

ORDINANCE NO.:2019- 4

**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 Town Council of the Town of Berlin, Alabama, ("Town Council") has received the Petition of Ralph G. Laney, Sr., and Janice M. Laney, 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 Ralph G. Laney, Sr., and Janice M. Laney are the sole property owners and/or have an interest in 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 or the property sought to be annexed is not beyond a boundary which is equidistant from the respective corporate limits of other incorporated municipalities having overlapping police jurisdiction, 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: 16-02-10-0-001-006.000

LEGAL DESCRIPTION: Commence at the Northwest Corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 Degrees 16'26" West 210.01 feet to the point of beginning, thence continue South 2 Degrees 16'26" West 615.10 feet to a point, thence South 88 Degrees 17'59" East 500 feet to a point, thence North 2 Degrees 16'26" East 615.10 feet to a point, thence North 88 Degrees 17'59" West 500 feet to the point of beginning. Containing 7.0 acres, more or less.

Also, a twenty foot right of way described as: Commence at the Northwest Corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 Degrees 16'26" West 210.01 feet to a point; thence South 88 Degrees 17'59" East 20 feet to a point, thence North 2 Degrees 16'26" East 210.01 feet to a point, thence North 88 Degrees 17'59" West 20 feet to the point of beginning.

Said lands lying in the Northeast Quarter of Northwest Quarter, Section 10, Township 10 South, Range 2 West, Cullman County, Alabama

And

A parcel of land lying and being in the Northeast Quarter of the Northwest Quarter of Section 10, Township 10 South, Range 2 West, located in Cullman County, Alabama, and more particularly described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of the Northwest Quarter, of Section 10, Township 10 South, Range 2 West; thence S-89° - 30'W a distance of 1010.2 feet to the point of beginning; thence continue S-89° - 30W a distance of 210 feet to a point; thence S-00° - 30'E a distance of 210 feet to a point; thence N-89° - 30'E a distance of 210 feet to a

point; thence N-00° - 30'W a distance of 210 feet to the point of beginning. Containing one acre more or less.

Also a thirty foot easement for road and water as shown by a plat attached hereto and made a part hereof, the same as if described herein.

And

The West half of the Northeast Quarter of the Northwest Quarter of Section 10,
Township 10 South, Range 2 West,

ALSO: a strip 16 feet wide and about 90 yards long more particularly described as;
Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 3 Township 10 South, Range 2 West and running North to the public road, being about 1/10th of an acre.

ALSO: one acre more or less more particularly described as; Beginning at the point where said strip of land intersects with the public road, thence in a Southwesterly direction 130 feet to a point, thence Southeasterly 365 feet to a point on the south line of the forty, which is 65 feet West of the Southeast corner of said forty; thence continuing Southeasterly into the Northwest Quarter of the Northwest Quarter of said Section 10, Township 10 South, Range 2 West, 180 feet, thence back to the point of beginning.

All of the above being specifically set forth in the deeds 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 or the property sought to be annexed is not beyond a boundary which is equidistant from the respective corporate limits of other incorporated municipalities having overlapping

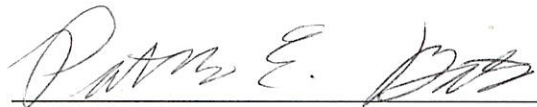
police jurisdiction, more particularly described in Exhibit "A" attached hereto and made a part hereof.

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.

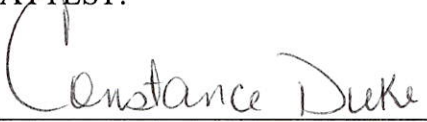
Section 4. This Ordinance shall become effective upon its assent and/or adoption and posting or as otherwise required by law.

ADOPTED and APPROVED this the 16th day of September, 2019.



