

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

IN RE:

CASE NO. 43754

WALTER'S FAMILY CEMETERY

PETITION TO ESTABLISH PRIVATE CEMETERY

COME NOW, Phillip Walters and Atonia Walters, and petition this Honorable Court for the approval of a proposed private cemetery. As cause, your Petitioner would show unto the Court as follows:

1. Petitioners Phillip and Atonia Walters are residents of Baldwin County residing at 17771 County Road 55, Summerdale, Alabama 36580.

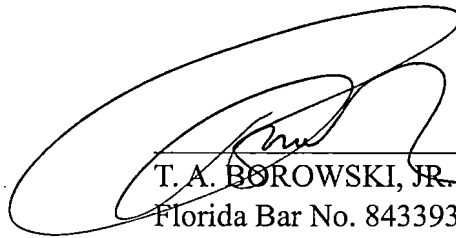
2. Petitioners are the owners of that certain parcel of real property located in Baldwin County, Alabama, more particularly described as follows:

Commencing at the N.W. CORNER OF THE S.E. 1/4 OF THE S.E. 1/4 OF SEC. 27, T-6-S, R-3-E, BALDWIN COUNTY, AL; thence S.00°07'24"W., a distance of 667 feet more or less to a POINT; thence S.89°52'36"E., a distance of 13 feet more or less to a SET 5/8" CAPPED REBAR and the POINT OF BEGINNING; thence S.59°06'58"E., a distance of 96.76 feet to a SET 5/8" CAPPED REBAR; thence S.03°06'02"E., a distance of 241.79 feet to a SET 5/8" CAPPED REBAR; thence S.65°22'06"W., a distance of 107.04 feet to a SET 5/8" CAPPED REBAR; thence N.00°12'06"E., a distance of 335.71 feet to the POINT OF BEGINNING. Said parcel containing 0.60 acres, more or less.

3. Pursuant to Alabama Code § 22-20-4, Petitioners hereby request authority to establish a private family cemetery on the above-described property as more particularly identified as the area that is .60 acres on the survey attached hereto as **Exhibit "A."**

4. Petitioners respectively submit the Baldwin County Health Department Approval dated June 12, 2024, issued by the Board of Health for Baldwin County in furtherance of this Petition; said approval is attached as **Exhibit "B"** hereto and incorporated by reference herein.

WHEREFORE, premises considered, Petitioners request consideration and approval of the private family cemetery proposed herein and such other, further and different relief as the Court may deem appropriate.



T. A. BOROWSKI, JR.

Florida Bar No. 843393

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DARRYL STEVE TRAYLOR, JR.

Florida Bar No. 75981

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4300 Bayou Blvd., Suite 14 (32503)

P. O. Box 12651

Pensacola, FL 32591-2651

(850) 429-2027/Fax (850) 429-7465

Attorneys for Petitioners

Baldwin County, Alabama

Harry D'Olive, Jr.

Judge Of Probate

Filed Jul 18 2024 11:55 AM

DAVID LOWERY SURVEYING, L.L.C.

NOTES

1. All bearings shown hereon are relative to GRID NORTH, GRID NORTH was obtained by G.P.S. observations.
2. Corner monuments shown as set iron pins are 5/8" reinforcing bars with a durable plastic cap stamped "26623".
3. Only Select fixed Interior Improvements shown hereon.
4. This survey was prepared for the client shown and is not to be used for any other purpose without prior approval from this surveyor.
5. No instruments of record reflecting easements, right of ways, and/or ownership were furnished this surveyor, except as shown or noted.
6. No underground installations or improvements have been located, except as shown or noted.
7. This survey was prepared without the benefit of an abstract of title or a title search unless stated herein, no liability is assumed by the undersigned for loss relating to any matter that might be discovered by an abstract, title search, or legal judgment rendered on the property.
8. Liability of the undersigned for the survey shown shall not exceed the amount paid for this survey.

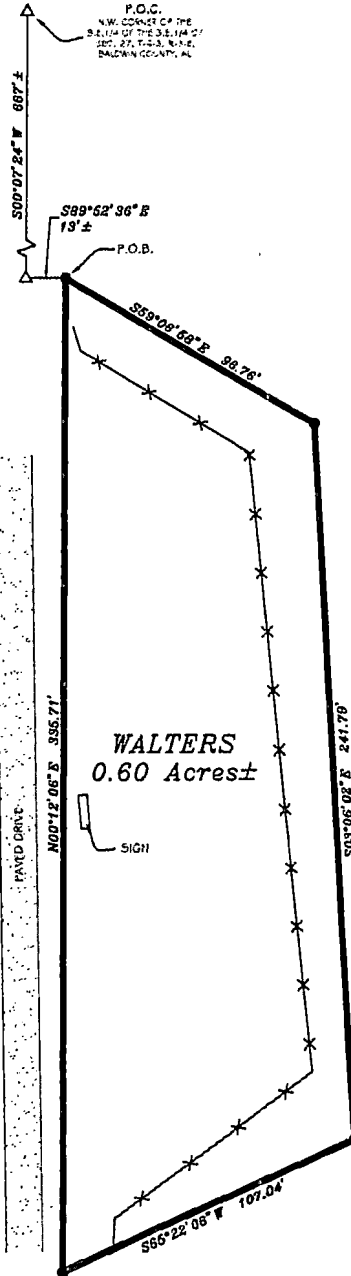
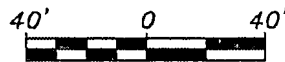
DESCRIPTION OF SURVEY

Commencing at the N.W. CORNER OF THE S.E. 1/4 OF THE S.E. 1/4 OF SEC. 27, T-6-S, R-3-E, BALDWIN COUNTY, AL; thence S.00°07'24"W., a distance of 667 feet more or less to a POINT; thence S.89°52'36"E., a distance of 13 feet more or less to a SET 5/8" CAPPED REBAR and the POINT OF BEGINNING; thence S.59°06'50"E., a distance of 96.76 feet to a SET 5/8" CAPPED REBAR; thence S.03°02'02"E., a distance of 241.79 feet to a SET 5/8" CAPPED REBAR; thence S.65°22'00"W., a distance of 107.04 feet to a SET 5/8" CAPPED REBAR; thence N.00°12'06"E., a distance of 335.71 feet to the POINT OF BEGINNING. Said parcel containing 0.60 acres, more or less.

*GRID NORTH
N

SCALE

1" = 40'



PLAT OF A BOUNDARY LINE SURVEY
PREPARED FOR

WALTERS
BALDWIN COUNTY, AL

DWG. NO.	SURVEY DATE	SCALE
24-32379	04/02/2024	1"=40'

DRAWN BY: R. TILMAN CHECKED BY: D. LOWERY

LEGEND AND SYMBOLS

- (") RECORD BEARING/DISTANCE
- OE OVERHEAD ELECTRIC
- SET IRON PIN
- FOUND IRON PIN
- △ PIN NOT SET
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- ~ NOT TO SCALE
- ✕ WOOD FENCE
- FENCE CORNER POST
- CONCRETE MONUMENT

DAVID LOWERY
SURVEYING, L.L.C.

55284 MARTIN LN.
STOCKTON, AL 36579
251-937-2757 ph. 251-937-2756 fax
dlsurvey25@hotmail.com



EXHIBIT

A

CERTIFICATION

I, David Lowery, a licensed land surveyor in the State of Alabama, do hereby certify the foregoing to be a true plat or map of a survey performed by me or under my supervision, containing the acreage and being situated as both shown and stated herein. I further certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama, to the best of my knowledge, information, and belief.

D. Lowery

David Lowery
AL Lic No 26623
55284 Martin Ln.
Stockton, AL 36579
251-937-2757



SCOTT HARRIS, M.D., M.P.H. • STATE HEALTH OFFICER

BALDWIN COUNTY HEALTH DEPARTMENT

June 12, 2024

Phillip Walters
17771 County Road 55
Summerdale, AL 36580

RE: Baldwin County Health Department Approval – Walters Family Cemetery

Dear Mr. Walters,

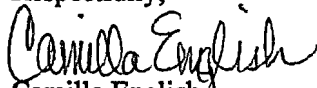
This department received the application to complete the sanitary review for the new Walters Family Cemetery located at 17771 County Road 55, Summerdale, Alabama. This department completed a review of the proposed site that included evaluations of the proposed placement of the burial plots and the soil conditions.

The site has this department's approval for use as a cemetery with the following conditions:

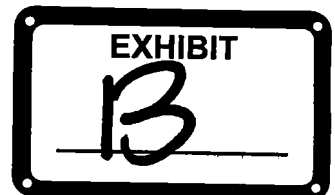
- The burial plots shall be located a minimum of 35' from the cemetery property lines shown on the enclosed plot plan.
- This approval letter and the attached plot plan are to be included in a *Petition to Create a Cemetery* made to the Baldwin County Probate Judge.
- This approval letter and the attached plot plan are to be recorded as part of the legal record in the Baldwin County, Alabama, Probate Office when a license to create the cemetery is issued by that office.

Please contact me at 251-937-3618 with any questions.

Respectfully,


Camilla English
Environmental Supervisor

CC: Tammy Chance, Baldwin County Probate



Clinic Office:
23280 Gilbert Drive • Robertsdale, AL 36567
P.O. Drawer 369 • Robertsdale, Alabama 36567-0369
Phone: 251-947-1910 • Fax: 251-947-5703

Environmental Office:
22251 Palmer Street • Robertsdale, AL 36567
P.O. Drawer 369 • Robertsdale, Alabama 36567-0369
Phone: 251-947-3618 • Fax: 251-947-3557

Clinic and Environmental Office:
Physical Address: 212 Courthouse Square • Bay Minette, AL 36520
Mailing Address: 312 Courthouse Square • Bay Minette, AL 36520
Phone: 251-937-6935 • Fax: 251-580-4767