

ORDINANCE NO. 97-157

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 UNITED LAND CORPORATION.

WHEREAS, United Land Corporation, the owner 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 map attached hereto; and

WHEREAS, said petitioner 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 §11-42-20 of the Code of Alabama, 1975, as amended, the following described property, to-wit:

See Exhibit "A" attached hereto and made a part of this Ordinance as if fully set out herein.

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 part of the Town of Brookwood, upon the date of posting of this Ordinance.

2. In the event that 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 2nd day of December, 1997.

BROOKWOOD TOWN COUNCIL

BY: Alton C. Nyché
Mayor

ATTEST:

Linda Barger
Town Clerk

NOTARY PUBLIC STATE OF ALABAMA AT LARGE.
MY COMMISSION EXPIRES: July 6, 1998.
BONDED THRU NOTARY PUBLIC UNDERWRITERS.

I hereby certify that the above and foregoing Ordinance was posted on the 7 day of January, 1998, at the following locations:

1. Town Hall
2. Neary's
3. Woods
4. George Stone

Linda Barger
Town Clerk

EXHIBIT "A"

The property sought to be annexed into the corporate limits of the Town of Brookwood are more particularly described as follows:

Approximately 26 Acres- A strip of property One Acre Wide, running South on the West Side of the West One Half of the Southeast One Fourth of Section 20, Township 21 South, Range 7 West, Turning and continuing West on the Northern part of the Northeast One Fourth of the N.W. One Fourth of Section 29, Township 21 South, Range 7 West; turning and continuing South on the West Side of the Northeast One Fourth of the North West One Fourth of Section 29 Township 21 South, Range 7 West, until it joins the right of way of Interstate 59.

State of Alabama * Petition For Annexation
*
Tuscaloosa County *

The undersigned, being the owner of all property here in after described, petitions the Council of the **Town of Brookwood** the following described Real Estate Property situated in Tuscaloosa County, Alabama to-wit:

80 Acres-West one half of The S.E. One Fourth of Section 19 Township 21 South, Range 7 West Tuscaloosa County.

17 Acres-Northeast One Fourth of the Northeast One Fourth of Section 30 Township 21 South, Range 7 West Tuscaloosa County.

Approximately-26 Acres-A Strip of property One Acre wide, running South on the West Side of the West One Half of the Southeast One Fourth of Section 20 Township 21 South, Range 7 West, turning and continuing West on the Northern part of the Northeast One Fourth of the N.W. One Fourth of Section 29 Township 21 South, Range 7 West; turning and continuing South on the West Side of the Northeast One fourth of the North West One Fourth of Section 29 Township 21 South, Range 7 West, until it hit the Right-of-Way of Interstate 59.

Petitioner would show that the said Real Estate property is within an area contiguous to the corporate limits of the **Town of Brookwood** and that such property does not lie within the corporate limits or police jurisdiction of any other municipality; Petitioner would further show that the annexation of the said property would be beneficial to the health, safety and the welfare of those people residing in said area.

Dated this 7th Day July of, 1997

MAP ATTACHED

W. N. Temple
PETITIONER
Robert T. Crow
PETITIONER

BTL

PETITION FOR ANNEXATION

JIM WALTER RESOURCES, INC.

AND

UNITED LAND CORPORATION

ANNEXATION INTO THE TOWN OF BROOKWOOD

STATE OF ALABAMA
TUSCALOOSA COUNTY
TOWN OF BROOKWOOD

*
*
* PETITION FOR ANNEXATION
*
*

TO THE TOWN COUNCIL OF THE TOWN OF BROOKWOOD:

The undersigned, being the property owners of the land described below and set out in red outline on a map, do petition the Town Council of the Town of Brookwood, pursuant to §§11-42-20 et seq of the Code of Alabama (1975, as amended) or in the alternative Act of August 30, 1973, No. 654, Section 3, 1973 Ala. Acts 654 [Codified at Ala. Code Appx., §382(58) (1973)], to extend the corporate limits of the Town of Brookwood so as to annex to said Town the following described property located in Tuscaloosa County, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

In support of this petition, it is certified by the undersigned that the said territory is contiguous to the existing corporate limits of the Town of Brookwood and does not embrace any territory within the corporate limits of another municipality, and when annexed to the Town of Brookwood will form a homogeneous part of the Town.

The undersigned further certifies that it is the owner of all the land within the above described property and that the information set forth in the attached annexation questionnaire is true and correct.

