

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

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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 Fort Payne in DeKalb  
15 County.

16 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

17 Section 1. The boundary lines and corporate limits  
18 of the City of Fort Payne in DeKalb 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 Tract I:

23 A parcel of land located in a portion of the  
24 Southwest 1/4 of the Northwest 1/4 and a portion of the  
25 Northwest 1/4 of the Southwest 1/4 of Section 30, Township 7  
26 South, Range 10 East, DeKalb County, Alabama, more  
27 particularly described as follows: Commence at the Northwest

1 corner of Section 30, said corner being an axle, thence on a  
2 State Plane east zone grid bearing of South 00°24'24" East  
3 along the West section line of Section 30 a distance of  
4 1326.77 feet to a point; thence North 80°44'58" East a  
5 distance of 1145.08 feet to a 2" capped pipe; thence South  
6 00°24'15" East of 517.50 feet to a 2" capped pipe being on the  
7 South bank of Yellow Creek; this will be known as the point of  
8 beginning; from the point of beginning, thence South 00°24'30"  
9 East a distance of 1843.92 feet to a 2" capped pipe being on  
10 the North right-of-way of Highway 35; thence along the North  
11 right-of-way of Highway 35 on a chord bearing of North  
12 71°25'49" West and a chord distance of 245.29 feet to a 2"  
13 capped pipe; thence North 00°24'31" West a distance of 1892.25  
14 feet to a 2" capped pipe, being on the South bank of Yellow  
15 Creek; thence South 61°41'17" East a distance of 264.51 feet  
16 to the point of beginning. Said parcel containing 9.96 acres  
17 +/-.

18 Tract II:

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

1 distance of 264.67 feet to a 2" capped pipe in place; thence  
2 proceed South 00°24'06" East for a distance of 1890.98 feet to  
3 a 2" pipe in place, said point being located on the Northerly  
4 right-of-way of Alabama Highway No. 35; thence proceed  
5 Northwesterly along the Northerly right-of-way of said road  
6 for a chord bearing and distance of North 59°19'26" West,  
7 701.71 feet to a concrete right-of-way monument in place;  
8 thence proceed North 53°10'34" West along the Northerly  
9 right-of-way of said road for a distance of 392.05 feet to a  
10 1/2" capped rebar in place, said point being located on the  
11 West boundary of the Northwest 1/4 of the Southwest 1/4 of  
12 said Section 30; thence proceed North 00°25'46" West along the  
13 West boundary of said Northwest 1/4 of the Southwest 1/4 and  
14 the West boundary of the Southwest 1/4 of the Northwest 1/4 of  
15 said section for a distance of 1664.27 feet to the point of  
16 beginning. The above described land is located in the  
17 Southwest 1/4 of the Northwest 1/4 and the Northwest 1/4 of  
18 the Southwest 1/4 of Section 30, Township 7 South, Range 10  
19 East, DeKalb County, Alabama, and contains 44.37 acres.

20 Tract III:

21 Commence at the northeast corner of Section 25,  
22 Township 7 South, Range 9 East of the Huntsville Meridian and  
23 proceed South 03°23' West along the East boundary of said  
24 Section 25 for a distance of 2429.8 feet to a 2" galvanized  
25 pipe, said point being the point of beginning; thence continue  
26 South 03°23' West along the East boundary of said Section 25  
27 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  
25 (9) East in DeKalb County, Alabama, containing forty (40)  
26 acres, more or less.

27 Tract VI:

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

16 Tract VII:

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

21 Tract VIII:

22 The right-of-way of DeKalb County Road #78 from its  
23 intersection with Alabama Highway #35 to its intersection with  
24 DeKalb County Road #255.

25 Tract IX:

1           The right-of-way of DeKalb County Road #255 from its  
2 intersection with DeKalb County Road #78 to its intersection  
3 with Alabama Highway #176.

4           Tract X:

5           The right-of-way of DeKalb County Road #256 from its  
6 intersection with DeKalb County Road #255 to its intersection  
7 with DeKalb County Road #305.

8           Tract XI:

9           The right-of-way of DeKalb County Road #89 from its  
10 intersection with the current corporate limits of the City of  
11 Fort Payne and southern boundary of DeSoto State Park to its  
12 intersection with DeKalb County Road #305.

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

18           Section 3. This act shall become effective  
19 immediately following its passage and approval by the  
20 Governor, or its otherwise becoming law.