

Filed By  
John BENT  
7-8-9

**ORDINANCE 535**

**WHEREAS, on the 2ND day of JUNE, 1997, Lawson W. Murphy, Charles T. Gilmer, Dennis M. Harbor, Thomas Miller, and Shelia Miller, being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Hamilton; and**

**WHEREAS, said petition did contains the signatures of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Hamilton; and**

**WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Hamilton and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;**

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF HAMILTON, ALABAMA, AS FOLLOWS:**

**Section 1. The Council of the City of Hamilton, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Hamilton.**

**Section 2. The boundary lines of the City of Hamilton, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Hamilton, Alabama, and in addition thereto the following described territory, to-wit:**

**TRACT 1**

**All of the SW $\frac{1}{4}$  of NW $\frac{1}{4}$   
all of the NW $\frac{1}{4}$  of SW $\frac{1}{4}$  less and except Highway Right of Way  
Section 36, Township 11 and Range 14  
Surface Rights Only  
Containing 80 acres more or less, as recorded in Volume 144 Book of  
Deeds, page 146-149 Probate Office, Marion County, Alabama.**

## TRACT 2

The S<sup>1</sup>/<sub>2</sub> of SW<sup>1</sup>/<sub>4</sub>, Section 36, Township 11 South, Range 14 West, in Marion County, Alabama, and containing 80 acres, more or less.

## TRACT 3

A tract of land containing 6.7 acres, more or less, situated In the E<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of Section 1, Township 12 South, Range 14 West, Marion County, Alabama, more particularly described as follows, to-wit: "Commencing at the Northwest corner of said Section 1; thence run North 89 degrees 15 minutes East, along the North boundary of the NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of said Section 1, a distance of 665.16 feet to an iron pin located at the Northwest corner of the E<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> of said Section 1, which said iron pin is the point of beginning of the land herein described; thence continue North 89 degrees 15 minutes East, along the North boundary of said NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>, a distance of 499.33 feet to the intersection of said North boundary with the Westerly right-of-way of U.S. Highways No. 43 and 78; thence run Southerly, along the Westerly right-of-way of said U. S. Highways No. 43 and 78 and running along the arc of a curve to the left, a distance of 420.00 feet to the intersection of said Westerly right-of-way with the Northerly right-of-way of the Marion County Lake Road; thence run in a Westerly direction, along the Northerly right-of-way of said Marion County Lake Road, a distance of 645.70 feet to an iron pin located on the West boundary of said E<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>; thence run North 00 degrees 09 minutes West, along the West boundary of said E<sup>1</sup>/<sub>2</sub> of NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub> and along an old barbed wire fence, a distance of 573.88 feet to the point of beginning of the land herein described."

## TRACT 4

The NE<sup>1</sup>/<sub>4</sub> of the NW<sup>1</sup>/<sub>4</sub> of Section 1, Twp. 12, Range 14, Marion County, less and except 6 acres in the SW corner deeded to Pikeville Country Club. Containing 34 acres more or less, and including right of way of REA leased from H.S. Wright.

## TRACT 5

SE<sup>1</sup>/<sub>4</sub> of Section 36, Township 11, Range 14 and NE<sup>1</sup>/<sub>4</sub> of NE<sup>1</sup>/<sub>4</sub> of Section 1, Township 11, Range 14.

## TRACT 6

The SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 31, Township 11 South, Range 13 West, Marion County, Alabama.

**LESS AND EXCEPT:** All that part of the SW<sup>1</sup>/<sub>4</sub> of SE<sup>1</sup>/<sub>4</sub> of Section 31, Township 11 South, Range 13 West that was deeded to the State of Alabama as recorded in Deed Book 270 at page 423 in the Office of the Probate Judge of Marion County, Alabama.

The NW<sup>1</sup>/<sub>4</sub> of Section 6, Township 12 South, Range 13 West; the W<sup>1</sup>/<sub>2</sub> of the NE<sup>1</sup>/<sub>4</sub> of Section 6, Township 12 South, Range 13 West; the SW<sup>1</sup>/<sub>4</sub> of Section 6, Township 12 South, Range 13 West which lies North and East of U.S. Highway 78.

**LESS AND EXCEPT:** Beginning at an iron pin, the Southwest corner of the NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of said Section 6; thence run North 02 degrees 00 minutes East, along the West boundary of said NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, a distance of 486.0 feet to an iron pin; thence run Easterly, making an interior angle of 76 degrees 00 minutes, a distance of 220.0 feet to an iron pin; thence run South 74 degrees 00 minutes East, making an interior angle of 108 degrees 00 minutes, a distance of 785.0 feet to an iron pin; thence run Westerly, making an interior angle of 72 degrees 00 minutes, a distance of 340.00 feet to an iron pin located on the Easterly right-of-way of the present U. S. Highway No. 78; thence run North 44 degrees 00 minutes West, along the Easterly right-of-way of said highway, a distance of 200.0 feet to the intersection of said Easterly right-of-way with the West boundary of the SW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub> of said Section 6; thence run North 02 degrees 00 minutes East, along the West boundary of said SW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, a distance of 112.0 feet to the Northwest corner of said SW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, the point of beginning of the land described in this tract.

The above "less and except" description is based upon a survey made by Eddie Pearce in the month of April, 1989.

**ALSO, LESS AND EXCEPT:** 4 acres in NW corner of NW<sup>1</sup>/<sub>4</sub> of SW<sup>1</sup>/<sub>4</sub>, Section 6, Township 12 South, Range 13 West, Marion County, Alabama, which is owned by Maebelle Duke.

The NW<sup>1</sup>/<sub>4</sub> of NW<sup>1</sup>/<sub>4</sub>, Section 7, Township 12 South, Range 13 West which lies North and East of U. S. Highway 78.

### TRACT 7

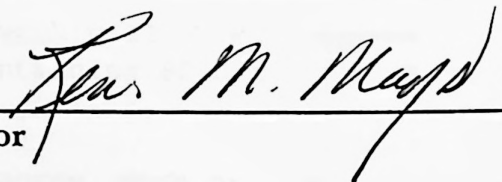
The Northwest Quarter of the Northeast Quarter and all that part of the Northeast Quarter of the Northwest Quarter, which lies east of U. S.

Highway No. 78, of Section 7, Township 12 South, Range 13 West, Marion County, Alabama, being more particularly described as follows: Commence at the Northwest corner of said Section 7, thence North 89°57'12" East 1341.20 feet to the point of the beginning of herein described, thence South 01°51'47" East 393.21 feet to the East Right of Way line of said U. S. Highway No. 78 (150 feet ROW), thence South 38°27'48" East along said ROW 1183.85 feet, thence leaving said ROW East 2014.17 feet, thence North 03°30'27" West 1324.60 feet, thence North 88°47'29" West 1251.02 feet, thence South 88°51'27" West 1431.83 feet to the point of beginning. Containing 75.25 acres more or less.

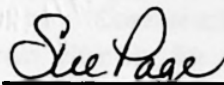
Section 3. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Marion County, Alabama.

Section 4. The territory described in this ordinance shall become a part of the corporate limits of Hamilton, Alabama, upon publication of this ordinance as set forth in section 3, above.

ADOPTED THIS THE 2ND DAY OF JUNE, 1997.

  
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Mayor

ATTEST:

  
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City Clerk