The undersigned further petition the Town Council of the Town of Brookwood to adopt an appropriate annexation ordinance assenting to this annexation petition.

Respectfully submitted this the 4 day of August, 1998.

JIM WALTER RESOURCES, INC.
Post Office Box 133
Brookwood, Alabama 35444

By: George Richmond
George Richmond
Its President

UNITED LAND CORPORATION
Post Office Box 133
Brookwood, Alabama 35444

By: 
Robert T. Crowe
Its General Manager

STATE OF ALABAMA

*

TUSCALOOSA COUNTY

*

ACKNOWLEDGEMENT

*

TOWN OF BROOKWOOD

*

I, the undersigned authority, a notary public in and for said state, hereby certify that George Richmond, whose name as President of Jim Walter Resources, Inc., is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this day, being informed of the contents of the petition, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation and stated that the names appearing thereon constituted all the legal owners of said property.

Given under my hand and official seal this the 4 day of August
1998.


Notary Public

My Commission Expires:

11/4/98

BTC

STATE OF ALABAMA

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TUSCALOOSA COUNTY

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ACKNOWLEDGEMENT

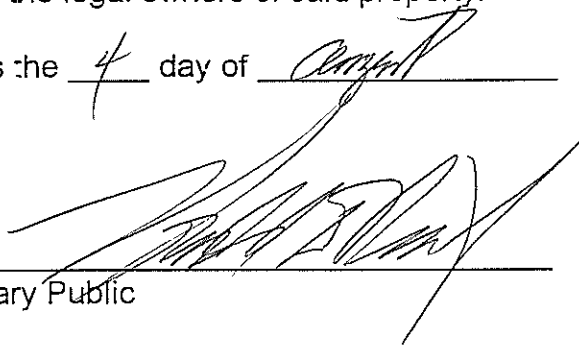
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TOWN OF BROOKWOOD

*

I, the undersigned authority, a notary public in and for said state, hereby certify that Robert T. Crowe, whose name as General Manager of United Land Corporation, is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this day, being informed of the contents of the petition, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation and stated that the names appearing thereon constituted all the legal owners of said property.

Given under my hand and official seal this the 4 day of August, 1998.



Notary Public

My Commission Expires:

11/4/98

EXHIBIT "A"

PROPERTY DESCRIPTION FOR

JIM WALTER RESOURCES, INC.

AND

UNITED LAND CORPORATION

ANNEXATION INTO THE TOWN OF BROOKWOOD

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract I
Annexation
City of Brookwood

98070
(Rev. 6/30/98)

A parcel of land being a part of the Southeast Quarter of Section 25, Township 20 South, Range 8 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 30 acres, being more particularly described as follows:

Commencing at the Southeast corner of Section 25, and run Westerly along South boundary of said Section for a distance of 1680 feet to the **POINT OF BEGINNING**; Thence continue Westerly on said South boundary of Section 25 for a distance of 960 feet to a point; Thence run Northerly on the West boundary of Southwest quarter of Southeast quarter for a distance of 1320 feet to a point; Thence run Easterly on North boundary of said quarter section of Section 25 for a distance of 960 feet to a point; Thence run Southerly on East boundary of said quarter section for a distance of 1320 feet to the **POINT OF BEGINNING**.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract II
Annexation
City of Brockwood

98070
(Rev. 6/30/98)

A parcel of land being a part of the Northeast Quarter of Section 36, Township 20 South, Range 8 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 77 acres, being more particularly described as follows:

Commencing at the **POINT OF BEGINNING**, the Northeast corner of Section 36, and run Southerly on East boundary of Section 36 for a distance of 1000 feet to a point on said East boundary; Thence run Westerly on North boundary of J. E. White property for a distance of 386 feet; Thence Southwesterly on West boundary of J. E. White property for a distance of 319 feet to the South boundary of North half of the Northeast Quarter of Section 36; Thence run Westerly for a distance of 2160 feet to a point; Thence run Northerly on the West boundary of said Quarter Section for a distance of 1320 feet to a point on North boundary of Section 36; Thence run Easterly on North boundary of said section for a distance of 2640 feet to the **POINT OF BEGINNING**.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract III
Annexation
City of Brookwood 98070

Revised (7-17-98)

A parcel of land being a part of Section 31, Township 20, South Range 7 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 117 acres, being more particularly described as follows:

