CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number_____

Meeting Type: Regular

Meeting Date: 9/10/2015

Action Requested By:
Planning

Agenda Item Type
Ordinance

Subject Matter:

Corrected ordinance for annexation of land.

Exact Wording for the Agenda:

Ordinance to correct an error in the legal description of land annexed and described in Ordinance 15-450.

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

Item to be considered for: Action

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.

Additional information attached.

Associated Cost:

Budgeted Item: Not applicable

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head:_____

Date: 8/27/2015

revised 3/12/2012

ORDINANCE NO. 15-_____

WHEREAS, Cindy Susan Ishee 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 Section 26, Township 3 South, Range 2 West, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the northwest corner of Section 26; thence from the point of beginning and along the west boundary of said Section 26 Due South 1,551.94 feet; thence leaving said boundary South 69 degrees 08 minutes 44 seconds East 16.35 feet to the point of true beginning; thence from point of true beginning South 69 degrees 08 minutes 44 seconds East 184.73 feet; thence South 68 degrees 14 minutes 00 seconds East 21.30 feet; thence South 74 degrees 43 minutes 20 seconds East 184.73 feet; thence South 10 degrees 36 minutes 25 seconds East 236.55 feet to a point; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence leaving existing corporate limits North 80 degrees 07 minutes 07 seconds West 99.44 feet; thence North 69 degrees 28 minutes 58 seconds West 206.33 feet to a point located on the east right-of-way of Slaughter Road; thence along said right-of-way North 01 degrees 27 minutes 40 seconds East 229.76 feet to the point of true beginning and containing 1.40 acres, more or less.

ORDINANCE NO. 15-_____

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 replaces Ordinance Number 15-450.

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

5. 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 _____, 2015.

_____
President or President Pro Tem of the City Council of the City of Huntsville, Alabama.

APPROVED this the ____ day of _____, 2015.

_____
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, Cindy Susan Ishee, 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 Cindy Susan Ishee.

All that part of Section 26, Township 3 South, Range 2 West, of the Huntsville Meridian, Madison County, Alabama, more particularly described as beginning at a point located at the northwest corner of Section 26; thence from the point of beginning and along the west boundary of said Section 26 Due South 1,551.94 feet; thence leaving said boundary South 69 degrees 08 minutes 44 seconds East 16.35 feet to the point of true beginning; thence from point of true beginning South 69 degrees 08 minutes 44 seconds East 184.73 feet; thence South 68 degrees 14 minutes 00 seconds East 21.30 feet; thence South 74 degrees 43 minutes 20 seconds East 184.73 feet; thence South 10 degrees 36 minutes 25 seconds East 236.55 feet to a point; said point is further described as being located on the existing corporate limits of the City of Huntsville; thence leaving existing corporate limits North 80 degrees 07 minutes 07 seconds West 99.44 feet; thence North 69 degrees 28 minutes 58 seconds West 206.33 feet to a point located on the east right-of-way of Slaughter Road; thence along said right-of-way North 01 degrees 27 minutes 40 seconds East 229.76 feet to

the point of true beginning and containing 1.40 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 "Ishee 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

Cindy Susan Ashee (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 Cindy Susan Ashee 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 15th day of June, 2015.

Linda Miller-King
NOTARY PUBLIC
Commission Expired
09/05/2016

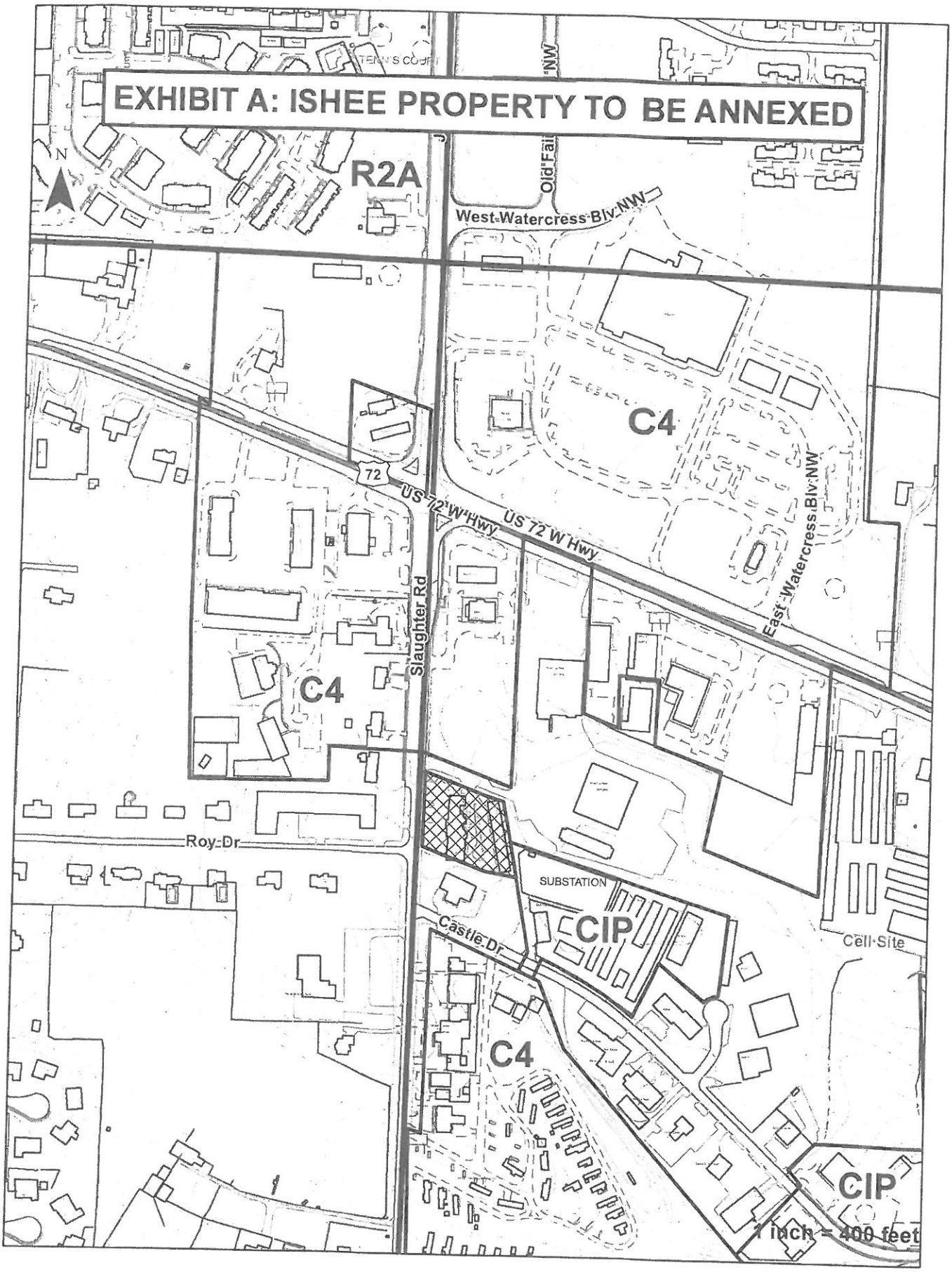
EXHIBIT A: ISHEE PROPERTY TO BE ANNEXED
N
R2A
West Watercress Blv NW
Old Fai
NW
C4
US 72 W Hwy
US 72 W Hwy
72
East Watercress Blv NW
Slaughter Rd
C4
Roy Dr
SUBSTATION
CIP
Castle Dr
Cell Site
C4
CIP
1 inch = 400 feet