

ORDINANCE NO. 2021-173

**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 OWNERS THEREOF**

WHEREAS, all of the owners of the real property hereinafter described signed and filed 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 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; and,

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE
TOWN OF BROOKWOOD, ALABAMA, as follows:**

1. Pursuant to the provisions of § 11-42-20, et seq., 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 provisions of the Act of August 30, 1973, No. 654, Section 3, 1973, Ala Act 654 [codified in Alabama Code, APPX., § 382 (58) (1973)].

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

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

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

ADOPTED AND APPROVED this 20 day of November, 2001.

CITY COUNCIL OF THE
TOWN OF BROOKWOOD

By: Atton C. Hysche
Mayor

ATTEST:

Linda Barazer
Town Clerk

STATE OF ALABAMA *
*
TUSCALOOSA COUNTY *

PETITION FOR ANNEXATION

THE UNDERSIGNED, BEING THE OWNER OF ALL PROPERTY HEREINAFTER DESCRIBED, PETITIONS THE COUNCIL OF THE TOWN OF BROOKWOOD, ALABAMA, TO ANNEX INTO THE CORPORATE LIMITS OF THE TOWN OF BROOKWOOD THE FOLLOWING DESCRIBED REAL PROPERTY SITUATED IN TUSCALOOSA COUNTY, ALABAMA, TO WIT:

SEE EXHIBIT "A" ATTACHED.

PETITIONER WOULD SHOW THAT THE SAID REAL PROPERTY IS WITHIN AN AREA CCNTIGUOUS 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 PECPLE RESIDING IN SAID AREA.

DATED THIS 6th DAY OF November 2001.

Charles E. Brackin
PETITIONER

[Signature]
PETITIONER

Walter Renee [Signature]
PETITIONER

PETITIONER

EXHIBIT "A"

A parcel of land lying and being in the North Half of the Northwest Quarter of Section 1, Township 21 South, Range 8 West, Tuscaloosa County, Alabama, being more particularly described as follows: Commence at the Northwest Corner of Section 1, Township 21 South, Range 8 West; thence south 00 degrees 34 minutes 31 seconds West along the west boundary of said Section 1 a distance of 215.71 feet to the point of beginning; thence south 00 degrees 34 minutes 31 seconds West along said west boundary of Section 1 a distance of 1109.04 feet to a point; thence south 87 degrees 46 minutes 19

seconds east a distance of 2672.78 feet to a point; thence north 00 degrees 42 minutes 13 seconds east a distance of 1102.53 feet to a point; thence North 87 degrees 52 minutes 16 seconds West a distance of 210.21 feet to a point; thence North 00 degrees 45 minutes 03 seconds east a distance of 228.01 feet to a point; thence North 87 degrees 52 minutes 00 seconds west a distance of 1127.68 feet to a point; thence North 87 degrees 53 minutes 06 seconds west a distance of 1101.12 feet to a point on the west right of way margin of Chigger Ridge Road; thence South 19 degrees 04 minutes 14 seconds west along said West right of way margin a distance of 226.37 feet to a point; thence North 87 degrees 55 minutes 15 seconds west a distance of 155.25 feet to the Point of Beginning. LESS AND EXCEPT MINERAL AND MINING RIGHTS.

LESS AND EXCEPT:

A parcel of land and being that property described in Deed Book 1245, Page 523, recorded in the Probate Office of Tuscaloosa County, Alabama and being more particularly described as follows: Commence at the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 1, Township 21 South, Range 8 West, Tuscaloosa County, Alabama; thence Westerly along the North boundary of said Section 1 a distance of 795.76 feet to a point; thence with a deflection angle of 90 degrees 00 minutes to the left run in a southerly direction a distance of 300.00 feet to the Point of Beginning; thence with a deflection angle of 30 degrees 00 minutes to the right run in a westerly direction and parallel to the north boundary of said Northwest Quarter of the Northwest Quarter a distance of 299.47 feet to a point; said point being on the east margin of a private road; thence with an interior angle of 93 degrees 11 minutes to the right run in a southerly direction and on the east margin of said private road a distance of 420.55 feet to a point; thence with an interior angle of 86 degrees 49 minutes run in an Easterly direction and parallel to the North boundary of said northwest quarter of the Northwest quarter a distance of 322.52 feet to a point; thence with an interior angle of 90 degrees 00 minutes to the right run in a northerly direction a distance of 420.00 feet to the Point of Beginning. All lying South, Range 8 West, Tuscaloosa County, Alabama. LESS AND EXCEPT MINERAL AND MINING RIGHTS.

And subject to the Right of Way for Chigger Ridge Road.