Patrick Bates, Mayor

ATTEST:



Town Clerk

DEED 688 619

CERTIFICATION OF TOWN CLERK

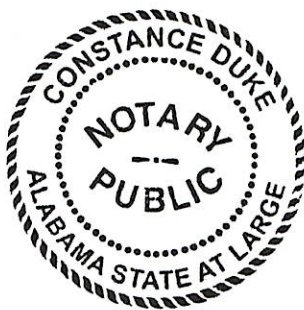
STATE OF ALABAMA)
)
COUNTY OF CULLMAN)

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 16th day of September 2019 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 30th day of September, 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 23rd day of September, 2019.

Constance Duke
Town Clerk



DEED 688 620

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 14TH day of JUNE, 2019

16-02-10-0-001-006.000

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

Ralph D. Loney Sr.
Signature of Petitioner

RALPH G. LONEY SR.
Print name of Petitioner

Janice M. Loney
Signature of Petitioner

Janice M. Loney
Print name of Petitioner

Signature of Petitioner

Print name of Petitioner

Signature of Petitioner

Print name of Petitioner

Signature of Petitioner

Print name of Petitioner

Signature of Petitioner

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.

DEED 688 621

FICHE 1191 FRAME D6

STATE ALA.-CULLMANCO.
I CERTIFY THIS
INSTRUMENT WAS FILED

JUN 23 4 36 PM '89

STATE OF ALABAMA

CULLMAN COUNTY

*
*
*

16-02-10 split
B. B. B.

EXHIBIT

A

tabbies

WARRANTY DEED, JOINTLY FOR LIFE WITH REMAINDER TO SURVIVOR

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of Ten Dollars and other valuable considerations, to the undersigned grantor or grantors in hand paid by the GRANTEES herein, the receipt whereof is acknowledged, we, ALBERT LANEY and wife, VONDALEE LANEY, (herein referred to as Grantors) do grant, bargain, sell and convey unto RALPH G. LANEY, SR. and wife, JANICE M. LANEY, (herein referred to as Grantees) for and during their joint lives and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, the following described real estate situated in Cullman County, Alabama, to-wit:

Commence at the Northwest Corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 Degrees 16'26" West 210.01 feet to the point of beginning, thence continue South 2 Degrees 16'26" West 615.10 feet to a point, thence South 88 Degrees 17'59" East 500 feet to a point, thence North 2 Degrees 16'26" East 615.10 feet to a point, thence North 88 Degrees 17'59" West 500 feet to the point of beginning. Containing 7.0 acres, more or less.

ALSO a twenty foot right of way described as: Commence at the Northwest Corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 Degrees 16'26" West 210.01 feet to a point, thence South 88 Degrees 17'59" East 20 feet to a point, thence North 2 Degrees 16'26" East 210.01 feet to a point, thence North 88 Degrees 17'59" West 20 feet to the point of beginning.

Said lands lying in the Northeast Quarter of Northwest Quarter, Section 10, Township 10 South, Range 2 West, Cullman County, Alabama.

TO HAVE AND TO HOLD to the said Grantees for and during

DEED 688 622

1.00
8.50
1.50
10.00

D'1

their joint lives and upon the death of either of them, then to the survivor of them in fee simple, and to the heirs and assigns of each survivor forever, together with every contingent remainder and right of reversion.

And we do for ourselves and for our heirs, executors and administrators covenant with the said Grantees, their heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantees, their heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 23rd day of June, 1989.

Albert Laney
ALBERT LANEY
Vondalee Laney
VONDALEE LANEY

STATE OF ALABAMA

CULLMAN COUNTY

*
*
*

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that ALBERT LANEY and wife, VONDALEE LANEY, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, they executed the same

DEED 688 623

D8

voluntarily on the day the same bears date.

Given under my hand and official seal, this the
23rd day of June, 1989.

