

**ORDINANCE NO. 2022 - 5708**

**AN ORDINANCE TO ALTER, EXTEND AND REARRANGE THE CORPORATE LIMITS OF THE CITY OF PELL CITY, ALABAMA, TO INCLUDE ADDITIONAL PARTS OF ST. CLAIR COUNTY, ALABAMA.**

**WHEREAS**, James William Watson, individually and Personal Representative of the Estate of John T. Watson, Deceased, Charles Thomas Watson, Mary Anne Bryan (f/k/a Mary Anne Watson), Timothy A. Watson, Charles Edward Parker, individually and Joint Executor/Personal Representative of the Estate of Rosa Lee Parker, Deceased, Nancy Marie Petee, individually and Joint Executor/Personal Representative of the Estate of Rosa Lee Parker, Deceased, and Wilma Jean White, individually and Joint Executor/Personal Representative of the Estate of Rosa Lee Parker, Deceased, being all the owners of all the real property hereinafter described (collectively, the "Owners"), did file with the City Clerk of the City of Pell City, Alabama, a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Pell City, Alabama; and,

**WHEREAS**, said petition did contain the signatures of all of the Owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Pell City, Alabama; and

**WHEREAS**, the Owners, through their representative, did file with the City Clerk of the City of Pell City, Alabama, a petition requesting that said described real property proposed for annexation be pre-zoned R-4 in accordance with the applicable provisions of Alabama law and the City's Zoning Ordinance; and,

**WHEREAS**, said pre-zoning petition did have attached thereto an accurate description of said territory proposed to be annexed and pre-zoned, together with a map of said real property, all as is required under the applicable provisions of Alabama law and the City's Zoning Ordinance; and,

**WHEREAS**, the City Council of the City of Pell City, Alabama, has heretofore given notice of and convened a public hearing on July 25, 2022, pertaining to said pre-zoning, and has examined the aforesaid petition and exhibits attached thereto; and,

**WHEREAS**, the City Council has heretofore examined the aforesaid annexation petition and said exhibit attached thereto and finds that the said described lands are located and contained within an area contiguous to the corporate limits of the City of Pell City, Alabama, and that said described lands do not lie within the corporate limits or the police jurisdiction of any other municipality, and that all of the Owners of said described lands joined in said petition by affixing their signatures thereto; and,

**WHEREAS**, the City Council has determined that it is in the public interest that said property be annexed to the City of Pell City, Alabama, and the City Council has further determined that all legal requirements for annexing said real property have been satisfied pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama 1975; and,

**WHEREAS**, the City Council has determined that it is in the public interest that said property proposed to be annexed be zoned R-4 under the City's Zoning Ordinance, and the City Council has further determined that all legal requirements for pre-zoning said real property under applicable Alabama law have been satisfied.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELL CITY, ALABAMA, AS FOLLOWS:**

**Section 1.** The City Council of the City Pell City, Alabama, finds and declares as the legislative body of the City of Pell City, Alabama that it is in the best interests of the citizens of the City of Pell City, Alabama, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the corporate limits of the City of Pell City, Alabama, and does hereby assent to the annexation of the territory described in Section 2 of this Ordinance into the

corporate limits of the City of Pell City, Alabama.

**Section 2.** The boundary lines of the City of Pell City, Alabama, be, and the same are hereby, altered, or rearranged so as to include all of the territory encompassed by the corporate limits of the City of Pell City, Alabama as of the date of this Ordinance, and in addition thereto the following described territory, to-wit:

**TRACT NO. 1:** Commence at a concrete monument in place being the Southwest corner of the Northwest one-fourth of the Southwest one-fourth of Section 30, Township 16 South, Range 4 East, St. Clair County, Alabama, said point being the point of beginning. From this beginning point proceed North 00° 21' 26" West along the West boundary of said quarter-quarter section for a distance of 369.58 feet to a capped rebar in place (Gilbert); thence proceed North 01° 37' 27" West along the West boundary of said quarter-quarter section and along an old barbed wire fence for a distance of 173.98 feet to a 1" open top pipe in place; thence proceed North 00° 22' 41" West along the West boundary of said quarter-quarter section and along an old barbed wire fence for a distance of 151.27 feet to a 1" open top pipe in place; thence proceed North 00° 23' 56" West along the West boundary of said quarter-quarter section for a distance of 622.49 feet to an open top pipe in place being the Northwest corner of said quarter-quarter section; thence proceed south 89° 55' 44" East along the North boundary of said quarter-quarter section for a distance of 1336.97 feet to a rebar in place being the accepted Northeast corner of said Northwest one-fourth of the Southwest one-fourth; thence proceed South 00° 26' 05" East along the East boundary of said Northwest one-fourth of the Southwest one-fourth for a distance of 119.81 feet to a rebar in place; thence proceed South 00° 12' 20" East along the East boundary of said quarter-quarter section for a distance of 89.86 feet to a rebar in place; thence proceed South 00° 03' 31" West along the East boundary of said quarter-quarter section for a distance of 314.18 feet (set ½" rebar CA-0114-LS); thence proceed South 89° 56' 29" East for a distance of 162.27 feet (set ½" rebar CA-0114-LS), said point being located on the Westerly right-of-way of said Florida Road; thence proceed South 08° 42' 43" East along the Westerly right-of-way of said road for a distance of 260.37 feet to an open top pipe in place; thence proceed North 90° 00' 00" West for a distance of 397.72 feet (set ½" rebar CA-0114-LS); thence proceed South 00° 00' 00" East for a distance of 204.76 feet (set ½" rebar CA-0114-LS); thence proceed South 90° 00' 00" East for a distance of 420.00 feet to a rebar in place, being located on the Westerly right-of-way of said Florida Road; thence proceed South 07° 01' 38" East along the Westerly right-of-way of said road for a distance of 428.58 feet (set ½" rebar CA-0114-LS) to a point on the South boundary of the Northeast one-fourth of the Southwest one-fourth; thence proceed North 79° 06' 45" West for a distance of 210.0 feet; thence proceed South 02° 24' 55" East for a distance of 26.19 feet to a point on the South boundary of said Northeast one-fourth of the Southwest one-fourth; thence proceed North 86° 24' 14" West along the South boundary of said quarter-quarter section for a distance of 76.89 feet to a rebar in rock pile being the Southwest corner of the Northeast one-fourth of the Southwest one-fourth and also being the Southeast corner of the Northwest one-fourth of the Southwest one-fourth; thence proceed North 86° 37' 18" West along the South boundary of the Northwest one-fourth of the Southwest one-fourth for a distance of 1190.42 feet to a capped rebar in place (CA 00156); thence proceed North 86° 39' 31" West along the South boundary of said quarter-quarter section for a distance of 131.73 feet to the point of beginning.

The above-described land is located in the Northeast one-fourth of the Southwest one-fourth and Northwest one-fourth of the Southwest one-fourth of Section 30, Township 16 South, Range 4 East, St. Clair County, Alabama and contains 42.64 acres.

**LESS AND EXCEPT:** Commence at a rock pile being the Southeast corner of the Northwest one-fourth of the Southwest one-fourth; thence proceed North 86° 37' 18" West along the South boundary of the Northwest one-fourth of the Southwest one-fourth for a distance of 814.45 feet; thence proceed North 03° 22' 06" East for a distance of 229.23 feet to the point of beginning. From this beginning point proceed North 89° 02' 39" West for a distance of 25.58 feet; thence proceed North 89° 02' 40" West for a distance of 213.66 feet; thence proceed North 09° 27' 00" East for a distance of 243.21 feet; thence proceed South 80° 51' 25" East for a distance of 258.71 feet; thence proceed South 15° 28' 35" West for a distance of 210.42 feet to the point of beginning.

