

ORDINANCE # 2019-01
ORDINANCE FOR UNANIMOUS ANNEXATION

WHEREAS, on the day October 21, 2019, Anthony Orme, the owner of the property hereinafter described, has petitioned the Mayor and Town Council of the Town of Somerville, Alabama, that such property be annexed to and become a part of the corporate limits of the Town of Somerville, Alabama; and,

WHEREAS, it has been shown to the satisfaction of the Town Council that the said owner signing such Petition is the owners of the property hereinafter described and that such property does not lie within the corporate limits or police jurisdiction of any other municipality and is contiguous to the corporate limits of the Town of Somerville, Alabama;

THEREFORE, BE IT ORDAINED by the Mayor and Council of the Town of Somerville, Alabama as follows:

SECTION 1:

The Mayor and Town Council do hereby assent to the annexation to the Town of Somerville, Alabama, of the following described tract of real estate, situated in Morgan County, Alabama, to-wit:

PARCEL 1

FIVE ACRES MORE OR LESS IN THE SOUTHEAST CORNER OF THE W ½ OF THE SW ¼ OF THE SW ¼ OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST, LYING SOUTH OF THE DECATUR-ARAB ROAD AND EAST OF THE GARNER BRANCH.

PARCEL 2

ALL THAT PORTION OF THE W ½ OF THE SW ¼ OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST, WHICH LIES SOUTH OF THE DECATUR-SOMERVILLE-ARAB HIGHWAY.

THE W ½ OF THE NW ¼ OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST.

ALL THAT PORTION OF THE SW ¼ OF THE NW ¼ OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST, IN THE NW CORNER LYING NORTH OF THE BRANCH.

PARCEL 3

ALL THAT PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MORGAN COUNTY, ALABAMA: PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE INTERSECTION OF THE SOUTH BOUNDARY OF SAID SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST WITH THE EAST BOUNDARY OF THE JAMES M. MCANALLY PROPERTY, SAID PLACE OF BEGINNING IS FURTHER DESCRIBED AS BEING EAST 660.0 FEET FROM THE SOUTHWEST CORNER OF SAID SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST; THENCE FROM THE PLACE OF BEGINNING NORTH ALONG THE EAST BOUNDARY OF SAID JAMES M. MCANALLY PROPERTY 734.51 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF ALABAMA HIGHWAY NO. 67; THENCE SOUTH 52 DEGREES 19 MINUTES EAST ALONG THE RIGHT OF WAY OF SAID HIGHWAY NO. 67A DISTANCE OF 78.34 FEET; THENCE SOUTH PARALLEL TO

THE EAST BOUNDARY OF SAID JAMES M. MCANALLY PROPERTY 686.62 FEET TO A POINT ON THE SOUTH BOUNDARY OF SAID SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST; THENCE WEST ALONG THE SOUTH BOUNDARY OF SAID SECTION 5, TOWNSHIP 7 SOUTH, RANGE 2 WEST 62.0 FEET TO THE PLACE OF BEGINNING.

TRACT 3: 2.59 ACRES

ALL THAT PART OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MORGAN COUNTY, ALABAMA. MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE NORTH 01 DEGREES 56 MINUTES 44 SECONDS EAST, 1981.77 FEET; THENCE SOUTH 88 DEGREES 20 MINUTES 57 SECONDS EAST, 2535.21 FEET TO THE POINT OF BEGINNING SAID POINT BEING A CAPPED TACON IRON PIN SET.

THENCE FROM THE POINT OF BEGINNING CONTINUE SOUTH 88 DEGREES 20 MINUTES 57 SECONDS EAST, 124.27 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 01 DEGREES 44 MINUTES 39 SECONDS WEST, 650.05 FEET TO A GURNEY CAP PIN FOUND; THENCE SOUTH 88 DEGREES 19 MINUTES 49 SECONDS EAST, 193.58 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 01 DEGREES 44 MINUTES 02 SECONDS WEST, 626.61 FEET TO A CAPPED TACON IRON PIN SET ON THE NORTH MARGIN OF AN 80 FOOT RIGHT OF WAY FOR ALABAMA HIGHWAY 36; THENCE ALONG SAID RIGHT OF WAY NORTH 87 DEGREES 33 MINUTES 39 SECONDS WEST, 30.00 FEET TO A CAPPED TACON IRON PIN SET; THENCE LEAVING SAID RIGHT OF WAY NORTH 01 DEGREES 44 MINUTES 13 SECONDS EAST, 596.16 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 88 DEGREES 18 MINUTES 47 SECONDS WEST, 163.62 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 04 DEGREES 45 MINUTES 52 SECONDS WEST, 47.63 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 78 DEGREES 27 MINUTES 42 SECONDS WEST, 123.56 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 01 DEGREES 44 MINUTES 39 SECONDS EAST, 706.34 FEET TO THE POINT OF BEGINNING AND CONTAINING 2.59 ACRES MORE OR LESS.

