

Ordinance No. 658

AN ORDINANCE TO AMEND CORPORATE LIMITS OF THE CITY OF ROANOKE, ALABAMA. BY INCLUDING IN THE CORPORATE LIMITS OF ROANOKE, ALABAMA CERTAIN PROPERTIES AT THE REQUEST OF THE OWNERS OF SAID PROPERTY AND TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ROANOKE ALABAMA AS FOLLOWS:

Section 1. That the Corporate Limits of the City of Roanoke, Alabama be altered and charged within the Corporate Limits of the City of Roanoke, Alabama, the following described property situated in Randolph County Alabama, to-wit:

A. The Property of Mathis Houston and Willie Mae Houston:

Five acres in the N. E. corner of the S. E. 1/4 and ten acres in the S. E. corner of the N. E. 1/4 of Section 8, also the South 1/2 of the N. W. 1/4 of the S. W. 1/4 of Section 9, and ten acres of the North half of the S. W. 1/4 of the S. W. 1/4 of Section 9. All in township 22, Range 12 and containing 45 acres more or less. Also, the following described tract of land, beginning at a corner on the north side of the Milltown and Roanoke public road, on the East side of the N. W. 1/4 of the S. W. 1/4 of Section 9, Thence running north 186 yards along said forty line to a corner; thence running west 5 yards to a corner; thence running south 186 yards and parallel with the first above described line, to a corner on the north side of said Milltown and Roanoke public road; thence running East along the north side of said road 5 yards to the beginning point, containing 4/7 of an acre more or less, and the whole containing 45 & 4/7 acres, more or less. ALSO, one tract or plot of land, described as follows: Begin on the North side of the public road leading from Roanoke to Milltown on the East line of the forty joining the lands of R. Smedley, and running North on this line 566 feet to a corner, thence running West 110 feet to a corner, thence South 766 feet more or less to the North side of the public road above described, thence North East along the North side of said road to the point of beginning. Said lands located in Section 9, Township 22, Range 12, and containing two acres more or less; and the whole lands conveyed herein containing 47 & 4/7 acres more or less; and the same being further described as being 45 and 4/7 acres conveyed the within grantors by B. L. Halsey and his wife Eucala Halsey in deed dated Oct. 31, 1944 and recorded in book 48, page 16 in the Deed Records in said County and 2 acres more or less conveyed the within

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grantors by C. E. Halsey in deed dated Jan. 4, 1949 and recorded in book 57, page 156 in said Deed Records in said County; together with the dwelling house situated on the above described lands and all other improvements thereto belonging.

B. The Property of Jeffery Paige and Beverly Paige:

One acre, more or less, in the NW 1/4 of the NW 1/4 of Section 16, Township 22, Range 12, in Randolph County, Alabama, more particularly described as follows: Commencing at the north R.O.W. of the Roanoke-Milltown Road and the west line of said NW 1/4 of NW 1/4; thence northeasterly along said north R.O.W. a distance of 535 feet to the point of beginning of the property to be conveyed herein; thence continue northeasterly along the north R.O.W. of said road a distance of 210' to a point; thence northwesterly 210' to a point; thence southwesterly 210' feet to a point; thence southeasterly 210' to the point of beginning of the property being conveyed herein. Being one acre in a square.

C. The Property of Jimmy T. Robinson and Wife Deborah Robinson:

The hereinafter described lands less and except the exception hereinafter noted: Beginning at a point 450 feet West of the SE 1/4 of the SW 1/4, Section 9, Township 22, Range 12, at the NW corner of H. A. Halsey's tract No. 2 and running South 250 feet to an iron stake, thence East 170 feet to an iron stake, thence due South along the West side of H. A. Halsey's line 1682 feet to the Chambers County Line at an iron stake, thence SW along the Chambers County Line 1140 feet to the public road and which is the Section line 1890 feet to the 1/4 Section line at the SW corner of the SW 1/4 of the SW 1/4 of Section 9, Township 22, Range 12, thence running East 870 feet to the beginning point, and described tract No. 3 of the W. A. Halsey lands according to a map made by E. M. Moore, a copy of which is on file in the Office of the Judge of Probate, Wedowee, Alabama. Said tract contains 48 acres, more or less, with the exception hereinafter set out; There is excepted from the above lands 3 1/2 acres, more or less, heretofore deeded and conveyed to Gene Hosteller and wife, or Betty Hosteller; also 1/2 acre of land, more or less, sold and conveyed to Bevis Shell Homes; also less and except 7 1/2 acres of land, located in the NW corner of the lands herein described, that was conveyed to Ernest Ray and Bessie Lee Jones; And said lands retained from the above described premises by the conveyance to these grantors was 37 acres of land, more or less, so the property conveyed herein is less all of the hereinabove noted exceptions, and the lands conveyed

