

**ORDINANCE NO.:2018-002**

**AN ORDINANCE ANNEXING CERTAIN TERRITORY INTO THE CORPORATE  
LIMITS OF THE TOWN OF BERLIN, ALABAMA PURSUANT TO THE PROVISIONS  
OF §11-42-21, CODE OF ALABAMA, 1975.**

BE IT RESOLVED, by the Town of Berlin, Alabama as follows:

WHEREAS, the City Council of the Town of Berlin, Alabama, ("Town Council") has received the Petition of Linda M. Lovelady and John D. Lovelady requesting certain property to be annexed into the Town of Berlin, Alabama (the "Town"), and a true and correct copy of said Petition is attached to this Ordinance; and

WHEREAS, the Town Council finds that Linda M. Lovelady and John D. Lovelady are the sole property owners of the property sought to be annexed, that no part of the property sought to be annexed lies within the corporate limits of any other municipality or within the police jurisdiction of any other municipality, that said property is contiguous to the present town limits of the Town of Berlin, and that it is in the public interest that said property be annexed to the Town of Berlin, Alabama; and

NOW THEREFORE, BE IT ORDAINED, by the Town Council of the Town of Berlin, Alabama as follows:

**Section 1.** That pursuant to the provisions of §11-42-21 of the *Code of Alabama*, 1975, the boundary lines of the Town of Berlin, Alabama be and the same are altered and rearranged so as to include within its present corporate limits the real estate described as follows:

PARCEL: 16-02-09-0-001-048.001

LEGAL DESCRIPTION: Commence at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 9, Township 10 South, Range 2 West, Cullman County, Alabama; thence N 0°31'15"W 1022.30 feet to an Iron pin set and the point of beginning; thence

S 89°28'45"W 330.00 feet to an iron pin set; thence N 0°31'15"W 563.31 feet to an Iron pin set on the South right of way of Highway 278; thence S 83°02'38"E 332.83 feet to an Iron pin set on the South right of way of Highway 278; thence S 0°31'15"E 520.00 feet to an iron pin set, back to the point of beginning. Said land lying in the Southwest Quarter of the Southwest Quarter and in the Northwest Quarter of the Southwest Quarter of Section 9. Township 10 South, Range 2 West, Cullman County, Alabama.

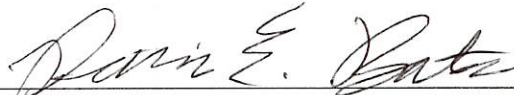
All of the above being specifically set forth in a deed hereby attached as Exhibit "A" and as shown on the map attached as Exhibit "B." The territory is contiguous to said town and not within the corporate limits of another municipality or the police jurisdiction of any other municipality, more particularly described in Exhibit "A" attached hereto and made a part hereof.

**Section 2.** That the Town of Berlin does hereby annex as a part of its corporate limits the above described tracts or parcels of land.


**Section 3.** That the Town Clerk shall file a certified copy of the Petition requesting the annexation to the Town of Berlin of the properties described in Exhibit "A" attached hereto and as shown on the map attached as Exhibit "B," and a certified copy of this Ordinance with the Judge of Probate, Cullman County, Alabama, and also cause a copy of this Ordinance to be posted and/or published as required by law.

**Section 4.** This Ordinance shall become effective upon its assent and/or adoption and posting or as otherwise required by law.

ADOPTED and APPROVED this the 19 day of November, 2018.

  
Patrick Bates, Mayor

ATTEST:

  
Town Clerk

ANNEXATION PETITION

To: Town Clerk  
Town of Berlin

The undersigned owner(s) of the property described in the attachments hereby petition the Town of Berlin to annex such property into the corporate limits of the Town of Berlin. The undersigned owner(s) represents that the attachments accurately describe the property and further represents that the property is contiguous to the corporate limits of the Town of Berlin or is part of a group of petitioning properties which together are contiguous to the corporate limits of the Town of Berlin.

