

ORDINANCE NO. 2005-183

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 ENERGEN RESOURCES

WHEREAS, Energen Resources, the owner of the real property herein 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. 54, §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 20 day of Sept 2005.

BROOKWOOD TOWN COUNCIL

By: Mayor Alton C. Hyde
Mayor

ATTEST:

Linda Barzen
Town Clerk

I hereby certify that the above and foregoing Ordinance was posted on the 27 day of Sept, 2005 at the following locations:

1. Brookwood Town Hall
2. Ken's (C) Store
3. Brookwood Shell
4. Hometown Grocery

Linda Barzen
Town Clerk

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. 54, §3 1973 Ala. Acts 654 [codified at Ala. Code APPX., §382 (58) (1973)].

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ADOPTED AND APPROVED this the 20 day of Sept 2005.

BROOKWOOD TOWN COUNCIL

By: Allen C. Hych
Mayor

ATTEST:

Linda Barger
Town Clerk

I hereby certify that the above and foregoing Ordinance was posted on the 27 day of Sept, 2005 at the following locations:

1. Brookwood Town Hall
2. Ken's (C) Store
3. Brookwood Shell
4. Hometown Grocery

Linda Barger
Town Clerk

STATE OF ALABAMA

TUSCALOOSA COUNTY

TOWN OF BROOKWOOD

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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 §§ 11-42-20 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 the said Town the following described property located in Tuscaloosa County, Alabama to-wit:

See description attached hereto as Exhibit "A" and incorporation 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 20th day of September 2005.

ENERGEN RESOURCES CORPORATION



By: R. A. Payton, its Operations Manager

STATE OF ALABAMA
TUSCALOOSA COUNTY
TOWN OF BROOKWOOD


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ACKNOWLEDGEMENT

I, the undersigned authority, a Notary Public in and for the aforesaid county and state, hereby certify that R. A. Payton, whose name appearing as Operations Manager of Energen Resources Corporation, an Alabama Corporation, is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day that, being informed of the contents of this instrument, he, in such capacity and with full authority, executed and delivered 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 on the day the same bears date.

Given under my hand and official seal, this the 20th day of September 2005.

My Commission Expires: 8-3-2007



Notary Public in and for the
State of Alabama At Large

STATE OF ALABAMA)
TUSCALOOSA COUNTY)

ENERGEN Resources Office Building
July 26, 2005
Job No. 05-239

A parcel of land located in the Southwest Quarter of the Northeast Quarter and the Northwest Quarter of the Southeast Quarter, all in Section 16, Township 21 South, Range 7 West, Tuscaloosa County, Alabama, containing four (4.02) acres more or less, and being more particularly described as follows:

Commence at the Northeast corner of said Section 16, thence run in an Southerly direct on along the East Line of said Section 16 for a distance of 2739.25 feet to a point thence with an angle left of $89^{\circ}24'58''$, run in an Westerly direction for a distance of 1835.36 feet to the POINT-OF-BEGINNING; thence with an angle right of $123^{\circ}01'44''$, run in Southwesterly direction for a distance of 424.32 feet to a point, said point lying on the North Right-of-Way margin and being 135.00 feet Northeast of and at right angles to the centerline P.O.T. Station $^{\wedge}85+68.68$ of the Brookwood Parkway; thence with an interior angle left of $90^{\circ}00'00''$, run in an Northwesterly direction along said North Right-of-Way margin for a distance of 106.68 feet to a point, said point being 135.00 feet Northeast of and at right angles to the centerline Station $^{\wedge}84+62.05$ of the Brookwood Parkway; thence with an interior angle left of $204^{\circ}07'43''$, run in an Southwesterly direct on for a distance of 85.47 feet to a point, said point being 100.00 feet Northeast of and at right angles to the centerline Station $183+84.00$ of Brookwood Parkway; thence with an interior angle left of $^{\wedge}55^{\circ}52'17''$, run in an Northwesterly direction for a distance of 115.32 feet to a point, said point being 100.00 feet Northeast of and at right angles of centerline Station $182+68.68$ of Brookwood Parkway; thence leaving said North Right-of-Way margin with an interior angle left of $90^{\circ}00'00''$, run in an Northeasterly direction for a distance of 600.00 feet to a point; thence with an interior angle left of $90^{\circ}00'00''$, run in an Easterly direction for a distance of 300.00 feet to a point; thence with an interior angle left of $90^{\circ}00'00''$, run in an Southerly direction for a distance of 140.74 feet to the POINT-OF-BEGINNING, forming a closing angle of $180^{\circ}00'00''$.

TOWN OF BROOKWOOD

**15689 Highway 216
Brookwood, Alabama 35444**

September 27, 2005

Certification of Posting


Town Hall

Ken "C"

Brookwood Shell

Hometown Grocery

Certified this 27th day of September, 2005


Linda Barger, Clerk