SUBJECT TO ANY RIGHT OF WAYS, EASEMENTS, OR RESTRICTIONS, RECORDED OR UNRECORDED.

ALSO THE PRESCRIPTIVE USE OF A GRAVEL DRIVE HAVING A CENTERLINE DESCRIBED AS FOLLOWS:

ALL THAT PART OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MORGAN COUNTY, ALABAMA. MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE NORTH 01 DEGREES 56 MINUTES 44 SECONDS EAST, 1981.77 FEET; THENCE SOUTH 88 DEGREES 20 MINUTES 57 SECONDS EAST, 2659.48 FEET; THENCE SOUTH 01 DEGREES 44 MINUTES 39 SECONDS WEST, 650.05 FEET; THENCE SOUTH 04 DEGREES 45 MINUTES 52 SECONDS

WEST, 13.95 FEET TO THE POINT OF BEGINNING.

THENCE FROM THE POINT OF BEGINNING SOUTH 74 DEGREES 43 MINUTES 01 SECONDS EAST, 222.83 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 634.27 FEET AND A CHORD BEARING A DISTANCE OF SOUTH 71 DEGREES 43 MINUTES 09 SECONDS EAST, 132.55 FEET TO A POINT OF REVERSE CURVATURE; THENCE AROUND A CURVE TO THE LEFT HAVING A RADIUS OF 100.00 FEET AND A CHORD BEARING A DISTANCE OF NORTH 87 DEGREES 55 MINUTES 56 SECONDS EAST, 88.76 FEET TO A POINT OF REVERSE CURVATURE; THENCE AROUND A CURVE TO THE RIGHT HAVING A RADIUS OF 100.00 FEET AND A CHORD BEARING AND DISTANCE OF NORTH 81 DEGREES 32 MINUTES 01 SECONDS EAST, 68.25 FEET TO A POINT OF TANGENCY; THENCE SOUTH 88 DEGREES 57 MINUTES 20 SECONDS EAST, 100.36 FEET; THENCE SOUTH 84 DEGREES 41 MINUTES 29 SECONDS EAST, 127.15 FEET; THENCE SOUTH 88 DEGREES 31 MINUTES 44 SECONDS EAST, 241.31 FEET; THENCE SOUTH 86 DEGREES 06 MINUTES 53 SECONDS EAST, 355.66 FEET TO THE END OF THE CENTERLINE OF SAID GRAVEL DRIVE; SAID POINT OF BEGINNING NEAR THE CENTERLINE OF UNION ROAD.

TRACT 1: 16.17 ACRES

ALL THAT PART OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MORGAN COUNTY, ALABAMA. MORE PARTICULARLY DESCRIBED AS COMMENCING AT THE CENTER OF THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE SOUTH 88 DEGREES 29 MINUTES 03 SECONDS EAST, 1331.34 FEET TO THE POINT OF BEGINNING SAID POINT BEING A CAPPED TACON IRON PIN SET. THENCE FROM THE POINT OF BEGINNING NORTH 01 DEGREES 47 MINUTES 16 SECONDS EAST, 634.74 FEET TO A CAPPED TACON IRON PIN SET ON THE SOUTH MARGIN OF AN 80 FOOT RIGHT OF WAY FOR ALABAMA HIGHWAY 36; THENCE ALONG SAID RIGHT OF WAY SOUTH 88 DEGREES 16 MINUTES 00 SECONDS EAST, 750.17 FEET TO A CAPPED IRON PIN SET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 01 DEGREES 59 MINUTES 26 SECONDS WEST, 350.01 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 87 DEGREES 29 MINUTES 45 SECONDS EAST, 99.00 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 01 DEGREES 59 MINUTES 26 SECONDS EAST, 350.01 FEET TO A GREENCAP FOUND ON THE SOUTH MARGIN OF SAID RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY SOUTH 87 DEGREES 32 MINUTES 06 SECONDS EAST, 324.78 FEET TO A CAPPED TACON IRON PIN SET; THENCE LEAVING SAID RIGHT OF WAY SOUTH 01 DEGREES 44 MINUTES 11 SECONDS WEST, 624.96 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 88 DEGREES 29 MINUTES 03 SECONDS WEST, 1165.49 FEET TO THE POINT OF BEGINNING AND CONTAINING 16.17 ACRES MORE OR LESS.

