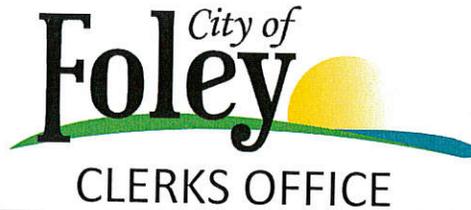


407 E. Laurel Ave.
Foley, AL 36535
251-943-1545
Fax (251) 952-4014
www.cityoffoley.org



Jeanne P.
Agenda Item
9/18/18
Kathryn Taylor, CMC
4BCC
AC
KC
VJ
CITY CLERK

Kate Embry
ASSISTANT CITY CLERK

August 27, 2018

RECEIVED
SEP 05 2018

BY: [Signature]

Ron Cink
County Administrator
312 Courthouse Square, Suite 12
Bay Minette, AL. 36507

RE: Moody; Jim Brown; Cheryl & Jim Beverly; Flowerwood Nursery, LLC; Downey Family Limited Partnership; Oscar & Kay Payne Annexations

Dear Mr. Cink:

You are receiving this letter informing you of any annexations pursuant to the Code of Alabama, 1975, Section 11-42-7. Enclosed is are copies of annexations for William Moody for PPIN # 21846 consisting of 0.824 +/- acres located off Mifflin Road (County Road 20) in Foley, Alabama. The property is zoned as B-1A, Commercial Extended District consisting of 1 home and 2 Caucasian adults;

Jim Brown for PPIN # 26103 consisting of 3.172 +/- acres located off Mifflin Road (County Road 20) in Foley, Alabama. The property is zoned as B-1A, Commercial Extended District consisting of 0 homes;

Cheryl & Jim Beverly for PPIN #s 34716, 21885 and 29325 consisting of 1.82 +/- acres located off Mifflin Road (County Road 20) in Foley, Alabama. The property is zoned as B-3, Commercial Local Business District consisting of 0 homes;

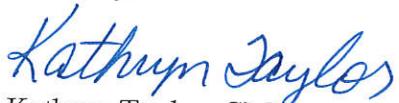
Flowerwood Nursery, INC for PPIN #s 64586 and 99551 consisting of 76.249 +/- acres located north of W. Fern Avenue and east of Underwood Road in Foley, Alabama. The property is zoned as M-1 Light Industrial District, consisting of 0 homes;

Downey Family Limited Partnership for PPIN #s 11219 and 29245 consisting of 40.113 +/- acres located south of County Road 12 South in Foley, Alabama. The property is zoned as A-O Agricultural Open Space, consisting of 0 homes;

Oscar & Kay Payne for PPIN #s 102610, 90825 and 98766 consisting of 1.75 +/- acres located north of County Road 12 and west of Hickory Street in Foley, Alabama. The property is zoned as R-1D Residential Single Family, consisting of 1 home and 2 Caucasians.

If you have any questions regarding this item please feel free to contact me at 251-943-1545 or email at ktaylor@cityoffoley.org.

Sincerely,



Kathryn Taylor, CMC

City Clerk

Enc. As noted.



City of Foley, AL

Signature Copy

Ordinance: 18-2010-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 6/15/2018 12:10 PM
TOTAL \$ 37.00
9 Pages

1702122



File Number: 18-0210

Enactment Number: 18-2010-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY

WHEREAS, on the 26th day of April, 2018, ^{William Moody} being the owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petition did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-61-02-10-0-000-005.000

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, RUN THENCE EAST 286 FEET TO THE POINT OF BEGINNING, RUN THENCE SOUTH 325 FEET, RUN THENCE EAST 130 FEET, RUN THENCE NORTH 325 FEET, RUN THENCE WEST 130 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF PROPERTY TO WIT

COMMENCING AT NORTHWEST CORNER OF THE NORTHWEAT QUARTER OF SECTION 10,

PPIN# 21846

TOWNSHIP 8 SOUTH, RANGE 4 EAST IN BALDWIN COUNTY, ALABAMA, THENCE RUN NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 285 83 FEET TO A POINT ON THE SAID SECTION LINE, THENCE RUN SOUTH 00 DEGREES 14 MINUTES 19 SECONDS EAST LEAVING THE NORTH LINE OF SAID SECTION A DISTANCE OF 40 00 FEET TO A POINT ON THE PRESENT SOUTH RIGHT OF WAY OF BALDWIN COUNTY ROAD 20 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN TO BE CONDEMNED, THENCE RUN NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD 20 A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS EAST PROPERTY LINE, THENCE RUN SOUTH 00 DEGREES 14 MINUTES 19 SECONDS EAST ALONG THE GRANTORS EAST PROPERTY LINE A DISTANCE OF 20 04 FEET TO A POINT ON THE ACQUIRED RIGHT-OF-WAY LINE, THENCE RUN SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST ALONG SAID ACQUIRED RIGHT -OF-WAY LINE A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS WEST PROPERTY LINE THENCE RUN NORTH 00 DEGREES 14 MINUTES 19 SECONDS WEST ALONG THE GRANTORS WEST PROPERTY LINE A DISTANCE OF 20 04 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN CONDEMNED AND AS SHOWN ON THE RIGHT OF WAY MAP OF RECORD IN THE BALDWIN COUNTY HIGHWAY DEPARTMENT A COPY OF WHICH IS ALSO DEPOSITED IN THE OFFICE OF THE JUDGE OF PROBATE AS AN AID TO PERSONS AND ENTITIES INTERESTED THEREIN

Section 3. Petitioner requested zoning as B-1A Commercial Extended Business District. The pre-zoning has gone through Planning Commission and all fees associated with the annexation/zoning of the property will be waived.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 4th day of June, 2018.



President's Signature

[Handwritten Signature]

Date

6-5-18

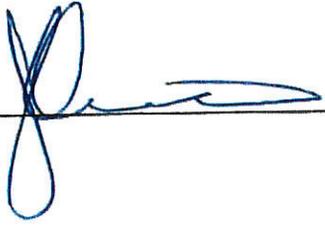
Attest by City Clerk

[Handwritten Signature]

Date

6-5-18

Mayor's Signature



A handwritten signature in blue ink, consisting of a large loop on the left and a series of horizontal strokes extending to the right, crossing a horizontal line.

Date

6/5/2018



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 18 day of April, 2018.

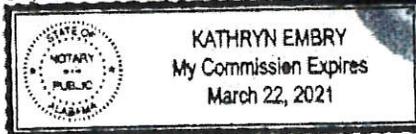
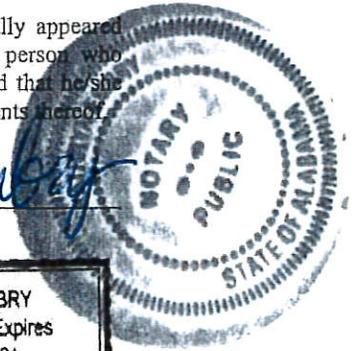
William D. Moody
Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 18 day of April, 2018, before me personally appeared William Moody, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

Kathryn Embry
NOTARY PUBLIC
My Commission Expires:



STATE OF ALABAMA
BALDWIN COUNTY

On this ____ day of _____, 20__, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- R-1A Residential Single Family
- R-1B Residential Single Family
- R-1C Residential Single Family
- R-1D Residential Single Family
- R-1R Restricted Residential Single Family
- R-2 Residential Single Family & Duplex
- R-3 Residential Multi Family
- R-4 Residential Single Family & Duplex
- GPH-1 Residential Garden-Patio Homes
- TH-1 Residential Townhouses
- MH-1 Residential Mobile Home Park/Subdivision
- OSP Open Space/Reservation District
- PDD Planned Development District
- PUD Planned Unit Development
- PID Planned Industrial District
- B-1 Central Business District
- B-1A Commercial Extended Business District
- B-2 Commercial Neighborhood Business District
- B-3 Commercial Local Business District
- PO Preferred Office District
- M-1 Light Industry
- A-O Agriculture Open Space
- H Overlying area of Historic District

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed 1

Number of occupants Adults 2 Race W

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed _____

No

Will D. Wood 4/18/18
 Petitioner's Signature Date

 Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

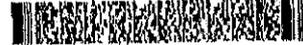
81375(C)

BALDWIN COUNTY ALABAMA
JUDGE ADRIAN T. JOHNS
Filed/Cert 4/3/2009 8:51 AM
DEED TAX \$ 81.50
TOTAL \$ 97.50
2 Pages

1170339

STATE OF ALABAMA

COUNTY OF BALDWIN



WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that JAMES D MASON, a ~~unmarried~~ man, ("Grantor") for and in consideration of the sum of TEN DOLLARS (\$10 00) in cash and other good and valuable consideration in hand paid to the Grantor by WILLIAM D MOODY, ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN SELL AND CONVEY unto the said Grantee, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to wit

BEGINNING AT THE NORTHWEST (NW) CORNER OF THE NORTHWEST(NW) QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, RUN THENCE EAST 286 FEET TO THE POINT OF BEGINNING, RUN THENCE SOUTH 325 FEET, RUN THENCE EAST 130 FEET, RUN THENCE NORTH 325 FEET, RUN THENCE WEST 130 FEET TO THE POINT OF BEGINNING

