

RESOLUTION NO. 2021-004

Request Annexation by Legislative Act

WHEREAS, it is the opinion of the Town Council of the Town of Cherokee Ridge, Alabama that the public health and public good require that certain territory shall be brought within and annexed to the corporate limits of the Town of Cherokee Ridge, Alabama; and

WHEREAS, the Town Council deems it wise, expedient and economical to apply for the annexation of said territory to the corporate limits of the Town of Cherokee Ridge, Alabama by the passage of a Local Law in the Legislature of Alabama; and

WHEREAS, the Town Council has caused to be prepared a Bill for introduction in the Legislature of Alabama, accurately describing said territory, to accomplish the annexation of said territory to the corporate limits of the Town of Cherokee Ridge, Alabama;

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF CHEROKEE RIDGE, ALABAMA, as follows:

SECTION 1: That the Mayor be and is hereby directed to cause the following notice to be published in the Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, once each week for four consecutive weeks, commencing on March 2, 2022, to-wit:

LEGAL NOTICE
STATE OF ALABAMA
MARSHALL COUNTY

MARSHALL Notice is hereby given that a bill substantially as follows will be introduced in the 2022 Regular Session of the Legislature of Alabama and application for its passage and enactment will be made: SPECIAL NOTICE RE LOCAL LAWS NO SPECIAL, PRIVATE, OR LOCAL LAW CAN BE PASSED, except in reference to fixing the time of holding courts, unless notice of the intention to apply therefor shall have been published, without cost to the State, in the county or counties where the matter or thing to be affected may be situated. The notice must state the substance of the proposed law and be published at least once a week for four consecutive weeks in some newspaper published in such county or counties. Such publication must have been completed prior to the day on which the bill is introduced. Proof by affidavit (proof of publication) which verifies that notice has been properly

