilton upon the date of publication of this Ordinance.

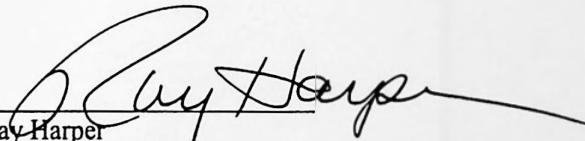
IT IS FURTHER ORDAINED that a certified copy of this Ordinance together with a map of said property showing its relationship to the corporate limits of the City of Hamilton and the Petition for Annexation be delivered by Honorable Ray Harper, Mayor, to Honorable Annette Bozeman Haney, Judge of Probate of Marion County, Alabama, for recording upon the public records of Marion County, Alabama.

Shane Stidham made a motion that this Ordinance be approved with a second by Scotty Sanderson. After discussion and upon a vote being taken, those voting in favor of the Ordinance

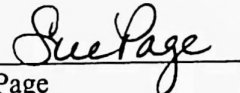
were as follows: Mayor Ray Harper, Councilwoman Annette Sherrill, Councilman McDavid Franks, Councilman Richard Gann, Councilman Shane Stidham and Councilman Scotty Sanderson. Those voting "Nay" were none.

The Mayor then announced that said Ordinance had been in all things duly and legally adopted.

ADOPTED AND ORDAINED this 3<sup>rd</sup> day of April 2006.

  
\_\_\_\_\_  
Ray Harper  
Mayor for the City of Hamilton

Authenticated:

  
\_\_\_\_\_  
Sue Page  
Clerk for the City of Hamilton