being about 37 acres, more or less.

D. Description of Property of Mable Bell:

A tract of land located in Section 16, Township 22 South, Range 12 East, Randolph County, Alabama, containing 0.836 acres, more or less, more particularly described as follows: Commencing at the NW corner of Section 16, Township 22 South, Range 12 East, Randolph County, Alabama; run thence S 82 - 46' E a distance of 378.5 feet to the point of beginning of the tract herein described; thence run N 88 - 00' E a distance of 180.3 feet to a point; thence turn and run S 28 - 53' E a distance of 182.0 feet to a point on the northerly margin of the Roanoke to Milltown Road; thence turn and run S 58 - 30' W a distance of 160.9 feet to a point; thence turn and run N 28 - 53' W a distance of 270.8 feet to a point of beginning of the tract herein described.

E. Description of Property of Ernest Ray Jones and Wife Carrie Ethel Jones:

A tract of land in Fraction "D", being in the NW 1/4 of the NW 1/4 of Section 16, Township 22, Range 12, described as follows; Being all that part of said Fraction and Forty North of the Roanoke and Milltown Road in the Northwest Corner, less and except 1/2 acre described as follows; For reference begin at a point where the Roanoke and Milltown Road intersects the West line of Fraction "D", thence run in an Easterly direction along the center of said road a distance of 355 feet to a point of beginning for the land to be excepted, thence run at right angle to said center line North a distance of 210 feet to a point, thence at right angles southerly a distance of 210 feet to the center line of said road, thence at right angle run westerly along the center line a distance of 105 feet to the point of beginning, containing 7 1/2 acres, more or less. This being the same land as in that certain deed from Frankie Taylor and wife to Ernest Ray Jones and Bessie Lee Jones as the same is recorded in the Office of the Judge of Probate in deed book 96 page 371.

F. Description of Property of Lawson Trammell and Doris Trammell:

One-half acre of land being a part of that certain tract of land of the within grantor as described in that certain warranty deed from Jim Barfield and Eula Barfield dated April, 1947, and recorded in Deed Record Book 62, Page 254 in the Office of the Judge of Probate of Randolph County, Alabama, which one-half acre tract is more particularly described as follows:

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Beginning at a point where the west line of property of the within grantor intersects with the center line of the Roanoke Milltown blacktop public road and running thence along the center line of said public road in an easterly direction 355 feet to the point of beginning of the property herein conveyed thence at right angles to the center line of said highway or public road in a northerly direction 210 feet to a corner, thence at right angles in a southerly direction 210 feet to a corner, thence center of said public road to the point of beginning. This deed given subject to certain mortgage from Lawson Trammell & wife Doris to B & P recorded Book _____ Page _____ on _____ public records of Randolph County, Alabama.