Commencing at the Northeast corner Section 31, and run Westerly on North boundary of Section 31 for a distance of 130 feet to the **POINT OF BEGINNING**, said point being on South/East right-of-way margin of Alabama Highway No. 216; Thence run Southeasterly along said South/East right-of-way margin for a distance of 2300 feet to a point on East boundary of Jim Walter resources parcel; Thence run Southerly on East boundary of said parcel for a distance of 1150 feet to a point; Thence run Southwesterly on South Boundary of said parcel for a distance of 2900 feet to a point on present city limits of City of Brookwood; Thence run Northeasterly on said present city limits for a distance of 1200 feet to a point on West boundary of Bessemer Carraway Medical Center Parcel; Thence run South, East and North on said Medical Center property for a distance of 1650 feet to a point on North right-of-way margin of Alabama Highway No. 216; Thence continue Northerly for a distance of 200 feet to a point; Thence run Easterly on said line parallel to North right-of-way margin for a distance of 660 feet to a point of intersection with the West right-of-way margin of County Road No. 59 (Lock 17 Road); Thence run Northeasterly on said West right-of-way margin for a distance of 1100 feet to a point on North boundary of Section 31; Thence run Easterly on said North boundary for a distance of 2440 feet to the **POINT OF BEGINNING**.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract IV
Annexation
City of Brookwood

98070
(Rev. 7/16/98)

Parcels of land being a part of Section 30, Township 20 South, Range 7 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 283 acres, being more particularly described as follows:

Commencing at the Northeast corner of Section 30; Thence run Westerly on North boundary of Section 30 for a distance of 900 feet to the **POINT OF BEGINNING**, West boundary of County Road No. 59 (Lock NO. 17 Road); Thence run Southerly on West boundary of County Road No. 59 (Lock No. 17 Road) a distance of 1300 to a point; on the North boundary of the Southeast Quarter of Northeast Quarter of Section 30; Thence Westerly 200 feet to a point; Thence Southerly 1320 feet to the North Boundary of the South one half of Section 30; Thence run Westerly on said line for a distance of 2200 feet to a point; Thence Southerly to a point 1550 feet East of Southwest corner of Section 30; Thence run Easterly on said South boundary for a distance of 3740 feet to Southeast corner of Section 30; Thence run Northerly on East boundary of Section 30 for a distance of 4100 feet to a point; Thence Westerly for a distance of 740 feet to a point on East margin of 300 foot constant width strip 250 feet East of 50 foot Right-of-Way and Parallel to County Road No. 59; Thence run Northerly on said Easterly margin for a distance of 1400 feet to North boundary of Section 30; Thence Westerly on said North boundary for a distance of 350 feet to the **POINT OF BEGINNING**.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract V
Annexation
City of Brookwood

98070
(Rev. 7/16/98)

A parcel of land being a part of the West half of Section 29, Township 20 South, Range 7 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 122 acres, being more particularly described as follows:

Commencing at the Southwest corner of Section 29, run Northerly on West boundary of Section 29 for a distance of 230 feet to the **POINT OF BEGINNING** on South/East right-of-way margin of Alabama Highway 216; Thence run Northeasterly on said South/East right-of-way margin for a distance of 4550 feet to a point on North boundary of East Brookwood Missionary Baptist Church property; Thence continuing West on said boundary (South boundary of the Northeast quarter of Northwest quarter Section 29) for a distance of 1430 feet; Thence Northerly on East boundary of the Northeast quarter of Northwest Quarter of Section 29 for a distance of 900 feet; to intersection with the South boundary of Seaboard System Railroad; Thence Southwesterly along said Railroad right-of-way a distance of 1600 feet to the West boundary of Section 29; Thence run South on said Westerly boundary of Section 29 for a distance of 3850 feet to the **POINT OF BEGINNING**.

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract VI
Annexation
City of Brookwood

98070
(Rev. 7/16/98)

A parcel of land being all in Section 20, Township 20 South, Range 7 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 96 acres, being more particularly described as follows:

Commencing at the Northeast corner of Section 20, Thence run Westerly on North boundary of said section for a distance of 2640 feet to the POINT OF BEGINNING; Thence run Southerly on East boundary of the Northwest Quarter of Section 20 for a distance of 2640 feet to the Southeast corner; Thence run Westerly on South boundary of Northwest quarter of said section for a distance of 2060 feet to intersection with a 300 feet strip of land lying 300 feet East of the West right-of-way margin of County Road 59 (Lock No. 17 Road); Thence run Southwesterly along East boundary of said 300 feet strip for a distance of 1050 feet to the West boundary of Section 20; Thence run North along said West boundary for a distance of 428 feet to the North/West right-of-way margin of County Road 59 (Lock No. 17 Road); Thence along said right-of-way margin for a distance of 530 feet to the South boundary of Northwest quarter of Section 20; Thence continue along said right-of-way for a distance of 3450 feet to the North boundary of Section 20; Thence Easterly along said North boundary for a distance of 300 feet to the POINT OF BEGINNING.