Debra Thomas
NOTARY PUBLIC

This Instrument Prepared by:
JACKSON AND WILLIAMS
Attorneys at Law
416 1st Avenue, Southeast
Cullman, Alabama 35055
Telephone: 205-739-2546

DEED 688 624

MAP 16-02-10

That in consideration of Ten Dollars and other valuable considerations-----DOLLARS
to the undersigned grantor ALBERT LANEY and wife, VONDALEE LANEY
in hand paid by RALPH LANEY and wife, JANICE LANEY
the receipt whereof is acknowledged we the said grantors
do hereby grant, bargain, sell and convey unto the said grantees
as joint tenants, with right of survivorship, the following described real estate, situated in

CULLMAN County, Alabama, to-wit:

A parcel of land lying and being in the Northeast Quarter of the Northwest Quarter
of Section 10, Township 10 South, Range 2 West, located in Cullman County, Alabama,
and more particularly described as follows:

Commencing at the Northeast Corner of the Northeast Quarter of the Northwest Quarter,
of Section 10, Township 10 South, Range 2 West; thence S-89° - 30'W a distance of
1010.2 feet to the point of beginning; thence continue S-89° - 30'W a distance of
210 feet to a point; thence S-00° - 30'E a distance of 210 feet to a point; thence
N-89° - 30'E a distance of 210 feet to a point; thence N-00° - 30'W a distance of 210
feet to the point of beginning. Containing one acre more or less.

Also a thirty foot easement for road and water as shown by a plat attached hereto
and made a part hereof, the same as if described herein.

TO HAVE AND TO HOLD Unto the said RALPH LANEY and wife, JANICE LANEY

as joint tenants, with right of survivorship, their heirs and assigns forever; it being the intention of the
parties to this conveyance, that (unless the joint tenancy hereby created is severed or terminated during
the joint lives of the grantees herein), in the event one grantee herein survives the other, the entire in-
terest in fee simple shall pass to the surviving grantee, and if one grantee does not survive the other,
then the heirs and assigns of the grantees herein shall take as tenants in common.

And we do, for ourselves for our heirs, executors and administrators, covenant with the
said grantees, their heirs and assigns, that we are lawfully seized in fee simple of said
premises; that they are free from all encumbrances;

that we have a good right to sell and convey the same as aforesaid; that we will, and our

heirs, executors and administrators shall warrant and defend the same to the said grantees, their heirs,
and assigns forever against the lawful claims of all persons.

In Witness Whereof, we have hereunto set our hand and seal,

this 8th day of June, 1976.

WITNESSES:

00304

Elaine Jones

X Albert Laney (Seal.)
X Vondalee Laney (Seal.)

_____ (Seal.)

BOOK 321 PAGE 791

Ret. Ralph Laney
Ralph Laney
Cullman, Ala.

DEED 688 625

HEIR DEED 2001 SEP 20 PM 4 00

WHEREAS, ALBERT BENJAMIN LANEY, deceased, who departed this life on or about July 31, 2001, heretofore died testate, but no will is being probated, and,

WHEREAS, the aforesaid decedent was the owner of the hereinafter described real estate; and,

WHEREAS, the aforesaid decedent held title to said property by joint survivorship deed with his wife VONDA LEE LANEY who departed from this life on February 17, 1996;

WHEREAS, the said decedent left the following named persons, being all and the only heirs at law of the said decedent, said heirs being of legal age and being of sound mind, namely: son, RALPH G. LANEY, SR.

KNOW ALL MEN BY THESE PRESENTS, that in consideration of the sum of Ten Dollars and other good and valuable consideration to the undersigned Grantors in hand paid, the receipt whereof is hereby acknowledged, we the said Grantors, do grant, bargain, sell and convey unto RALPH G. LANEY, SR. AND WIFE, JANICE M. LANEY (herein referred to as GRANTEE) as joint tenants with rights of survivorship, the following described real estate situated in CULLMAN County, Alabama, to-wit:

The West half of the Northeast Quarter of the Northwest Quarter of Section 10, Township 10 South, Range 2 West.

ALSO: a strip 16 feet wide and about 90 yards long more particularly described as; Beginning at the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 3, Township 10 South, Range 2 West and running North to the public road, being about 1/10th of an acre.