G. Description of Property of Johnny B. Ferrell:

Begin at the SE corner of SW 1/4 of SW 1/4, Section 9, Township 22 South, Range 12 East and run due North a distance of 404 feet to the Easterly R.O.W. line of the Country Club Road; thence South 41 - 35' West along said R.O.W. line a distance of 269 feet to a point; thence South 41 - 35' East a distance of 269 feet to the point of beginning. Above described land lying in the SW 1/4 of SW 1/4, Section 9, Township 22 South, Range 12 East in Randolph County, Alabama and containing 0.82 acres, more or less. All according to the survey of W. Hoyt Vinson, Registered Engineer and Land Surveyor, Reg. No. 1550, done on the 12th day of August, 1978, a copy of said survey being attached hereto and made a part hereof. This land being further described as being a portion of that land conveyed to the within Grantors by Warranty Deed recorded in Deed Record Book 116, pages 417 and 418, Office of the Judge of Probate, Randolph County, Alabama. Also, begin at the Southeast Corner of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 9, Township 22 South Range 12 East, in Randolph County, Alabama; thence run N 41 - 35' W a distance of 269 feet, more or less, to a point and corner on the right-of-way of the Country Club Road; thence run S 41 - 35' W along said right-of-way a distance of 269 feet, more or less, to a point and corner; thence run East a distance of 355 feet, more or less, to the point of beginning. Above described land lying in the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 9, Township 22 South, Range 12 East in Randolph County, Alabama. All according to the survey done by W. Hoyt Vinson, P. E. & L. S., Reg. No. 1550, on the 12th day of August, 1978.

H. Description of Property of Jacqueline Henderson:

The following piece and tract of land being a part of SE 1/4 of the SE 1/4 of Section 8, Township 22, Range 12, and a part of the SW 1/4 of the SW 1/4 of Section 9,

Township 22, Range 12, in Randolph County, Alabama, and is more particularly described as follows: Beginning at the SE corner of the SW 1/4 of the SW 1/4 of Section 9, Township 22, Range 12 and running north up the east line of said forty a distance of 404 feet to the north side of the public road known as the Roanoke and Mill Town Road, and from said point on the north side of said road thence running southwesterly along the northerly side of said road a distance of 197 feet to a point, and from said point thence running north and parallel with the east line of said forty a distance of 766 feet to a point and which is 125 feet west of the east line of said forty, and from said point running west and parallel with the north lines of said SW 1/4 of the SW 1/4 of said Section 9, Township 22, Range 12, and the north line of the SE 1/4 of the SE 1/4 of Section 8, Township 22, Range 12 a distance of 2,555 feet and to the west line of the forty, namely the SE 1/4 of the SE 1/4 of Section 8, Township 22, Range 12; and thence south down said last mentioned west forty line a distance of 590 feet to a point; thence running east and parallel with the south line of said forty a distance of 1250 feet to a point; thence running south a distance of 380 feet to the south line of the forty namely the SE 1/4 of the SE 1/4 of said Section 8, Township 22, Range 12; and from said point running thence east along the said south line of said forty to the SE corner of the said SE 1/4 of the SE 1/4 of said Section 8, and which is also the SW corner of the SW 1/4 of the SW 1/4 of Section 9, Township 22, Range 12, and from said point continuing east along the south line of said last named forty to the SE corner of said forth being the beginning point of the lands herein being conveyed, and containing 48 acres, more or less, LESS AND EXCEPT the following described property: Beginning at the SE corner of the SW 1/4 of the SW 1/4 of Section 9, Township 22, range 12, and running north up the east line of said forty a distance of 390 feet, more or less, to the south side of the public road known and called the Roanoke and Mill Town Road and from said point on the south side of said road thence running southwesterly along the southern side of said road to the Southern line of said forty a distance of 551 feet, more or less, thence turn and run a distance of 390 feet, more or less, to the point of beginning. Said tract containing approximately 2 acres, more or less, and being triangular in shape. The above described property being the same as that conveyed to Fred N. and Lavonia Osborn by deed as recorded in Deed Book 92, page 497, in the Probate Judge's Office of Randolph County, Alabama; and conveyed to George W. Swett, II, and Robert A. Newman by

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deed recorded in Deed Book III, pages 237-238, in the Probate Judge's Office in Randolph County Alabama.

I. Description of Property of Nellie R. Sheppard:

Of the H. W. Fulwider estate as shown on plat and map made by W. Hoyt Vinson Reg. Engineer and Land Surveyor dated July 5, 1963 and being recorded in Plat Book one one page 49. In the Office of The Judge of Probate of Randolph County, Alabama.

J. Description of Property of Eudene Whaley:

Lots three (3) and four (4) of the H. W. Fulwider Subdivision, according to the map or plat thereof prepared by W. Hoyt Vinson dated July 5, 1963, and recorded in plat record 1, pages 80 & 81, in the Office of the Judge of Probate of Randolph County, Alabama.

