

ORDINANCE NO. 177-2003

**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 FOR
EASTERN PARK, L.L.C. PROPERTY**

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:

Lot 1 of 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 7 day of Oct, ~~2001~~ 2003

**CITY COUNCIL OF THE
TOWN OF BROOKWOOD**

By: Alton C. Nyché
Mayor

ATTEST:

Linda Barger
Town Clerk

STATE OF ALABAMA

TUSCALOOSA COUNTY

TOWN OF BROOKWOOD

SECTION

PETITION FOR ANNEXATION

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, does petition the Town Council of the Town of Brookwood, pursuant to §§11-42-23 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 the said Town the following described property located in Tuscaloosa County, to-wit:

Lot 1 of 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 petitions the Town Council of the Town of Brookwood to adopt an appropriate annexation ordinance assenting to this annexation petition.

Respectfully submitted this the 29th day of September 2003.

**EASTERN PARK, L.L.C., f/k/a
EASTERN INDUSTRIAL & BUSINESS PARK, L.L.C.**

By: Richard Ellis
Richard Ellis
Its Member

STATE OF ALABAMA

TUSCALOOSA COUNTY

TOWN OF BROOKWOOD

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ACKNOWLEDGEMENT

I, the undersigned authority, a notary public in and for said state, hereby certify that **Richard Ellis** whose name as Member of Eastern Park, L.L.C., f/k/a Eastern Industrial & Business Park, L.L.C., 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 29th day of September 2003.

Deana McKin
NOTARY PUBLIC
My Commission Expires: 12/11/04