

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 8/8/2013

Action Requested By:
Planning

Agenda Item Type
Ordinance

Subject Matter:

Annexation of land.

Exact Wording for the Agenda:

Introduction of an ordinance concerning the annexation of land lying on the east side of Williams & Broad Drive and north of Dug Hill Road.

Note: If amendment, please state title and number of the original

Item to be considered for: Introduction Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

1.11 acres.
Additional information is attached.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: Ingal M. Bork

Date: 7/30/2013

ORDINANCE NO. 13-

WHEREAS, Terry E. Shirley has petitioned the governing body of the City of Huntsville, Alabama, requesting that certain property or territory be annexed to the City of Huntsville, Alabama; and

WHEREAS, said petition contained the signature of the owner of the property as the same is assessed for ad valorem tax purposes; and

WHEREAS, said property is contiguous to the present city limits of the City of Huntsville, Alabama, and does not lie within the corporate limits of any other municipality; and

WHEREAS, a map of said territory showing its relationship to the corporate limits of the City of Huntsville, Alabama, has been filed with the City Clerk-Treasurer; and

WHEREAS, it is the judgement and opinion of the City Council of the City of Huntsville, Alabama, that it is necessary and proper and in the public interest that said property be brought within the corporate limits of the City of Huntsville, Alabama;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows;

1. That the City Council of the City of Huntsville, Alabama hereby assents to the annexation of certain property to the City of Huntsville, Alabama, which said property as hereinabove referenced is more particularly described as follows:

All that part of the Southeast Quarter of Section 3 and the Northeast Quarter of Section 10, Township 4 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point at the northeast corner of said Section 10; thence from the point of beginning Due West 275.27 feet to the point of true beginning; thence from the point of true beginning South 48 degrees 59 minutes 20 seconds West 163.23 feet to a point located on the centerline of Williams and Broad Drive; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence along said centerline the following bearings and distances: North 52 degrees 03 minutes 30 seconds West 28.80 feet, leaving existing corporate limits North 51 degrees 33 minutes 28 seconds West 72.04 feet, North 51 degrees 11 minutes 33 seconds West 42.55 feet, and North 48 degrees 56 minutes 45 seconds West 59.85 feet; thence leaving said centerline North 47 degrees 26 minutes 08 seconds East 236.23 feet; thence South 51 degrees 14 minutes 38 seconds East 210.00 feet; thence South 48 degrees 59 minutes 20 seconds West 75.73 feet to the point of true beginning and containing 1.11 acres, more or less.

ORDINANCE NO. 13- _____

2. That the corporate limits of the City of Huntsville, Alabama, are hereby extended and rearranged so as to embrace and include the hereinafter property as part of the corporate area of the City of Huntsville.

3. That this ordinance shall become effective upon its publication as required by law.

4. That the Mayor and City Clerk-Treasurer of the City of Huntsville, Alabama, are hereby authorized, requested and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Judge of Probate Office of Madison County.

ADOPTED this the ____ day of _____, 2013.

President of the City Council of
the City of Huntsville, Alabama

APPROVED this the ____ day of _____, 2013.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA
COUNTY OF MADISON

PETITION FOR ANNEXATION TO THE CITY OF
HUNTSVILLE, ALABAMA, UNDER ACT NO. 2228
S.134, 1971 REGULAR SESSION

TO: The City Clerk-Treasurer of the City of Huntsville, Alabama

The undersigned, Terry E. Shirley, hereby petitions the Mayor and City Council of the City of Huntsville, Alabama, to bring the hereinafter described property within the corporate limits of the City of Huntsville under the provisions of Act No. 2228, S. 134, of the 1971 Regular Session of the Legislature of Alabama. The undersigned respectfully requests that the property or territory hereinafter described be annexed to the City of Huntsville. I further certify that I have the right and authority to make and file this petition for annexation, that said property is contiguous to the existing corporate limits of the City of Huntsville, Alabama, which said City has a population of more than 2,000, and that said property does not lie within the corporate limits of any other municipality, and I do hereby respectfully petition the Mayor and City Council of the City of Huntsville to adopt an ordinance assenting to the annexation of said property to the City of Huntsville. I further certify that the property is assessed for ad valorem tax purposes in the name of Terry E. Shirley.