K. Description of Property of George E. Davis and Wife, Mary S. Davis

8.26 acres, more or less, in Section 16, Township 22 South, Range 12 East, in Randolph County, Alabama, more particularly described as follows: Commencing at the NW corner of Section 16; thence due east a distance of 1000 feet; thence due south 250 feet to a point; thence due east 170 feet to a point; thence due south 525 feet to the point of beginning of the property to be conveyed herein; thence continue south 600 feet to a point; thence east 660 feet to a point; thence north 525 feet to a point; thence west 430 feet to a point; thence north 75 feet to a point; thence west 230 feet to the point of beginning of the property conveyed herein, The purpose of this deed is to correct error in deed previously recorded in Deed Book 133, page 707.

L. Description of Property of George E. Davis and Wife, Mary S. Davis

5 acres, more or less, in Section 16, Township 22 South, Range 12 East, in Randolph County, Alabama, more particularly described as follows: Commencing at the NW corner of Section 16; thence due east a distance of 1000 feet to the point of beginning of the property being conveyed herein; thence continue due east a distance of 400 feet to a point; thence south a distance of 775 feet to a point; thence west a distance of 230 feet to a point; thence north a distance of 525 feet to a point; thence west a distance of 170 feet to a point; thence north 250 feet to the point of beginning of the property being conveyed herein. The purpose of this deed is to correct error in deed previously recorded in Deed Book

133, page 701, as recorded in the Office of the Judge of Probate of Randolph County, Alabama.

M. Description of Property of Robert L. Harper, Jr. and Wife Shelia B. Harper

Lots 1 and 2 of the Fulwider Subdivision in Randolph County, Alabama, according to the map or plat thereof prepared by W. Hoyt Vinson, licensed Surveyor, dated July 5, 1963, recorded in Randolph County Plat Book 1, Pages 80-81, in the office of the Judge of Probate of Randolph County, Alabama, and said lots fronting 100 feet and 111 feet respectively on the West side of U.S. Highway 431 and extending back to the West line of the Northeast Quarter of the Southeast Quarter (NE 1/4 of SE 1/4) of Section 21, Township 21, Range 12, and being the same property conveyed by Warranty Deed from Mrs. H. W. Fulwider, a widow, to Richard Thomas Lowe and Mary Virginia Crisler Lowe dated October, 1967, recorded in Deed Record 97, Pages 209-210, in the Office of the Judge of Probate of Randolph County, Alabama.

The Grantor herein is conveying property which he owns and is not his homestead, nor is it the homestead of the Grantor's spouse.

Prior Deed Reference: Deed Book 120, Page 253.

Section 2. From and after the date of the Publication of this Ordinance the Property described in Section 1 above shall be included in the Corporate Limits of the City of Roanoke, Alabama, pursuant to Article 2, Chapter 42, title 11, Code of Alabama, 1975.

Section 3. All Ordinances and parts of Ordinances in conflict with this Ordinance are hereby repealed.

Section 4. This Ordinance shall be enforced and effective upon its passage and adoption as provided by law.

Adopted and approved this the 20 day of November 1989.

ATTEST:

Judy R. Young
City Clerk

Tom Bennis
Mayor

Michael Garner
Councilmember

J. M. Chess Robinson
Councilmember

Councilmember

HALECO

Betty S Ziglar
Councilmember
Mark H Bell
Councilmember

Councilmember Davis did not participate because of interest - property owned. On motion by Councilmember Bell seconded by Councilmember Joiner for unanimous consent: Upon vote on the motion, the following votes were recorded: Yeas: Mayor Bonner, Councilmembers Bell, Ziglar, Joiner and Davis. Nays: None.

Motion was made by Councilmember Joiner seconded by Councilmember Ziglar for approval for final passage.

Upon vote on the motion, the following votes were recorded: Yeas: All. Nays: None.

ORDINANCE #659 AMENDING MUNICIPAL ORDINANCE #577

Councilman Davis introduced ordinance #659 in writing: