

CITY COUNCIL OF THE CITY OF TRUSSVILLE, ALABAMA

Ordinance No. 2025-008-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:

Ann Clark Investments LLC
Parcel No. 12-00-34-4-000-001.000-RR
Property Address 3101 Mary Taylor Road, Birmingham AL 35235

wherein the owners 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 **R-6 (Single Family Residential)** with the following stipulations:

- Owner(s) successfully obtaining all proper County permitting regarding road access
- Petitioner applies for and obtains rezoning to A-1 (Agricultural), with no manufactured or mobile homes, prior to Probate recording by the city clerk
- All property engineering plans obtain approval from the City Engineer
- Property meets all City subdivision regulations
- Property meets all Zoning regulations
- Prior to any construction plans or development, owner(s) is/are required to demonstrate adequate water access & fire flow, as well as to install fire hydrant close to the property access point at his/her/their own expense
- Prior to construction, owner(s) is/are required to obtain Design Review Committee approval
- Owner(s) must successfully obtain a special exception under A-1 Zoning for a permitted pit from the Board of Zoning Adjustments
- Owner(s) must maintain a minimum 50-foot buffer on the eastern & southern sides of their own property, thus protecting the interests of nearby Trussville residents
- All stipulated conditions must be enumerated on a deed and recorded promptly at Probate

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. Annexation Inspection Fee: The city's annexation inspection fee shall be collected upon approval of the annexation by the City Council. Failure to pay this fee shall render this ordinance null, void, and of no effect.

Section 5. 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.

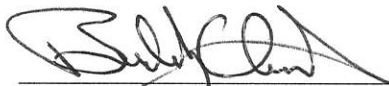
Section 6. Publication: The City Clerk shall file a certified copy of the property described in Exhibit "A" attached hereto, and a certified copy of this ordinance with the Probate Judge of the county in which the property is located, and also cause a copy of this ordinance to be published in a newspaper of general circulation in the City of Trussville, or to be published by posting as provided by law.

Section 7. 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 15TH DAY OF MAY 2025



Ben Short, Council President



Buddy Choat, Mayor
City of Trussville

Attest:



Dan Weinrib CMC, City Clerk

CERTIFICATION OF CITY CLERK

STATE OF ALABAMA)
JEFFERSON COUNTY)

I, Dan Weinrib, City Clerk of the City of Trussville, Alabama, do hereby certify that the above and foregoing is a true and correct copy of an Ordinance duly adopted by the City Council of the City of Trussville, Alabama, on the 15th day of May 2025.

The above and foregoing ordinance was published on the 19th day of May 2025 by posting copies thereof in three public places within the City of Trussville, one of which was at Trussville City Hall.

Witness my hand and seal of office this 19th day of May 2025



Dan Weinrib CMC, City Clerk