All that part of the Southeast Quarter of Section 3 and the Northeast Quarter of Section 10, Township 4 South, Range 1 East, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point at the northeast corner of said Section 10; thence from the point of beginning Due West 275.27 feet to the point of true beginning; thence from the point of true beginning South 48 degrees 59 minutes 20 seconds West 163.23 feet to a point located on the centerline of Williams and Broad Drive; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence along said centerline the following bearings and distances: North 52 degrees 03 minutes 30 seconds West 28.80 feet, leaving existing corporate limits North 51 degrees 33 minutes 28 seconds West 72.04 feet, North 51 degrees 11 minutes 33 seconds West 42.55 feet, and North 48 degrees 56 minutes 45 seconds West 59.85 feet; thence leaving said centerline North 47 degrees 26 minutes 08 seconds East 236.23 feet; thence South 51 degrees 14 minutes 38 seconds East 210.00 feet; thence South 48 degrees 59 minutes 20 seconds West 75.73 feet to the point of

true beginning and containing 1.11 acres, more or less.

Attached hereto marked Exhibit A is a map of said territory showing its relationship to the corporate limits of the City of Huntsville, which said map is further identified as being entitled "Shirley Property to be Annexed."

IN WITNESS WHEREOF, the undersigned have set their hand and seal the date herein indicated.

**PREPARED BY
CITY OF HUNTSVILLE
PLANNING DIVISION**



Terry E. Shirley (SEAL)
Signature of Owner/Authorized Representative

STATE OF ALABAMA

COUNTY OF MADISON

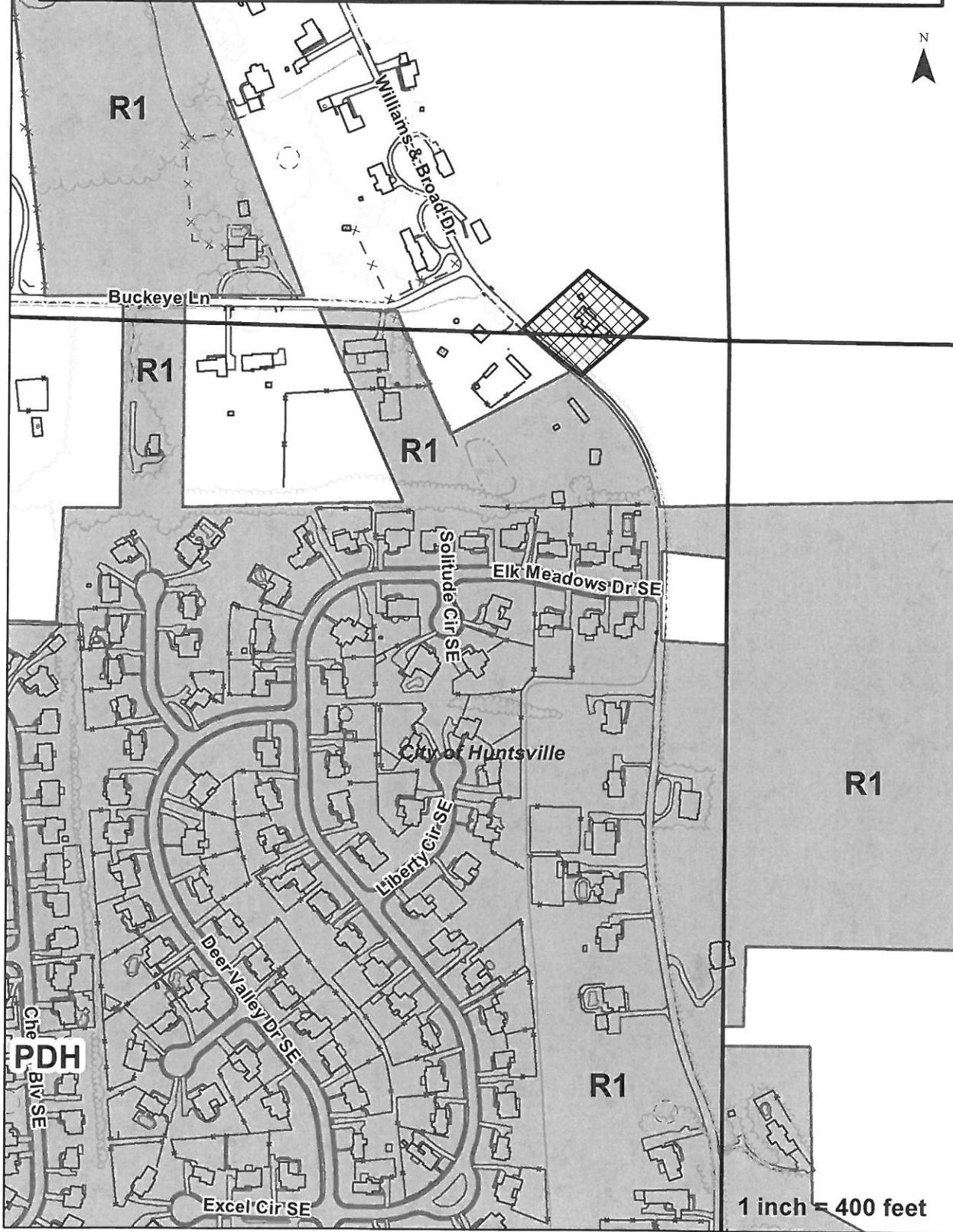
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Terry E. Shirley whose name is signed to the foregoing annexation petition and who is known to me, acknowledged before me on this date that, being informed of the contents of the within annexation petition, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal of office, this the 30TH day of July, 2013.