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF PROPERTY TO WIT

COMMENCING AT NORTHWEST CORNER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST IN BALDWIN COUNTY, ALABAMA, THENCE RUN NORTH 89 DEGREES 47MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 285 83 FEET TO A POINT ON THE SAID SECTION LINE, THENCE RUN SOUTH 00 DEGREES 14MINUTES 19 SECONDS EAST LEAVING THE NORTH LINE OF SAID SECTION A DISTANCE OF 40 00 FEET TO A POINT ON THE PRESENT SOUTH RIGHT OF WAY OF BALDWIN COUNTY ROAD 20 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN TO BE CONDEMNED, THENCE RUN NORTH 89DEGREES 47 MINUTES 38 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD 20 A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS EAST PROPERTY LINE, THENCE RUN SOUTH 00 DEGREES 14 MINUTES 19 SECONDS EAST ALONG THE GRANTORS EAST PROPERTY LINE A DISTANCE OF 20 04 FEET TO A POINT ON THE ACQUIRED RIGHT-OF-WAY LINE, THENCE RUN SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST ALONG SAID ACQUIRED RIGHT-OF-WAY LINE A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS WEST PROPERTY LINE, THENCE RUN NORTH 00 DEGREES 14 MINUTES 19 SECONDS WEST ALONG THE GRANTORS WEST PROPERTY LINE A DISTANCE OF 20 04 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN CONDEMNED AND AS SHOWN ON THE RIGHT OF WAY MAP OF RECORD IN THE BALDWIN COUNTY HIGHWAY DEPARTMENT, A COPY OF WHICH IS ALSO DEPOSITED IN THE OFFICE OF THE JUDGE OF PROBATE AS AN AID TO PERSONS AND ENTITIES INTERESTED THEREIN

LESS AND EXCEPT such oil, gas and other mineral interests and all rights and privileges in connection therewith as may have been reserved or conveyed by prior owners, if any

Grantor, if married, hereby states that the above described real property does not constitute part of his homestead, nor does it constitute part of the homestead of his spouse

THIS CONVEYANCE AND THE WARRANTIES CONTAINED HEREIN ARE MADE SUBJECT TO THE FOLLOWING

- 1 Reservation of 1/2 oil, gas and other minerals, and all rights in connection therewith, as contained in deed from Annie Cook to Hoyt James and Dorothy James dated January 8 1952 and recorded in Deed Book 173 Page 327

- 2 Reservation of 1/2 oil, gas and other minerals, and all rights in connection therewith, as contained in deed from Annie Cook to Robert D James and Flossy James dated January 8, 1952 and recorded in Deed Book 173, Page 328
- 3 Rights of other in and to the use of permanent right-of-way described in Instrument #1096532 and in Instrument #1121974

The recording references refer to the records in the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining

TO HAVE AND TO HOLD the above described property unto the said Grantee, in fee simple, and to the heirs and assigns of said Grantee, FOREVER

And, except as to the above and taxes hereafter falling due which are assumed by the Grantee, Grantor does, for Grantor and for the heirs and assigns of Grantor, hereby covenant with Grantee that Grantor is seized of an indefeasible estate in fee simple in said property, is in quiet and peaceable possession thereof, that said property is free and clear of all encumbrances, and that Grantor does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the quiet and peaceable possession thereof, unto the Grantee, and to the heirs and assigns of Grantee, against the lawful claims of all persons whomsoever

IN WITNESS WHEREOF, Grantor has hereunto set his hand and seal on this the 30th day of March, 2009

 (SEAL)
JAMES D MASON

STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that JAMES D MASON, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he has executed the same voluntarily on the day the same bears date

Given under my hand and seal this the 30th day of March, 2009




NOTARY PUBLIC
My Commission Expires

Address of Grantee

PO Box 2433
Gulf Shores, AL 36547

MARIE MOSS NORTON
Notary Public, State of Alabama at Large
My Commission Expires Oct 29, 2012

THIS INSTRUMENT PREPARED BY
G DAVID CHAPMAN III, P C
Attorney at Law
Post Office Box 1508
Gulf Shores, Alabama 36547
File 09 7774



Overview



Legend

- Centerlines
- Foley City Limits
- ⊗ County Mask
- Parcels
- Lot Lines
- Streams and Creeks
- Lakes and Bays

PIN - 21846
 Par Num - 005.000
 Acreage - 0.824
 Subdivision -
 Lot -
 Street Name - MIFLIN RD
 Street Number - 21052
 Improvement - RES

Name - MOODY, WILLIAM D
 Address1 - P O BOX 2433
 Address2 -
 Address3 -
 City - GULF SHORES
 State - AL
 Zip - 36547

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 4/25/2018
 Last Data Uploaded: 4/24/2018 8:43:40 PM



City of Foley, AL

Signature Copy

Ordinance: 18-2011-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL, PROBATE JUDGE
Filed/cert. 6/15/2018 12:12 PM
TOTAL \$ 52.00
14 Pages

1702123



File Number: 18-0211

Enactment Number: 18-2011-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY.

WHEREAS, on the 26th day of April, 2018, ^{Jim Brown} being the owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petition did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-61-02-09-0-001-001.000

LOT 3, LITTLE WOERNER, ACCORDING TO THE PLAT THEREOF RECORDED ON SLIDE 2617-A IN THE RECORDS OF THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN.

Section 3. Petitioner requested zoning as B-1A Commercial Extended Business District. The pre-zoning has gone through Planning Commission and all fees associated with the annexation/zoning of the property will be waived.

Section 4. This ordinance shall be published as provided by law, and a certified copy of

PPIN# 26103

same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 4th day of June, 2018.



President's Signature JW Trammel

Date 6-5-18

Attest by City Clerk Kathryn Taylor

Date 6-5-18

Mayor's Signature [Signature]

Date 6/5/2018



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 17th day of April, 2018.

[Handwritten signature]

Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 17th day of April, 2018, before me personally appeared Jim Brown, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

[Handwritten signature: Angela Burns]

NOTARY PUBLIC

My Commission Expires:



STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of _____, 20___, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC

My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- R-1A Residential Single Family
- R-1B Residential Single Family
- R-1C Residential Single Family
- R-1D Residential Single Family
- R-1R Restricted Residential Single Family
- R-2 Residential Single Family & Duplex
- R-3 Residential Multi Family
- R-4 Residential Single Family & Duplex
- GPH-1 Residential Garden-Patio Homes
- TH-1 Residential Townhouses
- MH-1 Residential Mobile Home Park/Subdivision
- OSP Open Space/Reservation District
- PDD Planned Development District
- PUD Planned Unit Development
- PID Planned Industrial District
- B-1 Central Business District
- B-1A Commercial Extended Business District
- B-2 Commercial Neighborhood Business District
- B-3 Commercial Local Business District
- PO Preferred Office District
- M-1 Light Industry
- A-O Agriculture Open Space
- H Overlying area of Historic District

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed 0 *House Has Been Removed*

Number of occupants Adults 0 Race 0

Number of businesses currently located on the property being annexed 0

(If more than one business on property, print information on back.)

Name of business N/A

Owner's Name N/A

Mailing Address N/A

If property is undeveloped, have plans been submitted to Planning Commission?

Yes *have shown preliminary plans at 4/11/18 work session*
If yes, state estimated date the development or subdivision will be completed _____

No

[Signature]
Petitioner's Signature 4/17/18
Date

Petitioner's Signature

Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

STATE OF ALABAMA)
COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WHEELS UP, LLC, a Limited Liability Company, the Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration hereby acknowledged to have been paid to the said Grantor by HERCULES INVESTMENTS, LLC, the Grantee, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, subject to the provisions hereinafter contained, all that real property in the County of Baldwin, State of Alabama, described as follows:

Lot 3, Little Woerner, according to the plat thereof recorded on Slide 2617-A in the records of the Office of the Judge of Probate of Baldwin.

1. Any claim arising as a result of the fence not being located on the property lines as shown on plat or survey by David Lowery (David Lowery Surveying, L.L.C.), dated July 2017, drawing no. 17-07-033.
2. Right of way granted Baldwin County by Frank E. Little and Dolly E. Little, dated September 7, 1971, and recorded in Real Property Book 401, page 132.
3. Right of way granted Baldwin County by Frank E. Little and Dolly E. Little, et al, dated September 24, 1958, and recorded in Real Property Book 407, page 1095.
4. Easement granted Baldwin County Electric Membership Corporation by Frank E. Little and Dolly E. Little, dated December 15, 1994, and recorded in Real Property Book 609, Page 1081.
5. Reservation of all interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from M. W. Childress and Delores Childress, to Frank E. Little and Dolly E. Little, dated May 14, 1958, and recorded in Deed Book 265, page 359.

6. Building setback lines, and drainage and utility easements appearing of record in plat of said subdivision recorded at Slide 2617-A.
7. Any right, interest or claim that may exist, arise or be asserted against the Title under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.
8. Right of Way granted Baldwin County, Alabama by Franklin A. Little, dated February 15, 2008, and recorded in Instrument 1100709.

together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, and to its successors and assigns, forever.

This conveyance is made subject to restrictive covenants and easements applicable to said property of record in the said Probate Court records.

And, except as to the above, and the taxes hereafter falling due, the said Grantor, for itself and for its successors and assigns, hereby covenant with the Grantee that it is seized of an indefeasible estate in fee simple in and to said property, that said property is free and clear of all encumbrances and that it does hereby WARRANT AND WILL FOREVER DEFEND the title to said property, and the possession thereof, unto the said Grantee, its successors and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this the 20th day of November, 2017.

WHEELS UP, LLC

by:  (SEAL)
David P. Cahoon,
its Secretary/Treasurer

[Notary Acknowledgment On Following Page]

STATE OF ALABAMA)

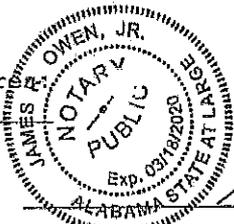
COUNTY OF BALDWIN)

I, the undersigned Notary Public, in and for said State and County, hereby certify that DAVID P. CAHOON as Secretary/Treasurer of WHEELS UP, LLC, the Grantor herein, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, with full power and authority, executed the same voluntarily on the day same bears date.

Given under my hand and seal this 20th day of November, 2017.



NOTARY PUBLIC, STATE AT LARGE



My Commission Expires _____

Grantor's address: _____

P.O. Box 704 Gulf Shores, AL 36541

Grantee's address: _____

P.O. Box 2488 Orange Beach, AL 36561

The within instrument prepared by:
Kopesky & Britt, LLC
451 Magnolia Street
Fairhope, AL 36532



Overview



Legend

- Centerlines
- Foley City Limits
- ⊗ County Mask
- Parcels
- - Lot Lines
- Streams and Creeks
- Lakes and Bays

PIN - 26103
 Par Num - 001.000
 Acreage - 3.172
 Subdivision - LITTLEWOER
 Lot - 3
 Street Name - MIFLIN RD
 Street Number - 20868
 Improvement - RES

Name - LITTLE, FRANKLIN A
 Address1 - 20868 MIFLIN RD
 Address2 -
 Address3 -
 City - FOLEY
 State - AL
 Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 4/25/2018
 Last Data Uploaded: 4/24/2018 8:43:40 PM

 Developed by
 The Schneider Corporation



Alabama Secretary of State



Hercules Investments, L.L.C.	
Entity ID Number	324 - 563
Entity Type	Domestic Limited Liability Company
Principal Address	Not Provided
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Baldwin County
Formation Date	12-17-2014
Registered Agent Name	BROWN, JAMES M
Registered Office Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Registered Office Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Nature of Business	ANY LAWFUL BUSINESS
Capital Authorized	
Capital Paid In	
Organizers	
Organizer Name	BROWN, JAMES M
Organizer Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Organizer Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Organizers	
Organizer Name	BROWN, JAMES M
Organizer Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Organizer Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532
Annual Reports	
Annual Report information is filed and maintained by the Alabama Department of Revenue. If you have questions about any of these filings, please contact Revenue's Business Privilege Tax Division at 334-242-1170 or www.ador.alabama.gov . The Secretary of State's Office cannot answer questions about or make changes to these reports.	
Report Year	2015 2016

Hercules Investments, L.L.C.	
Transactions	
Transaction Date	12-22-2014
Miscellaneous Filing Entry	New Entity Effective 12-17-2014 13:51
Scanned Documents	
Document Date / Type / Pages	12-22-2014 Certificate of Formation 2 pgs.

[Browse Results](#)

[New Search](#)

STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WHEELS UP, LLC, a Limited Liability Company, the Grantor, for and in consideration of the sum of TEN (\$10.00) DOLLARS and other good and valuable consideration hereby acknowledged to have been paid to the said Grantor by HERCULES INVESTMENTS, LLC, the Grantee, does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, subject to the provisions hereinafter contained, all that real property in the County of Baldwin, State of Alabama, described as follows:

Lot 3, Little Woerner, according to the plat thereof recorded on Slide 2617-A in the records of the Office of the Judge of Probate of Baldwin.

1. Any claim arising as a result of the fence not being located on the property lines as shown on plat or survey by David Lowery (David Lowery Surveying, L.L.C.), dated July 2017, drawing no. 17-07-033.
2. Right of way granted Baldwin County by Frank E. Little and Dolly E. Little, dated September 7, 1971, and recorded in Real Property Book 401, page 132.
3. Right of way granted Baldwin County by Frank E. Little and Dolly E. Little, et al, dated September 24, 1958, and recorded in Real Property Book 407, page 1095.
4. Easement granted Baldwin County Electric Membership Corporation by Frank E. Little and Dolly E. Little, dated December 15, 1994, and recorded in Real Property Book 609, Page 1081.
5. Reservation of all interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from M. W. Childress and Delores Childress, to Frank E. Little and Dolly E. Little, dated May 14, 1958, and recorded in Deed Book 265, page 359.

6. Building setback lines, and drainage and utility easements appearing of record in plat of said subdivision recorded at Slide 2617-A.
7. Any right, interest or claim that may exist, arise or be asserted against the Title under or pursuant to the Perishable Agricultural Commodities Act of 1930, as amended, 7 USC 499a et seq., the Packers and Stockyard Act of 1921, as amended, 7 USC 181 et seq., or any similar state laws.
8. Right of Way granted Baldwin County, Alabama by Franklin A. Little, dated February 15, 2008, and recorded in Instrument 1100709.

together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, and to its successors and assigns, forever.

This conveyance is made subject to restrictive covenants and easements applicable to said property of record in the said Probate Court records.

And, except as to the above, and the taxes hereafter falling due, the said Grantor, for itself and for its successors and assigns, hereby covenant with the Grantee that it is seized of an indefeasible estate in fee simple in and to said property, that said property is free and clear of all encumbrances and that it does hereby WARRANT AND WILL FOREVER DEFEND the title to said property, and the possession thereof, unto the said Grantee, its successors and assigns, against the lawful claims of all persons, whomsoever.

IN WITNESS WHEREOF, the said Grantor has hereunto set his hand and seal this the 20th day of November, 2017.

WHEELS UP, LLC

by:  (SEAL)
David P. Cahoon,
its Secretary/Treasurer

[Notary Acknowledgment On Following Page]

STATE OF ALABAMA)

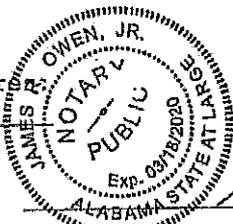
COUNTY OF BALDWIN)

I, the undersigned Notary Public, in and for said State and County, hereby certify that DAVID P. CAHOON as Secretary/Treasurer of WHEELS UP, LLC, the Grantor herein, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, with full power and authority, executed the same voluntarily on the day same bears date.

Given under my hand and seal this 20th day of November, 2017.



NOTARY PUBLIC, STATE AT LARGE



My Commission Expires _____

Grantor's address: _____

P.O. Box 904 Gulf Shores AL 36541

Grantee's address: _____

P.O. Box 2488 Orange Beach AL 36561

The within instrument prepared by:
Kopesky & Britt, LLC
451 Magnolia Street
Fairhope, AL 36532



City of Foley, AL

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 7/18/2018 2:46 PM
TOTAL \$ 82.00
24 Pages

1708681

Signature Copy

Ordinance: 18-2014-ORD



File Number: 18-0243

Enactment Number: 18-2014-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Cheryl & Jim Beverly)

WHEREAS, on the 11th day of May, 2018, Cheryl and Jim Beverly, being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-61-02-10-0-000-004.001

Commence at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama; thence East along the North line of said Section 416.0 feet; thence South 40.0 feet to the Point of Beginning; thence continue South 247.83 feet; thence East 115.0 feet; thence North 247.83 feet; West 115.0 feet to the point of beginning.

Tax Map Parcel ID# 05-61-02-10-0-000-004.002

Begin at the Northwest corner of Section 10, Township 8 South, Range 4 East; run thence

APIN#5
34716
29325

East 531 feet to a point; run thence South 40 feet to a point which is the Point of Beginning; thence run South 247.83 feet to a point; run thence East 115.0 feet to a point; run thence North 247.83 feet to a point; run thence West 115.0 feet to the Point of Beginning. Said land being in Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama, LESS AND EXCEPT the North 40.0 feet for a right-of-way of County Road No. 12.

Tax Map Parcel ID# 05-61-02-10-0-000-004.003

Lot 2 being part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 8 South, Range 4 East, St. Stephens Meridian, starting at the Northwest corner, run thence East 531 feet; thence run South 40 feet; thence run East 115.0 feet, thence run North 247.83 feet; thence run West 115.0 feet to the Point of Beginning, being situated in Baldwin County, Alabama.

Section 3. Petitioners requested zoning as B-3 Local Business District for all parcels. The pre-zoning has gone through Planning Commission and all fees associated with the annexation/zoning of the property will be waived.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 18th day of June, 2018.



President's Signature [Handwritten Signature]

Date 6-18-18

Attest by City Clerk [Handwritten Signature]

Date 6-18-18

Mayor's Signature [Handwritten Signature]

Date 6/20/2018

I certify that the foregoing Ordinance was published in the Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Wednesday, July 4, 2018."

[Handwritten Signature]
Kathryn Taylor, CMC
City Clerk

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- R-1A Residential Single Family
- R-1B Residential Single Family
- R-1C Residential Single Family
- R-1D Residential Single Family
- R-1R Restricted Residential Single Family
- R-2 Residential Single Family & Duplex
- R-3 Residential Multi Family
- R-4 Residential Single Family & Duplex
- GPH-1 Residential Garden-Patio Homes
- TH-1 Residential Townhouses
- MH-1 Residential Mobile Home Park/Subdivision
- OSP Open Space/Reservation District
- PDD Planned Development District
- PUD Planned Unit Development
- PID Planned Industrial District
- B-1 Central Business District
- B-1A Commercial Extended Business District
- B-2 Commercial Neighborhood Business District
- B-3 Commercial Local Business District
- PO Preferred Office District
- M-1 Light Industry
- A-O Agriculture Open Space
- H Overlying area of Historic District

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed _____

No

Petitioner's Signature Date

Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?

Yes

No

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged I or we,

JAMES W. BEVERLY and BELINDA CHERYL BEVERLY, husband and wife,

(herein referred to as Grantor, whether one or more) grant, bargain, sell and convey unto

JIMMY BEVERLY and CHERYL BEVERLY, Trustees, or their successors in trust, under the BEVERLY LIVING TRUST, dated April 14, 2005 and any amendments thereto

(herein referred to as Grantee, whether one or more), the following described real estate, situated in Baldwin County, Alabama, to wit:

Commence at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama; thence East along the North line of said Section 416.0 feet; thence South 40.0 feet to the point of beginning; thence continue South 247.83 feet; thence East 115.0 feet; thence North 247.83 feet; West 115.0 feet to the point of beginning.

THIS CONVEYANCE IS MADE SUBJECT TO all easements, setback line requirements, reservations and restrictions and any Vendors Lien(s) which are of public record in the Office of the Judge of Probate of Baldwin County, Alabama.

TO HAVE AND TO HOLD to the said Grantee(s), his, her or their successors and assigns forever.

THE GRANTOR(S) herein grant(s) full power and authority by this deed to the Trustees, and either of them, and all successor trustees to protect, conserve, sell, lease, pledge, mortgage, borrow against, encumber, convey, transfer or otherwise manage and dispose of all or any portion of the property herein described, or any interest therein, without the consent or approval of any other party and without further proof of such authority; no person or entity paying money to or delivering property to any Trustee or successor trustee shall be required to see to its application; all persons or entities relying in good faith on this deed and the powers contained herein regarding the Trustees (or successor trustees) and their powers over the property herein conveyed shall be held harmless from any resulting loss or liability from such good faith reliance.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 14th day of April, 2005.

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:
28th May -18 1:34PM
Instrument Number 892396 Pages 2
Recording 6.00 Mortgage
Deed 82.00 Min Tax
Index 1.00 DP 5.00
Archive 5.00
Arian T. Johns, Judge of Probate

892396

pin# 34716

21090mitln

James W. Beverly
JAMES W. BEVERLY

Belinda Cheryl Beverly
BELINDA CHERYL BEVERLY

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, Christina Voiles, a Notary Public in and for said County, in said State, hereby certify that JAMES W. BEVERLY and BELINDA CHERYL BEVERLY, whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me, acknowledged before me on this date that, being informed of the contents of the conveyance, has/have executed the same voluntarily on the day the same bears date.

Given my hand and official seal this the 14th day of April, 2005.

Christina Voiles
NOTARY PUBLIC
My Commission Expires: 3/31/06

THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF THE TITLE TO THIS PROPERTY AND HAS ACTED SOLELY AS THE DRAFTER OF THIS INSTRUMENT.

This Instrument was prepared by:
C. Gary Hicks
Ryan, Hicks, Cumpton & Cumpton, L.L.P.
1110 Montlmar Drive, Suite 510
Mobile, Alabama 36609
(251) 342-8188

Send Tax Notice to:

JIMMY BEVERLY and CHERYL BEVERLY
7396 Coopers Landing Road W.
Foley, Alabama 36635



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

May 10, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 34716 be prezoned as B-3 (Local Business District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quailes; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III



Overview



Legend

- Centerlines
- Foley City Limits
- ⊗ County Mask
- Parcels
- - Lot Lines
- Streams and Creel
- Lakes and Bays

PIN - 34716	Name - BEVERLY, JIMMY ETAL BEVERLY, CHERYL AS T
Par Num - 004.001	Address1 - 7395 COOPERS LANDING RD W
Acreage - 0.605	Address2 -
Subdivision -	Address3 -
Lot -	City - FOLEY
Street Name - MIFLIN RD	State - AL
Street Number - 21090	Zip - 36535
Improvement - RES	

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 5/10/2018
 Last Data Uploaded: 5/9/2018 8:48:34 PM

 Developed by
 The Schneider Corporation

0561-02-10-0-000-004.001



PPIN# 21885

PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 7th day of May, 2018.

Cheryl Beverly
Petitioner's Signature

Jimmy Beverly
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 7th day of May, 2018, before me personally appeared Cheryl Belinda Cheryl Beverly, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

Keri Gregory
NOTARY PUBLIC
My Commission Expires: 4/30/2022

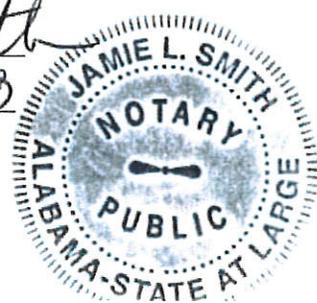


STATE OF ALABAMA
BALDWIN COUNTY

On this 8th day of May, 2018, before me personally appeared Jimmy Beverly, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
JAMIE L. SMITH
ALABAMA, STATE AT LARGE
My Commission Expires December 3, 2018

Jamie Smith
NOTARY PUBLIC
My Commission Expires: 12/3/18



ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input checked="" type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input type="checkbox"/> | M-I | Light Industry |
| <input type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed _____

No

Petitioner's Signature Date

Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?

Yes

No

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged I or we,

JAMES W. BEVERLY and BELINDA CHERYL BEVERLY, husband and wife,

(herein referred to as Grantor, whether one or more) grant, bargain, sell and convey unto

JIMMY BEVERLY and CHERYL BEVERLY, Trustees, or their successors in trust, under the BEVERLY LIVING TRUST, dated April 14, 2005 and any amendments thereto

(herein referred to as Grantee, whether one or more), the following described real estate, situated in Baldwin County, Alabama, to wit:

Begin at the Northwest corner of Section 10, Township 8 South, Range 4 East; run thence East 531 feet to a point; run thence South 40 feet to a point which is the Point of Beginning; run thence South 247.83 feet to a point; run thence East 115.0 feet to a point; run thence North 247.83 feet to a point; run thence West 115.0 feet to the Point of Beginning. Said land being in Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama, LESS AND EXCEPT the North 40.0 feet for a right-of-way of County Road No. 12.

THIS CONVEYANCE IS MADE SUBJECT TO all easements, setback line requirements, reservations and restrictions and any Vendors Lien(s) which are of public record in the Office of the Judge of Probate of Baldwin County, Alabama.

TO HAVE AND TO HOLD to the said Grantee(s), his, her or their successors and assigns forever.

THE GRANTOR(S) herein grant(s) full power and authority by this deed to the Trustees, and either of them, and all successor trustees to protect, conserve, sell, lease, pledge, mortgage, borrow against, encumber, convey, transfer or otherwise manage and dispose of all or any portion of the property herein described, or any interest therein, without the consent or approval of any other party and without further proof of such authority; no person or entity paying money to or delivering property to any Trustee or successor trustee shall be required to see to its application; all persons or entities relying in good faith on this deed and the powers contained herein regarding the Trustees (or successor trustees) and their powers over the property herein conveyed shall be held harmless from any resulting loss or liability from such good faith reliance.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their successors and assigns forever, against the lawful claims of all persons.

State of Alabama, Baldwin County
I certify this instrument was filed
and fees collected on:
2005 May -18 1:31PM
Instrument Number 892394 Pages 2
Recording 6.00 Mortgage
Deed 74.58 Min tax 5.00
Index 1.00 DP
Archive 5.00
Adrian T. Johns, Judge of Probate

892394

PIN# 21885

2112.mifn

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 14th
day of April, 2005.

James W. Beverly
JAMES W. BEVERLY

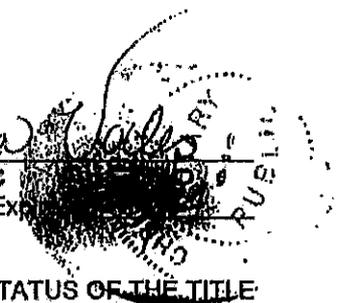
Belinda Cheryl Beverly
BELINDA CHERYL BEVERLY

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, Christina Volkes, a Notary Public in and for said County,
in said State, hereby certify that JAMES W. BEVERLY and BELINDA CHERYL BEVERLY,
whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me,
acknowledged before me on this date that, being informed of the contents of the conveyance,
has/have executed the same voluntarily on the day the same bears date.

Given my hand and official seal this the 14th day of April, 2005.

Christina Volkes
NOTARY PUBLIC
My Commission Expires 01/01/08


THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF THE TITLE
TO THIS PROPERTY AND HAS ACTED SOLELY AS THE DRAFTER OF THIS INSTRUMENT.

This Instrument was prepared by:
C. Gary Hicks
Ryan, Hicks, Cumpton & Cumpton, L.L.P.
1110 Montlilar Drive, Suite 510
Mobile, Alabama 36609
(251) 342-8188

Send Tax Notice to:

JIMMY BEVERLY and CHERYL BEVERLY
7395 Coopers Landing Road W.
Foley, Alabama 36535



Overview



Legend

- Centerlines
- Foley City Limits
- ⊗ County Mask
- Parcels
- - Lot Lines
- Streams and Creeks
- Lakes and Bays

PIN - 21885
 Par Num - 004.002
 Acreage - 0.607
 Subdivision -
 Lot -
 Street Name - MIFLIN RD
 Street Number - 21112
 Improvement - RES

Name - BEVERLY, JIMMY ETAL BEVERLY, CHERYL AS T
 Address1 - 7395 COOPERS LANDING RD W
 Address2 -
 Address3 -
 City - FOLEY
 State - AL
 Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 5/10/2018
 Last Data Uploaded: 5/9/2018 8:48:34 PM

 Developed by
 The Schneider Corporation

05-61-02-10-0-000-004.002



COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET

Foley, Alabama 36535
www.cityoffoley.org

(251) 952-4011
FAX (251) 971-3442

May 10, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 21885 be prezoned as B-3 (Local Business District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

TTM
29325



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 7th day of May, 20 18

Cheryl Beverly
Petitioner's Signature

Jimmy Beverly
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 7th day of May, 20 18, before me personally appeared Cheryl Beverly, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

Keri Gregory
NOTARY PUBLIC
My Commission Expires: 4/30/2022

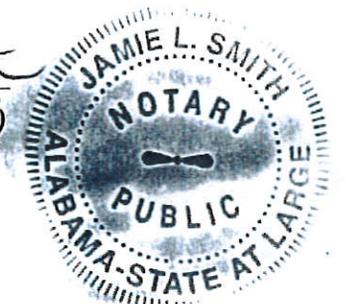


STATE OF ALABAMA
BALDWIN COUNTY

On this 8th day of May, 20 18, before me personally appeared Jimmy Beverly, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
JAMIE L. SMITH
ALABAMA, STATE AT LARGE
My Commission Expires December 3, 2018

Jamie Smith
NOTARY PUBLIC
My Commission Expires: 12/3/18



For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged I or we,

JAMES W. BEVERLY and BELINDA CHERYL BEVERLY, husband and wife,

(herein referred to as Grantor, whether one or more) grant, bargain, sell and convey unto

JIMMY BEVERLY and CHERYL BEVERLY, Trustees, or their successors in trust, under the BEVERLY LIVING TRUST, dated April 14, 2005 and any amendments thereto

(herein referred to as Grantee, whether one or more), the following described real estate, situated in Baldwin County, Alabama, to wit:

Lot 2 being a part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 8 South, Range 4 East, St. Stephens Meridian, starting at the Northwest corner, run thence East 531 feet; thence run South 40 feet; thence run East 115.0 feet to the Point of Beginning; thence run South 247.83 feet; thence run East 115.0 feet; thence run North 247.83 feet; thence run West 115.0 feet to the Point of Beginning, being situated in Baldwin County, Alabama.

THIS CONVEYANCE IS MADE SUBJECT TO all easements, setback line requirements, reservations and restrictions and any Vendors Lien(s) which are of public record in the Office of the Judge of Probate of Baldwin County, Alabama.

TO HAVE AND TO HOLD to the said Grantee(s), his, her or their successors and assigns forever.

THE GRANTOR(S) herein grant(s) full power and authority by this deed to the Trustees, and either of them, and all successor trustees to protect, conserve, sell, lease, pledge, mortgage, borrow against, encumber, convey, transfer or otherwise manage and dispose of all or any portion of the property herein described, or any interest therein, without the consent or approval of any other party and without further proof of such authority; no person or entity paying money to or delivering property to any Trustee or successor trustee shall be required to see to its application; all persons or entities relying in good faith on this deed and the powers contained herein regarding the Trustees (or successor trustees) and their powers over the property herein conveyed shall be held harmless from any resulting loss or liability from such good faith reliance.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their successors and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 14th day of April, 2005.

State of Alabama, Baldwin County
certify this instrument was filed
and taxes collected on:
2005 May -18 1:23PM
Instrument Number 892382 Pages 2
Recording Fee 6.00 Mortgage
Deed 8.50 Min Tax
Index 1.00 JP 5.00
Archive 5.00
Adrian T. Johns, Judge of Probate

892382

PIN# 29325

2005 04 14 1:23 PM

James W. Beverly
JAMES W. BEVERLY
STATE OF ALABAMA)

Belinda Cheryl Beverly
BELINDA CHERYL BEVERLY

COUNTY OF MOBILE)

I, Christina Voiles

a Notary Public in and for said County,
in said State, hereby certify that JAMES W. BEVERLY and BELINDA CHERYL BEVERLY,
whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me,
acknowledged before me on this date that, being informed of the contents of the conveyance,
has/have executed the same voluntarily on the day the same bears date.

Given my hand and official seal this the 14th day of April, 2005.

Christina Voiles
NOTARY PUBLIC
My Commission Expires 3/7/09

THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF THE TITLE
TO THIS PROPERTY AND HAS ACTED SOLELY AS THE DRAFTER OF THIS INSTRUMENT.

This Instrument was prepared by:
C. Gary Hicks
Ryan, Hicks, Cumpton & Cumpton, L.L.P.
1110 Montlimar Drive, Suite 510
Mobile, Alabama 36609
(251) 342-8188

Send Tax Notice to:

JIMMY BEVERLY and CHERYL BEVERLY
7395 Coopers Landing Road W.
Foley, Alabama 36535



Overview



Legend

- Centerlines
- Foley City Limits
- ▣ County Mask
- Parcels
- - Lot Lines
- Streams and Creeks
- Lakes and Bays

PIN - 29325
 Par Num - 004.003
 Acreage - 0.608
 Subdivision -
 Lot -
 Street Name - MIFLIN RD
 Street Number - 21122
 Improvement -

Name - BEVERLY, JIMMY ETAL BEVERLY, CHERYL AST
 Address1 - 7395 COOPERS LANDING RD W
 Address2 -
 Address3 -
 City - FOLEY
 State - AL
 Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 5/10/2018
 Last Data Uploaded: 5/9/2018 8:48:34 PM



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

May 10, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 29325 be rezoned as B-3 (Local Business District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Qualtes; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Fiscal year ended 9/30/2018
**INFRASTRUCTURE ADDITIONS DUE TO
Annexation**

DATE ANNEXED/ACCEPTED: **11-May-18**
Resolution, Ordinance Act# (etc): **??**
ROW Acceptance Ordinance#

Data Collection by: **Randy Kurtts** Date: **1/30/2018**
(Data obtained from as-builts, onsite inspection, GIS, etc.)
Accounting Valuation by: Date:
(See current year file for accounting valuation supporting detail)

ANNEXING PARTY AND/OR SUBDIVISION NAME/UNIT/PHASE:
PIN 34716, 21885, 29325 Beverly

Border County? **Y N** Quadrant: **NW NE SW SE**

Value accounted during CR20 Widening project



City of Foley, AL

Signature Copy

Ordinance: 18-2016-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 7/18/2018 2:52 PM
TOTAL \$ 109.00
33 Pages

1708683



File Number: 18-0255

Enactment Number: 18-2016-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Flowerwood Nursery, INC.)

WHEREAS, on the 11th day of May, 2018, being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-54-04-18-0-000-~~001~~.000

Oil. Scrivener's Error KT

The Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast Quarter of Section 18, Township 7 South, Range 4 East; LESS AND EXCEPT all oil, gas, and other minerals and all rights incidental thereto.

Tax Map Parcel ID# 05-54-04-18-0-000-~~001~~.001

Oil. Scrivener's Error KT

The Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast Quarter of Section 18, Township 7 South, Range 4 East; LESS AND EXCEPT all oil, gas, and

PPIN# 1045610 99551

other minerals and all rights incidental thereto.

Section 3. Petitioner requested zoning as M-1 Light Industrial District for all parcels. The pre-zoning has gone through Planning Commission and all fees associated with the annexation/zoning of the property will be waived.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 2nd day of July, 2018.



President's Signature [Handwritten Signature]

Date 7-3-18

Attest by City Clerk Kathryn Taylor

Date 7-3-18

Mayor's Signature [Handwritten Signature]

Date 7/6/2018

I certify that the foregoing Ordinance was published in the Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Wednesday, July 11, 2018."

Kathryn Taylor
Kathryn Taylor, CMC
City Clerk



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

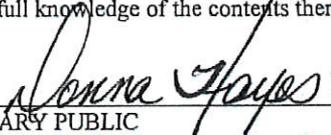
Dated this 10 day of May, 2018.

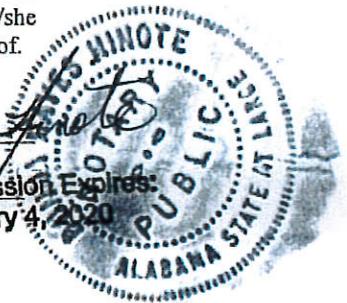

Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 10 day of May, 2018, before me personally appeared Ellis Ollinger, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.


NOTARY PUBLIC
My Commission Expires: My Commission Expires:
February 4, 2020



STATE OF ALABAMA
BALDWIN COUNTY

On this ____ day of _____, 20__, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

Handwritten note: ... 000-011,000

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input checked="" type="checkbox"/> | M-1 | Light Industry |
| <input type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

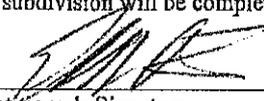
Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed

No



 Petitioner's Signature Date

 Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No



Overview



Legend

- Centerlines
- Foley City Limits
- ▣ County Mask
- Parcels
- Zoning
- TH-1
- R-4
- R-3
- R-2
- R-1R
- R-1D
- R-1C
- R-1B
- R-1A
- PUD
- PO
- PID
- PENDING
- PDD
- MH-1
- M-1
- GPH-1
- B-3
- B-2
- B-1A
- B-1
- AO

PIN - 64586
 Par Num - 011.000
 Acreage - 38.120
 Subdivision -
 Lot -
 Street Name -
 Street Number - 0
 Improvement -

Name - FLOWERWOOD NURSERY INC
 Address1 - P O BOX 665
 Address2 -
 Address3 -
 City - LOXLEY
 State - AL
 Zip - 36551

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.



**Baldwin County
Revenue Commissioner**

**Property Appraisal Link
BALDWIN COUNTY, AL**

Current Date 4/19/2018

Trx Year 2017
Valuation Date October 1, 2016

OWNER INFORMATION

PARCEL 54-04-18-0-000-011.000 PPIN 064586 TAX DIST 02
 NAME FLOWERWOOD NURSERY INC
 ADDRESS P O BOX 665
 LOXLEY AL 36551
 DEED TYPE BOOK 0121 PAGE 0001650
 PREVIOUS OWNER
 LAST DEED DATE //0000

DESCRIPTION

39 ACC SE1/4 OF SW1/4 LESS RD R/W'S SEC 18 T7S R4E

PROPERTY INFORMATION

PROPERTY ADDRESS
 NEIGHBORHOOD FOLEY FOLEY AREA
 PROPERTY CLASS SUB CLASS
 LOT BLOCK
 SECTION/TOWNSHIP/RANGE 00-00-00
 LOT DIMENSION ZONING

PROPERTY VALUES

LAND: 171600 CLASS 1: TOTAL ACRES: 39.00
 BUILDING: CLASS 2: TIMBER ACRES: 39.00
 CLASS 3: 171600
 TOTAL PARCEL VALUE: 171600
 ESTIMATED TAX: \$69.98
 TOTAL USE VALUE: 23580

DETAIL INFORMATION

CODE	TYPE	REF	METHOD	DESCRIPTION	LAND USE	TCHsPr	MARKET USE VALUE	VALUE
U	USE	2	ST AC9	9.00 acres	8310-TIMBER (GOOD C1)	3 N N	6660	
U	USE	3	ST AC9	30.00 acres	8320-TIMBER (AVG, C2)	3 N N	16920	
M	LAND	4	ST AC9	39.00 acres	8100-AGRICULTURAL	3 N N	171600	

[View Tax Record](#)

[Back](#)

STATE OF ALABAMA
COUNTY OF BALDWIN

J. DON FOSTER, ESQUIRE
Foster, Brackin & Bolton P.A.
1715 N. McKenzie Street
Foley, Alabama 36535

VENDOR'S LIEN DEED

KNOW ALL MEN BY THESE PRESENTS, that

JOHN B. FOLEY, as Executor under the Last Will and Testament of John Burton Foley, Jr., deceased, hereinafter referred to as the Grantor,

in consideration of TWENTY EIGHT THOUSAND FOUR HUNDRED

DOLLARS (\$ 28,400.00) ; of which the sum of FIVE THOUSAND SIX HUNDRED AND EIGHTY

DOLLARS

(\$ 5,680.00) is hereby acknowledged to have been paid to said grantor by FLOWERWOOD NURSERY, INC.

hereinafter called the grantee/s, and the balance of which is payable as hereinafter set forth, does hereby grant, bargain, sell and convey, subject to the exceptions, reservations and limitations hereinafter set out, if any, unto said grantee/s its successors and assigns, in fee simple, forever.

all of that certain real property in Baldwin County, Alabama, described as follows, to-wit:

The Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 18, Township 7 South, Range 4 East; LESS AND EXCEPT all oil, gas, and other minerals and all rights incidental thereto.

STATE OF ALABAMA,
BALDWIN COUNTY
I certify that this instrument was filed
and the following tax collected on
SEP 27 1982 10 02 A M
Ala. Tax 160
Deed 3 1/2
Book 121
Page 1450
By 1653
Index 3
Recorded in
Judge of Probate

TOGETHER with all and singular the rights, members, tenements, privileges, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same unto the said grantee/s

Flowerwood Nursery, Inc. its successors and heirs and assigns, FOREVER.

REAL 121-008-1650-28

The conveyance of the above described property and all covenants and warranties of the grantor hereunder (whether express, implied or statutory) are made subject to the following:

1. Lien of taxes hereafter falling due.
2. Prior reservation(s) of oil, gas, and other minerals and rights incidental thereto as expressed in such reservation(s).
3. Oil, gas, and mineral lease(s) now outstanding.
4. Encroachments, deficiencies or shortages in area which an accurate survey would reveal and existing rights-of-way and easements now of record or visible from the surface.
5. So long as any part of the purchase price remains unpaid no timber or pulpwood may be sold without seller's written consent and the proceeds of any such sale shall be paid on the outstanding balance as a prepayment applied first to interest and then to principal.
6. So long as any part of the purchase price, remains unpaid the buyer shall commit no waste on the property including, but not limited to, mining or selling dirt or clay.
7. Existing farm leases expiring not later than December 31, 1982 and crops growing thereon which may be later harvested.
8. Existing gas line easements and gas line running over and across said land.

The balance of the purchase price, to-wit the sum of \$ 22,720.00, to secure the payment of which a vendor's lien is hereby specifically retained by the grantor, is evidenced by promissory note of even date herewith made by the grantee and payable to the order of the grantor as follows:

In annual installments of \$ 4,022.00, including interest at the rate of 12% percent per annum on the unpaid balance of the indebtedness, each annual installment to be applied first to the payment of such interest and the balance to be applied to reduce the principal indebtedness, the first such annual installment to be due and payable on the 23 day of September, 1983, and each subsequent installment to be due and payable on the same day of each year thereafter, until the entire principal and interest are paid in full.

By accepting this conveyance, the grantee hereby agrees and binds himself, so long as any part of said purchase price, or the interest thereon, remains unpaid, as follows:

1. To keep the improvements on said property, or those hereafter erected on said property, in good repair and insured against fire and all physical loss in companies satisfactory to grantor, in such amount, not exceeding the indebtedness hereby secured and not exceeding the value of said improvements, as may be required by grantor, with loss, if any, payable to the grantor as his, its or their interest may appear, the policies evidencing said insurance to be approved by and deposited with grantor.
2. To pay promptly all taxes, assessments, liens or other charges which may be or become effective against said property, together with penalties, costs and other expenses incurred or which may accrue in connection therewith; and if the vendor's lien contained herein is subordinate to any prior mortgage or lien, to make all payments and do all things required by such prior lien so as to keep the same from becoming in default.
3. That if grantor shall, upon the happening of any default hereunder, employ an attorney to collect any sums hereby secured, by litigation or otherwise, or to foreclose this lien under the power of sale contained herein, or by bill in equity, or in connection with any suit for an accounting arising under this instrument, to pay all reasonable costs, expenses and attorney's fees so incurred; and any such costs, expenses or attorney's fees shall be an additional lien on said property, secured by this instrument, and may also be included in any judgment or decree rendered in connection with any such litigation.
4. That if the grantee fails to perform any of the duties herein specified the grantor may perform the same, and any sum expended by the grantor in this behalf, including any principal, interest or other payment on account of any prior lien or mortgage, shall be an additional lien on said property secured by this instrument.

REAL 121 PAGE 1652

5. And grantee hereby vests grantor with full power and authority, upon the happening of a default in the payment at maturity of said note, or any of the installments thereof, or the interest thereon, or upon default in the performance of any of the obligations imposed herein on said grantee, at grantor's option, to declare the entire indebtedness hereby secured to be immediately due and payable, and at his option to take possession of said property and at his option to sell the same at the front door of the Court House of Baldwin County, Alabama, at auction for cash after first giving notice of the time, place and terms of sale by advertisement published once a week for three consecutive weeks in a newspaper published in the County of Baldwin, Alabama, and to make proper conveyance to the purchaser at such sale in the name of the grantee, and the proceeds of said sale to apply, first, to the payment of the costs of said sale, including reasonable attorney's and auctioneer's fees, second, to the payment of any and all debts, obligations and liabilities hereby secured, whether due or not, with the unpaid interest thereon to the date of sale, and any amount that may be due the grantor by virtue of any of the special liens or agreements herein declared; and, third, the balance, if any, to be paid over to the said grantee.

6. At any sale under the powers herein contained, the said grantor may bid upon and purchase said property, or any part thereof, like a stranger hereto, in which event the auctioneer making the sale shall make the deed in the name of the grantee.

7. The provisions hereof shall run in favor of and bind, not only the parties hereto, but also their survivor (if the granting clause hereof so indicates) and their and their survivor's respective heirs, personal representatives, successors and assigns.

8. The singular shall include the plural and the masculine, the feminine and neuter; and specifically the word "grantor" shall include one or more and the word "grantee" shall include one or more and shall also include the survivor of the grantees when the granting clause hereof includes the survivor of the grantees.

IN WITNESS WHEREOF, the aforesaid grantor and grantee have hereunto set their hands and seals

this the 23 day of September, 1982

P.O. Box 1047
Foley, Al 36536

P.O. Box 665
Loxley, Al 36551

John B. Foley (SEAL)
JOHN B. FOLEY, as Executor under the Last Will
and Testament of John Burton Foley, Jr.-Grantor

FLOWERWOOD NURSERY, INC. (SEAL)

BY: Gregory L. Smith (SEAL)
GREGORY L. SMITH

_____ (SEAL)

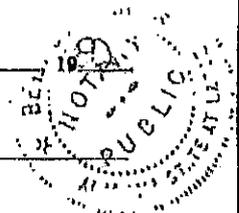
STATE OF ALABAMA
COUNTY OF BALDWIN

I, Beth Bulman, a Notary Public in and for said
County in said State, hereby certify that John B. Foley, as Executor under the Last Will
and Testament of John Burton Foley, Jr.,

whose name is signed to the foregoing instrument, and who is known to me, acknowledged
before me on this day that, being informed of the contents of the instrument, he
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 23rd day of September

Beth Bulman
Notary Public



STATE OF ALABAMA
COUNTY OF BALDWIN

I _____, a Notary Public in and for said
County in said State, hereby certify that _____

whose name _____ signed to the foregoing instrument, and who _____ known to me, acknowledged
before me on this day that, being informed of the contents of the instrument, _____
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____, 19__

Notary Public

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Beth Bulman _____, a Notary Public in and for said County in said State,
hereby certify that Gregory L. Smith _____ and _____

whose names as President _____ and _____
respectively, of Flowerwood Nursery, Inc. _____, a corporation, are

signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that,
being informed of the contents of the instrument, they, as such officers and with full authority, executed
the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 23rd day of September, 1992

Beth Bulman

Notary Public

REAL 121 PAGE 1653

VENDOR'S LIEN DEED

TO



Alabama Secretary of State



Flowerwood Nursery, Inc.	
Entity ID Number	007 - 329
Entity Type	Domestic Corporation
Principal Address	MOBILE, AL
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Mobile County
Formation Date	10-3-1946
Registered Agent Name	SMITH, GREGORY L JR
Registered Office Street Address	6470 DAUPHIN ISLAND PKWY MOBILE, AL 36605
Registered Office Mailing Address	Not Provided
Nature of Business	GENERAL NURSERY BUSINESS
Capital Authorized	\$10,000
Capital Paid In	\$10,000
Incorporators	
Incorporator Name	SMITH, HARRY H
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Incorporator Name	SMITH, GREGORY L
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Incorporator Name	SMITH, RUTH R
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Annual Reports	
Annual Report information is filed and maintained by the Alabama Department of Revenue. If you have questions about any of these filings, please contact Revenue's Business Privilege Tax Division at 334-242-1170 or www.ador.alabama.gov . The Secretary of State's Office cannot answer questions about or make changes to these reports.	
Report Year	1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2014 2015 2016

Flowerwood Nursery, Inc.	
Transactions	
Transaction Date	12-14-2000
Registered Agent Changed From	Not Provided
Transaction Date	9-27-2006
Legal Name Merged	Flowerwood Nursery, Inc.
Transaction Date	9-27-2006
Miscellaneous Filing Entry	MRGR FILED THIS DATE EFFECTIVE OCTOBER 1, 2006 @12:01 AM
Scanned Documents	
Document Date / Type / Pages	12-14-2000 Registered Agent Change 1 pg.
Document Date / Type / Pages	9-27-2006 Merger 8 pgs.

[Browse Results](#)

[New Search](#)



COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET

Foley, Alabama 36535
www.cityoffoley.org

(251) 952-4011
FAX (251) 971 -3442

May 15, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 64586 be rezoned as M1 (Light Industrial District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Flowerwood Nursery, Inc.	
Transactions	
Transaction Date	12-14-2000
Registered Agent Changed From	Not Provided
Transaction Date	9-27-2006
Legal Name Merged	Flowerwood Nursery, Inc.
Transaction Date	9-27-2006
Miscellaneous Filing Entry	MRGR FILED THIS DATE EFFECTIVE OCTOBER 1, 2006 @12:01 AM
Scanned Documents	
Document Date / Type / Pages	12-14-2000 Registered Agent Change 1 pg.
Document Date / Type / Pages	9-27-2006 Merger 8 pgs.

[Browse Results](#)

[New Search](#)



COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET

Foley, Alabama 36535
www.cityoffoley.org

(251) 952-4011
FAX (251) 971-3442

May 15, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 64586 be rezoned as M1 (Light Industrial District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

51.01-12-2-000-011.000



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 10 day of May, 2018.

[Signature] for: Honorable Mayor, Inc.
Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 10 day of May, 2018, before me personally appeared Ellis Ollinger, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

[Signature]
NOTARY PUBLIC
My Commission Expires: My Commission Expires: February 4, 2020



STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of _____, 20___, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input checked="" type="checkbox"/> | M-1 | Light Industry |
| <input type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed

No

Petitioner's Signature

Date

_____ Petitioner's Signature

_____ Date

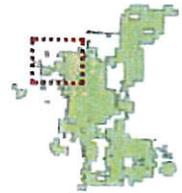
For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?

Yes

No



Overview



Legend

- Centerlines
- Foley City Limits
- ⊗ County Mask
- Parcels
- Zoning
- TH-1
- R-4
- R-3
- R-2
- R-1R
- R-1D
- R-1C
- R-1B
- R-1A
- PUD
- PO
- PID
- PENDING
- PDD
- MH-1
- M-1
- GPH-1
- B-3
- B-2
- B-1A
- B-1
- AO

PIN - 99551
 Par Num - 011.001
 Acreage - 38.129
 Subdivision -
 Lot -
 Street Name -
 Street Number - 0
 Improvement -

Name - FLOWERWOOD NURSERY INC
 Address1 - P O BOX 665
 Address2 -
 Address3 -
 City - LOXLEY
 State - AL
 Zip - 36551

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.



**Baldwin County
Revenue Commissioner**

Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 4/19/2018

Tax Year 2017
Valuation Date October 1, 2016

OWNER INFORMATION

PARCEL 54-04-18-0-000-011.001 PPIN 099551 TAX DIST 02
 NAME FLOWERWOOD NURSERY INC
 ADDRESS P O BOX 665
 LOXLEY AL 36551
 DEED TYPE BOOK 0121 PAGE 0001650
 PREVIOUS OWNER
 LAST DEED DATE //0000

DESCRIPTION

38 ACC SW 1/4 OF SE 1/4 LESS RD R/W'S SEC 18 T7S R4E

PROPERTY INFORMATION

PROPERTY ADDRESS
 NEIGHBORHOOD FOLEY FOLEY AREA
 PROPERTY CLASS SUB CLASS
 LOT BLOCK
 SECTION/TOWNSHIP/RANGE 00-00 -00
 LOT DIMENSION ZONING

PROPERTY VALUES

LAND: 125400 CLASS 1: TOTAL ACRES: 38.00
 BUILDING: CLASS 2: TIMBER ACRES: 38.00
 CLASS 3: 125400
 TOTAL PARCEL VALUE: 125400
 ESTIMATED TAX: \$64.84
 TOTAL USE VALUE: 21784

DETAIL INFORMATION

CODE	TYPE	REF	METHOD	DESCRIPTION	LAND USE	TC	Hs	Pn	MARKET USE	
									VALUE	VALUE
U	USE	2	ST	AC9	2.00 acres	8310-TIMBER (GOOD C1)	3	N	N	1480
U	USE	3	ST	AC9	36.00 acres	8320-TIMBER (AVG. C2)	3	N	N	20304
M	LAND	4	ST	AC9	38.00 acres	8100-AGRICULTURAL	3	N	N	125400

[View Tax Record](#)

[Back](#)

STATE OF ALABAMA
COUNTY OF BALDWIN

J. DON FOSTER, ESQUIRE
Foster, Brackin & Bolton P.A.
1715 N. McKenzie Street
Foley, Alabama 36535

VENDOR'S LIEN DEED

KNOW ALL MEN BY THESE PRESENTS, that

JOHN B. FOLEY, as Executor under the Last Will and Testament of John Burton Foley, Jr., deceased, hereinafter referred to as the Grantor.

In consideration of TWENTY EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$ 28,400.00); of which the sum of FIVE THOUSAND SIX HUNDRED AND EIGHTY

DOLLARS

(\$ 5,680.00) is hereby acknowledged to have been paid to said grantor by

FLOWERWOOD NURSERY, INC.

hereinafter called the grantee/s, and the balance of which is payable as hereinafter set forth, does hereby grant, bargain, sell and convey, subject to the exceptions, reservations and limitations hereinafter set out, if any, unto said grantee/s its successors and assigns, in fee simple, forever.

all of that certain real property in Baldwin County, Alabama, described as follows, to-wit:

The Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter of Section 18, Township 7 South, Range 4 East; LESS AND EXCEPT all oil, gas, and other minerals and all rights incidental thereto.

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed and the following tax collected on

SEP 27 1982 10 02 A M

Min. Tax 1.00
Doc. & Rec. 34.00
Book 121
Page 1250
By 1053
Index 3
Recorded in
Judge of Probate

TOGETHER with all and singular the rights, members, tenements, privileges, hereditaments, and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD the same unto the said grantee/s

Flowerwood Nursery, Inc. its successors and heirs and assigns, FOREVER.

REAL 121 PAGE 1650

The conveyance of the above described property and all covenants and warranties of the grantor hereunder (whether express, implied or statutory) are made subject to the following:

1. Lien of taxes hereafter falling due.
2. Prior reservation(s) of oil, gas, and other minerals and rights incidental thereto as expressed in such reservation(s).
3. Oil, gas, and mineral lease(s) now outstanding.
4. Encroachments, deficiencies or shortages in area which an accurate survey would reveal and existing rights-of-way and easements now of record or visible from the surface.
5. So long as any part of the purchase price remains unpaid no timber or pulpwood may be sold without seller's written consent and the proceeds of any such sale shall be paid on the outstanding balance as a prepayment applied first to interest and then to principal.
6. So long as any part of the purchase price, remains unpaid the buyer shall commit no waste on the property including, but not limited to, mining or selling dirt or clay.
7. Existing farm leases expiring not later than December 31, 1982 and crops growing thereon which may be later harvested.
8. Existing gas line easements and gas line running over and across said land.

The balance of the purchase price, to-wit the sum of \$ 22,720.00, to secure the payment of which a vendor's lien is hereby specifically retained by the grantor, is evidenced by promissory note of even date herewith made by the grantee and payable to the order of the grantor as follows:

In annual installments of \$ 4,022.00, including interest at the rate of 12% percent per annum on the unpaid balance of the indebtedness, each annual installment to be applied first to the payment of such interest and the balance to be applied to reduce the principal indebtedness, the first such annual installment to be due and payable on the 23 day of September, 1983, and each subsequent installment to be due and payable on the same day of each year thereafter, until the entire principal and interest are paid in full.