Less and Except the following property:

A. Property Owned by Citizens Water Authority:

A parcel of land lying in the Southwest one-quarter of the Northwest one-quarter of Section 20, Township 20 South, Range 7 West; described more particularly as follows:

Commence at the Northwest corner of Section 20, Township 20 South, Range 7 West; thence south along the West boundary said Section 20 a distance of 2019.99 feet; thence left 90°-00'-00", easterly 698.03 feet to the Point of Beginning, said-point being on-the Southeast Right-of-way of County Road 59, also known as Lock 17 Road; thence left 63°-55'-58", northeasterly along aforementioned Right-of-

way 94.30 feet; Thence right $84^{\circ}-12'-48''$, southeasterly 170.00 feet; thence right $95^{\circ}-17'-56''$,
southwesterly 110.00 feet; thence right $90^{\circ}-00'-20''$, northeasterly 170.00 feet to the Point of Beginning;
containing in all 0.40 acres. (Source of Title: Book 873, Page 57)

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

Tract VII
Annexation
City of Brookwood

98070
(Rev. 6/30/98)

A parcel of land being the Southeast Quarter of Section 19, Township 20 South, Range 7 West, Huntsville Meridian, Tuscaloosa County, Alabama, containing 160 acres, being more particularly described as follows:

Commencing at the **POINT OF BEGINNING**, the Southeast corner of Section 19, and run Westerly on South boundary of Section 19 for a distance of 2640 feet to a point; Thence run Northerly on West boundary of the Southeast Quarter of Section 20 for a distance of 2640 feet to Northwest corner of said Quarter section; Thence run Easterly on North boundary of Southeast Quarter for a distance of 2640 to the Northeast corner, Thence run Southerly on East boundary of Section 19 for a distance of 2640 feet to the **POINT OF BEGINNING**.

**ORDINANCE ASSENTING TO THE ANNEXATION OF
PROPERTY**

JIM WALTER RESOURCES, INC.

AND

UNITED LAND CORPORATION

ANNEXATION INTO THE TOWN OF BROOKWOOD

EXHIBIT "A"

The property sought to be annexed into the corporate limits of the Town of Brookwood are more particularly described as follows:

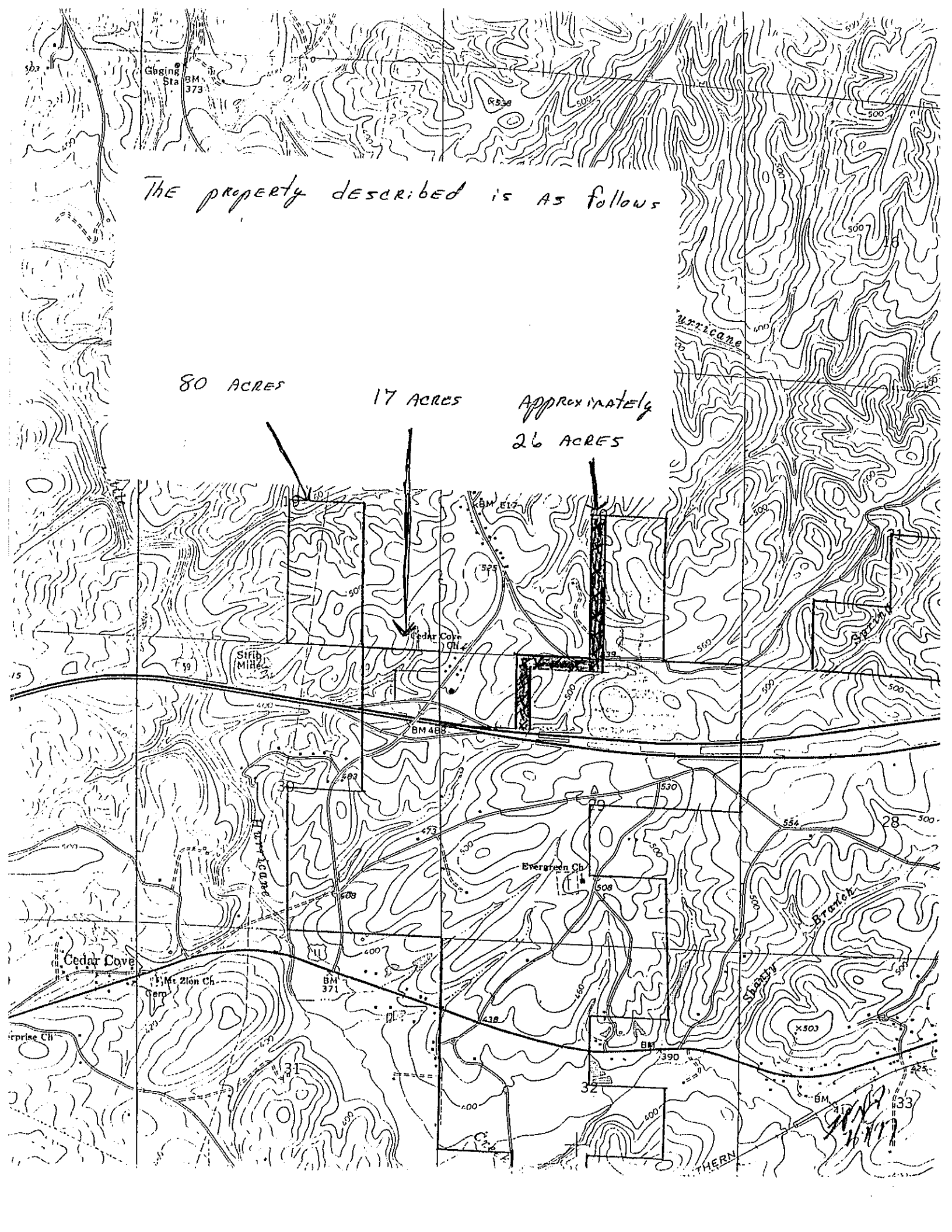
Approximately 26 Acres- A strip of property One Acre Wide, running South on the West Side of the West One Half of the Southeast One Fourth of Section 20, Township 21 South, Range 7 West, Turning and continuing West on the Northern part of the Northeast One Fourth of the N.W. One Fourth of Section 29, Township 21 South, Range 7 West; turning and continuing South on the West Side of the Northeast One Fourth of the North West One Fourth of Section 29 Township 21 South, Range 7 West, until it joins the right of way of Interstate 59.

The property described is as follows

80 ACRES

17 ACRES

Approximately
26 ACRES



STATE OF ALABAMA
TUSCALOOSA COUNTY
TOWN OF BROOKWOOD

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*
* PETITION FOR ANNEXATION
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TO THE TOWN COUNCIL OF THE TOWN OF BROOKWOOD:

The undersigned, being the property owner of the land described below and set out in red outline on a map, do petition the Town Council of the Town of Brookwood, pursuant to §§11-42-20 et seq of the Code of Alabama (1975, as amended) or in the alternative Act of August 30, 1973, No. 654, Section 3, 1973 Ala. Acts 654 [Codified at Ala. Code Appx., §382(58) (1973)], to extend the corporate limits of the Town of Brookwood so as to annex to said Town the following described property located in Tuscaloosa County, to-wit:

See Exhibit "A" attached hereto and incorporated herein by reference.

In support of this petition, it is certified by each of the undersigned that the said territory is contiguous to the existing corporate limits of the Town of Brookwood and does not embrace any territory within the corporate limits of another municipality, and when annexed to the Town of Brookwood will form a homogeneous part of the Town.

The undersigned further certify that they are the owners of all the land within the above described property.

The undersigned further petition the Town Council of the Town of Brookwood to adopt an appropriate annexation ordinance assenting to this annexation petition.

Respectfully submitted this the 18th day of December, 1997. RTC

OWNERS:

MAILING ADDRESS:

United Land Corporation

Attn: Robert T. Crowe

3300 First Ave. North

Birmingham, Al. 35202

Signed this the 18th day of December, 1997.

United Land Corporation, By Robert T. Crowe, its General Manager.

STATE OF ALABAMA
TUSCALOOSA COUNTY

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* ACKNOWLEDGEMENT