

ORDINANCE NO. 96- 149-2

AN ORDINANCE ASSENTING TO THE ANNEXATION OF PROPERTY INTO THE CORPORATE LIMITS OF THE TOWN OF BROOKWOOD AS A RESULT OF A PETITION FILED BY THE OWNER THEREOF.

WHEREAS, all the owners of the real property hereinafter described did sign and file a written petition with the City Clerk, a copy of which is attached hereto, requesting that said property be annexed into the Town of Brookwood; and,

WHEREAS, said property is warranted by all of the owners thereof to be contiguous to the corporate limits of the Town of Brookwood, located in Tuscaloosa County, Alabama, and does not lie within the corporate limits of any other municipality as shown by a plat attached hereto; and

WHEREAS, said petitioners requested that the Town of Brookwood adopt an ordinance allowing such annexation and that the corporate limits of the Town of Brookwood be extended and rearranged so as to embrace and include such property.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Brookwood, Alabama;

1. Pursuant to the provisions of § 11-42-21 of the Code of Alabama, 1975, as amended, the following described property, to-wit:

Commence at the N.W. corner of the S.W. 1/4 of the N.W. 1/4 of Section 31, Township 20 South, Range 7 West, said point being the N.E. corner of Lot 1 of Brookwood Estates No.2 Subdivision as recorded in Plat Book 13, Page 74 in Probate Judge Office in Tuscaloosa County, point also being a three inch capped pipe and the Point of Beginning; thence southerly along the east line of said Lot 1 145.08 feet to the N.E. corner of Lot 2 being a one inch pipe found; thence right 0°00'24" southerly along the east line of said Lot 2 132.46 feet to the N.E. corner of Lot 3 being a one

inch pipe found; thence right $0^{\circ}00'03''$ southerly along the east line of Lot 3 137.69 feet to the N.E. corner of Lot 5 being a capped iron found; thence right $00^{\circ}02'41''$ southerly along the east line of Lot 5 267.95 feet to the S.E. corner of Lot 5 a one inch pipe found located on the North right-of-way line of Lake Brookwood Circle a paved road, 25 feet from centerline; thence left $106^{\circ}47'00''$ northeasterly along said right-of-way 43.29 feet to a capped iron stamped LS 12498 and to the beginning of a curve to the right having a central angle of $75^{\circ}55'20''$, radius of 170.47 feet, along an arc of 225.89 feet to the end of said curve, a capped iron stamped LS 12498; thence southeasterly along tangent of right-of-way 23.69 feet to a one inch pipe found located on the N.W. corner of parcel as recorded in Deed Book 715, Page 41; thence left $100^{\circ}04'26''$ northeasterly along the North line of said parcel 209.93 feet to an iron found; thence right $6^{\circ}22'08''$ northeasterly 210.16 feet along the north line of a parcel recorded in Deed Book 819, Page 264 to a capped iron stamped LS 12498, being located on the southwesterly line of a parcel recorded in Deed Book 1029, Page 42; thence left $86^{\circ}16'47''$ northwesterly along said southwesterly line 79.50 feet to a capped iron found, being the northwesterly corner of last said recorded parcel; thence right $91^{\circ}20'47''$ northeasterly along northwesterly line of said parcel 149.99 feet to a capped iron found being the northeasterly corner of said parcel; thence right $88^{\circ}39'04''$ southeasterly along northeasterly line of said parcel 289.11 feet to a capped iron stamped LS 12498, being the beginning of a curve located at the intersection of the northeasterly line of said parcel and the present right-of-way line as established from the staked surveyed stations set along the centerline for improvements to Alabama Highway 216, thence left $79^{\circ}44'50''$ to chord, northeasterly along a curve to the right having a central angle of $13^{\circ}11'41''$, radius of 1950.52 feet, along an arc of 449.19 feet and along said right-of-way line of Alabama Highway 216, line being 40 feet from centerline, to the end of said curve and to a capped iron stamped LS 12498 located at the intersection of right-of-way lines of Highway 216 and Avery Town Road, being located 30 feet from centerline of Avery Town Road, point being the beginning of a curve; thence left $28^{\circ}40'22''$ to chord and along a curve to the right, northeasterly, having a central angle of $22^{\circ}21'12''$, radius of 306.61 feet and along an arc and said right-of-way line of Avery Town Road 119.62 feet to the end of said curve being a capped iron stamped LS 12498; thence northeasterly tangent to curve, 45.67 feet to the beginning of a curve to the left having a central angle of $81^{\circ}11'27''$, radius of 60.01 feet and along an arc of 85.04

feet to the end of said curve and to a capped iron, stamped LS 12498; thence northwesterly along tangent of curve 78.49 feet to a capped iron stamped LS 12498 continuing along said right-of-way to the beginning of a curve to the right having a central angle of $22^{\circ}39'52''$, radius of 395.69 feet and along an arc of 156.52 feet to the end of said curve and its intersection with the North line of the S.W.1/4 of the N.W.1/4 of said Section point being a capped iron stamped LS 12498, said point being located 24.10 feet west of the N.E. corner of the S.W. 1/4 of the N.W. 1/4 of said Section; thence left $69^{\circ}56'23''$ westerly along the north line of said 1/4-1/4 1,282.10 feet to the Point of beginning. Containing 16.35 acres.

