

ORDINANCE NO. 3515

AN ORDINANCE ADOPTED PURSUANT TO THE PROVISIONS OF SECTION 11-42-20 ET SEQ OF THE CODE OF ALABAMA, 1975, AS AMENDED, PROVIDING FOR ASSENT BY THE CITY COUNCIL OF THE CITY OF AUBURN TO THE ALTERATION AND REARRANGEMENT OF THE BOUNDARIES OF THE CITY OF AUBURN AND ASSENTING TO THE ANNEXATION OF CERTAIN LANDS INTO THE CITY LIMITS OF THE CITY, IN RESPONSE TO PETITIONS FILED BY PERSONS OWNING ALL THE LAND AREA OF THE LANDS ANNEXED, AND APPROVING SUCH ANNEXATION.

(H&G – ANNEXATION AX-2024-025)

WHEREAS, on the 17th day of September 2024, Hanson Grimes Land, LLC, owner of all real property hereinafter described, did file with the City Manager, a petition asking that the said tracts or parcels of land be annexed to and become part of the City of Auburn, Alabama; and

WHEREAS, said petition did contain the signature of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Auburn, Alabama; and

WHEREAS, all of the owners of said property have attested that certain municipal services, including busing to and from Auburn City Schools, may not be available to their property at the time of annexation, and that such services will be extended solely at the option of the City of Auburn, Auburn City Schools and/or the Auburn Water Works Board; and

WHEREAS, all of the owners of said property do attest that re-subdivision or development of said annexed territory, beyond the use or intensity evidenced at the adoption of this ordinance, constitutes the utilization of water service provided by the Auburn Water Works Board, only, where accessible in accordance with Auburn Water Works Board policy, as amended from time to time; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Auburn, Alabama, and it did further determine that all legal requirements for annexing said real property have been met pursuant to Section 11-42-20 through 11-42-24, Code of Alabama 1975, as amended; and

WHEREAS, the governing body has determined that the appropriate zoning designation to be applied to said real property is Rural (R).

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUBURN, ALABAMA, AS FOLLOWS:

Section 1. The City Council of the City of Auburn, Alabama, finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this Ordinance into the City of Auburn, Alabama.

Section 2. The boundary lines of the City of Auburn, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory heretofore encompassed by the corporate limits of the City of Auburn, Alabama, and in addition thereto the following described territory, to-wit:

STRIP: Commence and begin at the northeast corner of parcel a1 per Hanson-Hendricks

recorded plat in plat book 48 pg 113 thence south 89°52'00" west, a distance of 335.18 feet; thence north 88°35'00" west, a distance of 246.33 feet to the point of beginning of a strip of land to be annexed; thence south 00°32'36" east, a distance of 60.00 feet; thence south 89°57'15" west, a distance of 659.3 feet; thence north 01°46'36" west, a distance of 60.0 feet; thence north 89°57'15" east, a distance of 659.3 feet to the point of beginning, said strip of land containing 39,558 s.f. ±, or 0.908 ac. ±

PARCEL 1: A parcel of land lying in Section 5, Township 18 North, Range 25 East, and Section 32, Township 19 North, Range 25 East, Lee County, Alabama, being more particularly described as follows: Begin at the northeast corner of Section 5, Township 18 North, Range 25 East, Lee County, Alabama; thence South 00 degrees 55 minutes East, 812.24 feet to an iron pin; thence South 89 degrees 41 minutes 38 seconds West, 1473.8 feet to a point on the easterly right-of-way of Lee County Road Number 115; thence, along said right-of-way, North 14 degrees 00 minutes west, 387.3 feet to a concrete right-of-way monument; thence, along said right-of-way, North 18 degrees 14 minutes 12 seconds West, 432.52 feet to a concrete right-of-way; thence, along said right-of-way, North 22 degrees 32 minutes 25 seconds West, 1125.9 feet to a point; thence, leaving said right-of-way, North 88 degrees 35 minutes East, 680.5 feet to an iron pin; thence South 87 degrees 47 minutes East, 504.0 feet to an iron pin; thence North 88 degrees 36 minutes East, 941.7 feet to a point; thence south 00 degrees 12 minutes 38 seconds West, 1026.9 feet to the northeast corner of said section, township and range, and point of beginning, containing 74.22 acres.

