

1 HB589
2 150139-1
3 By Representatives Millican, Baughn and Johnson (K) (N & P)
4 RFD: Local Legislation
5 First Read: 10-APR-13

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 To alter, rearrange, and extend the boundary lines
14 and corporate limits of the City of Double Springs in Winston
15 County; and to provide for a referendum.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. The boundary lines and corporate limits
18 of the City of Double Springs in Winston County are altered,
19 rearranged, and extended to include within the corporate
20 limits of the municipality, in addition to the lands now
21 included, all of the following territory:

22 Parcel No. 1

23 A parcel of land located in a part of the SE 1/4 of
24 the SW 1/4 of Section 30, Township 10 South, Range 7 West,
25 Winston County, Alabama, being more particularly described as
26 follows:

1 COMMENCE at the southeast corner of said SE 1/4-SW
2 1/4 and run N 00°45'09" E, along the east boundary of said
3 1/4-1/4, a distance of 750.09', to a concrete monument; thence
4 N 89°20'07" W, a distance of 44.05', to found 1/2" capped
5 rebar (CA0466LS) and a point on the east right-of-way of
6 County Road #72A; thence N 89°26'35" W, a distance of 39.92",
7 to a 5/8" capped rebar (PLS#24337) and point on the west
8 right-of-way of County Road #72A; thence S 00°08'30" E, along
9 the said west right-of-way of County Road #72A, a distance of
10 190.23', to a point of curve; said curve being to the left and
11 having a radius of 217.37', a delta angle of 02°43'15" and a
12 curve length of 10.32'; thence S 01°02'30" E, along the chord
13 of said curve, a chord distance of 10.32', to a nail set in
14 asphalt and the POINT OF BEGINNING; thence S 57°22'39" W, a
15 distance of 33.88', to a nail set in asphalt; thence S
16 79°57'02" W, a distance of 117.75', to a nail set in asphalt;
17 thence S 05°02'04" W, a distance of 259.56', to a nail set in
18 asphalt; thence S 31°22'14" W, a distance of 112.56', to a
19 nail set in asphalt; thence S 04°33'10" W, a distance of
20 123.86', to a point on the 510 contour line of Lewis Smith
21 Lake, thence in a east southeasterly direction, along 510
22 contour line of said Lewis Smith Lake, a distance of 285.17+,
23 to a point; thence N 04°50'40" W, a distance of 15.10', to a 2
24 1/2" capped pipe; thence N 02°21'38" W, a distance of 95.64',
25 to a 2 1/2" capped pipe, thence N 09°20'52" W, a distance of
26 11.93', to a 2 1/2" capped pipe; thence N 00°31'15" E, a
27 distance of 225.52', to a 2 1/2" capped pipe, thence N

1 01°14'42" E, a distance of 22.58', to a 2 1/2" capped pipe;
2 thence N 08°09'41" E, a distance of 11.25' to a 5/8" capped
3 rebar (PLS#24337); thence N 03°00'49" E, a distance of 8.41',
4 to a 2 1/2" capped pipe; thence N 03°45'03" E, a distance of
5 15.21', to a 5/8" capped rebar (PLS#24337), thence N
6 01°38'14" E, a distance of 27.81', to a 5/8" capped rebar
7 (PLS#24337), thence N 02°20'07" W, a distance of 41.57', to a
8 5/8" capped rebar (PLS#24337) and a point on the westerly
9 right-of-way of County Road #72A; thence N 15°10'01" W, along
10 said west right-of-way, a distance of 28.59', to a point of
11 curve, said curve being to the right, having a radius of
12 217.37', a delta angle of 12°45'53" and a curve length of
13 48.43' thence N 08°47'04" W, along the chord of said curve, a
14 chord distance of 48.33', to the point of beginning. Said
15 parcel of land contains 2.2 acres or 96,903 sq. ft. more or
16 less.