The above-described land is located in the Northwest one-fourth of the Southwest one-fourth of Section 30, township 16, South, Range 4 East, St. Clair County, Alabama and contains 1.28 acres.

**TRACT NO. 2:** Commence at a rock pile being the Southeast corner of the Northwest one-fourth of the Southwest one-fourth; thence proceed North 86° 37' 18" West along the South boundary of the Northwest one-fourth of the Southwest one-fourth for a distance of 814.45 feet; thence proceed North 03° 22' 06" East for a distance of 229.23 feet to the point of beginning. From this beginning point proceed North 89° 02' 39" West for a distance of 25.58 feet; thence proceed North 89° 02' 40" West for a distance of 213.66 feet; thence proceed North 09° 27' 00" East for a distance of 243.21 feet; thence proceed South 80° 51' 25" East for a distance of 258.71 feet; thence proceed South 15° 28' 35" West for a distance of 210.42 feet to the point of beginning.

The above-described land is located in the Northwest one-fourth of the Southwest one-fourth of Section 30, township 16, South, Range 4 East, St. Clair County, Alabama and contains 1.28 acres.

**TRACT NO. 3A:** Commence at an open top pipe in place being the Southwest corner of the Southwest one-fourth of the Northwest one-fourth of said Section 30; thence proceed North 00° 13' 12" East along the West boundary of the Southwest one-fourth of the Northwest one-fourth for a distance of 1316.31 feet to a solid iron pin in place being the Northwest corner of said Southwest one-fourth of the Northwest one-fourth; thence proceed South 89° 49' 08" East along the North boundary of said quarter-quarter section for a distance of 1066.06 feet (set ½" rebar CA-0114-LS), said point being located on the Westerly right-of-way of Florida Road; thence proceed South 20° 55' 25" East along the Westerly right-of-way of said road for a distance of 115.94 feet (set ½" rebar CA-0114-LS); thence proceed South 21° 24' 53" East along the Westerly right-of-way of said road for a distance of 68.63 feet (set ½" rebar CA-0114-LS); thence proceed South 24° 57' 08" East along the Westerly right-of-way of said road for a distance of 63.17 feet (set ½" rebar CA-0114-LS); thence proceed South 28° 07' 01" East along the Westerly right-of-way of said road for a distance of 252.50 feet (set ½" rebar CA-0114-LS); thence proceed South 29° 59' 54" East along the Westerly right-of-way of said road for a distance of 111.97 feet to a 1" open top pipe in place, said point being located on the East boundary of the Southwest one-fourth of the Northwest one-fourth of said Section 30; thence proceed South 00° 10' 00" West along the East boundary of said quarter-quarter section for a distance of 765.46 feet to a rebar in place, accepted as the Southeast corner of said quarter-quarter section; thence proceed North 89° 55' 44" West along the South boundary of said quarter-quarter section for a distance of 1336.97 feet to the point of beginning.

The above described land is located in the Southwest one-fourth of the Northwest one-fourth of the Section 30, Township 16 South, Range 4 East, St. Clair County, Alabama and contains 38.51 acres.

**TRACT NO. 3B:** Commence at a solid iron pin in place being the Northeast corner of the Southwest one-fourth of the Northwest one-fourth of Section 30, Township 18 South, Range 4 East, St. Clair County, Alabama, said point being the point of beginning. From this beginning point proceed South 00° 14' 40" West along the East boundary of said quarter-quarter section for a distance of 449.02 feet (set ½" rebar CA-0114-LS), being a point on the Easterly right-of-way of Florida Road; thence proceed North 28° 17' 25" West along the Easterly right-of-way of said road for a distance of 275.67 feet; thence proceed North 24° 57' 08" West along the Easterly right-of-way of said road for a distance of 60.25 feet; thence proceed North 21° 24' 53" West along the Easterly right-of-way of said road for a distance of 66.88 feet; thence proceed North 20° 55' 25" West along the Easterly right-of-way of said road for a distance of 96.43 feet (set ½" rebar CA-0114-LS), said point being located on the North boundary of said quarter-quarter section; thence proceed South 89° 49' 08" East along the North boundary of said quarter-quarter section for a distance of 216.84 feet to the point of beginning.

