



Huntsville, Alabama

305 Fountain Circle
Huntsville, AL 35801

Cover Memo

Meeting Type: City Council Regular Meeting **Meeting Date:** 10/10/2024

File ID: 2024-1883

Department: Planning

Subject:

Type of Action: Introduction

Introduction of an ordinance annexing 30.67 acres of land lying on the east of Little Cove Rd and north of Cobble Farms Dr.

Ordinance No.

Does this item need to be published? Yes

If yes, please list preferred date(s) of publication: October 2, 2024

Finance Information:

Account Number: n/a

City Cost Amount: \$ 0

Total Cost: \$ 0

Special Circumstances:

Grant Funded: \$ 0

Grant Title - CFDA or granting Agency: n/a

Resolution #: n/a

Location:

Address: 1754 Little Cove Rd, Owens Crossroads, AL 35763-8639

District: District 1 ☐ District 2 ☐ District 3 ☐ District 4 ☐ District 5 ☐

Additional Comments: none

ORDINANCE NO. 24-

WHEREAS, Sublett Properties, LLC by Elizabeth Ann Sublett Faison as its Manager; Estate of Lenora Ann Sublett by Elizabeth Ann Sublett Faison as its Personal Representative; and Amanda Lauderdale and David Lauderdale, being the owners, as the term is defined by Section 11-42-20, Code of Alabama 1975, of all the property or territory hereinafter particularly described (which property or territory is hereinafter referred to as “the Property”), filed with the City Clerk of the City of Huntsville, Alabama, a signed and written petition requesting that the Property be annexed to the City of Huntsville, Alabama, which petition is on file with the City Clerk of the City of Huntsville, Alabama; and

WHEREAS, said petition contained the signatures of the owners of the Property, and filed together with said petition was a map showing the relationship of the Property to the corporate limits of the City of Huntsville, Alabama, which map is attached hereto and incorporated herein by reference; and

WHEREAS, the Property is contiguous to the present city limits of the City of Huntsville, Alabama, and the Property does not lie within the corporate limits or police jurisdiction of any other municipality; and

WHEREAS, the City Council of the City of Huntsville, Alabama, has determined that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and has further determined that all legal requirements for annexing the 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 Huntsville, Alabama, as follows:

1. That the City Council of the City of Huntsville, Alabama hereby finds that it is necessary and proper and in the public interest that the Property be brought within the corporate limits of the City of Huntsville, Alabama, and assents to the annexation of the Property to the City of Huntsville, Alabama;

2. That the corporate limits of the City of Huntsville, Alabama, be, and the same are hereby extended and rearranged so as to embrace and include the Property, which is particularly described as follows:

All that part of Section 17, Township 4 South, Range 2 East of the Huntsville Meridian, Madison County, Alabama more particularly described as beginning at a point located at the southwest corner of said Section 17; thence North 23 Degrees 27 Minutes 20 Seconds East 2,189.03 feet to a point; said point is further described as the Point of True Beginning; thence North 42 Degrees 36 Minutes 12 Seconds East 275.57 feet to a point; thence South 25 Degrees 4 Minutes 56 Seconds East 18.45 feet to a point; thence North 40 Degrees 0 Minutes 54 Seconds East 107.70 feet to a point; thence North 40 Degrees 0 Minutes 53 Seconds East 34.41 feet to a point; thence North 35 Degrees 53 Minutes 3 Seconds East 78.94 feet to a point; thence North 34 Degrees 44 Minutes 48 Seconds East 67.55 feet to a point; thence North 51 Degrees 27 Minutes 24 Seconds East 58.15 feet to a point; thence North

