

ORDINANCE NO. 2017-046-ANX

AN ORDINANCE TO ALTER AND REARRANGE THE BOUNDARY LINE  
OF THE CITY OF TRUSSVILLE, ALABAMA, SO AS TO INCLUDE  
WITHIN THE CORPORATE LIMITS CERTAIN OTHER TERRITORY  
CONTIGUOUS TO SAID CITY

WHEREAS, this Council does hereby determine that matters set forth in that certain petition of:

Michael C. Lochte  
7519 & 7515 Happy Hollow Road, Trussville, Alabama 35173

wherein the owner(s) of the property described therein and hereinafter described in this Ordinance, requested that said property be annexed to the City of Trussville are true, and that it is in the public interest that said property be annexed to the City of Trussville:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Trussville, Alabama as follows:

Section 1. Incorporation: That under the provisions of the Code of Alabama, 1975, 11-42-21, the corporate limits of the City of Trussville, Alabama be, and the same are altered and rearranged so as to include, in addition to the territory already within the corporate limits of said City, the territory described in Exhibit "A" attached hereto and made a part hereof, which territory is contiguous to said City and not within the corporate limits of any other municipality.

Section 2. Zoning: The zoning of the property described on Exhibit "A" attached hereto will convert to the most compatible City of Trussville zoning classification, that classification being A-1.

Section 3. Fire Dues: Pursuant to Act No. 604, as amended, of the 1976 Alabama Legislature, the City does hereby agree that if the territory described in this ordinance, or part thereof, is in any fire district organized under the laws of the State of Alabama, an amount shall be paid to the fire district equal to six times the amount of dues that the owner(s) of the territory being annexed paid to the fire district the preceding year, with said payment to be made by the property owner(s); otherwise, as to the defaulting property owners(s), this ordinance shall be null, void, and of no effect.

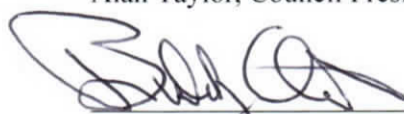
Section 4. Severability: If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding. If any part, section or subdivision of this ordinance or document, map, or petition to which it may refer shall be held unconstitutional or invalid as to any portion of the territory annexed herein, such holding shall not be construed to impair or invalidate the ordinance as to the territory not included in or affected by such holding.

Section 5. Publication: The City Clerk shall file a certified copy of the property described in Exhibit "A" attached hereto, and a certified copy of this ordinance with the Probate Judge of the county in which the property is located, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Trussville, or to be published by posting as provided by law.

Section 6. Repealer: All ordinances or parts of ordinances heretofore adopted by the City Council of the City of Trussville, Alabama which are inconsistent with the provisions of this ordinance are hereby expressly repealed.

Adopted and Approved this the 28<sup>th</sup> day of November, 2017.

  
\_\_\_\_\_  
Alan Taylor, Council President

  
\_\_\_\_\_  
Buddy Choat Mayor

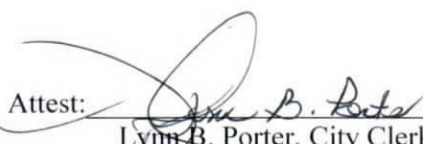
Attest:   
\_\_\_\_\_  
Lynn B. Porter, City Clerk

EXHIBIT "A" - LEGAL DESCRIPTION

A parcel of land situated in the NW 1/4 of the SW 1/4 of Section 8, Township 16 South, Range 1 East, Jefferson County, Alabama and more particularly described as follows:

Commence at the SW corner of the NW 1/4 of Section 8, Township 16 South, Range 1 East, Jefferson County, Alabama; thence North  $1^{\circ}12'29''$  West for a distance of 287.41 feet to a  $1/2''$  rebar found at the Southern right of way of Happy Hollow Road and the Point of Beginning; thence North  $83^{\circ}51'22''$  East along said right of way 214.00 feet to a  $3/8''$  capped rebar set (Bailey CAS90LS); thence South  $24^{\circ}44'38''$  East for a distance of 413.00 feet to a  $5/8''$  capped rebar set (Bailey CAS90LS); thence North  $88^{\circ}48'22''$  East for a distance of 93.65 feet to a  $5/8''$  capped rebar set (Bailey CAS90LS); thence South  $64^{\circ}42'22''$  West for a distance of 306.45 feet to a  $5/8''$  capped rebar set (Bailey CAS90LS); thence North  $23^{\circ}53'34''$  West for a distance of 447.18 feet to the Point of Beginning.