

**CITY OF HANCEVILLE
ORDINANCE NO. 2024-1**

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 510

WHEREAS, RMP Farms authorized and acting on behalf of The Broadway Group / KME Development LLC, being the owners of the real property herein described, did file with the City Clerk a petition requesting 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 Council of the City of Hanceville, Alabama, as follows:

SECTION 1.

The City 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:

Cullman County Parcel Numbers: 23-04-18-0-001-085.000 and 23-04-18-0-001-086.000

ALL THAT PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 18, TOWNSHIP 11 SOUTH, RANGE 2 WEST, CULLMAN COUNTY, ALABAMA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE MARKING THE SOUTHEAST CORNER OF SAID QUARTER-QUARTER OF THE SAID SECTION 18; THENCE NORTH 01 DEGREE 04 MINUTES 53 SECONDS WEST 1063.97 FEET TO A CAPPED IRON PIN (STAMPED CA451LS), THE POINT IS FURTHER DESCRIBED AS BEING THE POINT OF BEGINNING; THENCE SOUTH 77 DEGREES 33 MINUTES 36 SECONDS WEST 258.55 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE NORTH 42 DEGREES 27 MINUTES 10 SECONDS WEST 576.81 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE SOUTH 47 DEGREE 32 MINUTES 40 SECONDS WEST 342.22 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE NORTH 42 DEGREE 27 MINUTES 20 SECONDS WEST 70.88 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE SOUTH 47 DEGREE 32 MINUTES 40 SECONDS WEST 110.52 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); ON THE NORTH RIGHT-OF-WAY MARGIN OF U.S. HIGHWAY 31; THENCE ALONG SAID RIGHT-OF-WAY MARGIN NORTH 42 DEGREES 25 MINUTES 45 SECONDS WEST 9.40 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE LEAVING SAID RIGHT-OF-WAY MARGIN NORTH 00 DEGREES 42 MINUTES 14 SECONDS EAST 105.99 FEET TO A CAPPED IRON PIN (STAMPED CA451LS); THENCE NORTH 42 DEGREES 46 MINUTES 39 SECONDS WEST 171.45 FEET TO A CAPPED IRON PIN; THENCE NORTH 42 DEGREES 48 MINUTES 11 SECONDS WEST 248.55 FEET TO A CAPPED IRON PIN; THENCE NORTH 00 DEGREES 04 MINUTES 22 SECONDS EAST 106.97 FEET TO A CAPPED IRON PIN; THENCE NORTH 00 DEGREES 54 MINUTES 09 SECONDS EAST 307.02 FEET TO A CAPPED IRON PIN; THENCE SOUTH 89 DEGREES 13 MINUTES 25 SECONDS EAST 1301.83 FEET TO CAPPED IRON PIN; THENCE SOUTH 00 DEGREES 27 MINUTES 07 SECONDS EAST 934.05 FEET TO A POINT OF BEGINNING CONTAINING 22.63 ACRES MORE OR LESS.

NOW, THEREFORE, BE IT FURTHER ORDAINED, as follows:

SECTION 3.

That the public health, safety, morals, and general welfare requiring it under authority granted by Article 4, Sections 11-52-70 through 11-52-79, Code of Alabama, 1975, as amended and the Zoning Ordinance of the City of Hanceville, Alabama Ordinance No. 510, adopted the 1st day of May 2006, as amended, and more particularly the Hanceville, Alabama Zoning Map as a part thereof, is hereby amended, changed, and modified as follows:

SECTION 4.

That the real estate owned by The Broadway Group / KME Development LLC described in SECTION 2 of this ordinance be zoned R-3 High Density Residential.

SECTION 5.

- (a) That this Ordinance with notice of public hearing has been published once each week for two (2) successive weeks prior to passage, within the City of Hanceville, Alabama, and the publication of said notice and ordinance being verbatim.
- (b) That a public hearing was held relative to the passage of this ordinance on the 14th day of March 2024 at 5:30 p.m. prior to adoption at which time interested parties and citizens had opportunity to be heard concerning said ordinance and any changes relating thereto.
- (c) That all notices as required by law were given by the City Clerk concerning said public hearing.

SECTION 6.

That upon final passage of this ordinance, all zoning maps, master comprehensive plans or any other documents of the City of Hanceville, Alabama, in conflict with this ordinance be and are hereby changed and amended to reflect the changes and amendments herein.

SECTION 7.

Should any part or portion of this ordinance be held invalid, unenforceable, or unconstitutional, for whatever reason, by a court of competent jurisdiction, such ruling shall not affect any other part or portion of this ordinance.


SECTION 8.

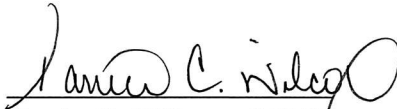
THEREFORE, be it RESOLVED, that the above-described property is annexed to the City of Hanceville and is zoned R-3 High Density Residential, and that appropriate action be taken to change and modify the City Zoning Map to reflect the same.

SECTION 9.

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.

ADOPTED and EFFECTIVE, this the 12TH day of September 2024.


Mayor Jim Sawyer

ATTEST: 
Tania C. Wilcox, MMC