30 Degrees 24 Minutes 37 Seconds East 58.50 feet to a point; thence North 27
Degrees 20 Minutes 10 Seconds East 54.45 feet to a point; thence North 25 Degrees
11 Minutes 1 Seconds East 54.49 feet to a point; thence North 24 Degrees 8
Minutes 55 Seconds East 54.30 feet to a point; thence North 22 Degrees 17 Minutes
47 Seconds East 39.79 feet to a point; thence North 20 Degrees 38 Minutes 15
Seconds East 50.09 feet to a point; thence North 20 Degrees 38 Minutes 15 Seconds
East 55.84 feet to a point; thence North 15 Degrees 41 Minutes 34 Seconds East
41.48 feet to a point; thence North 24 Degrees 24 Minutes 1 Seconds East 54.48
feet to a point; thence North 20 Degrees 37 Minutes 40 Seconds East 78.59 feet to
a point; thence North 14 Degrees 38 Minutes 6 Seconds East 190.43 feet to a point;
thence South 80 Degrees 51 Minutes 52 Seconds East 88.46 feet to a point; thence
South 80 Degrees 6 Minutes 10 Seconds East 81.99 feet to a point; thence South
80 Degrees 6 Minutes 10 Seconds East 65.00 feet to a point; thence South 80
Degrees 6 Minutes 10 Seconds East 65.00 feet to a point; thence South 80 Degrees
6 Minutes 9 Seconds East 65.00 feet to a point; thence South 80 Degrees 6 Minutes
10 Seconds East 65.00 feet to a point; thence South 80 Degrees 6 Minutes 10
Seconds East 65.00 feet to a point; thence South 80 Degrees 6 Minutes 10 Seconds
East 65.00 feet to a point; thence South 80 Degrees 6 Minutes 10 Seconds East
65.00 feet to a point; thence South 80 Degrees 6 Minutes 10 Seconds East 65.00
feet to a point; thence South 80 Degrees 6 Minutes 10 Seconds East 65.00
feet to a point; thence South 80 Degrees 6 Minutes 9 Seconds East 65.00 feet to a
point; thence South 80 Degrees 6 Minutes 10 Seconds East 65.00 feet to a point;
thence South 80 Degrees 6 Minutes 10 Seconds East 65.00 feet to a point; thence
South 80 Degrees 6 Minutes 10 Seconds East 65.00 feet to a point; thence South
80 Degrees 6 Minutes 10 Seconds East 65.00 feet to a point; thence South 80
Degrees 6 Minutes 10 Seconds East 71.32 feet to a point; thence South 0 Degrees
45 Minutes 35 Seconds East 4.38 feet to a point; thence South 1 Degree 39
Minutes 1 Seconds East 203.33 feet to a point; thence South 0 Degrees 47 Minutes
45 Seconds East 2.10 feet to a point; thence South 0 Degrees 47 Minutes 17
Seconds East 32.97 feet to a point; thence South 87 Degrees 54 Minutes 50
Seconds East 1.95 feet to a point; thence South 87 Degrees 59 Minutes 55 Seconds
East 691.25 feet to a point; thence South 0 Degrees 38 Minutes 34 Seconds West
10.00 feet to a point; thence North 88 Degrees 37 Minutes 18 Seconds West 158.98
feet to a point; thence North 88 Degrees 37 Minutes 17 Seconds West 190.85 feet
to a point; thence North 88 Degrees 37 Minutes 19 Seconds West 30.22 feet to a
point; thence North 88 Degrees 28 Minutes 20 Seconds West 170.02 feet to a point;
thence North 88 Degrees 28 Minutes 21 Seconds West 155.97 feet to a point;
thence North 84 Degrees 41 Minutes 23 Seconds West 13.89 feet to a point; thence
North 84 Degrees 41 Minutes 20 Seconds West 145.48 feet to a point; thence North
84 Degrees 41 Minutes 15 Seconds West 50.17 feet to a point; thence North 84
Degrees 41 Minutes 19 Seconds West 145.49 feet to a point; thence North 84
Degrees 41 Minutes 19 Seconds West 205.92 feet to a point; thence North 84
Degrees 41 Minutes 18 Seconds West 54.95 feet to a point; thence South 48
Degrees 54 Minutes 27 Seconds West 106.34 feet to a point; thence South 0
Degrees 38 Minutes 33 Seconds West 59.84 feet to a point; thence South 0 Degrees
38 Minutes 37 Seconds West 127.51 feet to a point; thence South 0 Degrees 38
Minutes 30 Seconds West 100.01 feet to a point; thence South 0 Degrees 38
Minutes 36 Seconds West 100.00 feet to a point; thence South 0 Degrees 38
Minutes 34 Seconds West 200.01 feet to a point; thence South 0 Degrees 38
Minutes 32 Seconds West 100.01 feet to a point; thence South 0 Degrees 38

