

**ORDINANCE NO.:2019- 5**

**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 Zachary Stancil 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 Zachary Stancil is the sole property owner and/or has 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: 16-02-10-0-001-033.000

LEGAL DESCRIPTION: The land upon which it lies located at 5795 County Road 747, Cullman, AL, 35055.

Beginning at a point 82 1/2 ft. south of the Northwest corner of the Northwest quarter of the Southwest quarter of Section 10, Township 10 South, Range 2 West; thence East 180 ft. to Buell L. Walker's property; thence South 100 ft. along the West side of Buell L. Walker's property; thence west 180 ft.; thence North 100 ft. to the point of beginning.

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 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

DEED 688 630

posting or as otherwise required by law.

ADOPTED and APPROVED this the 16<sup>th</sup> day of September, 2019.

Patrick E. Bates  
Patrick Bates, Mayor

ATTEST:

Constance Duke  
Town Clerk

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 16<sup>th</sup> 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 30<sup>th</sup> 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 23<sup>rd</sup> day of September, 2019.

Constance Duke  
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 15<sup>th</sup> day of June, 2019

16-02-10-0-001-033.000

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

Zachary Stancil  
Signature of Petitioner

Zachary Stancil  
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.

DEED 688 632

16-02-10-0-001-033

STATE OF ALABAMA

COUNTY OF CULLMAN

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, that RUTH STANCIL, A WIDOW (herein referred to as grantor), do hereby GRANT, BARGAIN, SELL AND CONVEY unto ZACH WAYNE STANCIL, AN UNMARRIED MAN (herein referred to as grantee) the following described real estate, situated in Cullman County, Alabama, to-wit:

The land upon which it lies located at 5795 County Road 747 Cullman, AL 35055.

Beginning at a point 82 1/2 ft. south of the Northwest corner fo the Northwest quarter of the Southwest quarter of Section 10, Township 10 South, Range 2 West; thence East 180 ft. to Buell L. Walker's property; thence South 100 ft. along the West side of Buell L. Walker's property; thence west 180 ft.; thence North 100 ft. to the point of beginning.

Source of Title: Deed Book 430 Page 155.

No title search made, nor requested, and no liability assumed.

TO HAVE AND TO HOLD, to said Grantee, his, her or their heirs and assigns, forever.

Given under his hand and seal this the 20th day of March, 2018.

Ruth Stancil (Seal)  
RUTH STANCIL, GRANTOR

Witness

STATE OF ALABAMA )

COUNTY OF CULLMAN )

I, the undersigned authority, a notary public in and for said county and state, hereby certify that Ruth Stancil whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day, that, being informed of the contents of the conveyance, did execute the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 20th day of March, 2018.

Notary Public

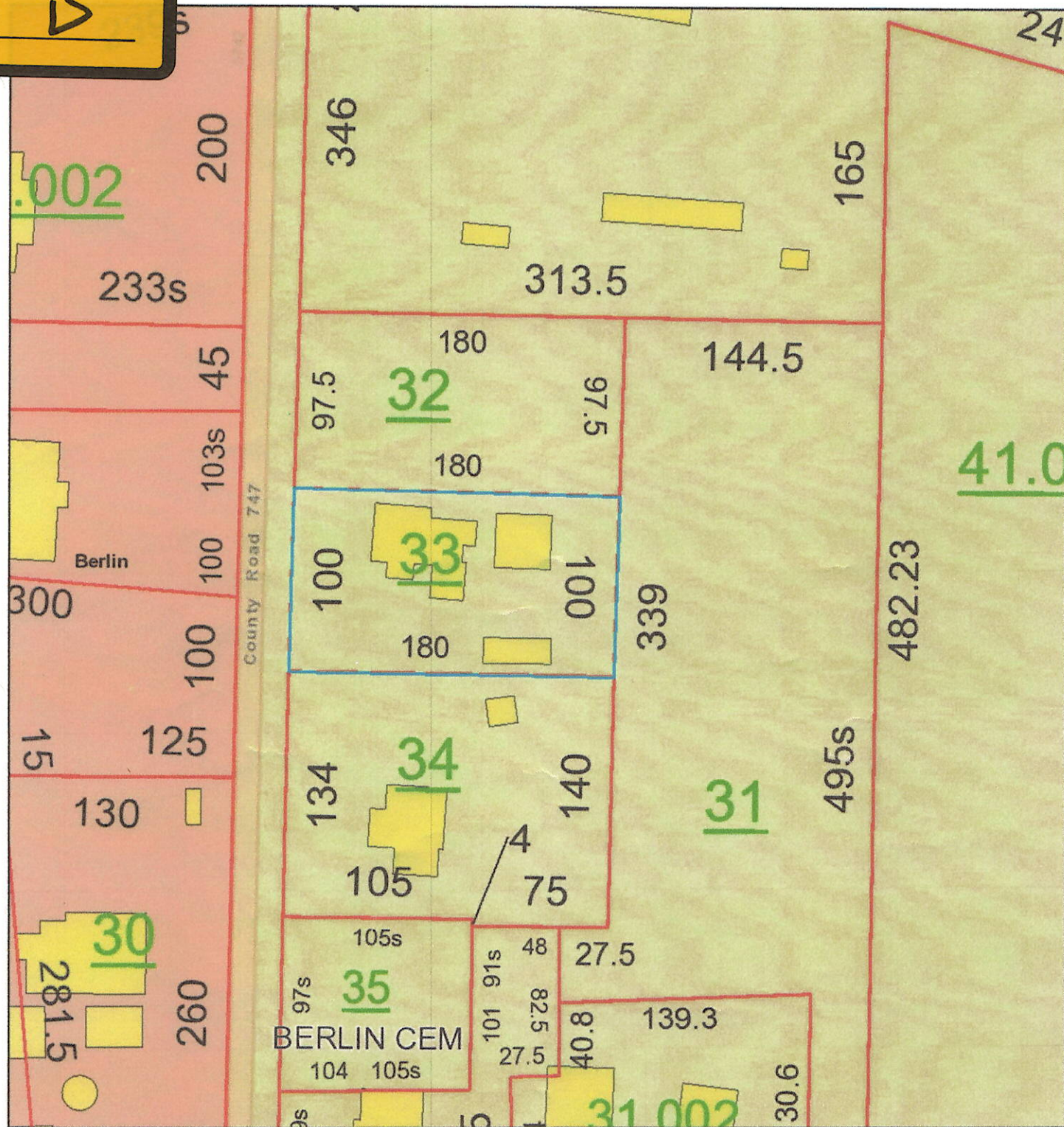
My Commission exp. 6/7/21

PREPARED BY:  
THE DRAKE LAW FIRM  
Thomas E. Drake, II  
Kimberly H. Drake  
419 Second Ave SW Suite B  
Cullman, Alabama 35055  
(256) 739-9445

Deed Tax \$6.50, Recording Fee 7.00, TOTAL \$3.50

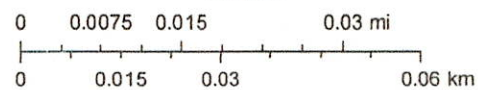
DEED 688 633





June 5, 2019

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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