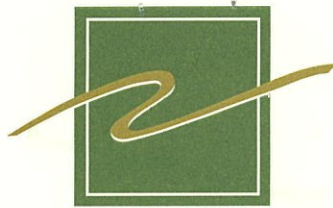
CERTIFICATE OF POSTING

I hereby certify that the above and foregoing **Ordinance 2001-173** was posted on the 21 day of **November**, 2001 at the following location:

1. **Brookwood Town Hall**
2. **Henry's Burgers & Cream**
3. **Hudson's Hardware**
4. **Ken (C) Store**
5. **Brookwood Shell**
6. **Hughes & Hughes**


Linda Barger
Linda Barger, Town Clerk

GORDON ROSEN
J. SYDNEY COOK, III
JAMES J. SLEDGE
RONALD L. DAVIS
JOSEPH W. CADE
R. COOPER SHATTUCK
PAIGE M. CARPENTER
*JERRY C. OLDSHUE, JR.
JEFFREY C. SMITH



Rosen ♦ Cook ♦ Sledge
Davis ♦ Cade ♦ Shattuck

ATTORNEYS AT LAW

**W. BRADFORD ROANE, JR.
FOSTER C. ARNOLD
JANE L. CALAMUSA
MARY BETH WEAR CAVERT
WILLIAM A. JONES
MATTHEW Q. TOMPKINS
LAURA J. CRISSEY

*Board Certified - Creditors' Rights
Law - American Board of Certification

**Also admitted in
Florida & Georgia

November 29, 2001

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

RE: Annexation of Brookwood Property

Dear Linda:

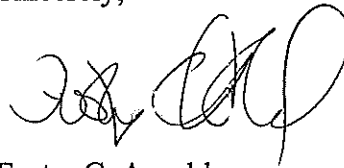
I am in the process of preparing a package for recording of the annexation of Brookwood's property in the probate office. I am also beginning to prepare an annexation submission to the Department of Justice. There are a few minor corrections and additions that I need to have you take care of with regard to the enclosed documents.

- Resolution No. 2001-197 needs a signature by the President of the Town Council.
- The Annexation Petition needs to be signed by the Mayor as well. (You will recall that the Resolution only authorized the Mayor to sign the Petition.) The additional signatures of the City Council members will not be a problem.
- The Annexation Petition Questionnaire did not have the Mayor's signature on it. I am enclosing a clean copy for his signature and your notarization. (The date on this one will not matter.)
- The Annexation Ordinance No. 2001-173 does not have the posting information on it. Please include that posting information. You can keep the original for your records. However, please send me a copy and sign and seal four copies of the enclosed certification of record for return to me.

Ms. Linda Barger, Clerk
November 29, 2001
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I believe that the above will be all of the corrections that I will need. I plan to have the Annexation Ordinance recorded in the probate records and then we will proceed with submitting this annexation to the Department of Justice. I do not anticipate any problems with the annexation. When the annexation has cleared, I will let you know.

Sincerely,



Foster C. Arnold

FCA:cd

Enclosures

cc: Mayor Alton Hyché

icc Jeff Smith

i:\brookwood\annexations\brookwood property\Ltr to Linda Barger - 1-29-01

STATE OF ALABAMA

*

PETITION FOR ANNEXATION

TUSCALOOSA COUNTY

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DATED THIS 6th DAY OF November, 2001.

Charles E. Brack
PETITIONER

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PETITIONER

Walter Dene [Signature]
PETITIONER

PETITIONER

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seconds east a distance of 2672.78 feet to a point; thence north 00 degrees 42 minutes 13 seconds east a distance of 1102.53 feet to a point; thence North 87 degrees 52 minutes 16 seconds West a distance of 210.21 feet to a point; thence North 00 degrees 45 minutes 08 seconds east a distance of 228.01 feet to a point; thence North 87 degrees 51 minutes 00 seconds west a distance of 1127.38 feet to a point; thence North 87 degrees 53 minutes 06 seconds west a distance of 1101.12 feet to a point on the west right of way margin of Chigger Ridge Road; thence South 19 degrees 04 minutes 14 seconds west along said West right of way margin a distance of 225.37 feet to a point; thence North 87 degrees 51 minutes 15 seconds west a distance of 155.26 feet to the Point of Beginning. LESS AND EXCEPT MINERAL AND MINING RIGHTS.

LESS AND EXCEPT:

A parcel of land and being that property described in Deed Book 1248, Page 523, recorded in the Probate Office of Tuscaloosa County, Alabama and being more particularly described as follows: Commence on the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 1, Township 21 South, Range 8 West, Tuscaloosa County, Alabama; thence West along the North boundary of said Section 1 a distance of 796.78 feet to a point; thence with a deflection angle of 90 degrees 00 minutes to the left run in a southerly direction a distance of 300.00 feet to the Point of Beginning; thence with a deflection angle of 88 degrees 00 minutes to the right run in a westerly direction and parallel to the north boundary of said Northwest Quarter of the Northwest Quarter a distance of 259.47 feet to a point; said point being on the east margin of a private road; thence with an interior angle of 93 degrees 11 minutes to the right run in a southerly direction and on the east margin of said private road a distance of 420.65 feet to a point; thence with an interior angle of 88 degrees 49 minutes run in an easterly direction and parallel to the North boundary of said Northwest Quarter of the Northwest Quarter a distance of 322.62 feet to a point; thence with an interior angle of 90 degrees 00 minutes to the right run in a northerly direction a distance of 420.00 feet to the Point of Beginning. All lying South, Range 8 West, Tuscaloosa County, Alabama. LESS AND EXCEPT MINERAL AND MINING RIGHTS.

And subject to the Right of Way for Chigger Ridge Road.