

ORDINANCE NO.:2019- 6

**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 Kenya Thomas and Jeffrey Carr 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 Kenya Thomas and Jeffrey Carr are the sole property owners 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: 16-02-10-0-001-030.001

LEGAL DESCRIPTION: A parcel of land in the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 10, Range 2 West, particularly described as follows:
Beginning at the Southwest corner of the Northwest 1/4 of Section 10, Township 10, Range 2 West; Thence North 5 yards for a POINT OF BEGINNING; Thence East 19 rods; Thence North 55 yards; Thence East 80 yards; Thence Northeast 329 feet; Thence West 460 feet; Thence South 105 feet; Thence West 210 feet; Thence South 346 feet to the POINT OF BEGINNING containing 4.7 acres, more or less.


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.

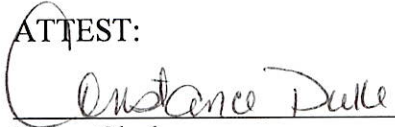
Section 2. That the Town of Berlin does hereby annex as a part of its corporate limits the above described tracts or parcels of land.

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 posting or as otherwise required by law.

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


Patrick Bates, Mayor

ATTEST:

Town Clerk

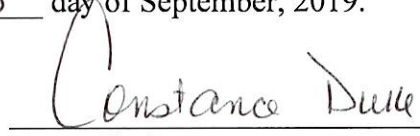
CERTIFICATION OF TOWN CLERK

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 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.


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 29 day of June, 2019

16-02-10-0-001-030.001

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

Kenya Thomas

Signature of Petitioner

Kenya Thomas

Print name of Petitioner

Jeff Carr

Signature of Petitioner

Jeffrey Carr

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 688 678

16-02-10-001-30.001-n/c
(LE)

STATE OF ALABAMA)
CULLMAN COUNTY)

NO TITLE SEARCH OR OPINION
REQUESTED AND NONE PERFORMED

SOURCE OF TITLE:
Deed Book 414 Page 525

WARRANTY DEED, JOINT TENANTS WITH RIGHT OF SURVIVORSHIP

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 is hereby acknowledged, I, JOANN WALKER CARR REED, a married woman (hereinafter referred to as "Grantors"), has this day given, granted, bargained, sold and conveyed and by these presents do hereby give, grant, bargain, sell, convey and confirm upon KENYA SUZANNE THOMAS, a married woman, and JEFFREY CARR, a married man as Joint Tenants with Right of Survivorship, (hereinafter referred to as "Grantees"), a remainder interest, reserving to themselves a life estate only, in all that certain lot or parcel of land situated in Cullman County, Alabama, described as follows:

A parcel of land in the Southwest 1/4 of the Northwest 1/4 of Section 10, Township 10, Range 2 West, particularly described as follows:

Beginning at the Southwest corner of the Northwest 1/4 of Section 10, Township 10, Range 2 West; Thence North 5 yards for a POINT OF BEGINNING; Thence East 19 rods; Thence North 55 yards; Thence East 80 yards; Thence Northeast 329 feet; Thence West 460 feet; Thence South 105 feet; Thence West 210 feet; Thence South 346 feet to the POINT OF BEGINNING, containing 4.7 acres, more or less.

Grantor JOANN REED reserve unto herself the exclusive right to the use and occupancy of the premises conveyed hereby for and during the term of her life.

TO HAVE AND TO HOLD, to the said Grantees, KENYA SUZANNE THOMAS and JEFFREY CARR and their heirs and assigns in fee simple forever.

GIVEN under my hand and seal this 31st day of July, 2013.

Joann Reed
JOANN REED, Grantor

ACKNOWLEDGMENT

STATE OF ALABAMA)
CULLMAN COUNTY)

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

Given under my hand and official seal this 31st day of July, 2013.