Ashley Nicole Nichols
NOTARY PUBLIC

MY COMMISSION EXPIRES 8-13-2016

EXHIBIT A: SHIRLEY PROPERTY TO BE ANNEXED



ANNEXATION SUMMARY: SHIRLEY
July 29, 2013

PETITIONER: Terry E. Shirley

LOCATION: East side of Williams & Broad Drive and North of Dug Hill Road

Township 4 South, Range 1 East, Section 3
Township 4 South, Range 1 East, Section 10

319 Williams & Broad Drive, Brownsboro, AL 35741

ACREAGE: 1.11 acres

REASON FOR
REQUEST: City Services/City Schools

ANNEXATION GUIDELINES: SHIRLEY

1. Annexations that would fill in or make more regular the existing corporate limits should be strongly encouraged.

WOULD CONTINUE ONGOING ANNEXATIONS IN THIS AREA

2. The remaining tax islands should be annexed when ownership changes and redevelopment occurs....

NOT A TAX ISLAND

3. Annexations of land in subdivisions....

NOT PART OF A SUBDIVISION

4. Corridors are discouraged....

NOT A CORRIDOR

5. Point-to-point annexations should be discouraged....

NOT A POINT-TO-POINT CONNECTION

6. Owners living on land expected to be annexed within the ninety-day period preceding a municipal election....

NO MUNICIPAL ELECTION AT TIME OF ANNEXATION

7. Land which is known to be contaminated should not be annexed until such danger has been mitigated.

NO KNOWN CONTAMINATION

8. The annexation of land that would contribute to the city's economic development through an increase in taxes....

RESIDENTIAL LAND

9. The city should require petitions for annexation referenda to satisfy additional conditions....

NOT A REFERENDA

10. City planners will explain to all annexation petitioners the policies under which services are provided.

POLICY STATEMENT SIGNED BY OWNER; COPY ATTACHED