ALSO: one acre more or less more particularly described as; Beginning at the point where said strip of land intersects with the public road, thence in a Southwesterly direction 130 feet to a point, thence Southeasterly 365 feet to a point on the south line of the forty, which is 65 feet West of the Southeast corner of said forty; thence continuing Southeasterly into the Northwest Quarter of the Northwest Quarter of said Section 10, Township 10 South, Range 2 West, 180 feet, thence back to the point of beginning.

LESS AND EXCEPT: The parcel conveyed to Ralph Laney and Janice Laney more particularly described as; A parcel of land lying and being in the Northeast Quarter of the Northwest Quarter of Section 10, Township 10 South, Range 2 West, located in Cullman County, Alabama, and more particularly described as follows: Commencing at the Northeast Corner of the Northeast Quarter of the Northwest Quarter, of Section 10, Township 10 South, Range 2 West; thence South 89°30' West a distance of 1010.2 feet to the point of beginning; thence continue South 89°30' West a distance of 210 feet to a point; thence South 00°30' East a distance of 210 feet to a point; thence North 89°30' East a distance of 210 feet to a point; thence North 00°30' West a distance of 210 feet to the point of beginning. Containing one acre more or less. Also a thirty foot easement for road and water as shown by a plat attached hereto and made a part hereof, the same as if described herein.

LESS AND EXCEPT: The parcel conveyed to Ralph G. Laney, Sr. and wife, Janice M. Laney more particularly described as; Commence at the Northwest corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 degrees 16'26" West 210.01 feet to the point of beginning, thence continue South 2 degrees 16'26" West 615.10 feet to a point, thence South 88 degrees 17'59" East 500 feet to a point, thence North 2 degrees 16'26" East 615.10 feet to a point, thence North 88 degrees 17'59" West 500 feet to the point of beginning. Containing 7.0 acres, more or less. Also: A twenty foot right of way described as: Commence at the Northwest corner of the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, thence South 2 degrees 16'26" West 210.01 feet to a point, thence South 88 degrees 17'59" East 20 feet to a point, thence North 2 degrees 16'26" East 210.01 feet to a point, thence North 88 degrees 17'59" West 20 feet to the point of beginning. Said lands lying in the Northeast Quarter of the Northwest Quarter, Section 10, Township 10 South, Range 2 West, Cullman County, Alabama.

Subject to ad valorem taxes for 2001 which are not yet due and payable.

Subject to any rights of ways and/or easements of record.

Source of Title: Deed Book 235, Page 299

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.

BOOK 508 PAGE 96

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TO HAVE AND TO HOLD unto the said Grantee. And we do for ourselves and for our heirs, executors and administrators covenant with the said Grantee, his heirs and assigns, that we are lawfully seized in fee simple of said premises; that they are free from all encumbrances unless otherwise noted above; that we have a good right to sell and convey the same as aforesaid; that we will and our heirs, executors and administrators shall warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, We have hereunto set our hands and seals this 18th day of September, 2001.

Ralph G. Laney Sr.
RALPH G. LANEY, SR.

STATE OF ALABAMA *
COUNTY OF CULLMAN *

I, the undersigned authority, a Notary Public, in and for said County and State, hereby certify that RALPH G. LANEY, SR. whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th day of September, 2001.