Be and the same is hereby, annexed to the corporate limits of the Town of Brookwood, and said property shall be and hereby is, made a party of the Town of Brookwood, upon the date of posting of this Ordinance. (See Plat attached as Exhibit "A".)

2. In the event the property described in Exhibit "A" lies wholly or partially within the police jurisdiction of any other municipality, such property shall be and hereby is annexed to the corporate limits of the Town of Brookwood, and is made a part of the Town of Brookwood, pursuant to the provisions of the Act of August 30, 1973, No. 654, §3 1973 Ala. Acts 654 [codified at Ala. Code APPX., §382 (58) (1973)].

Such annexation shall be effective upon the date of posting of this Ordinance.

3. The City Attorney shall file a certified copy of this Ordinance in the Office of the Judge of Probate of Tuscaloosa County, Alabama.

4. The City Attorney shall forward a copy of the recorded Ordinance to the Tax Assessor for Tuscaloosa County, Alabama.

ADOPTED AND APPROVED this the 6 day of August, 1996.

BROOKWOOD TOWN COUNCIL

BY: Alton C. Hysche
Mayor

ATTEST:

Linda Barger
Town Clerk

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I hereby certify that the above and foregoing Ordinance was posted on the 8 day of August, 1996, at the following locations:

1. Town Hall
2. Henry
3. Village
4. Jerry C. Sters

Linda Berger
Town Clerk

**ROSEN, COOK, SLEDGE, DAVIS,
CARROLL & JONES, P.A.**

ATTORNEYS AT LAW

2117 RIVER ROAD
P.O. BOX 2727
TUSCALOOSA, ALABAMA 35403-2727
TELEPHONE (205) 344-5000
FAX (205) 758-8358

GORDON ROSEN
J. SYDNEY COOK, III
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SHEREE MARTIN
JOSEPH W. CADE

HERBERT E. BROWDER
LYN H. DURHAM
PAIGE M. CARPENTER
JEFFREY C. SMITH
LEON Y. SADLER, IV
JOHN PAUL WEBER
CHARLES A. THIGPEN
OF COUNSEL

August 28, 1996

Ms. Linda Barger, Clerk
Town of Brookwood
15689 Highway 216
Brookwood, Alabama 35444

Re: John Gibson Annexation

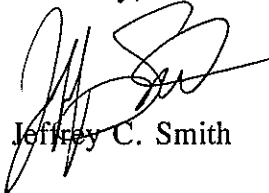
Dear Linda:

Enclosed you will find a copy of Ordinance No. 96-149, as well as the receipt received from the Probate Judge's office as well as the letter I sent to the Tuscaloosa County Tax Assessor regarding this property.

I hope this clears up any misunderstanding related to this annexation. As you can see, he has annexed the entire 16.35 acres.

If you have any questions or concerns related to this matter please do not hesitate to contact me.

Sincerely,



Jeffrey C. Smith

JCS/eh
Enclosures

ATTORNEY:

Jeff Smith

ESTATE:

Down of Brookwood Ord #96-149

PROBATE CASE NO.:

96-758

RE: Receipt for Court Costs

Tuscaloosa County
Probate Office
W. Hardy McCollum

Date: 06/29/94 Time: 16:55:33
Receipt # 0036287 Trans # 0036287
Term ID: 01 Cashier: MAM

BK/Pg: 96-758

EFJ ESTATE F3 30.00

Total: 30.00

Total Due: 30.00

Cash Tendered: 0.00

Check Tendered: 30.00

Change Due: 0.00

ROSEN, COOK, SLEDGE, DAVIS,
CARROLL & JONES, P.A.

ATTORNEYS AT LAW

P.O. BOX 2727
TUSCALOOSA, ALABAMA 35403-2727
TELEPHONE (205) 345-5440
FAX (205) 758-8358

September 3, 1996

GORDON ROSEN
J. SYDNEY COOK, III
JAMES J. SLEDGE
RONALD L. DAVIS
DAVID L. CARROLL
THOMAS R. JONES, JR.
*SHEREE MARTIN
HERBERT E. BROWDER
JOSEPH W. CADE
LYN H. DURHAM
PAIGE M. CARPENTER
JEFFREY C. SMITH

*ADMITTED ALSO IN FLORIDA

Tuscaloosa County Tax Assessor
Tuscaloosa County Courthouse
714 Greensboro Avenue
Tuscaloosa, Alabama 35401

Re: Recent Annexation of Property into the Corporate Limits of
The Town of Brookwood

To Whom It May Concern:

Enclosed you will find a copy of an Ordinance whereby the Town of Brookwood has annexed the described real property. Please insure that this annexation is properly recorded in your records and that the Town of Brookwood receives the appropriate revenues from this property.

The property was owned and annexed by John Gibson. If you have any questions or concerns related to this annexation please do not hesitate to contact me.

Sincerely,

Jeffrey C. Smith

JCS/ñ
Enclosure