17 Parcel No. 2

18 A parcel of land located in a part of the SE1/4 of
19 the SW 1/4 of Section 30, Township 10 South, Range 7 West,
20 Winston County, Alabama, being more particularly described as
21 follows:

22 COMMENCE at the southeast corner of said SE1/4-SW1/4
23 and run N 00°45'9" E, along the east boundary of said 1/4-1/4,
24 a distance of 750.09', to a concrete monument; thence N
25 89°20'07" W, a distance of 44.05', to found 1/2" capped rebar
26 (CA0466LS) and a point on the east right-of-way of County Road
27 #72A, thence N 89°26'35" W, a distance of 39.92", to a 5/8"

1 capped rebar (PLS#24337), a point on the west right-of-way of
2 County Road #72A; thence S 00°08'30" E, along the said west
3 right-of-way of County Road #72A, a distance of 183.53', to a
4 point of curve and the POINT OF BEGINNING; said curve being to
5 the left and having a radius of 217.37', a delta angle of
6 02°43'15" and a curve length of 10.32', thence S 01°02'30" E,
7 along the chord of said curve, a chord distance of 10.32', to
8 a nail set in asphalt; thence S 57°22'39" W, a distance of
9 33.88' to a nail set in asphalt; thence S 79°57'02" W, a
10 distance of 117.75', to a nail set in asphalt; thence S
11 05°02'04" W, a distance of 259.56' to a nail set in asphalt;
12 thence S 31°22'14" W, a distance of 112.56', to a nail set in
13 asphalt; thence S 04°33'10" W, a distance of 123.86', to a
14 point on the 510 contour line of Lewis Smith Lake; thence in a
15 north-northwesterly direction, along the 510 contour line of
16 said Lewis Smith Lake, a distance of 495.05'+/-, to a point;
17 thence S 86°00'50" E, leaving said 510 contour line, a
18 distance of 80.65'; thence N 04°33'01" E, a distance of
19 37.09'; thence S 88°08'56" E, a distance of 19.53', to a point
20 of curve; said curve turning to the left with an arc length of
21 15.86', with a radius of 13.03'. with a chord bearing of N
22 56°58'20" E, and a chord length of 14.90'; thence N 22°31'21"
23 E, a distance of 13.79', to a point of curve; said curve
24 turning to the right with an arc length of 69.59', with a
25 radius of 87.25', with a chord bearing of N 45°22'21" E, and a
26 chord length of 67.76'; thence N 76°54'51" E, a distance of
27 81.73'; thence N 81°25'07" E, a distance of 28.29'; N

1 82°46'32" E, a distance of 34.55', to a point of curve; said
2 curve turning to the left with an arc length of 20.03', with a
3 radius of 40.40', with a chord bearing of N 68°34'14" E, and a
4 chord length of 19.83', to a point of curve; thence with a
5 reverse curve turning to the right with an arc length of
6 16.96', with a radius of 1376.97', with a chord bearing of N
7 54°43'05" E, and a chord length of 16.96'; thence N 46°20'37"
8 E, a distance of 17.81', to the point of beginning. Said
9 parcel of land contains 1.92 acres or 83,453.5 sq. ft. more or
10 less.

11 Parcel No. 3

12 A parcel of land located in a part of the SE 1/4 of
13 the SW1/4 of Section 30, Township 10 South, Range 7 West,
14 Winston County, Alabama, being more particularly described as
15 follows:

16 COMMENCE at the southeast corner of said SE 1/4 -SW
17 1/4 and run N 00°45'09" E, along the east boundary of said
18 1/4-1/4, a distance of 750.09', to a concrete monument; thence
19 N 89°20'07" W, a distance of 44.05', to found 1/2" capped
20 rebar (CA0466LS) and a point on the east right-of-way of
21 County road #72A; thence N 89°26'35" W, a distance of 39.92"
22 to a 5/8" capped rebar (PLS#24337), a point on the west
23 right-of-way of Winston County Road #72A and the POINT OF
24 BEGINNING; thence S 00°08'30" E, along the said west
25 right-of-way of Winston County Road #72A, a distance of
26 183.53', to the edge of an asphalt drive; thence S 46°20'37"
27 W, along said edge of asphalt, a distance of 17.81' to a point

