

## ORDINANCE NO. 617

WHEREAS, Hopewell Cemetery, being the owner of the real property herein described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Hanceville, and;

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

NOW THEREFORE, BE IT ORDAINED, by the City of Hanceville, Alabama, as follows:

SECTION 1. The Council of the City of Hanceville, 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 areas, to bring the territory described in Section 2 of this ordinance into the City of Hanceville

SECTION 2. The Boundary lines of the City of Hanceville, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the City of Hanceville, Alabama, and in addition thereto the following described territory to wit:

(a) Tract One:

All that part of the Southeast Quarter of the Northeast Quarter of Section 18 Township 11, Range 2 West, lying West of the Hanceville and Cullman Public Road, beginning at the SW Corner of Hopewell Church lot, running West with the Blacktop Road to the McElroy Line, North to the Creek, East to the Church lot, South to the point of beginning, being (2) acres, more or less.

(b) Tract Two:

Part of the SE¼ of NE¼ of Sec. 18, T11S, R2W described as beginning at the intersection of the North R.O.W. line of County Road 582 with the West R.O.W. line of County Road 599; thence Westerly along the North R.O.W. line of said County Road 582, 400 feet; thence Northerly 140 feet, more or less, to Whaley Mill Creek, at a point that is 380 feet, along said creek line, from the West R.O.W. line of said County Road 599; thence

Easterly and Northeasterly along said Whaley Mill Creek, 380 feet to the West R.O.W. line of said County Road 599; thence Southwest along the West R.O.W. line of said County Road 599, 240 feet to the point of beginning. Situated, lying and being in Cullman County, Alabama.

All that part of the Southeast Quarter of the Northeast Quarter and the Northeast Quarter of the Southeast Quarter of Section 18, Township 11 South, Range 2 West, and more particularly described as follows:

Begin at the Southwest corner of the Southeast Quarter of the Northeast Quarter; thence North along the West line of said forty 243.7 feet; thence go North 79 degrees 20' right 357.7 feet to the West edge of a black top road; thence Northwest to the South right of way of a second black top road; thence Easterly along the South right of way to the West right of way of County Road 599; thence Southerly along the West right of way to the South line of the North half of the Northeast Quarter of the Southeast Quarter; thence West along the South line of the North half of the Northeast Quarter of the Southeast Quarter to the Southwest corner of said twenty; thence North along the West line to the point of beginning.

SECTION 3. 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 Cullman County, Alabama.

SECTION 4. The territory described in this ordinance shall become a part of the corporate limits of Hanceville, Alabama, upon publication as required by law.

Map Tools

Hopewell Cemetery



100m  
300ft

24 015  
24 016  
24 017  
24 018  
24 019

10/9/2017

**PETITION OF HOPEWELL CEMETERY FOR ANNEXATION  
INTO THE CITY OF HANCEVILLE, ALABAMA**

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City of Hanceville this written petition requesting that our property as described be annexed to the City of Hanceville, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Ala. 1975.

We, the undersigned, fully understand that the City may provide sewer service under the City's current adopted procedures, but makes no commitment to extend sewer lines to property that is annexed into the City, or to upgrade drainage or roads by virtue of an annexation. Further, the City is prohibited from improving private property.

Furthermore, we certify that we understand fully that, following annexation, the subject property shall be subject to all laws and codes administered by the City of Hanceville.

We do hereby request that the City give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Hanceville, Alabama shall be rearranged so as to include such territory.

I/We agree that said described property will be zoned as deemed appropriate by the Hanceville City Council as any such zoning shall be established in the future.

Each of the undersigned petitioners agree as follows:

**A. Petitioner (Owner) Name.** Hopewell Cemetery.

**B. Eligibility.** That said territory is eligible for annexation to the City of Hanceville pursuant to the terms of Article 2, Section 11-42-1, et. Seq., The Code of Alabama 1975, as amended. That the property is not embraced within any other incorporated City or Town. That it abuts upon and is contiguous to the City of Hanceville in a manner which will afford reasonable ingress and egress thereto.

**C. Addresses and phone.** That the addresses of the petitioners and phone numbers of petitioners accompany their signatures below, together with the dates of signing.

(1) Owner(s) Address: a. ROBERT HAMILTON  
b. LARRY COENIGLICK  
c. LAVELL THASINA

- d. Joe Calvert
- e. Pat Hamilton
- f. \_\_\_\_\_

(2) Phone: (Office) \_\_\_\_\_ (Home) \_\_\_\_\_ (Fax) \_\_\_\_\_

**D. Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Hanceville is described in Exhibit "A" attached hereto and made a part of this petition as fully set out herein. (Petitioner may attach a copy of the deed to the property to be annexed).

**E. Map of Property:** Attached hereto as Exhibit "B" and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Hanceville. (Petitioner may attach a copy of the tax plat highlighting the property to be annexed).

**F. Property Area:** 36 acres, more or less.

I/We certify that all information provided is complete and accurate to the best of our knowledge.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 9<sup>th</sup> day of OCTOBER, 2017.

OWNER SIGNATURES:

- a. Robert Hamilton
- b. Larry Cornelius
- c. Levelle L. Thrasher
- d. Bobby Joe Calvert
- e. Pat Hamilton
- f. \_\_\_\_\_

WITNESS SIGNATURES:


- a. [Signature]
- b. [Signature]
- c. [Signature]
- d. [Signature]
- e. [Signature]
- f. \_\_\_\_\_

ADOPTED, this the 11<sup>th</sup> day of January 2018.



Mayor Kenneth Nail

ATTEST:

  
City Clerk

**Certificate of Publication**

I, Tania C. Wilcox, certify that this ordinance was posted in the following public places: Hanceville City Hall, Hanceville Public Library, Hanceville Post Office, and Hanceville Water Department on 1/18/2018.

