

ORDINANCE NO. 2023-035

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 2022-287 ASSENTING TO THE ANNEXATION OF CERTAIN PROPERTY INTO THE CITY OF MADISON, ALABAMA, PURSUANT TO ALABAMA CODE SECTIONS 11-42-20 THROUGH 24, INCLUSIVE, AS AMENDED, AND ADOPTED BY THE MADISON CITY COUNCIL ON NOVEMBER 14, 2022, IN ORDER TO CORRECT AN OVERSIGHT IN THE LEGAL DESCRIPTION

WHEREAS, on October 20, 2022 the owners of the properties or territories described in this Ordinance, filed with the City Clerk of the City of Madison, Alabama, a written petition requesting that the described properties or territories be annexed into the City of Madison, Alabama, the same being contiguous to the current boundary of the City of Madison, Alabama, or becoming contiguous pursuant to the annexation of lands annexed simultaneously herewith, and being more specifically described in **EXHIBIT A: Map of Property** and **EXHIBIT B: Legal Description of Property**; and

WHEREAS, pursuant to Section 11-42-20–21 of the Code of Alabama, the owners, and authorized representatives of the owners in whose names the Property is assessed for ad valorem tax purposes have executed annexation petitions, which accurately describe the Property, including **EXHIBIT B: Legal Description of Property**, which shows the relationship of the Property to the current corporate limits of the City of Madison; and

WHEREAS, the Property is contiguous to the present boundary of the City of Madison, Alabama, or will become contiguous pursuant to the annexation of lands annexed simultaneously herewith, and none of the properties are located within the corporate limits or police jurisdiction of any other municipality; and

WHEREAS, the City Council of the City of Madison, Alabama, the governing body of said municipality, has evaluated the petitions and determined that the Petition meets all of the legal requirements of Alabama Code Sections 11-42-20 through 24, inclusive, as supplemented and amended, and has also determined that incorporation of the Property will form a homogenous part of the City of Madison and that it is in the public interest for said Property to be brought within the corporate limits of the City of Madison, Alabama; and

WHEREAS, the Property proposed for annexation is properly described in **EXHIBIT B: Legal Description of Property**;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Madison Alabama, that the Property described in this Ordinance will form a homogenous part of the City of Madison, Alabama, and that it is in the best interest of the citizens of Madison, Alabama, and the citizen or citizens of the affected territories to incorporate the Property described in this Ordinance into the City of Madison, Alabama, and the said City Council does hereby assent to the annexation of said Property into the City of Madison, Alabama,

BE IT FURTHER RESOLVED by the City Council of the City of Madison, Alabama that the boundary lines of the City of Madison, Alabama, shall be hereby altered, rearranged, and extended so as to include the Property, which is more particularly described in Exhibit B to this Ordinance,

BE IT FURTHER RESOLVED by the City Council of the City of Madison, Alabama, that Section 2-2(b)(1) of the Madison City Code shall be amended to enlarge Voting District 7 to include the Property within said district,

BE IT FURTHER RESOLVED by the City Council of the City of Madison, Alabama, that this Ordinance shall become effective upon publication of this Ordinance and that the Property described in this Ordinance shall be incorporated into the City limits of the City of Madison on said date of publication,

BE IT FURTHER RESOLVED by the City Council of the City of Madison, Alabama, that after the effective date of the Ordinance as provided in the preceding paragraph the Mayor, the President of the City Council, and the City Clerk are hereby authorized and directed, for and on behalf of the governing body of said municipality, to file a description of the Property in the Offices of the Judges of Probate of both Madison County, Alabama, and Limestone County, Alabama.

READ, APPROVED AND ADOPTED at a regular meeting of the City Council of the City of Madison, Alabama on this the 9th day of January 2023.

Ranae Bartlett, Council President
City of Madison, Alabama

ATTEST:

Lisa D. Thomas, City Clerk-Treasurer
City of Madison, Alabama

APPROVED this ____ day of January 2023

Paul Finley, Mayor
City of Madison, Alabama