

ORDINANCE NO. 2006- 09

AN ORDINANCE TO ALTER AND REARRANGE THE BOUNDARY LINE OF THE CITY OF CENTER POINT, 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:

JOSEPH T. RYERSON & SON, INC.

wherein Joseph T. Ryerson & Son, Inc. ("Ryerson") as the owner of the property described therein and hereinafter described in this Ordinance, requested that said property be annexed to the City of Center Point are true, and that it is in the public interest that said property be annexed to the City of Center Point:

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Center Point, 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 Center Point, 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 (the "Ryerson Property"), which territory is contiguous to said City and not within the corporate limits of any other municipality.

Section 2. Right-of-Way Deed: Simultaneously with the submission of the Petition for Annexation by Ryerson, Ryerson has agreed to execute and deliver to the City a statutory warranty deed to all of an 80' wide part along the southeast side of the 100' wide abandoned railroad right-of-way contained within the Ryerson Property (the "Ryerson Deed"). Upon approval of the annexation of the Ryerson Property by the City Council of the City of Center Point, Ryerson has agreed that the Ryerson Deed shall be delivered to the City and recorded.

Section 3. The City has obtained or is in the process of obtaining deeds from all of the adjacent owners of the abandoned railroad right-of-way as necessary to acquire the 80 foot wide portion along the southeast side of the abandoned railroad right-of-way from Carson Road to Pinson Heights Road (the "Right-of-Way"). If the City is able to acquire said 80 foot wide portion of the Right-of-Way from Carson Road to Pinson Heights Road, the City agrees to construct a public road for industrial use along the Right-of-Way from Carson Road to Pinson Heights Road. The industrial public road shall be built in accordance with all governmental laws, regulations and standards as may be determined by the City of Center Point. In connection with the construction of the industrial public

road as set out herein, the City will give reasonable access to the owners of properties adjacent to the Right-of-Way and that access will be in accordance with all applicable governmental laws, standards and regulations.

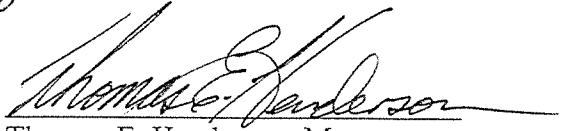
Section 4. Zoning: The zoning of the property described on Exhibit "A" attached hereto will convert to the most compatible City of Center Point zoning classification, the current classification being I-2.

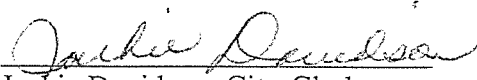
Section 5. Severability: If any part, section, or subdivision of this ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this ordinance, which shall continue in full force and effect notwithstanding such holding. 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 territories 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 Center Point, 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 Center Point, Alabama which are inconsistent with the provision of this ordinance are hereby expressly repealed.

Adopted this the 13th day of July, 2006.


Thomas E. Henderson, Mayor

ATTEST: 
Jackie Davidson, City Clerk

ANNEXATION

EXHIBIT A

RYERSON PROPERTY

Tract "A" – Begin at the NW corner of the NE $\frac{1}{4}$ of Section 11, Township 16 South, Range 2 West and run east along the north line thereof for a distance of 2016.87 ft. to the northwesterly right-of-way line of the abandoned Chaney Railroad; Thence angle right $125^{\circ}40'31''$ and SW along the said railroad right-of-way line for a distance of 1056.00 ft. to the point of beginning of annexation; Thence angle left $90^{\circ}00'$ for a distance of 50 ft. to the centerline of the abandoned Chaney Railroad; Thence angle right $90^{\circ}00'$ for a distance of 204.20 ft.; Thence angle right $90^{\circ}00'$ for a distance of 334.43 ft.; thence angle right $144^{\circ}19'29''$ for a distance of 350.14 ft. to the point of beginning of annexation.