

ORDINANCE No. 135-254

AN ORDINANCE OF THE CITY OF PELHAM, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF PELHAM, ALABAMA, BE AMENDED BY ADDING A SECTION TO BE NUMBERED 135-254 PROVIDING THE FOLLOWING AMENDMENT TO THE ZONING ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PELHAM, ALABAMA AS FOLLOWS:

SECTION ONE: The rezoning of property located at 301 Green Park South, Pelham, Alabama 35124 changing the present zoning R-1 (Single Family Residential District) and B-2 (General Business District) to P-MHP (Planned Manufactured Mobile Home Park)

Applicant: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield, Hills, Michigan 48301

Property Owner: FSI Green Park South Property, LLC
7457 Franklin Road, Suite 300, Bloomfield Hills, Michigan 48301

Property Location: 301 Green Park South, Pelham, AL 35124. (98.778 Acres)
Shelby County Property Parcel I.D.: 13 1 01 1 001 002.000 and 13 1 01 1 001 011.000

Legal Description(s) of Subject Property:

GREEN PARK PARCEL I

A parcel of land located in Section 1, Township 20 South, Range 3 West, more particularly described as follows: Begin at the Northeast corner of said Section 1; thence South along the East Line thereof, a distance of 1326.0 feet; thence 45° 51 ' right, in a Southwesterly direction a distance of 2025.0 feet; thence 90° right, in a Northwesterly direction, a distance of 682.0 feet; thence 81° 04' right, in a Northeasterly direction, a distance of 663.0 feet; thence 90° left, in a Northwesterly direction, a distance of 500.0 feet; thence 90° right, in a Northeasterly direction, a distance of 1807.34 feet to a point on the North Line of said Section 1; thence 55° right, in an Easterly direction, a distance of 844.43 feet to the point of beginning. Situated in Shelby County, Alabama.

GREEN PARK PARCEL II

A 50 foot wide parcel of land located in the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows:

Commence at the Southwest corner of the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, thence in a Northerly direction along the Westerly Line of said quarter quarter of Section a distance of 25 feet to the point of beginning, said point being in the Center Line of herein described fifty foot wide parcel of land, said parcel being 25 feet each side of herein described Center Line; thence 89° 1 0' right, in an Easterly direction, a distance of 56.05 feet to the beginning of a curve to the left, having a central angle of 73° 32', and a radius of 119.93 feet; thence Northeasterly along said curve, a distance of 153.92 feet to end of said curve and the beginning of a curve to the right, having a central angle of 23° 18' and a radius of 242.51 feet; thence Northeasterly along said curve, a distance of 98.62 feet to end of said curve; thence Northeasterly a distance of 715.64 feet to the beginning of a curve to the right having a central angle of 16° 02' 30", and a radius of 354.83 feet; thence Northeasterly along said curve, a distance of 99.34 feet to end of said curve; thence Northeasterly a distance of 27.50 feet to the beginning of a curve to the left, having a central angle of 35° 26' 30" and a radius of 313. 17 feet; thence Northeasterly along said curve a distance of 193.72 feet to end of said curve to the right and the point of beginning of a curve to the right, having a central angle of 78° 41 ' and radius of 135.26 feet; thence Northeasterly along said curve a distance of 185.75 feet to its intersection with the westerly right of way line of U.S. Highway 31 and end of herein described 50 foot wide parcel. Situated in Shelby County, Alabama.

GREEN PARK PARCEL III

A parcel of land located in the West 1/2 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, more particularly described as follows: Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West, said point being on the South right of way boundary of Trailer Park Road; thence Easterly along the North boundary of said quarter quarter Section, which is also along said South right of way boundary 55.69 feet to the point of beginning of the arc of a curve, tangent to last mentioned course turning to the left, having a central angle of 73° 32' and a radius of 144.93 feet; thence Easterly and thence Northeasterly along said arc 186.00 feet to the point of beginning of another curve, turning to the right, tangent to last mentioned curve, having a central angle of 23° 18' and a radius of 271.51 feet; thence Northeasterly along the arc of last mentioned curve 88.45 feet; thence Northeasterly along a line tangent to last mentioned arc 17.75 feet (The last mentioned three courses were along said South right of way boundary of Trailer Park Road); thence right 63° 30' in a Southeasterly direction 35 feet, more or less, to the centerline of Bishop Creek; thence Southwesterly along said centerline 486 feet, more or less, to intersection with the West boundary of said quarter quarter Section; thence Northerly along said West boundary 173 feet, more or less, to the point of beginning. Situated in Shelby County, Alabama.

