

ORDINANCE NO. 823-13

AN ORDINANCE APPROVING THE TRANSFER OF REAL PROPERTY

WHEREAS, the City Council of the City of Helena, Alabama, approved the purchase of certain real property by Resolution No. 05152011, one of the purposes for the purchase being the construction of a new high school by the County Board of Education of Shelby County, Alabama, on a portion of the real property to be purchased, provided that such portion of the real property to be purchased would be transferred by the City of Helena to the County Board of Education of Shelby County, Alabama; and

WHEREAS, the City of Helena did acquire the real property by deed dated November 8, 2011; and

WHEREAS, the County Board of Education of Shelby County, Alabama, is commencing construction of the new high school on a portion of said real property as contemplated in Resolution No. 05152011 and has requested that the City of Helena proceed to transfer to the Board the real property upon which such high school is being constructed; and

WHEREAS, the City Council of the City of Helena, Alabama, has determined that the portion of the real property upon which the new high school is being constructed is not needed for public or municipal purposes by the City, and that the construction of the new high school is sufficient consideration for the transfer of the real property to the Board;

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

**Section 1.** It is hereby established and declared that the following described real property of the City of Helena, Alabama, is no longer needed for public or municipal purposes by the City:

All of the real property shown on a copy of a warranty deed attached hereto as Exhibit A and made a part hereof

**Section 2.** Pursuant to the authority granted by § 11-47-20, Code of Alabama 1975, the mayor and the city clerk are hereby authorized and directed to execute a warranty deed, a copy of which is attached to this ordinance as Exhibit A and made a part hereof, conveying said property to the County Board of Education of Shelby County, Alabama.

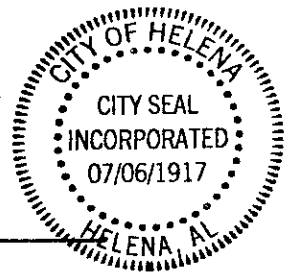
**Section 4.** This Ordinance shall become effective upon its passage and publication or posting as required by law.

ADOPTED AND APPROVED THIS 6th DAY OF May, 2013.

Attest:

Amanda C. Newrick  
City Clerk

[Signature]  
Mayor, City of Helena, Alabama



This instrument was prepared without benefit of title evidence or survey by:

Grantee's Address:  
P.O. Box 1910  
Columbiana, AL 35051

William R. Justice  
P.O. Box 587, Columbiana, AL 35051

## WARRANTY DEED

STATE OF ALABAMA  
COUNTY OF SHELBY

KNOW ALL MEN BY THESE PRESENTS,

That in accordance with the provisions of Resolution No. 05162011 adopted by the City Council of the City of Helena on May 16, 2011, the undersigned Grantor, City of Helena, Alabama, a municipal corporation (herein referred to as GRANTOR) does by these presents grant, bargain, sell and convey unto the County Board of Education of Shelby County, Alabama (herein referred to as GRANTEE) in fee simple the following described real estate, situated in Shelby County, Alabama:

**Only that part of the real property shown on Exhibit A and more particularly described on Exhibit B, attached hereto and made a part hereof, which lies westerly of the westerly margin of a 100 foot utility easement, the location of which is shown on Exhibit A.**

Subject to all easements, rights of way, exceptions, reservations, conditions, covenants, and encumbrances of record, including those in the deed from United States Steel Corporation to GRANTOR dated November 8, 2011, and recorded as Instrument # 20111116000345900 in the Probate Office of Shelby County, Alabama.

TO HAVE AND TO HOLD to the said GRANTEE and its successors and assigns forever.

And said GRANTOR does for itself, its successors and assigns, covenant with said GRANTEE and GRANTEE'S successors and assigns that it is lawfully seized in fee simple of said premises, that they are free from all encumbrances except as noted above, that it has a good right to sell and convey the same as aforesaid, and that it will and its successors and assigns shall warrant and defend the same to the said GRANTEE and GRANTEE'S successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, the said GRANTOR, by its Mayor, Mark Hall, who is authorized to execute this conveyance, has hereto set its signature and seal, this the 6th day of May, 2013.

