

1 SB443
2 117090-2
3 By Senator Barron (N & P)
4 RFD: Local Legislation No. 1
5 First Read: 17-FEB-10

1 SB443

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4 With Notice and Proof

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6 ENROLLED, An Act,

7 To alter, rearrange, and extend the boundary lines
8 and corporate limits of the City of Fort Payne in DeKalb
9 County.

10 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

11 Section 1. The boundary lines and corporate limits
12 of the City of Fort Payne in DeKalb County are altered,
13 rearranged, and extended to include within the corporate
14 limits of the municipality, in addition to the lands now
15 included, all of the following territory:

16 Tract I:

17 A parcel of land located in a portion of the
18 Southwest 1/4 of the Northwest 1/4 and a portion of the
19 Northwest 1/4 of the Southwest 1/4 of Section 30, Township 7
20 South, Range 10 East, DeKalb County, Alabama, more
21 particularly described as follows: Commence at the Northwest
22 corner of Section 30, said corner being an axle, thence on a
23 State Plane east zone grid bearing of South 00°24'24" East
24 along the West section line of Section 30 a distance of
25 1326.77 feet to a point; thence North 80°44'58" East a

1 distance of 1145.08 feet to a 2" capped pipe; thence South
2 00°24'15" East of 517.50 feet to a 2" capped pipe being on the
3 South bank of Yellow Creek; this will be known as the point of
4 beginning; from the point of beginning, thence South 00°24'30"
5 East a distance of 1843.92 feet to a 2" capped pipe being on
6 the North right-of-way of Highway 35; thence along the North
7 right-of-way of Highway 35 on a chord bearing of North
8 71°25'49" West and a chord distance of 245.29 feet to a 2"
9 capped pipe; thence North 00°24'31" West a distance of 1892.25
10 feet to a 2" capped pipe, being on the South bank of Yellow
11 Creek; thence South 61°41'17" East a distance of 264.51 feet
12 to the point of beginning. Said parcel containing 9.96 acres
13 +/-.

14 Tract II:

15 Commence at a 1/2" rebar in place accepted as the
16 Northwest corner of the Southwest 1/4 of the Northwest 1/4 of
17 Section 30, Township 7 South, Range 10 East, DeKalb County,
18 Alabama, said point being the point of beginning. From this
19 beginning point proceed North 88°41'38" East along the North
20 boundary of said quarter-quarter section for a distance of
21 1145.96 feet to a 2" capped pipe in place; thence proceed
22 South 00°26'12" East for a distance of 517.86 feet to a wood
23 stake in rock pile; thence proceed North 61°42'13" West for a
24 distance of 264.67 feet to a 2" capped pipe in place; thence
25 proceed South 00°24'06" East for a distance of 1890.98 feet to

1 a 2" pipe in place, said point being located on the Northerly
2 right-of-way of Alabama Highway No. 35; thence proceed
3 Northwesterly along the Northerly right-of-way of said road
4 for a chord bearing and distance of North 59°19'26" West,
5 701.71 feet to a concrete right-of-way monument in place;
6 thence proceed North 53°10'34" West along the Northerly
7 right-of-way of said road for a distance of 392.05 feet to a
8 1/2" capped rebar in place, said point being located on the
9 West boundary of the Northwest 1/4 of the Southwest 1/4 of
10 said Section 30; thence proceed North 00°25'46" West along the
11 West boundary of said Northwest 1/4 of the Southwest 1/4 and
12 the West boundary of the Southwest 1/4 of the Northwest 1/4 of
13 said section for a distance of 1664.27 feet to the point of
14 beginning. The above described land is located in the
15 Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of
16 the Southwest 1/4 of Section 30, Township 7 South, Range 10
17 East, DeKalb County, Alabama, and contains 44.37 acres.