published must be exhibited to the House of Representatives and the Senate, and one copy of such proof must be attached to the original copy of the bill which is offered for introduction. The county or municipality affected by a local law introduced by a legislator must pay for advertising the notice, if the notice is signed by the Legislator, even though the bill is not passed. (Section 11-13-6, Code of Alabama 1975) LEGISLATIVE SERVICES AGENCY A BILL TO BE ENTITLED AN ACT To alter, rearrange, and extend the boundary lines and corporate limits of the municipality of the Town of Cherokee Ridge in Marshall County. BE IT ENACTED BY THE LEGISLATURE OF ALABAMA: Section 1. The boundary lines and corporate limits of the Town of Cherokee Ridge in Marshall County are altered, rearranged, and extended to include within the corporate limits of the municipality, in addition to the lands now included, all of the following territory: TRACT 1 A PARCEL OF LAND SITUATED IN THE NORTHEAST QUARTER AND THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 1 EAST, MARSHALL COUNTY, ALABAMA MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A FOUND 1" OPEN TOP PIPE INDICATING THE NORTHWEST CORNER OF SECTION 16, TOWNSHIP 7 SOUTH, RANGE 1 EAST, MARSHALL COUNTY, ALABAMA THENCE RUN SOUTH 60 DEGREES 24 MINUTES 58 SECONDS WEST 365.27 FEET TO A POINT ON THE EAST RIGHT OF WAY OF U.S. HIGHWAY 231 (PROJECT NO. F-310(2)); THENCE RUN SOUTH 29 DEGREES 35 MINUTES 02 SECONDS EAST 2931.02 FEET TO A FOUND CONCRETE RIGHT OF WAY MONUMENT AND THE POINT OF BEGINNING; THENCE RUN NORTH 60 DEGREES 36 MINUTES 33 SECONDS EAST 75.89 FEET ALONG THE EAST RIGHT OF WAY OF U.S. HIGHWAY 231 TO A FOUND CONCRETE MONUMENT ON THE SOUTH RIGHT OF WAY OF ALLENS CROSS ROAD; THENCE RUN SOUTH 87 DEGREES 06 MINUTES 20 SECONDS EAST 275.42 FEET ALONG THE SOUTH RIGHT OF WAY OF SAID ALLEN CROSS ROAD TO A SET 5/8" IRON PIN (SCHOEL CA#003); THENCE RUN SOUTH 30 DEGREES 14 MINUTES 57 SECONDS EAST 283.01 FEET ALONG THE WEST LINE OF A PARCEL OF LAND DESCRIBED IN DEED BOOK 1940 PAGE 261 TO A SET 5/8" IRON PIN (SCHOEL CA#003); THENCE LEAVING SAID PARCEL RUN SOUTH 60 DEGREES 17 MINUTES 33 SECONDS WEST 310.59 FEET TO A SET 5/8" IRON PIN (SCHOEL CA#003) ON THE EAST RIGHT OF WAY OF SAID U.S. HIGHWAY 231; THENCE RUN NORTH 29 DEGREES 42 MINUTES 27 SECONDS WEST 431.82 FEET ALONG THE SAID RIGHT OF WAY BACK TO THE POINT OF BEGINNING. SAID PARCEL CONTAINING 2.66 ACRES (116,012 SQ. FT.), MORE OR LESS. TRACT 2 Commencing at the southeast corner of the southwest quarter of the northwest quarter of Section 16, Township 7 South, Range 1 East at a 1/2 inch capped rebar. Thence north 01 degree 09 minutes 27 seconds east 33.70 feet to a 1/2 inch capped rebar on the north right of way of a county road which is the point of beginning for the property herein described. Thence north 88 degrees 01 minutes 18 seconds west along said right of way 72.93 feet to a 1/2 inch capped rebar at the right of way intersection line for said county road and U.S. Highway 231. Thence north 69 degrees 52 minutes 58 seconds west along the right of way line for U.S. Highway 231 for a distance of 134.16 feet to a 1/2 inch capped rebar. Thence north 31 degrees 22 minutes 22 seconds west along the eastern right of way line for U.S. Highway 231 for a distance of 143.85 feet to a concrete right of way monument. Thence north 79 degrees 06 minutes 38 seconds east along the right of way line for U.S. Highway 231 for a distance of 37.17 feet to a concrete right of way monument. Thence leaving said right of way North 81 degrees 36 minutes 13 seconds east 244.19 feet to a 1/2 inch capped rebar. Thence south 01 degree 09 minutes 27 seconds west 214.20 feet to the point of beginning. Property being in Marshall County, Alabama and containing 0.96 acres. The property herein described comprises no part of the homestead of the Grantor and/or his spouse. Section 2. In accordance with Section 11-42-6(b) of the Code of Alabama 1975, a map showing what territory is proposed to be annexed to the Town of Cherokee Ridge is on file in the office of the Judge of Probate in Marshall County, Alabama, and the map is open to the inspection of the public. Section 3. This act shall become effective on the first day of the third month following its passage and approval by the Governor, or its otherwise becoming law. 4tc:3/3;3/10;3/17;3/24/2022

SECTION 2: That the Town Clerk be and is hereby directed to prepare the necessary copies of the above-mentioned Bill for introduction in the Legislature; and that immediately after the fourth publication of the notice prescribed in Section 1 above, the City Town Clerk shall pay the cost of such publication and procure from said publisher an affidavit substantially as follows:

State of Alabama Marshall County

Before me _____, a Notary Public in and for the State and County aforesaid personally appeared _____, who, being by me first duly sworn, deposes and sayeth that during the times herein mentioned he was Publisher of The Arab Tribune, a newspaper of general circulation published in Marshall County, Alabama, and that the attached notice was published in said newspaper once a week for four consecutive weeks without cost to the State of Alabama, said notice having appeared in the issues of said paper on March 3, March 10, March 17, and March 24, all in the year 2022.

Sworn to and subscribed before me on this ___ day of _____, 20__.
_____ Notary Public

The Town Clerk is further directed to deliver the prepared Bills together with the publisher's affidavit to the Hon. Wes Kitchens, Representative to the Legislature of Alabama from Marshall County County, and respectively request that he cause the same to be introduced in the Legislature of Alabama.

Adopted this 21st day of March, 2022

/s/ Natalie Burke
Natalie Burke, Mayor

ATTEST:

/s/ Gail Busbey
Gail Busbey, Town Clerk-Treasurer