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Minutes 34 Seconds West 300.01 feet to a point; thence South 0 Degrees 38 Minutes 35 Seconds West 100.26 feet to a point; thence South 0 Degrees 38 Minutes 36 Seconds West 99.21 feet to a point; thence North 89 Degrees 21 Minutes 27 Seconds West 95.84 feet to a point; thence North 89 Degrees 21 Minutes 26 Seconds West 100.00 feet to a point; thence North 89 Degrees 21 Minutes 25 Seconds West 114.16 feet to a point; thence North 89 Degrees 21 Minutes 30 Seconds West 50.00 feet to a point; thence North 89 Degrees 21 Minutes 27 Seconds West 100.85 feet to a point; thence North 89 Degrees 21 Minutes 27 Seconds West 98.29 feet to a point; thence North 89 Degrees 21 Minutes 49 Seconds West 1.71 feet to a point; thence North 89 Degrees 21 Minutes 23 Seconds West 16.73 feet to a point; thence North 89 Degrees 21 Minutes 12 Seconds West 7.01 feet to a point; thence North 89 Degrees 21 Minutes 29 Seconds West 23.20 feet to a point; thence North 57 Degrees 9 Minutes 39 Seconds West 47.41 feet to a point; thence North 57 Degrees 9 Minutes 44 Seconds West 55.36 feet to a point; thence North 57 Degrees 9 Minutes 43 Seconds West 75.47 feet to a point; thence North 29 Degrees 30 Minutes 41 Seconds West 28.98 feet to a point; thence North 29 Degrees 30 Minutes 39 Seconds West 50.11 feet to a point; thence North 29 Degrees 30 Minutes 38 Seconds West 140.30 feet to a point; thence North 29 Degrees 31 Minutes 37 Seconds West 2.42 feet to a point; thence North 28 Degrees 51 Minutes 33 Seconds West 193.25 feet to a point; thence South 8 Degrees 56 Minutes 45 Seconds East 6.25 feet to a point; thence North 55 Degrees 5 Minutes 43 Seconds West 92.94 feet to the Point of True Beginning and containing 30.67 acres more or less.

3. That this ordinance shall be published as provided by law, and become effective upon its publication as required by law.

4. That the Mayor and City Clerk of the City of Huntsville, Alabama, are hereby authorized, requested, and directed for and on behalf of the governing body of the City to file a description of the property or territory herein annexed in the Office of the Judge of Probate of Madison County, Alabama.

ADOPTED this the _____ day of _____, 2024.

President of the City Council of
the City of Huntsville, Alabama.

APPROVED this the _____ day of _____, 2024.

Mayor of the City of Huntsville,
Alabama

STATE OF ALABAMA)
)
COUNTY OF MADISON)

**PETITION FOR ANNEXATION TO THE CITY OF
HUNTSVILLE, ALABAMA, PURSUANT TO SECTIONS 11-42-20 THROUGH
11-42-24 INCLUSIVE, CODE OF ALA. 1975 (AS AMENDED)**

**TO: The City Clerk-Treasurer of the City of Huntsville, Alabama, and the
City Council of the City of Huntsville, Alabama**

**FROM: Sublett Properties, LLC by Elizabeth Ann Sublett Faison as its
Manager; Estate of Lenora Ann Sublett by Elizabeth Ann Sublett
Faison as its Personal Representative; and Amanda Lauderdale and
David Lauderdale (hereinafter referred to as "the petitioners")**

A. The Petitioners do hereby sign and file with the City Clerk-Treasurer of the City of Huntsville, Alabama, this written petition requesting that the real property or territory hereinafter described, which real property or territory is hereinafter referred to as "the Property", be annexed to the City of Huntsville, Alabama, under the authority of and pursuant to Sections 11-42-20 through 11-42-24 of the Code of Alabama 1975; and in support thereof do hereby certify as follows:

1. That the Petitioners are the owners of the Property, as the term "owner" is defined by Section 11-42-20, Code of Alabama 1975.
2. That the Property is situated in **Madison County, Alabama**, and is accurately described on the attached Exhibit "A", which exhibit is incorporated herein by reference.
3. That the Petitioners have the right and authority to make and file this petition for annexation.
4. That the Property is contiguous to the existing corporate limits of the City of Huntsville, Alabama.
5. That the Property does not lie within the corporate limits or police jurisdiction of any other municipality.
6. That the Petitioners have attached hereto as Exhibit "B", which exhibit is incorporated herein by reference, and filed herewith a map of the Property showing its relationship to the corporate limits of the City of Huntsville, Alabama, which said map is further identified as being entitled "Sublett Property to be Annexed."

B. This petition may be signed in any number of counterparts, each of which shall be deemed an original, and all of which taken together shall constitute one and the same petition.

THE FOREGOING CONSIDERED, we, the Petitioners hereby petition and request that the City Council of the City of Huntsville, Alabama, adopt an ordinance assenting to the annexation of the Property to the City of Huntsville, Alabama, all in accordance with the statutes herein provided.

IN WITNESS WHEREOF, we, the undersigned Petitioners have hereunto subscribed our names as of the 23rd day of September, 2024.

PETITIONER:

Sublett Properties, LLC

Signature: Elizabeth Sublett Faison
Elizabeth Ann Sublett Faison

As Its: Manager

Estate of Lenora Ann Sublett

Signature: Elizabeth Sublett Faison
Elizabeth Ann Sublett Faison

As Its: Personal Representative

Signature: Amanda Lauderdale
Amanda Lauderdale

Signature: David Lauderdale
David Lauderdale

STATE OF Alabama)
)
COUNTY OF Madison)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that Amanda Lauderdale, whose name is signed to the foregoing annexation petition and who are known to me, acknowledged before me on this date that, being informed of the contents of said petition, she executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 3rd day of Sept., 2024.

Randy H. Siskew (SEAL)
NOTARY PUBLIC

Expiration Date: 10 / 26 / 26

STATE OF Alabama)
)
COUNTY OF Madison)

I, the undersigned, a Notary Public in and for said County in said State, hereby certify that David Lauderdale, whose name is signed to the foregoing annexation petition and who are known to me, acknowledged before me on this date that, being informed of the contents of said petition, he executed the same voluntarily as of the day the same bears date.

Given under my hand and official seal of office, this the 23rd day of Sept. 2024.

Barry J. Subeen (SEAL)
NOTARY PUBLIC

Expiration Date: 10/26/26

Exhibit “A”
(Legal Description of the Property)

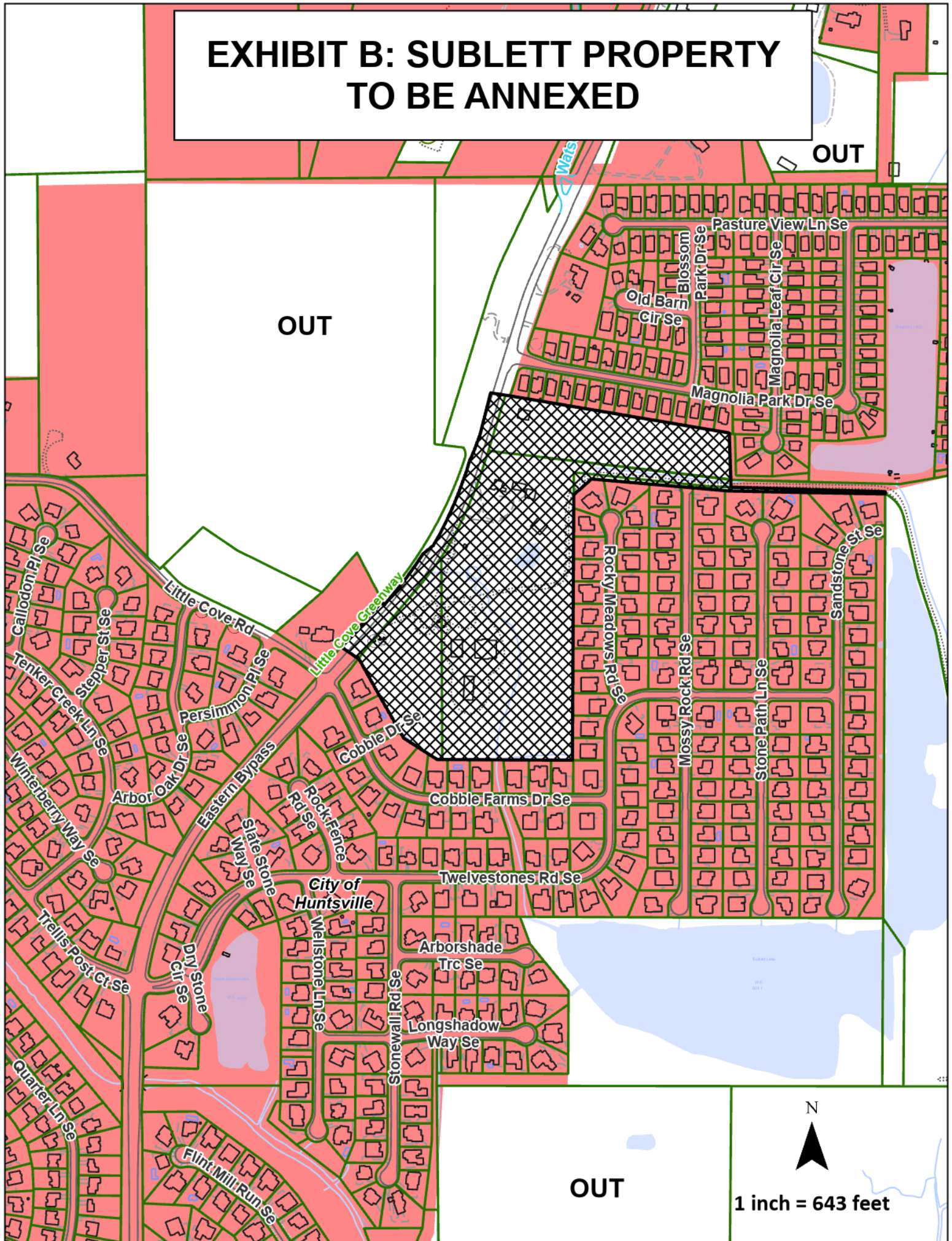
[illegible]

Minutes 50 Seconds East 1.95 feet to a point; thence South 87 Degrees 59
Minutes 55 Seconds East 691.25 feet to a point; thence South 0 Degrees 38
Minutes 34 Seconds West 10.00 feet to a point; thence North 88 Degrees 37
Minutes 18 Seconds West 158.98 feet to a point; thence North 88 Degrees 37
Minutes 17 Seconds West 190.85 feet to a point; thence North 88 Degrees 37
Minutes 19 Seconds West 30.22 feet to a point; thence North 88 Degrees 28
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Minutes 39 Seconds West 50.11 feet to a point; thence North 29 Degrees 30
Minutes 38 Seconds West 140.30 feet to a point; thence North 29 Degrees 31
Minutes 37 Seconds West 2.42 feet to a point; thence North 28 Degrees 51
Minutes 33 Seconds West 193.25 feet to a point; thence South 8 Degrees 56
Minutes 45 Seconds East 6.25 feet to a point; thence North 55 Degrees 5
Minutes 43 Seconds West 92.94 feet to the Point of True Beginning and
containing 30.67 acres more or less.

EXHIBIT B: SUBLETT PROPERTY TO BE ANNEXED

OUT

OUT



OUT

N
1 inch = 643 feet

ANNEXATION SUMMARY: SUBLETT

September 11, 2024

PETITIONER: Sublett Properties, LLC by Elizabeth Ann Sublett Faison as its Manager; Estate of Lenora Ann Sublett by Elizabeth Ann Sublett Faison as its Personal Representative; and Amanda Lauderdale and David Lauderdale

LOCATION: On the east of Little Cove Rd and north of Cobble Farms Dr
Township 4 South, Range 2 East, Section 17
1754 Little Cove Rd, Owens Crossroads, AL 35763

ACREAGE: 30.67 acres

**REASON FOR
REQUEST:** City Services

ANNEXATION GUIDELINES: Sublett

1. Annexations that would fill in or make more regular the existing corporate limits should be strongly encouraged.

WOULD CONTINUE ONGOING ANNEXATIONS IN THIS AREA

2. The remaining tax islands should be annexed when ownership changes and redevelopment occurs....

NOT A TAX ISLAND

3. Annexations of land in subdivisions....

NOT PART OF A SUBDIVISION

4. Corridors are discouraged....

NOT A CORRIDOR

5. Point-to-point annexations should be discouraged....

NOT A POINT-TO-POINT CONNECTION

6. Owners living on land expected to be annexed within the ninety-day period preceding a municipal election....

NO MUNICIPAL ELECTION AT TIME OF ANNEXATION

7. Land which is known to be contaminated should not be annexed until such danger has been mitigated.

NO KNOWN CONTAMINATION

8. The annexation of land that would contribute to the city's economic development through an increase in taxes....

RESIDENTIAL LAND

9. The city should require petitions for annexation referenda to satisfy additional conditions....

NOT A REFERENDA

10. City planners will explain to all annexation petitioners the policies under which services are provided.

POLICY STATEMENT SIGNED BY OWNERS; COPY ATTACHED

STATEMENT REGARDING PROVISION OF CITY SERVICES TO NEWLY ANNEXED LANDS

City services will be provided to all newly annexed lands according to the same policies that already govern in Huntsville. This means that Huntsville police and fire departments will respond to calls; garbage and trash will be collected by city sanitation; and school children will attend city rather than county schools. Transportation for students attending the city schools will be the responsibility of their parents. All applicable city ordinances will be enforced including the implementation of zoning regulations. Please note that the National agency that established the rating schedule for fire insurance premiums (ISO) assigns a higher rate to property that is over 5 road miles from their responding fire station and/or over 1000 feet from a fire hydrant.

Water service is provided by Huntsville Utilities; however if the annexed land is already served by another water authority, the existing situation should be expected to continue until such time as development pressure or legal agreements between water authorities makes it feasible or possible for Huntsville Utilities to assume control of the water lines or extend new mains. The cost of main extensions usually are borne by the property owner.

Likewise, it has long been city policy to expand sanitary sewer service on a cost benefit basis. This policy applies to all land within the city regardless of its annexation date. In addition, the city has adopted a capital improvement plan to guide investment in infrastructure. In order for an area to be considered for road construction, drainage improvements, recreational or community facilities, new fire stations, or sanitary sewer extension, the area must be in the city and then must be prioritized according to need. Newly annexed land will be accorded the same consideration as other city lands.

Lastly, it is important to understand that those autonomous boards, agencies and utilities that have authority over the delivery of specific public services set their own policies and procedures.

* * * * *

I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.

Petitioner

Eugenie Sublett

Date

For:

Sublett Properties, LLC

As its:

Petitioner

Date

For:

As its:

**STATEMENT REGARDING
PROVISION OF CITY SERVICES TO NEWLY ANNEXED LANDS**

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* * * * *

I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.

Petitioner	<u><i>Lenora Sublett Faxon</i></u>	Date	<u> </u>
For:	<u>Estate of Lenora Sublett</u>	As its:	<u> </u>
Petitioner	<u> </u>	Date	<u> </u>
For:	<u> </u>	As its:	<u> </u>

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* * * * *

I have read the above statement governing the delivery of city services to lands annexed into the city of Huntsville, and I agree to these conditions as they may pertain to any of my lands that are annexed.

Petitioner	<u>Amanda Lauderdale</u>	Date	<u> </u>
For:	<u>Amanda Lauderdale</u>	As its:	<u> </u>
Petitioner	<u>David Lauderdale</u>	Date	<u> </u>
For:	<u>David Lauderdale</u>	As its:	<u> </u>