

ORDINANCE NO.: 2022-006

**AN ORDINANCE ANNEXING 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 Ruby Jean Evans, Beunka Evans-Newton, Becky Duke Evans, and Sandra June Hill 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 Ruby Jean Evans, Beunka Evans-Newton, Becky Duke Evans, and Sandra June Hill are the sole property owner 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: 16-02-10-001.37.002

LEGAL DESCRIPTION: A part of the NW ¼ of the SW ¼ of Section 10, Township 10 South Range 2 West, more particularly described as follows: Commencing at the southwest corner of the NW ¼ of the SW ¼ of Section 10, Township 10 South, Range 2 west; thence north along the west forty line and the Simcoe-Berlin Road (County Road 747), a distance of 570.5 feet to a point and the point of beginning; thence continue along said line 236.1 feet to a point on another road; thence east along said road 223.8 feet to a point, said point being the west property line of the White Estate; thence south along said property line 236.1 feet to a point; thence west 223 feet, more or less, to the point of beginning.

Said land lying and being in the NW ¼ of the SW ¼, Section 10, Township 10 South, Range 2 West, Cullman County, Alabama.
Less and except road rights of way.

All of the above being specifically set forth in a 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 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 19 day of September 2022.

Patrick E. Bates
Mayor Patrick Bates