Done this 22 day of October, 2018

16-02-09-0-001-048.001

Parcel Number(s) (Refer to Tax Notice or online GIS tools)

Linda M. Lovelady  
Signature of Petitioner

Linda M. Lovelady  
Print name of Petitioner

John D. Lovelady  
Signature of Petitioner

John D. Lovelady  
Print name of Petitioner

\_\_\_\_\_  
Signature of Petitioner

\_\_\_\_\_  
Print name of Petitioner

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Signature of Petitioner

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Print name of Petitioner

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Signature of Petitioner

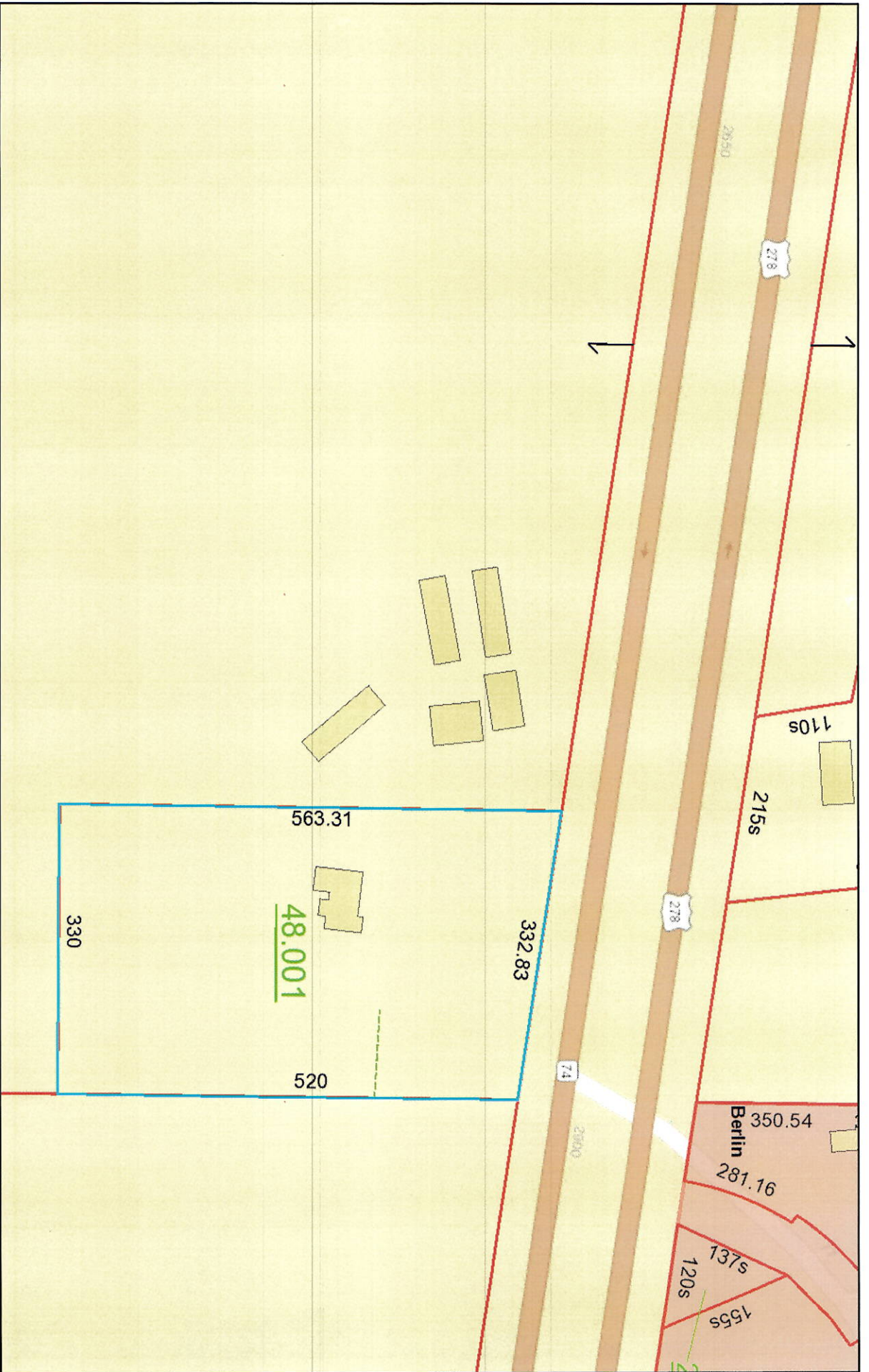
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Print name of Petitioner

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Signature of Petitioner

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Print name of Petitioner

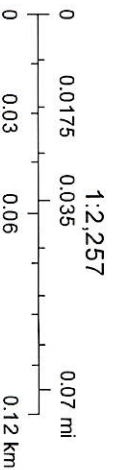
NOTE: Petitioner(s) must attach copy of deed of proposed property to be annexed and a map of said territory showing relationship to the corporate limits of the Town of Berlin.

# Viewer Map



September 20, 2018

- Landhook
- Parcels
- Building Footprint
- Lot Line



KCS  
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan.