1 of curve; said curve being to the right and having a radius of
2 1376.97', a delta angle of 00°42'21" and a curve length of
3 16.96'; thence S 54°43'05" W, along the chord of said curve, a
4 chord distance of 16.96', to a point of curve; said curve
5 being to the right and having a radius of 40.40', a delta
6 angle of 28°24'37" and a curve length of 20.03'; thence S
7 68°34'14" W, along the chord of said curve, a chord distance
8 of 19.83'; thence S 82°46'32" W, along said edge of asphalt, a
9 distance of 34.55'; thence S 81°25'07" W, along said edge of
10 asphalt, a distance of 28.29', thence South 76°54'51" W along
11 said edge of asphalt a distance of 81.73' to a point of curve;
12 said curve being to the right and having a radius of 87.25', a
13 delta angle of 45°42'01", and a curve length of 69.59', thence
14 south 45°22'21" W along the chord of said curve, a chord
15 distance of 67.76', thence S 22°31'21" W, along said edge of
16 asphalt, a distance of 13.79', to a point of curve; said curve
17 being to the right and having a radius of 13.03', a delta
18 angle of 69°45'28" and a curve length of 15.86'; thence S
19 56°58'20" W, along the chord of said curve, a chord distance
20 of 14.90'; thence N 88°08'56" W, along said edge of asphalt, a
21 distance of 19.53'; thence S 04°33'01" W, along said edge of
22 asphalt, a distance of 37.09'; thence N 86°00'50" W, leaving
23 said edge of asphalt, a distance of 80.65', to a point on the
24 510 contour line of Lewis Smith Lake: thence run in a
25 north-northeasterly direction, along the 510 contour line of
26 said Lewis Smith Lake, a distance of 636.88'+/-; thence S
27 84°07'36" E, leaving said 510 contour line, a distance of

1 136.43', to a 1/2" capped rebar (CA0466LS) and a point on the
2 west right-of-way of Winston County Road #72A; thence S
3 00°21'39" E, along said west right-of-way, a distance of
4 232.93', to the point of beginning. Said parcel of land
5 contains 2.38 acres or 103,528.9 sq. ft. more or less.

6 Parcel No. 4

7 A part of the SE 1/4 - SW 1/4 of Section 30,
8 Township 10 South, Range 7 West, Winston County, Alabama
9 described as follows:

10 COMMENCE at the SE corner of said SE 1/4-SW 1/4
11 thence North 00°45'09" East along the East boundary of said SE
12 1/4-SW 1/4 975.09 feet to a found 1/2" rebar capped CA0466LS
13 and the point of beginning; thence leaving said East boundary
14 North 84°12'13" West, 48.67 feet to a set 1/2" rebar capped
15 CA0466LS on the Easterly R.O.W. of County Road 72A; thence
16 along said R.O.W. South 00°22'35" East, 4.41 feet to a found
17 1/2" rebar capped CA0466LS; thence leaving said R.O.W. South
18 89°24'02" East, 48.39 feet to the point of beginning. Contains
19 106.67 sq. ft. more or less.

20 Parcel No. 5

21 A part of the SE 1/4-SW 1/4 of Section 30, Township
22 10 South, Range 7 West, Winston County, Alabama described as
23 follows:

24 COMMENCE at the SE corner of said SE 1/4-SW 1/4
25 thence North 00°45'09" East along the East boundary of said SE
26 1/4-SW 1/4, 975.09 feet to a found 1/2 rebar capped CA0466LS;
27 thence leaving said East boundary North 84°12'13" West, 88.90

1 feet to a set 1/2" rebar capped CA0466LS on the Westerly
2 R.O.W. of County Road 72A and the point of beginning; thence
3 continue North 84°12'13" West, 138.06 feet to a point on the
4 510 foot contour of Lewis Smith Lake; thence Southwesterly
5 along said 510 foot contour 20.76 feet to a point; thence
6 leaving said 510 contour South 89°24'02" East, 140.56 feet to
7 a found 1/2" rebar capped CA0466LS on the Westerly R.O.W. of
8 County Road 72A thence along said R.O.W. North 00°22'29" West,
9 8.05 feet to the point of beginning. Contains 1997.75 sq. ft.
10 more or less.