Janice M. Davis
NOTARY PUBLIC
Commission Expires: 7-17-05

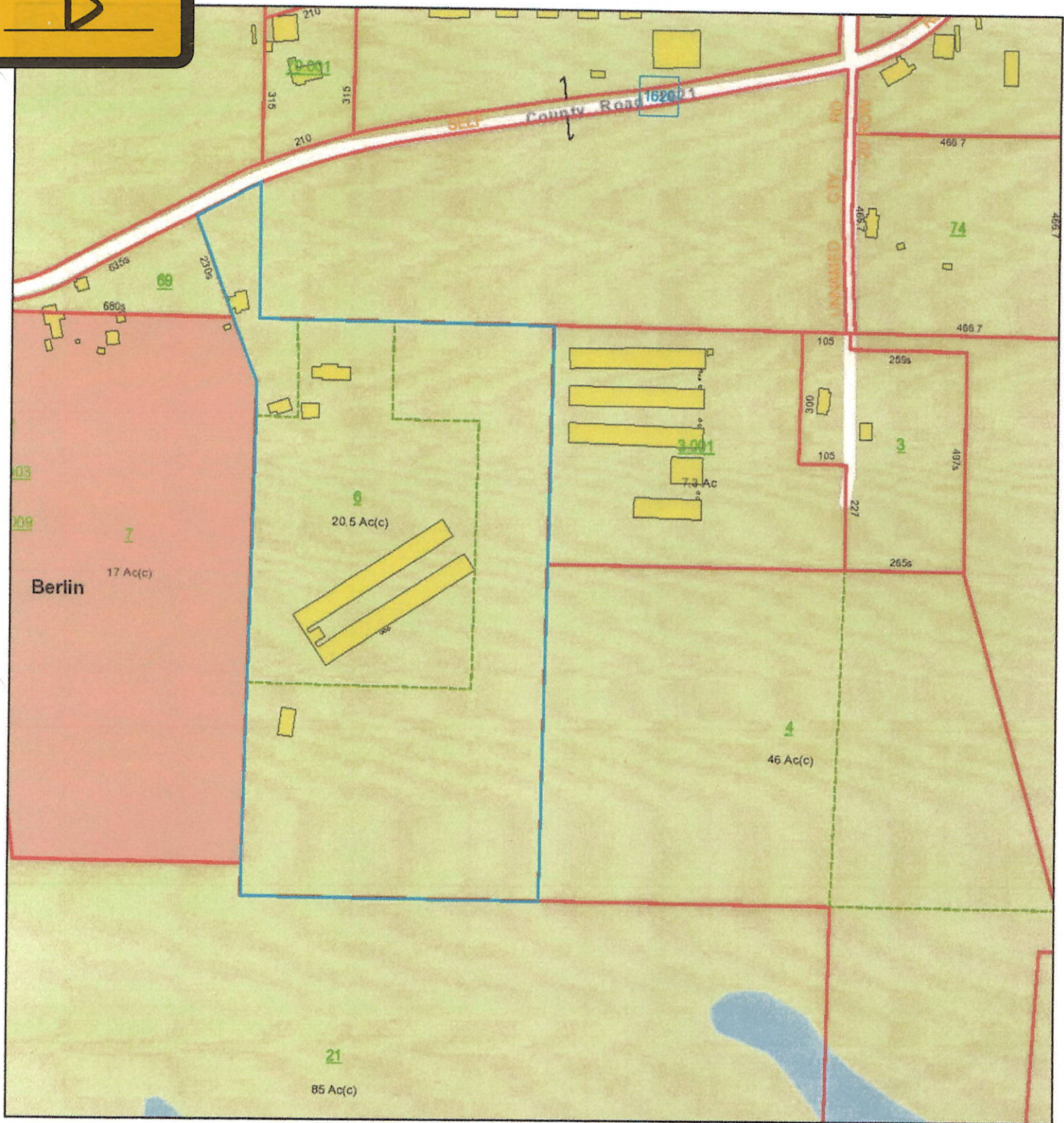
This Instrument Prepared By:
Jackson & Williams
416 1st Avenue, SE
Cullman, AL 35055

Send Tax Notice to:
Ralph G. Laney, Sr. & Janice M. Laney

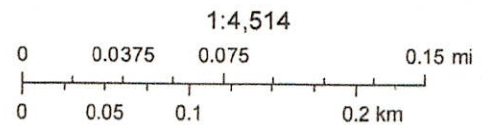
250 County Road 1621
Cullman, Al. 35055

DEED 688 627

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June 9, 2019



Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community