TRACT 2: 53.71 ACRES

ALL THAT PART OF SECTION 8, TOWNSHIP 7 SOUTH, RANGE 2 WEST OF THE HUNTSVILLE MERIDIAN, MORGAN COUNTY, ALABAMA. MORE

PARTICULARLY DESCRIBED AS COMMENCING AT THE CENER OF THE WEST BOUNDARY OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 8; THENCE ALONG THE SECTION LINE NORTH 01 DEGREES 56 MINUTES 44 SECONDS EAST, 719.80 FEET TO THE POINT OF BEGINNING SAID POINT BEING A CAPPED TACON IRON PIN SET ON THE NORTH MARGIN OF AN 80 FOOT RIGHT OF WAY FOR ALABAMA HIGHWAY 36.

THENCE FROM THE POINT OF BEGINNING LEAVING SAID RIGHT OF WAY NORTH 01 DEGREES 56 MINUTES 44 SECONDS EAST, 810.00 FEET (PASSING A CAPPED TACON IRON PIN SET AT 785.00 FEET) TO A POINT IN THE CENTERLINE OF STRINGER BRANCH; THENCE ALONG SAID CENTERLINE HAVING THE FOLLOWING CALLS: NORTH 32 DEGREES 57 MINUTES 38 SECONDS EAST, 75.20 FEET; THENCE NORTH 65 DEGREES 47 MINUTES 02 SECONDS EAST, 86.31 FEET; THENCE NORTH 60 DEGREES 57 MINUTES 57 SECONDS EAST , 297.5; THENCE NORTH 63 DEGREES 08MINUTES 38 SECONDS EAST, 177..66 FEET ; THENCE NORTH 52 DEGREES 37 MINUTES 06 SECONDS EAST, 71.79 FEET; THENCE NORTH 80 DEGREES 17 MINUTES 55 SECONDS EAST, 346.47 FEET; THENCE LEAVING SAID CENTERLINE SOUTH 88 DEGREES 20 MINUTES 57 SECONDS EAST, 1613.30 FEET (PASSING A CAPPED TACONIRON PIN SET AT 58.30 FEET) TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 01 DEGREES 44 MINUTES 39 SECONDS WEST, 706.34 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 78 DEGREES 27 MINUTES 42 SECONDS EAST, 123.56 FEET TO A CAPPED TACON IRON PIN SET; THENCE NORTH 04 DEGREES 45 MINUTES 52 SECONDS EAST, 47.63 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 88 DEGREES 18 MINUTES 47 SECONDS EAST,163.62 FEET TO A CAPPED TACON IRON PIN SET; THENCE SOUTH 01 DEGREES 44 MINUTES 13 SECONDS WEST, 596.16 FEET TO A CAPPED TACON IRON PIN SET ON THE NORTH MARGIN OF AN 80 FOOT RIGHT OF WAY FOR ALABMA HIGHWAY 36; THENCE ALONG SAID RIGHT OF WAY NORTH 87 DEGREES 33 MINUTES 39 SECONDS WST 1032.18 FEET TO A CAPPED TACON IRON PIN FOUND; THENCE LEAVING SAID RIGHT OF WAY NORTH 01 DEGREES 40 MINUTES 59 SECONDS EAST, 877.90 FEET TO A CAPPED TACON IRON PIN FOUND; THENCE NORTH 88 DEGREES 22 MINUTES 11 SECONDS WEST, 1000.00 FEET TO A CAPPED TACON IRON PIN FOUND; THENCE SOUTH 01 DEGREES 40 MINUTES 59 SECONDS WST, 877.90 FEET TO A CAPPED TACON IRON PIN FOUND ON SAID RIGHT OF WAY; THENCE ALONG SAID RIGHT OF WAY NORTH 88 DEGREES 19 MINUTES 01 SECONDS WEST, 795.50 FEET TO THE POINT OF BEGINNING AND CONTAINING 53.71 ACRES MORE OR LESS.

SECTION 2:

That the hereinabove described property shall become a part of the corporate area of the Town of Somerville, Alabama upon the publication of this Ordinance as required by law.

SECTION 3:

That the Town Clerk of the Town of Somerville, Alabama, is hereby directed to file this Ordinance together with a copy of the petition of the property owner with the Probate Judge of Morgan County, Alabama.

ADOPTED AND APPROVED this 21st day of October, 2019.

Darren Tucker
Darren Tucker, Mayor

I, Regina Long, Town Clerk of the Town of Somerville, Alabama, hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the Mayor and Town Council of the Town of Somerville, Alabama at a meeting held on the 21st day of October, 2019, as said Ordinance appears in the minutes of said meeting on record in my office.

ATTEST:

Regina Long
Regina Long, Town Clerk