11 Parcel No. 6

12 An acre of land more or less located in the
13 Northeast 1/4 of the Southeast 1/4 of section 8, Township 11
14 South, Range 8 West, Winston County, Alabama, beginning at the
15 South end of the North driveway and run South along highway
16 195 200 feet; thence West 220 feet; thence North 200 feet;
17 thence East 220 feet to point of beginning. Minerals and usual
18 mining rights excepted. The above property being also
19 described by survey as follows: COMMENCING AT THE Northwest
20 corner of the Northeast 1/4 of the Southeast 1/4, Section 8,
21 Township 11 South, Range 8 West; thence North 89 degrees 41
22 minutes 52 minutes East, along the forty line, a distance of
23 787.46 feet to the right of way of State Highway No. 195;
24 thence South 15 degrees 30 minutes 32 seconds East along said
25 right of way a distance of 277.26 feet to the point of
26 beginning; thence continue South 15 degrees 30 minutes 32
27 seconds East along said right of way a distance of 197.57 feet

1 to the right of way of County Road No. 4; South 42 degrees 34
2 minutes 37 seconds West along said right-of-way a distance of
3 46.15 feet, thence South 27 degrees 20 minutes 43 seconds West
4 along said right of way, a distance of 55.09 feet; thence
5 North 78 degrees 41 minutes 37 seconds West a distance of
6 138.22 feet; thence North 15 degrees, 30 minutes 32 seconds
7 West a distance 200.00 feet; thence North 74 degrees 29
8 minutes 28 seconds East a distance of 200.00 feet to the point
9 of beginning. Said land lying and being in the Northeast 1/4
10 of Southeast 1/4, Section 8 Township 11 South, Range 8 West,
11 Winston County, Alabama, and containing 1.05 acres more or
12 less.

13 Parcel No. 7

14 A parcel of land being in the Northeast 1/4 of the
15 Southwest 1/4 of Section 30, Township 10 South, Range 7 West,
16 Winston County, Alabama being more particularly described as
17 follows:

18 COMMENCE at the Southeast corner of said Section 30;
19 thence North 89 degrees 19 minutes 00 seconds West along the
20 south boundary of said Section 30 a distance of 2687.68 feet
21 to a point; thence leaving said South boundary North 00°43
22 minutes 48 seconds East a distance of 1532.36 feet to a 1/2"
23 rebar capped "APEX CA0712LS" on the 510 foot elevation contour
24 of Lewis Smith Lake and the point of beginning; thence
25 continue North 00 degrees 43 minutes 48 seconds East a
26 distance of 264.09 feet to a 1/2 rebar capped "APEX CA0712LS"
27 on the Southerly right-of-way of Highway 278; thence South 63

1 degrees 09 minutes 50 seconds West along said right-of-way a
2 distance of 271.28 feet to a 1/2" rebar capped "APEX
3 CA0712LS"; thence leaving said right-of-way South 31 degrees
4 02 minutes 19 seconds East a distance of 237.94 feet to a 1/2"
5 rebar capped "APEX CA0712LS" on the 510 foot elevation contour
6 of Lewis Smith Lake; thence Easterly along said contour a
7 distance of 155.66 feet more or less to the point of
8 beginning. Containing 1.03 acres more or less.

9 Section 2. In accordance with Section 11-42-6(b) of
10 the Code of Alabama 1975, a map showing what territory is
11 proposed to be annexed to the City of Double Springs is on
12 file in the office of the Judge of Probate in Winston County,
13 Alabama, and the map is open to the inspection of the public.

14 Section 3. The provisions of Section 1 shall not be
15 effective unless approved by a majority of the electors of the
16 City of Double Springs and a majority of the electors residing
17 on the property to be annexed voting at a referendum on the
18 annexation. The referendum shall be set by the judge of
19 probate of the county upon request of the City Council of the
20 City of Double Springs. If the judge of probate determines
21 there are no registered voters residing on the property
22 proposed to be annexed, the election may be conducted by the
23 municipality in the same manner as a municipal election or, in
24 the alternative, the election may be held in conjunction with
25 a regularly scheduled primary or general election. The city
26 shall pay all costs related to the election. The question to
27 be presented on the ballot shall be: "Do you favor the

1 approval of Act ____ of the 2013 Regular Session, annexing
2 property described in that act into the City of Double
3 Springs? ____ Yes ____ No. If a majority of the votes cast are
4 "Yes", the annexation provided in Section 1 shall be effective
5 on the first day of the month following the election. If a
6 majority of the votes cast are "No", this act shall have no
7 further effect.

8 Section 4. This act shall become effective on the
9 first day of the third month following its passage and
10 approval by the Governor, or its otherwise becoming law.