ATTEST:

Amanda C. Hayward  
Clerk

City of Helena, Alabama

by Mark Hall  
Mark Hall, as its Mayor

STATE OF ALABAMA  
COUNTY OF SHELBY

Acknowledgment

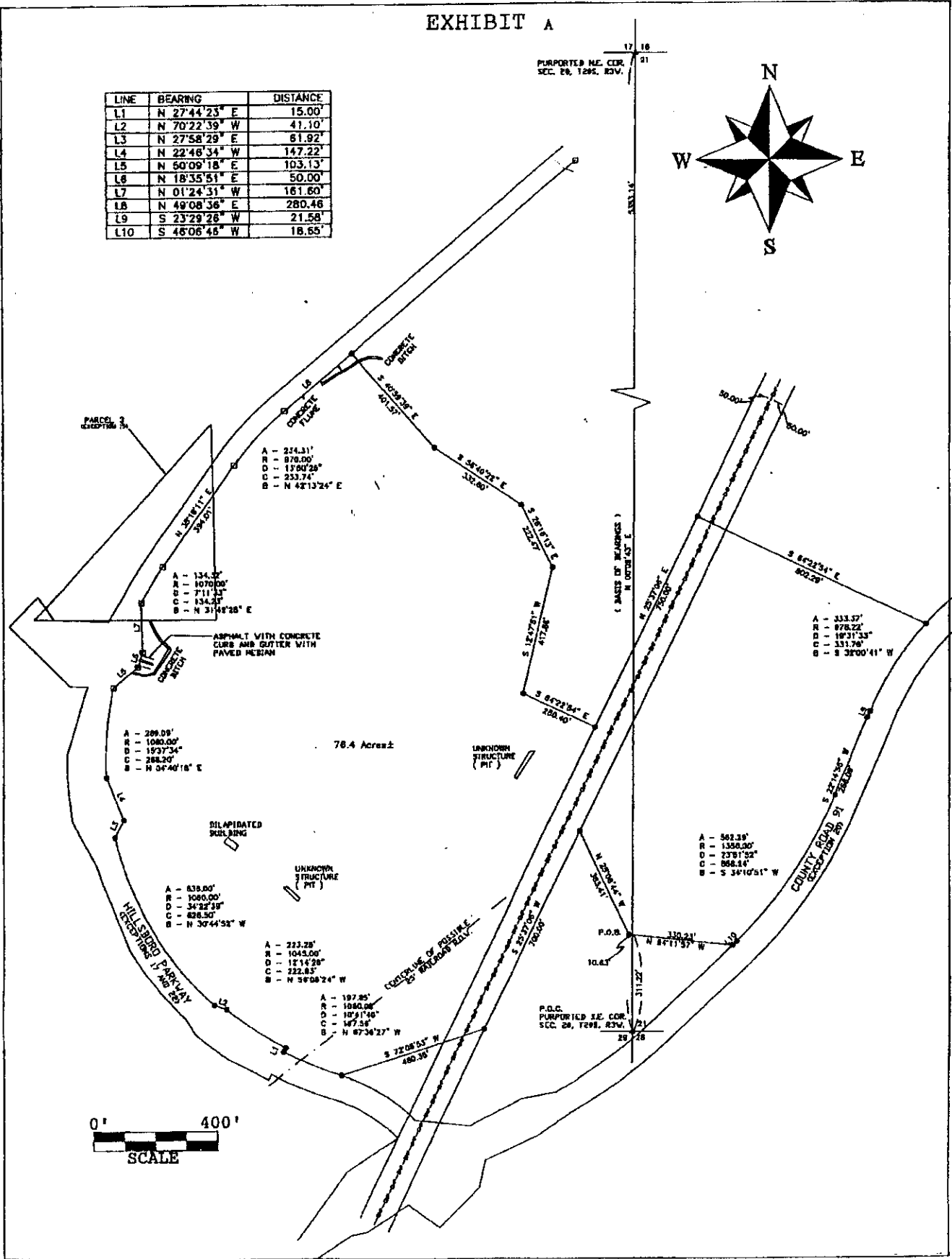
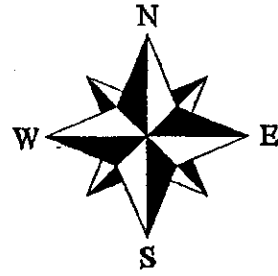
I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Mark Hall, whose name as Mayor of the City of Helena, Alabama, a municipal corporation, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, as such officer and with full authority, executed the same voluntarily for and as the act of said municipal corporation.

