

COPY

ORDINANCE # 10-03-11

ASSENT OF COUNCIL TO THE PETITION BY LANDOWNERS IN RAINBOW
AVENUE-MOCKINGBIRD LANE CORNER FOR ANNEXATION OF LANDS
BY UNANIMOUS CONSENT
CITY OF RAINSVILLE, DeKALB COUNTY, ALABAMA

WHEREAS, Mary Elizabeth Lance, Joey Patrick Lance, Felicia Centers, and Charles Centers have presented to the Mayor and City Council of Rainsville, Alabama, their petition in writing, duly executed and acknowledged setting forth that they are the owners of all of the lands hereinafter-described in the above-stated petition and that they desire to have said property annexed by the City of Rainsville, and they do, by their Petition, request and agree to the same;

WHEREAS, the Mayor and City Council of Rainsville, Alabama, find that said property is not currently within the city limits or police jurisdiction of any other municipality, or that said property is within the police jurisdiction of the City of Rainsville and within the police jurisdiction of the Town of Powell in an area where the municipalities' police jurisdiction overlaps and the boundary of the property sought to be annexed is closer to the corporate limits of the City of Rainsville and therefore do assent to, and approve the property owners' *Petition for Annexation of Lands by Unanimous Consent* by the City of Rainsville, and agree the corporate limits of the City of Rainsville shall be extended and rearranged so as to embrace and include said property within the corporate area of the City of Rainsville.

WHEREAS, the Mayor and City Council of Rainsville, Alabama, enact this ordinance pursuant to Sections 11-42-20 through 11-42-24, *Code of Alabama* 1975, and such ordinance and the addition of the lands described below into the corporate area of the City of Rainsville shall be effective upon the proper publication of said Ordinance, and upon the filing of the description of said property in the Office of the Judge of Probate, Dekalb County, Alabama.

IT IS THEREFORE RESOLVED by the Mayor and City Council of Rainsville, Alabama, that upon publication of said Ordinance and upon filing of said property description with the Judge of Probate, that the act of the annexation of the following-described property in Dekalb County, Alabama, to-wit:

Commence at an existing $\frac{3}{4}$ inch rebar marking the Northwest corner of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 12, Township 6 South, Range 7 East of the Huntsville Meridian and proceed South 88 degrees 45 minutes East for a distance of 658.35 feet to an iron pin set with cap (PLS #11568) marking the Northwest corner of the East Half (E $\frac{1}{2}$) of said quarter-quarter, said point being the **POINT OF BEGINNING**; thence continue South 88 degrees 45 minutes East along the North boundary of the East Half (E $\frac{1}{2}$) of said quarter-quarter for a distance of 168.03 feet to an existing $\frac{3}{4}$ inch rebar on the Southwest right-of-way boundary of DeKalb County Road No. 577 (also

known as Bailey Bridge Road – 60 feet right-of-way); thence proceed South 39 degrees 41 minutes East along the Southwest right-of-way boundary of DeKalb County Road No. 577 for a distance of 221.70 feet to an iron pin set with cap (PLS #11568) at the intersection with the Northwest right-of-way boundary of Mockingbird Lane (also known as Pope Road – 40 feet right-of-way); thence proceed South 56 degrees 48 minutes West along the Northwest right-of-way boundary of Mockingbird Lane for a distance of 386.18 feet to an iron pin set with cap (PLS #11568) on the West boundary of the East Half (E ½) of the Southwest Quarter (SW ¼) of the Southwest Quarter (SW ¼) of said Section 12; thence proceed North 02 degrees 01 minutes East for a distance of 385.97 feet to the point of beginning.

ALSO: Commence at an iron pin marking the Southwest corner of the Northwest Quarter (NW ¼) of the Southwest Quarter (SW ¼) of Section 12, Township 6 South, Range 7 East of the Huntsville Meridian and proceed South 88 degrees 45 minutes East along the South boundary of said quarter-quarter for a distance of 826.4 feet to a point on the Southwest right-of-way boundary of DeKalb County Road No. 577 (also known as Bailey Bridge Road – 60 feet right-of-way); thence proceed North 38 degrees 16 minutes East for a distance of 59.0 feet to a point on the Northeast right-of-way boundary of said county road, said point being the **POINT OF BEGINNING**; thence proceed North 57 degrees 31 minutes East for a distance of 237.0 feet to a point; thence proceed South 19 degrees 59 minutes East for a distance of 240.0 feet to a point on the Northwest right-of-way boundary of Rainbow Avenue (60 feet right-of-way); thence proceed South 54 degrees 31 minutes West along the chord of a curve to the left marking the Northwest right-of-way boundary of Rainbow Avenue for a distance of 150.0 feet to a point of intersection with the Northeast right-of-way boundary of DeKalb County Road No. 577; thence proceed North 40 degrees 46 minutes West for a distance of 244.7 feet to the point of beginning.

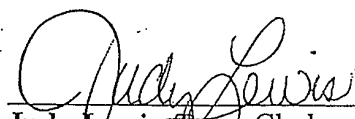
Be and the same is hereby ratified and confirmed and the assent of the Mayor and City Council of the City of Rainsville, Alabama, to such action is hereby given.

The above and foregoing ordinance was read, adopted, and approved on the 3rd day of October, 2011, by the City Council of the City of Rainsville, Alabama.

APPROVED:


Donnie Chandler, Mayor

Attest:


Judy Lewis, Town Clerk

CERTIFICATION OF TOWN CLERK

STATE OF ALABAMA
COUNTY OF DeKalb

I, Judy Lewis, Clerk of the City of Rainsville, do hereby certify that the above and foregoing is a true and correct copy of the Ordinance duly adopted by the City Council of Rainsville on the 3rd day of October, 2011.

Witness my hand and seal of office, this 3rd day of October, 2011.


City Clerk