

ORDINANCE NO. 2024 – 21

TO ANNEX CERTAIN PROPERTIES INTO THE CITY LIMITS OF THE CITY OF CULLMAN, ALABAMA

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

SECTION 1. The City Council of the City of Cullman finds that the following property owner, Pioneer Land Acquisitions, LLC, has petitioned the City under the provisions of Section 11-42-21 of the Code of Alabama, 1975, as amended, that the following described property, owned by the petitioners, be annexed into the City of Cullman:

PIN: 14255. PARCEL NUMBER: 17-01-02-0-001-017.000. PROPERTY ADDRESS: 0 County Road 770.

LEGAL DESCRIPTION:

Parcel I: All that part of the Southwest Quarter of the Northwest Quarter of Section 2, T10S, R3W, more particularly described as: commencing at an existing axle marking the Southeast corner of the Southeast Quarter of the Northwest Quarter of Section 2; thence S 89 degrees 10'54"W along the south line of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter a distance of 1874.04 feet to a set 5/8 inch rebar iron and the true point of beginning of the property herein described; the from said true point of beginning S 89 degrees 10'54"W a distance of 626.63 feet to a set 5/8 inch rebar iron on the East right of way of Eva Road; thence N 17 degrees 18'51"E along said right of way a distance of 711.79 feet to an existing 5/8 inch rebar iron at the Southwest corner of Warnke Place Subdivision; thence N 89 degrees 22'50"E a distance of 616.98 feet to a set 5/8 inch rebar iron; thence S 16 degrees 37'28"W a distance of 706.8 feet to the true point of beginning.

Also a right of way described as follows: All that part of the Southwest quarter of the Northwest quarter of Section 2, T10S, R3W, more particularly described as commencing at the Northeast corner of said forty; thence S 1 degree 15'42"W a distance of 173.24 feet to a point on the South right of way of Alabama Highway No. 157 and the true point of beginning of the property herein described; thence from said true point of beginning run S 0 degrees 09'55"E a distance of 478.54 feet; thence S 89 degrees 22'41"W a distance of 45.00 feet; thence N 0 degrees 09'55"W a distance of 497.36 feet to the South right of way of Alabama No. 157; thence S 67 degrees 40'05"E along said right of way a distance of 48.26 feet to the true point of beginning.

Parcel II: All that part of the Southwest quarter of the Northwest quarter of Section 2, T10S, R3W, more particularly described as: commencing at an existing axel marking the Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 2; thence S 89 degrees 10'54"W along the south line of said Southeast Quarter of the Northwest Quarter and the Southwest Quarter of the Northwest Quarter a distance of 1874.04 feet to a set 5/8 inch rebar iron; thence N 16 degrees 37'28"E a distance of 706.8 feet to a set 5/8 rebar iron on the South line of Warnke Place Subdivision; thence N 89 degrees 22'50"E a distance of 1415.93 feet to a set 5/8 inch rebar iron on the South right of way of Alabama Highway No. 157; thence S 67 degrees 35'35"E along said right of way a distance of 272.42 feet to a set 5/8 inch rebar iron on the East line of the Southeast quarter of the Northwest quarter of Section 2; thence S 0 degrees 24'02"E along said East line a distance of 562.00 feet to the true point of beginning.

Also a right of way described as follows: All that part of the Southwest quarter of the Northwest quarter of Section 2; T10S, R3W, more particularly described as commencing at the Northeast corner of said forty; thence S 1 degree 15'42"W a distance of 173.24 feet to a point on the South right of way of Alabama Highway No.157 and the true point of beginning of the property herein described; thence from said true point of beginning run S 0 degrees 09'55"E a distance of 478.54 feet; thence S 89 degrees 22'41"W a distance of 45.00 feet; thence N 0 degrees 09'55"W a distance of 497.36 feet to the South right of way of Alabama Highway No. 157; thence S 67 degrees 40'05"E along said right of way a distance of 48.26 feet to the true point of beginning.

Less and except: A tract or parcel of land being a part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 10 South, Range 3 West, Cullman County, Alabama and being more particularly described as follows: Commence at a found axle marking the accepted Southeast corner of the Southeast Quarter of the Northwest Quarter of said Section 2, having an Alabama State Plane, West Zone, NAD 83 coordinate value of N. 1528101.18', E.2173796.51' and run South 89 degrees 45 minutes 35 seconds West (bearing based on AL. State Plane, West Zone, NAD 83, GRID) and run along the accepted South line, a distance of 2500.60 feet; thence run North 17 degrees 53 minutes 33 seconds East, a distance of 51.43 feet to a set rebar on the North right of way line of Cullman County Road No. 770, same being the point of beginning; thence continue North 17 degrees 53 minutes 33 seconds East, a distance of 245.70 feet to a set rebar (Conn-17831); thence North 78 degrees 15 minutes 48 seconds East, a distance of 325.80 feet to a set rebar (Conn-17831); thence North 09 degrees 04 minutes 09 seconds West, a distance of 330.37 feet to a set rebar on the South line of Lot 4 of Warnke Place Subdivision, Phase III as recorded in Map Cabinet B, Slide 347H, in the Office of the Judge of Probate, Cullman County, Alabama; thence South 89 degrees 57 minutes 42 seconds West and run along the South line of said subdivision, a distance of 770.85 feet to a found capped corner (Harris-5742) on the East right of way of Eva Road; thence South 17 degrees 53 minutes 33 seconds West and run along said East right of way line, a distance of 657.42 feet to a set rebar (Conn-17831) marking the North right of way line of Cullman County Road No. 770 and being in a curve to the left, having a central angle of 14 degrees 17

minutes 49 seconds, a radius of 197.85 feet, a chord bearing of South 82 degrees 45 minutes 18 seconds East and a chord length of 49.24 feet; thence run along the arc of said curve an arc distance of 49.37 feet to the point of tangency; thence South 89 degrees 54 minutes 13 seconds East and continue along said North right of way line, a distance of 330.54 feet to the point of a curvature of a curve to the left, having a central angle of 01 degrees 45 minutes 12 seconds, a radius of 1,475.00 feet, a chord bearing of North 89 degrees 13 minutes 11 seconds East and a chord length of 45.14 feet; thence run along arc or said curve an arc distance of 45.14 feet; thence run along arc or said curve or arc distance of 45.14 feet to the point of tangency; thence North 88 degrees 20 minutes 35 seconds East and continue along said North right of way line, a distance of 206.00 feet to the point of beginning.

SECTION 2. That the Council has before it a map showing the relationship of the properties proposed to be annexed to the corporate limits of the City of Cullman, and that said map is on file in the office of the City Clerk along with an acknowledgment by the property owners that they want it to be annexed into the City of Cullman.

SECTION 3. That the City of Cullman does hereby annex as a part of its corporate limits the above described tracts or parcels of land as R-4 Residential District contingent upon the owners granting an easement up to but not exceeding an additional fifty (50) feet in width less any width of existing public road contiguous to said easement for a public road right-of-way including utilities for water, sewer, surface water, natural gas, electric, internet, cable or other public services provided by the City or its franchises.

SECTION 4. That a copy of this ordinance after its adoption, which ordinance includes a description of the property annexed to the City of Cullman, be filed in the office of the Judge of Probate of Cullman County, Alabama, the county in which the municipality is located.

SECTION 5. That this ordinance shall take effect upon its passage and publication as required by law.

ADOPTED BY THE CITY COUNCIL this the 15th day of July, 2024.

President of the City Council

ATTEST:

City Clerk

APPROVED BY THE MAYOR this the 15th day of July, 2024.

Mayor