

ORDINANCE NO. 110906

WHEREAS, on or about the 19<sup>th</sup> day of June, 2010, Frances Elayne Lokey Gibson filed a petition with the Town of Wilsonville, Alabama, as required by " 11-42-20 and 11-42-21, Code of Alabama 1975, as amended, petitioning and requesting that the property hereinafter described be annexed to the municipality of the Town of Wilsonville, Alabama, which petition contained an accurate description of the property proposed to be annexed together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, and the signatures of the owners of the property described were signed thereto;

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WILSONVILLE, ALABAMA, AS FOLLOWS:

1. That the Town of Wilsonville, Alabama, does adopt this Ordinance assenting to the annexation of the following described property to the municipality of the Town of Wilsonville:

The following described real property situated in Section 24, Township 21 South, Range 1 East, Shelby County, Alabama, being more particularly described as follows:

Commence at an axle found locally accepted to be the Northwest corner of said Section 24; thence run South along the West line of said Section 24 for a distance of 619.06 feet to a point; thence turn an angle to the left of 91 degrees, 30 minutes, 29 seconds and run in an Easterly direction for a distance of 361.57 feet to the point of beginning on the Town Limit line of the Town of Wilsonville, Alabama, being the Southwestern corner of Parcel Two conveyed and described in deed to Shelby County, Alabama, recorded as Instrument # 20030508000285700 in the Probate Office of Shelby County, Alabama, said point described in said deed as being on a curve to the left having a central angle of 06

degrees, 20 minutes, 36 seconds and a radius of 826.28 feet; thence turn an angle to the left to the radius of said curve of 02 degrees, 41 minutes, 50 seconds and run in a Northwesterly direction along the arc of said curve and along the Western line of the property described in said deed for a distance of 10.0 feet to a point; thence turn left and run West parallel with the South line of the N2 of the NW3 of the NW3 of said Section 24 to a point 10.0 feet due North of the NE corner of Lot 2 of Fluker Family Subdivision, as recorded in Map Book 40, Page 103, in the Probate Office of Shelby County, Alabama; thence turn left and run South 10.0 feet to the NE corner of said Lot 2 of Fluker Family subdivision, also being a point on the South line of the N2 of said 3-3, and also being a point on the North line of Hummingbird Lane; thence turn left and run East along the South line of the N2 of said 3-3 to the point of beginning.

2. That the corporate limits of the Town of Wilsonville, Alabama, be extended and rearranged so as to embrace and include such property, and such property shall become a part of the corporate area of such municipality upon the date of publication or posting of this Ordinance, as provided for in the Code of Alabama as cited above.

3. That, in accordance with the petition for annexation, this annexation is subject to the following conditions: Shelby County retains the right to access its raw water main, fiber optic cable, and other equipment and facilities using the roadway on the annexed property and all rights to use the annexed property for ingress and egress to and from its facilities and the installation, construction, and maintenance of water lines, water mains,

and utilities in the sole discretion of Shelby County; and Shelby County shall have free right of access to and from and over said annexed land and the Town of Wilsonville, its successors or assigns, shall not erect any structures, place any fill dirt or other surface materials, excavate or remove any part of the surface soil or surface materials, or in any way alter the ground elevation or surface on the portion of the annexed property, or do anything which would in any way interfere with, damage, place at risk, or pose future risk or possible risk to any utilities, water lines, pipes, or appurtenances, or otherwise interfere with the right of Shelby County to enter upon said annexed property at any time and have immediate access thereto and to all utilities and other improvements located therein or thereon.

4. That the Town Clerk be and she is hereby authorized and directed to file a copy of this Ordinance, including an accurate description of the property being annexed, together with a map of the said property showing its relationship to the corporate limits of the Town of Wilsonville, Alabama, to which said property is being annexed, in the office of

the Judge of Probate of Shelby County, Alabama.

5. That the Zoning Map of the Town of Wilsonville, Alabama, and any other official maps or surveys of the Town shall be amended to reflect the annexation of the above-described property, and that a copy of this Ordinance be transmitted to the Town Planning Commission.

6. That this property is temporarily zoned MR as provided in the Zoning Ordinance of the Town of Wilsonville, Alabama.

This ordinance was adopted and passed by the Town Council of the Town of Wilsonville, Alabama, this the \_\_\_\_ day of \_\_\_\_\_, 2011.

Town of Wilsonville, Alabama

by \_\_\_\_\_

Mayor

Attest:

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Clerk