18 Tract III:

19 Commence at the northeast corner of Section 25,
20 Township 7 South, Range 9 East of the Huntsville Meridian and
21 proceed South 03°23' West along the East boundary of said
22 Section 25 for a distance of 2429.8 feet to a 2" galvanized
23 pipe, said point being the point of beginning; thence continue
24 South 03°23' West along the East boundary of said Section 25
25 for a distance of 562.2 feet to a 1/2" iron pin set with cap

1 on the northeast right-of-way boundary of Alabama Highway No.
2 35 (120 ft. ROW); thence leaving the East boundary of said
3 Section 25, proceed North 48°29' West along the northeast ROW
4 boundary of said highway for a distance of 921.8 feet to an
5 axle; thence leaving the northeast ROW boundary of said
6 highway, proceed South 87°04' East for a distance of 735.1
7 feet to the point of beginning. Said parcel of land lying in
8 the Southeast Quarter of the Northeast Quarter and the
9 Northeast Quarter of the Southeast Quarter of Section 25,
10 Township 7 South, Range 9 East, DeKalb County, Alabama, and
11 containing 4.74 acres, more or less.

12 Tract IV:

13 Commencing at the Northwest corner of the NE 1/4 of
14 the SE 1/4 of Section 35, Township 7 South, Range 9 East of
15 the Huntsville Meridian and run East along the North line of
16 said quarter section 378.2 feet to the point of beginning;
17 thence East 284.6 feet; thence run South 0°12' East 201.0
18 feet; thence run South 32°42' West 244.8 feet; thence run
19 South 88°49' West 140.0 feet; thence run North 0°33' West
20 409.8 feet to the point of beginning and containing 2.33
21 acres, more or less.

22 Tract V:

23 The Northeast Quarter of the Southeast Quarter of
24 Section Thirty-five (35), Township Seven (7) South, Range Nine

1 (9) East in DeKalb County, Alabama, containing forty (40)
2 acres, more or less.

3 Tract VI:

4 All of Section 19, Township 6 South, Range 10 East,
5 less the South 1/2 of the SW 1/4 of the SE 1/4, and also less
6 land described as: Beginning at the Northeast corner of said
7 section, thence South 1525 feet; thence West 580 feet, thence
8 Northeast 230 feet; thence West 230 feet; thence Northwest
9 1765 feet; thence East 1980 feet to the point of beginning,
10 less road rights-of-way, and containing 584 acres, more or
11 less, lying and being in DeKalb County, Alabama. Also the West
12 1/2 of the SW 1/4 and the SW 1/4 of the NW 1/4 of Section 20,
13 Township 6 South, Range 10 East, less a lot described as:
14 Beginning 250 feet East of the Northeast corner of said forty;
15 thence Southwest 200 feet; thence West 400 feet; thence North
16 200 feet; thence East 440 feet to the point of beginning,
17 containing 116 acres, more or less, lying and being in DeKalb
18 County, Alabama.

19 Tract VII:

20 The right-of-way of Alabama Highway #35 from its
21 intersection with the Eastern boundary of the City of Fort
22 Payne to its intersection with the DeKalb County,
23 Alabama/Cherokee County, Alabama, boundary.

24 Tract VIII:

1 The right-of-way of DeKalb County Road #78 from its
2 intersection with Alabama Highway #35 to its intersection with
3 DeKalb County Road #255.

4 Tract IX:

5 The right-of-way of DeKalb County Road #255 from its
6 intersection with DeKalb County Road #78 to its intersection
7 with Alabama Highway #176.

8 Tract X:

9 The right-of-way of DeKalb County Road #256 from its
10 intersection with DeKalb County Road #255 to its intersection
11 with DeKalb County Road #305.

12 Tract XI:

13 The right-of-way of DeKalb County Road #89 from its
14 intersection with the current corporate limits of the City of
15 Fort Payne and southern boundary of DeSoto State Park to its
16 intersection with DeKalb County Road #305.

17 Section 2. In accordance with Section 11-42-6(b) of
18 the Code of Alabama 1975, a map showing what territory is
19 proposed to be annexed to the City of Fort Payne is on file in
20 the office of the Judge of Probate in DeKalb County, Alabama,
21 and the map is open to the inspection of the public.

22 Section 3. This act shall become effective
23 immediately following its passage and approval by the
24 Governor, or its otherwise becoming law.

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB443

Senate 23-FEB-10

I hereby certify that the within Act originated in and passed the Senate.

McDowell Lee
Secretary

House of Representatives
Passed: 09-MAR-10

By: Senator Barron