Given under my hand and official seal, this the 6 day of May, 2013.

Amanda C. Hayward  
Notary Public

# EXHIBIT A

LINE	BEARING	DISTANCE
L1	N 27°44'23" E	15.00'
L2	N 70°22'39" W	41.10'
L3	N 27°58'29" E	61.92'
L4	N 22°46'34" W	147.22'
L5	N 50°09'18" E	103.13'
L6	N 18°35'51" E	50.00'
L7	N 01°24'31" W	161.60'
L8	N 49°08'36" E	280.46'
L9	S 23°29'28" W	21.58'
L10	S 46°06'46" W	18.65'



0' 400'  
SCALE

## EXHIBIT B

### Legal Description of the Property

COMMENCING AT A 3" CAPPED IRON PIPE AT THE PURPORTED SOUTHEAST CORNER OF SECTION 20, TOWNSHIP 20 SOUTH RANGE 3 WEST; RUN THENCE NORTH 00°09'43" EAST ALONG THE EAST SECTION LINE OF SAID SECTION 20, TOWNSHIP 20 SOUTH RANGE 3 WEST FOR A DISTANCE OF 311.22 FEET TO A POINT; THENCE RUN NORTH 84°11'57" WEST FOR A DISTANCE OF 10.63 FEET TO THE POINT OF BEGINNING; THENCE RUN NORTH 25°08'44" WEST FOR A DISTANCE OF 363.41 FEET; THENCE RUN SOUTH 25°37'06" WEST FOR A DISTANCE OF 700.00 FEET; THENCE RUN SOUTH 72°08'53" WEST FOR A DISTANCE OF 480.35 FEET TO A POINT ON THE NORTH R.O.W. LINE OF HILLSBORO PARKWAY; THENCE RUN WITH THE NORTH R.O.W. OF SAID HILLSBORO PARKWAY ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 197.85 FEET HAVING A RADIUS OF 1060.0 FEET WITH A CHORD BEARING OF NORTH 67°36'27" WEST A CHORD DISTANCE OF 197.56 FEET; THENCE RUN NORTH 27°44'23" EAST FOR A DISTANCE OF 15.00 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 223.25 FEET HAVING A RADIUS OF 1045.0 FEET WITH A CHORD BEARING OF NORTH 56°08'24" WEST A CHORD DISTANCE OF 222.83 FEET; THENCE RUN NORTH 70°22'39" WEST FOR A DISTANCE OF 41.10 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH 636.0 FEET HAVING A RADIUS OF 1060.0 FEET WITH A CHORD BEARING OF NORTH 30°44'52" WEST A CHORD DISTANCE OF 626.50 FEET; THENCE RUN NORTH 27°58'29" EAST FOR A DISTANCE OF 61.92 FEET; THENCE RUN NORTH 22°46'34" WEST FOR A DISTANCE OF 147.22 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 289.09 FEET HAVING A RADIUS OF 1060.0 FEET WITH A CHORD BEARING OF NORTH 04°40'18" EAST, A CHORD DISTANCE OF 288.20 FEET; THENCE RUN NORTH 50°09'18" EAST FOR A DISTANCE OF 103.13 FEET; THENCE RUN NORTH 18°35'51" EAST FOR A DISTANCE OF 50.0 FEET; THENCE RUN NORTH 01°24'31" WEST FOR A DISTANCE OF 161.60 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 134.32 FEET HAVING A RADIUS OF 1070.0 FEET WITH A CHORD BEARING NORTH 31°42'25" EAST, A CHORD DISTANCE OF 134.23 FEET; THENCE RUN NORTH 35°18'11" EAST FOR A DISTANCE OF 394.01 