The above-described land is located in the Southwest one-fourth of the Northwest one-fourth of Section 30, Township 18 South, Range 4 East, St. Clair County, Alabama and contains 1.20 acres.

(Collectively, the "Property")

**Section 3.** The City Council of the City Pell City, Alabama, finds and declares as the legislative body of the City of Pell City, Alabama that it is in the best interests of the citizens of the City of Pell City, Alabama, and the citizens of the affected area, to zone the territory described in Section 2 of this Ordinance as R-4 residential zoning in accordance with the City's Zoning Ordinance.

**Section 4.** This Ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of St. Clair County, Alabama.

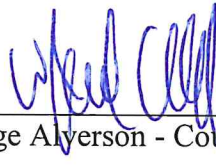
**Section 5.** The territory described in this Ordinance shall become a part of the corporate limits of the City of Pell City, Alabama, upon publication of this Ordinance as set forth herein.

**Section 6.** Severability. If any section or provision of this Ordinance shall hereafter be declared invalid by a court of competent jurisdiction, such declaration shall not affect the validity of any other section or provision of this Ordinance.

**Section 7.** Repeal of Conflicting Ordinances. Any Ordinance in conflict with this Ordinance shall be and is hereby repealed on the effective date of this Ordinance.

**Section 8.** Effective Date. This Ordinance shall become effective upon approval, passage, and publication as required by law.

**ADOPTED AND APPROVED** this 8<sup>th</sup> day of August 2022.



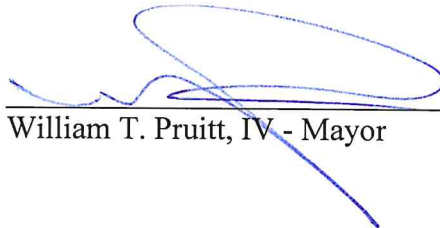
\_\_\_\_\_  
W. Judge Alverson - Council President

ATTEST:



\_\_\_\_\_  
Sheree D. Pruitt - City Clerk

**APPROVED** this 8<sup>th</sup> day of August 2022.



\_\_\_\_\_  
William T. Pruitt, IV - Mayor

ATTEST:



\_\_\_\_\_  
Sheree D. Pruitt - City Clerk

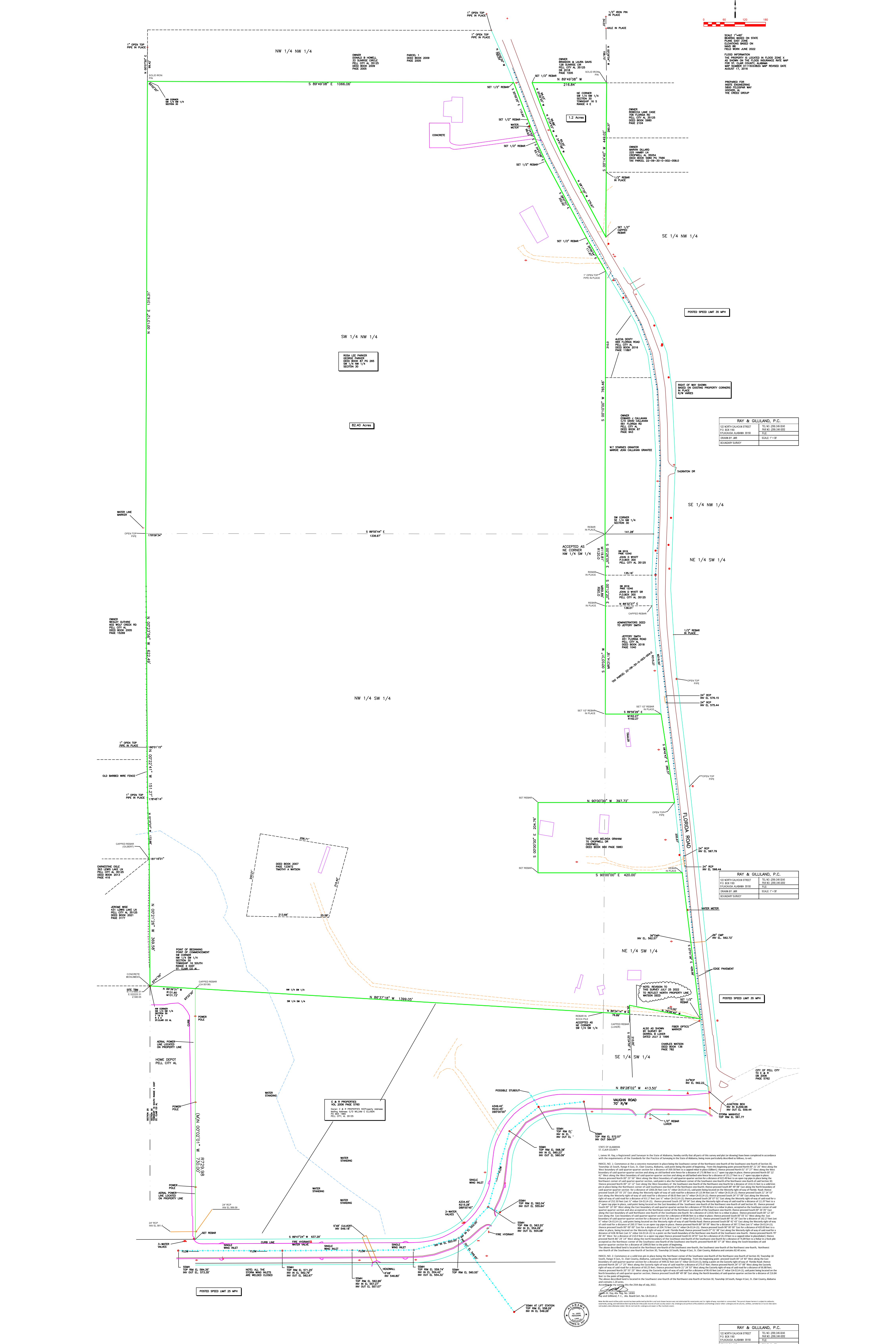
## CERTIFICATION

I, Sheree D. Pruitt, Clerk of the City of Pell City, hereby certify that the above Ordinance was duly adopted by the City Council of the City of Pell City at a regular meeting held on the 8<sup>th</sup> day of August 2022, and that the same has been published by posting in accordance with §11-45-8, Ala. Code 1975, by posting a copy of the Ordinance in three public places within the municipality, one of which was the Mayor's office in the City, on this the 8<sup>th</sup> day of August 2022. I further certify and confirm that the City shall take reasonable steps to maintain the posting for not less than 30 days. In addition, the City shall include a copy of this Ordinance on its website for 30 days.

*Sheree D. Pruitt*

City Clerk





RAY & GILLIAND, P.C.  
 112 NORTH CALHOUN STREET  
 P.O. BOX 118  
 PRICHARD, ALABAMA 36870  
 DRAWN BY: JBR  
 SCALE: 1"=30'

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STATE OF ALABAMA  
 I, JAMES H. RAY, Registered Land Surveyor in the State of Alabama, hereby certify that all parts of this survey and plan (if any) have been completed in accordance with the requirements of the Standards for the Practice of Surveying in the State of Alabama, being more particularly described as follows, to-wit:

PARCELS NO. 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000.

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