LESS AND EXCEPT: Begin at the Northeast corner of Section 5, Township 18 North, Range 25 East, Lee County, Alabama, for a corner and starting point of the property to be described; thence South 00 degrees 55 minutes 17 seconds East, 812.31 feet to an iron pin; thence South 89 degrees 41 minutes 38 seconds West, 1473.81 feet to an iron pin located on the Easterly right-of-way of Lee Road 57 (formerly known as Lee County Road Number 115); thence North 14 degrees 00 minutes West, along the Easterly right-of-way of said road, 387.3 feet to a concrete right-of-way monument; thence in a Northwesterly direction along the Easterly right-of-way of said road along a curve to the left, said curve having a chord bearing of North 18 degrees 14 minutes 12 seconds West, and a chord distance of 432.52 feet to a concrete right-of-way monument; thence leaving said Easterly right-of-way of said road North 88 degrees 51 minutes 55 seconds East, 1689.94 feet to the Northeast corner of Section 5, Township 18 North, Range 25 East, and point of beginning, containing 28.94 acres more or less.

PARCEL 2: A parcel of land lying in Section 32, Township 19 North, Range 25 East, Lee County, Alabama, being more particularly described as follows: commence at a found 1 inch open top pipe locally accepted as the Southeast corner of Section 32, Township 19 North, Range 25 East; thence North 01 degrees 44 minutes 04 seconds West 1026.97 feet to a 1 inch open top pipe found at the point of beginning; thence South 87 degrees 30 minutes 00 seconds West 2125.55 feet to a 1 inch open top pipe found on the east right-of-way line of Lee Road 57 (70 foot right-of-way); thence along the east line of said road North 24 degrees 26 minutes 15 seconds West 468.44 feet to a rebar set on the south line of a 100 foot wide Alabama Power Company easement; thence along the south line of said easement North 71 degrees 43 minutes 24 seconds East 854.51 feet to a set of rebar; thence North 02 degrees 24 minutes 16 seconds West 893.22 feet to a found 1 inch bar; thence North 87 degrees 30 minutes 00 seconds East 1476.47 feet to a set of rebar; thence South 02 degrees 46 minutes 55 seconds East 251.65 feet to a found 1 inch bar (#15722); thence South 02 degrees 41 minutes 34 seconds East 179.00 feet to a found 1 inch bar (#15722); thence South 02 degrees 43 minutes 50 seconds East 185.40 feet to a found fence corner; thence South 02 degrees 40 minutes 45 seconds East 609.54 feet to a found flat iron in a rock pile; thence South 01 degrees 46 minutes 36 seconds East 334.52 feet to the point of beginning, containing 62.5 acres, more or less.

Said conveyance is made subject to all valid and enforceable easements and restrictions of record.

Section 3. In the event that a fire tax is being charged against the above-described territory under Section 8, Act No. 89-390 of the State of Alabama, the owners of said territory agree to pay all such costs.

Section 4. If in the future it is deemed necessary to improve the right-of-way from which this property takes access, one of the options considered by the City to provide such improvements will be to assess the property owner/owners their proportionate share of the costs of such improvements.

Section 5. This Ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Lee County, Alabama.

Section 6. The territory described in this Ordinance shall become a part of the corporate limits of Auburn, Alabama, upon publication of this Ordinance as set forth in Section 5, above.

ADOPTED AND APPROVED by the City Council of the City of Auburn, Alabama, this the 15th day of October, 2024.

/s/ Ron Anders, Jr., Mayor

ATTEST:

/s/ Megan McGowen Crouch, City Manager