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 234.31 FEET HAVING A RADIUS OF 970.0 FEET, WITH A CHORD BEARING OF NORTH 42°13'24" EAST, A CHORD DISTANCE OF 233.74 FEET; THENCE RUN NORTH 49°08'36" EAST FOR A DISTANCE OF 280.46 FEET; THENCE DEPARTING SAID R.O.W. OF HILLSBORO PARKWAY RUN SOUTH 40°59'39" EAST FOR A DISTANCE OF 401.57 FEET; THENCE RUN SOUTH 56°40'22" EAST FOR A DISTANCE OF 332.60 FEET; THENCE RUN SOUTH 26°16'13" EAST FOR A DISTANCE OF 222.47 FEET; THENCE RUN SOUTH 12°47'51" WEST FOR A DISTANCE OF 417.86 FEET; THENCE RUN SOUTH 64°22'54" EAST FOR A DISTANCE OF 250.40 FEET; TO THE WESTERLY MARGIN OF A 100 FOOT UTILITY EASEMENT; THENCE RUN ALONG THE WESTERLY MARGIN OF SAID UTILITY EASEMENT NORTH 25°37'06" EAST FOR A DISTANCE OF 750.00 FEET; THENCE RUN SOUTH 64°22'54" EAST FOR A DISTANCE OF 802.29 FEET; THENCE RUN ALONG A CURVE TO THE LEFT AN ARC LENGTH OF 333.37 FEET HAVING A RADIUS OF 978.22 FEET WITH A CHORD BEARING OF SOUTH 32°00'41" WEST A CHORD DISTANCE OF 331.76 FEET; THENCE RUN SOUTH 23°29'26" WEST FOR A DISTANCE OF 21.58 FEET; THENCE RUN SOUTH 22°14'55" WEST FOR A DISTANCE OF 266.09 FEET; THENCE RUN ALONG A CURVE TO THE RIGHT AN ARC LENGTH OF 562.29 FEET HAVING A RADIUS OF 1350.00 FEET WITH A CHORD BEARING OF SOUTH 34°10'51" WEST A CHORD DISTANCE OF 558.24 FEET; THENCE RUN SOUTH 46°06'46" WEST FOR A DISTANCE OF 18.65 FEET; THENCE RUN NORTH 84°11'57" WEST FOR A DISTANCE OF 330.23 FEET TO THE POINT OF BEGINNING. SAID PARCEL LIES IN SECTIONS 20, 21, AND 29, TOWNSHIP 20 SOUTH, RANGE 3 WEST, SHELBY COUNTY, ALABAMA.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40.22.1

Grantor's Name : City of Helena

Grantee's Name: County Board of Education of Shelby County, Alabama

Mailing Address P O Box 262  
Helena, AL 35080

Mailing Address: P O Box 1910  
Columbiana, AL 35051

Property Address: Hillsboro Parkway  
Helena, AL 35080

Date of Sale \_\_\_\_\_

Total Purchase Price \$ \_\_\_\_\_

or

Actual Value \$ \_\_\_\_\_

or

Assessor's Market Value \$ 1,375,000.00

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

Bill of Sale  
 Sales Contract  
 Closing Statement

Appraisal  
 Other - Tax Assessor Records

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975§ 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975§ 40-22-1 (h).

Date May 6th 2013

Sign MRK City of Helena Mayor  
(Grantor/Grantee/Owner/Agent) circle one

Print MARK R HAWK

\_\_\_\_ Unattested

\_\_\_\_\_  
(Verified by)