EASEMENT FOR WALK BENEFICIAL TO GREEN PARK

Centerline of 8.00 feet Easement for Walk Begin at the Northwest corner of the Southwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West; thence Southerly along the West boundary of said quarter quarter Section 58.00 feet to the point of beginning of centerline herein described; thence 81° 58' left in a Southeasterly direction 28.10 feet; thence 39° 00', right in a Southeasterly direction 75 feet, more or less, to intersection with the centerline of Bishop Creek, said intersection being the terminus of centerline herein described. Situated in Shelby County, Alabama.

SOUTHGATE PARCEL I

Part of Lot 1, J H Banker's Subdivision and part of the Southeast 1/4 and the Northeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South , Range 3 West and the Northwest 1/4 of the Northwest 1/4 of Section 6, Township 20 South, Range 2 West being more particularly described as follows:

Beginning at the Southeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence North 00° 02' 45" Section West along the East Line of said quarter quarter Section a distance of 1,151.65 feet to property corner in the centerline of Bishop Creek; thence run South 59° 29' 19" West along centerline of said Creek 59.70 feet to a property corner; thence run South 21° 16' 11" West along centerline of said Creek 159.36 feet to a property corner; thence run South 56° 34' 04" West along centerline of said creek 26.66 feet to a property corner, thence run along centerline of said creek North 87° 38' 50" West, a distance of 140.35 feet to a property corner; thence run along the centerline of said creek North 68° 19' 51 " West a distance of 53.89 feet to a property corner; thence run North 63° 53' 32" West along centerline of said creek 22.40 feet to a point on the diagonal line from the Northeast corner of subject quarter quarter Section to the Southwest corner of same said quarter quarter Section; thence continue North 63° 53' 32" West along centerline of said Bishop Creek a distance of 101 .71 feet to a property corner; thence run North 70° 16' 22" West along centerline of said creek a distance of 53.59 feet to a property corner; thence run South 59° 36' 19" West along the centerline of said creek a distance of 62.77 feet to a property corner; thence run South 56° 48' 01" West along the centerline of said creek a distance of 65.03 feet to a property corner; thence run South 40° 55' 1 0" West along centerline of said creek a distance of 68.06 feet to a property corner; thence run South 19° 36' 18" West along centerline of said creek a distance of 48.20 feet to a property corner; thence run South 24° 15' 39" West along centerline of said Creek a distance of 56.85 feet to a property corner; thence run South 29° 52' 59" West along centerline of said creek a distance of 76.33 feet to a property corner; thence run South 36° 20' 45" West along centerline of said creek a distance of 69.25 feet to a property corner; thence run South 28° 20' 41" West along centerline of said creek a distance of 50.82 feet to a property corner; thence run South 35° 34' 16" West along centerline of said creek a distance of 39.42 feet to a property corner; thence run South 08° 36' 24" East along centerline of said creek a distance of 42.56 feet to a property corner; thence run South 32° 15' 53" East along centerline of said creek a distance of 34.40 feet to a property corner on the diagonal (so called twenty acre line)

between the Northeast corner of said Southeast 1/4 of the Northeast 1/4 and the Southwest 1/4 of same said quarter quarter; thence run South 45° 50' 56" West along said diagonal line a distance of 809.57 feet to a property corner representing the Southwest corner of the said Southeast 1/4 of the Northeast 1/4 of said Section 1; thence run South 89° 43' 11" East along the South line of said quarter quarter and the centerline of same said Bishop Creek a distance of 610.01 feet to a property corner in the centerline of said creek; thence run South 60° 22' 32" East along centerline of said creek a distance of 87.16 feet to a property corner in the centerline of said creek; thence run North 67° 18' 26" East a distance of 101 .94 feet to a steel rebar property corner; thence run South 67° 18' 21 " East and 4.51 feet North of and nearly parallel to an existing industrial fence a distance of 764.54 feet to a found crimped pipe corner on the Westerly margin of U.S. Highway No. 31, aka, Pelham Parkway; thence run North 27° 35' 30" East along said margin of said highway a distance of 73.53 feet to a property corner; thence run North 67° 23' 27" West a distance of 173.65 feet to a property corner; thence run North 36° 40' 19" East a distance of 46.35 feet to a property corner; thence run North 35° 01' 49" West a distance of 48.32 feet to a property corner on the East Line of the Northeast 1/4 of the Southeast 1/4 of same said Section 1; thence run North 00° 02' 19" West along the East Line of the said Northeast 1/4 of the Southeast 1/4 of same Section 1 a distance of 79.04 feet to the point of beginning. Situated in Shelby County, Alabama.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PROPERTY HEREIN REFERED TO AS SOUTHGATE PARCEL II:

Commence at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.35 feet to a point in the centerline of Bishop Creek and the point of beginning of the property being described; thence run North 63° 53' 32" West along the centerline of Bishop Creek a distance of 101 .71 feet to a point; thence run North 70° 16' 22" West along said centerline of said creek 53.59 feet to a point; thence run South 59° 36' 19" West along centerline of said creek 62.77 feet to a point; thence run South 56° 48' 01 " West along centerline of said creek 65.03 feet to a point; thence run South 40° 55' 10" West along the centerline of said creek 68.06 feet to a point; thence run South 19° 36' 18" West along centerline of said creek 48.20 feet to a point; thence run South 24° 14' 39" West along centerline of said creek 56.85 feet to a point; thence run South 29° 52' 59" West along centerline of said creek 76.33 feet to a point; thence run South 36° 20' 45" West along centerline of said Bishop Creek 69.25 feet to a point; thence run South 28° 20' 41" West along said centerline of said creek 50.82 feet to a point; thence run South 35° 34' 16" West along centerline of said creek 39.42 feet to a point; thence run South 08° 36' 24" East along centerline of said creek 42.56 feet to a point; thence run South 32° 15' 53" East along centerline of said creek 34.40 feet to a point; thence run North 45° 50' 56" East a distance of 607.41 feet to the point of beginning. Situated in Shelby County, Alabama.

NOTE: SOUTHGATE PARCEL II DESCRIBED HEREIN IS WRITTEN WITHIN THE BOUNDS OF SOUTHGATE PARCEL I

SOUTHGATE PARCEL III

Beginning at the Northeast corner of the Southeast 1/4 of the Northeast 1/4 of Section 1, Township 20 South, Range 3 West, Shelby County, Alabama and run thence South 45° 50' 56" West a distance of 476.34 feet to a point in the centerline of Bishop creek; thence run South 63° 53' 32" East along said centerline of said creek 22.40 feet to a point; thence run South 69° 19' 51" East along said centerline of said creek 53.89 feet to a point; thence run South 87° 38' 50" East along said centerline of said creek 140.35 feet to a point; thence North 56° 34' 04" East along said centerline of said creek 26.66 feet to a point; thence run North 21° 16' 11" East along said centerline of said creek 159.36 feet to a point; thence run North 59° 29' 19" East along centerline of said creek 61.31 feet to a point on the East Line of said Southeast 1/4 of the Northeast 1/4 of said Section 1; thence run North 00° 30' 24" West along said East Line of said quarter quarter, a distance of 173.00 feet to the point of beginning. Situated in Shelby County, Alabama.

All being situated in Shelby County, Alabama.

END OF LEGAL DESCRIPTION

SECTION TWO: All ordinances or parts of ordinances, in any manner conflicting herewith are hereby repealed.

SECTION THREE: This ordinance shall become effective upon its passage and publication or posting as required by law.

THEREUPON _____, a councilmember moved and _____, a councilmember seconded the motion that Ordinance No. 135-254 be given vote. The roll call vote on said motion was as follows:

Maurice Mercer, Council President	_____
David Coram, Councilmember	_____
Larry Palmer, Councilmember	_____
Rick Wash, Councilmember	_____
Mildred Lanier, Councilmember	_____

Ordinance No. 135-254 passed by majority vote of the Council and the Council President declared the same passed and adopted.

ADOPTED this 27th day of March 2023.

Maurice Mercer, Council President

David Coram, Councilmember

Larry Palmer, Councilmember

Rick Wash, Councilmember

Mildred Lanier, Councilmember

[SEAL]

ATTEST

APPROVED:

Tom Seale, MMC, City Clerk/Treasurer

Gary W. Waters, Mayor Date

POSTING AFFIDAVIT

I, the undersigned qualified City Clerk/Treasurer of the City of Pelham, Alabama, do hereby certify that the above and foregoing ORDINANCE No. 135-254 was duly ordained, adopted, and passed by the City Council of the City of Pelham, Alabama at a special meeting of such Council held on the 27th day of March 2023 and duly published by posting an exact copy thereof on the 28th day of March 2023 four public places within the city, including the Mayor's Office at City Hall, City Park, Water Works and Library, and at www.pelhamalabama.gov. I further certify that said ordinance is on file in the Office of the City Clerk/Treasurer and a copy of the full ordinance may be obtained from the Office of the City Clerk/Treasurer during normal business hours.

Tom Seale, MMC, City Clerk/Treasurer

[SEAL]