Deed Prepared By:
Sara Baker
Attorney At Law
100 Fifth Street Southeast
Cullman, AL 35055
(256) 737-7181

Santa M. Jones
NOTARY PUBLIC
My Commission Expires: 03/29/2014

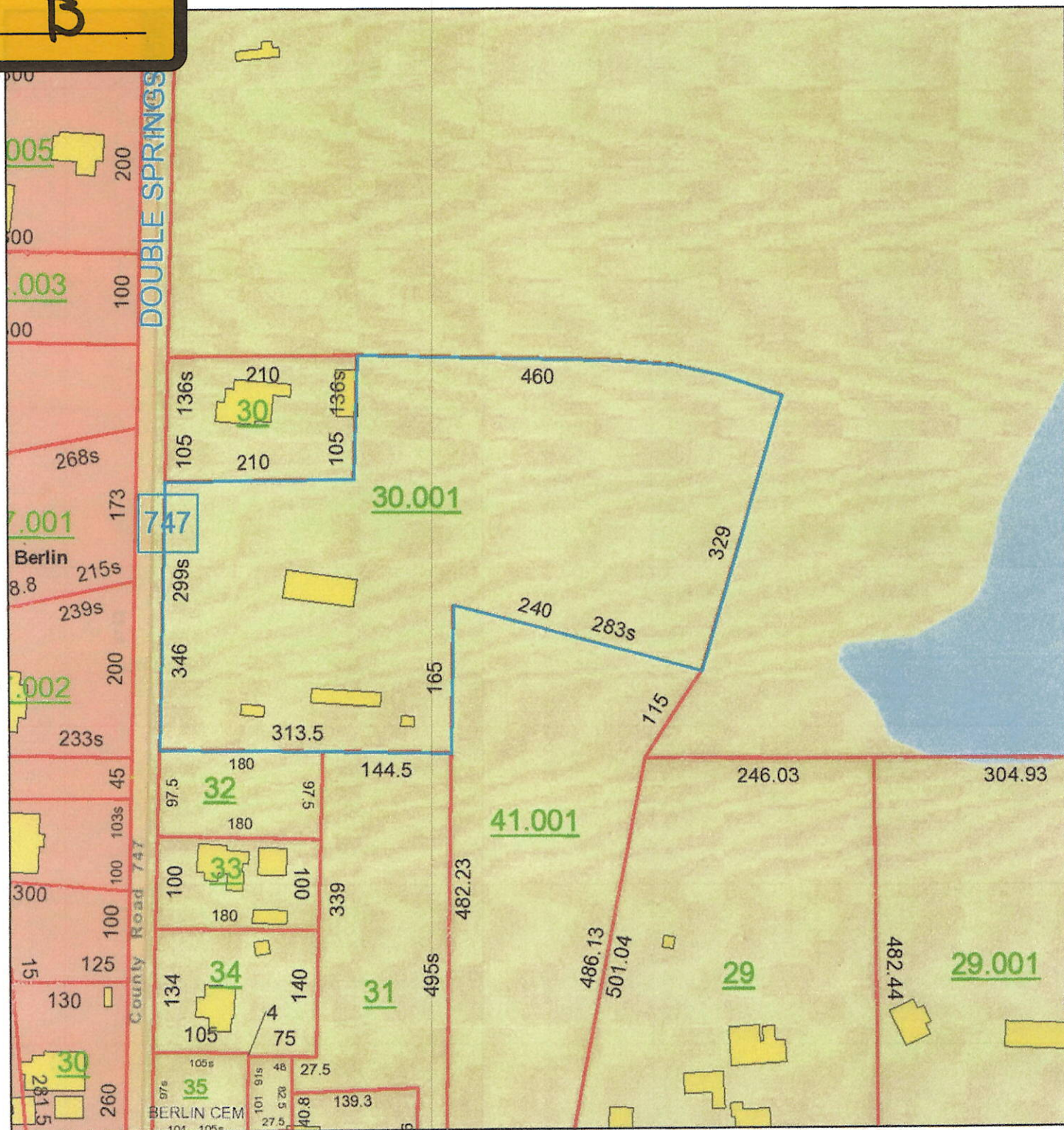
Please Send Taxes To: *So Ann Reed*
5756 Co. Rd. 747
Cullman, AL 35058

EXHIBIT

A

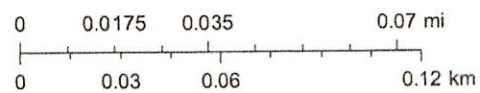
Deed Tax 43.50, Recording Fee 9.50, TOTAL 53.00

DEED 688 639



June 5, 2019

1:2,257



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