STATE OF ALABAMA

COUNTY OF CULLMAN

16-02-09-0-001-048.001

**WARRANTY DEED**

That in consideration of Ten Dollars and other valuable considerations to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged, I/We

**JOHN D. LOVELADY, and wife, LINDA M. LOVELADY**

(herein referred to as Grantor, whether one or more) grant, bargain, sell and convey unto

**Linda M. LOVELADY, a married woman**

(herein referred to as Grantee, whether one or more), the following real estate, situated in CULLMAN County, Alabama, to wit:

**JOHN D. LOVELADY RESERVES A LIFE ESTATE IN AND UNTO SAID PROPERTY.**

**LINDA M. LOVELADY GRANTS UNTO JOHN D. LOVELADY A LIFE ESTATE IN AND UNTO SAID PROPERTY.**

Commence at the Southeast corner of the Southwest Quarter of the Southwest Quarter of Section 9, Township 10 South, Range 2 West, Cullman County, Alabama; thence N 0°31'15"W 1022.30 feet to an iron pin set and the point of beginning; thence S 89°28'45"W 330.00 feet to an iron pin set; thence N 0°31'15"W 563.31 feet to an iron pin set on the South right of way of Highway 278; thence S 83°02'38"E 332.83 feet to an iron pin set on the South right of way of Highway 278; thence S 0°31'15"E 520.00 feet to an iron pin set, back to the point of beginning. Said land lying in the Southwest Quarter of the Southwest Quarter and in the Northwest Quarter of the Southwest Quarter of Section 9, Township 10 South, Range 2 West, Cullman County, Alabama.

Source of Title: Deed Book 631, Page 329

**NO TITLE INSURANCE OR TITLE OPINION REQUESTED NOR RENDERED BY THE PREPARER OF THIS DEED.**

This description provided to Jackson & Williams by Grantor. The draftsman makes no warranty that the description referenced in this document is correct, or that the Grantors are the owners of the premises. Unless separately contracted for, no title examination has been performed, and there are no representations made that any subdivision restrictions, state, county or city regulations have been complied with. Further, there are no warranties concerning prescription or adverse possession by surrounding land owners or existing easements that may exist on the property but are not referenced in this document.

**TO HAVE AND TO HOLD** to the said Grantee, its successors and/or assigns forever.

And I(we) do, for myself (ourselves) and for my (our) heirs, executors and administrators, covenant with said Grantee, its successors and/or assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise stated above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will, and my (our) heirs, executors and administrators shall warrant and defend the same to the said Grantee, its successors and/or assigns forever, against the lawful claims of all persons.

Recorded In DEED BK 666 PG 662, 11/03/2017 08:32:00 AM  
Tammie Brown, Judge of Probate, Cullman

Deed Tax 74.50, Recording Fee 9.50, TOTAL 84.00

MC

229388

IN WITNESS WHEREOF, I (we) have hereunto set my (our) hand(s) and seal(s) this  
30th day of October, 2017.

John D. Lovelady  
JOHN D. LOVELADY

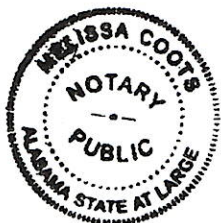
Linda M. Lovelady  
LINDA M. LOVELADY

STATE OF ALABAMA \*

COUNTY OF CULLMAN \*

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that JOHN D. LOVELADY, and wife, LINDA M. LOVELADY, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, he/she/they, executed the same voluntarily, on the day the same bears date.

Done this the 30th day of October, 2017.



Melissa Coats  
NOTARY PUBLIC  
MY COMMISSION EXPIRES 3/9/20

This Instrument Prepared By:  
Jackson & Williams, Attorneys  
416 1st Avenue, SE  
Cullman, AL 35055

Send Tax Notice To:  
Linda M. Lovelady  
2870 Highway 278 East  
Cullman, Alabama 35055

DEED 666 663

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA     )  
                                      )  
COUNTY OF CULLMAN    )

I, Constance Duke Town Clerk of the Town of Berlin, Alabama do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the Town Council of the Town of Berlin, Alabama on the 19<sup>th</sup> day of November 2018 and the same appears of record in the minute book of the Town of Berlin, Alabama, for said date.

The above and foregoing Ordinance was published on the 9<sup>th</sup> day of January, 2019, by posting copies thereof in three public places within the Town of Berlin, one of which was the Mayor's office in the Town of Berlin.

Witness my hand and seal of office this 9<sup>th</sup> day of January, 2019.

Constance Duke  
Town Clerk

*Mr. Commission Expires  
9-18-22*