By accepting this conveyance, the grantee hereby agrees and binds himself, so long as any part of said purchase price, or the interest thereon, remains unpaid, as follows:

1. To keep the improvements on said property, or those hereafter erected on said property, in good repair and insured against fire and all physical loss in companies satisfactory to grantor, in such amount, not exceeding the indebtedness hereby secured and not exceeding the value of said improvements, as may be required by grantor, with loss, if any, payable to the grantor as his, its or their interest may appear, the policies evidencing said insurance to be approved by and deposited with grantor.
2. To pay promptly all taxes, assessments, liens or other charges which may be or become effective against said property, together with penalties, costs and other expenses incurred or which may accrue in connection therewith; and if the vendor's lien contained herein is subordinate to any prior mortgage or lien, to make all payments and do all things required by such prior lien so as to keep the same from becoming in default.
3. That if grantor shall, upon the happening of any default hereunder, employ an attorney to collect any sums hereby secured, by litigation or otherwise, or to foreclose this lien under the power of sale contained herein, or by bill in equity, or in connection with any suit for an accounting arising under this instrument, to pay all reasonable costs, expenses and attorney's fees so incurred; and any such costs, expenses or attorney's fees shall be an additional lien on said property, secured by this instrument, and may also be included in any judgment or decree rendered in connection with any such litigation.
4. That if the grantee fails to perform any of the duties herein specified the grantor may perform the same, and any sum expended by the grantor in this behalf, including any principal, interest or other payment on account of any prior lien or mortgage, shall be an additional lien on said property secured by this instrument.

REAL 121 PAGE 1651

5. And grantee hereby vests grantor with full power and authority, upon the happening of a default in the payment at maturity of said note, or any of the installments thereof, or the interest thereon, or upon default in the performance of any of the obligations imposed herein on said grantee, at grantor's option, to declare the entire indebtedness hereby secured to be immediately due and payable, and at his option to take possession of said property and at his option to sell the same at the front door of the Court House of Baldwin County, Alabama, at auction for cash after first giving notice of the time, place and terms of sale by advertisement published once a week for three consecutive weeks in a newspaper published in the County of Baldwin, Alabama, and to make proper conveyance to the purchaser at such sale in the name of the grantee, and the proceeds of said sale to apply, first, to the payment of the costs of said sale, including reasonable attorney's and auctioneer's fees, second, to the payment of any and all debts, obligations and liabilities hereby secured, whether due or not, with the unpaid interest thereon to the date of sale, and any amount that may be due the grantor by virtue of any of the special liens or agreements herein declared; and, third, the balance, if any, to be paid over to the said grantee.

6. At any sale under the powers herein contained, the said grantor may bid upon and purchase said property, or any part thereof, like a stranger hereto, in which event the auctioneer making the sale shall make the deed in the name of the grantee.

7. The provisions hereof shall run in favor of and bind, not only the parties hereto, but also their survivor (if the granting clause hereof so indicates) and their and their survivor's respective heirs, personal representatives, successors and assigns.

8. The singular shall include the plural and the masculine, the feminine and neuter; and specifically the word "grantor" shall include one or more and the word "grantee" shall include one or more and shall also include the survivor of the grantees when the granting clause hereof includes the survivor of the grantees.

IN WITNESS WHEREOF, the aforesaid grantor and grantee have hereunto set their hands and seals

this the 23 day of September, 1982

P.O. Box 1047
Foley, AL 36536

P.O. Box 665
Loxley, AL 36551

John B. Foley (SEAL)
JOHN B. FOLEY, as Executor under the Last Will
and Testament of John Burton Foley, Jr.—Grantor

FLOWERWOOD NURSERY, INC. (SEAL)

BY: Gregory L. Smith (SEAL)
GREGORY L. SMITH

(SEAL)

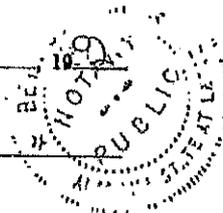
STATE OF ALABAMA
COUNTY OF BALDWIN

I, Beth Bulman, a Notary Public in and for said
County in said State, hereby certify that John B. Foley, as Executor under the Last Will
and Testament of John Burton Foley, Jr.,

whose name is signed to the foregoing instrument, and who is known to me, acknowledged
before me on this day that, being informed of the contents of the instrument, he
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 23rd day of September, 1982

Beth Bulman
Notary Public



REAL 121 PAGE 1652

STATE OF ALABAMA
COUNTY OF BALDWIN

I, _____, a Notary Public in and for said
County in said State, hereby certify that _____

whose name _____ signed to the foregoing instrument, and who _____ known to me, acknowledged
before me on this day that, being informed of the contents of the instrument, _____
executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this _____ day of _____, 19__

Notary Public

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Beth Bulman, a Notary Public in and for said County in said State,
hereby certify that Gregory L. Smith and _____

whose names as President _____ and _____
respectively, of Flowerwood Nursery, Inc., a corporation, are

signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that,
being informed of the contents of the instrument, they, as such officers and with full authority, executed
the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 23rd day of September, 1982

Beth Bulman

Notary Public

REAL 121 PAGE 1653

VENDOR'S LIEN DEED

TO



Alabama Secretary of State



Flowerwood Nursery, Inc.	
Entity ID Number	007 - 329
Entity Type	Domestic Corporation
Principal Address	MOBILE, AL
Principal Mailing Address	Not Provided
Status	Exists
Place of Formation	Mobile County
Formation Date	10-3-1946
Registered Agent Name	SMITH, GREGORY L JR
Registered Office Street Address	6470 DAUPHIN ISLAND PKWY MOBILE, AL 36605
Registered Office Mailing Address	Not Provided
Nature of Business	GENERAL NURSERY BUSINESS
Capital Authorized	\$10,000
Capital Paid In	\$10,000
Incorporators	
Incorporator Name	SMITH, HARRY H
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Incorporator Name	SMITH, GREGORY L
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Incorporator Name	SMITH, RUTH R
Incorporator Street Address	Not Provided
Incorporator Mailing Address	Not Provided
Annual Reports	
Annual Report information is filed and maintained by the Alabama Department of Revenue. If you have questions about any of these filings, please contact Revenue's Business Privilege Tax Division at 334-242-1170 or www.ador.alabama.gov . The Secretary of State's Office cannot answer questions about or make changes to these reports.	
Report Year	1988 1989 1990 1991 1992 1993 1994 1995 1996 1997 1998 1999 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2014 2015 2016



COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET

Foley, Alabama 36535
www.cityoffoley.org

(251) 952-4011
FAX (251) 971-3442

May 15, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 99551 be rezoned as M1 (Light Industrial District).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

- 5-14-18-0-000-011.00

Concrete sidewalk : Y N

width: Length: Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 001 Dept: 87 Bldg: 0008 Prop: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (If not new, see above)

RIGHTS OF WAY (RW)

road Length= 1,315 LF width=20ft (half of 40ft) Acers 0.6
 Accounting Valuation\$ \$3,000.00
 Fd: 80 Acct: 001 Dept: 80 Bldg: PITO Prop: 0026 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

Driveway Culvert							
Item	tag	length/qty	unit	description	unit price	amount	headwalls
1	1	0	LF	18"RCP	42.00	0.00	none
sub total						\$0.00	
TOTAL							\$0.00

Fd: 80 Acct: 300 Dept: 84 Bldg: 0005 Prop: 0026 Class: 930 Cost Sre: E Funct: 431 Life New:25 (If not new, see above)

END OF ROAD SEGEMENT

BEGIN ROAD SEGEMENT

ROW bordering East side of Parcel

Road Name: North-South ROW (unimproved ROW- No road/access)

Segment Observed: FROM: CL of Magnolia Creek Dr 2,012 ft east to SE property corner
 TO: 1,256 LF North to NE property corner

TRAFFIC USE: Light TYPE: Residential
 Moderate Business
 Heavy Industrial

SURFACE (RS): N/A
 Length 0 Road Width: Thickness: N/A

Estimated Life remaining (new=20 years): 20 Years Surface Condition:
 0 LF \$ 18.78 (1 LF @24ft wide road =\$40.82) (11 ft wide=\$18.78/LF)

Notes: Passed testing reg's. N/A Accounting Valuation\$ \$ -

Fd: 80 Acct: 300 Dept: 82 Bldg: 0003 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Life If new: dirt-50, limestone-10
 asphalt & rock-20 (If not new, see above)

BASE (RB): Material: Sand/Clay Clay Shell Limestone Compaction: N/A
 Length Base width Base condition Notes: N/A
 0 LF \$ 17.99 (1 LF @28ft wide road =\$39.10) (11 ft wide=\$17.99/LF)
 Accounting Valuation\$ \$ -

Fd: 80 Acct: 300 Dept: 81 Bldg: 0002 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Non-Depr

CURB & GUTTER AND MEDIAN ISLANDS (CG):

Type: None C&G - Ribbon - valley gutter -
 Present on both sides of street ?
 Life remaining (new 25 years):25 years Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 300 Dept: 88 Bldg: 0009 Prop: 0026 Class: 950 Cost Sre: E Funct: 431 Life New 25 (If not new, see above)

Concrete sidewalk : Y N
 width: Length: Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 001 Dept: 87 Bldg: 0008 Prop: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (If not new, see above)

RIGHTS OF WAY (RW)

road Length= 1,256 LF width=15ft (half of 30ft)
 Acers 0.43
 Accounting Valuation\$ \$2,150.00
 Fd: 80 Acct: 001 Dept: 80 Bldg: PITO Prop: 0026 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

Driveway Culvert							
Item	tag	length/qty	unit	description	unit price	amount	headwalls
1	1	0	LF	18"RCP	42.00	0.00	none
sub total						\$0.00	
TOTAL							\$0.00

Fd: 80 Acct: 300 Dept: 84 Bldg: 0005 Prop: 0026 Class: 930 Cost Sre: E Funct: 431 Life New:25 (If not new, see above)

END OF ROAD SEGEMENT

DECORATIVE STREET LIGHT FIXTURES (SL):

Notation: The City is not currently capturing decorative light a as an asset. If the lights are damaged, The City will pay to have the lights replaced with current standard street lighting and will consider this a maintenance type expense. If the S/D homeowners wish to pay the difference, the same type of decorative light fixture will be installed.

NUMBER OF FIXTURES APPROXIAMTE COST INSTALLED _____
 IF OLDER FIXTURES, APPROXIMATE COST TO REPLACE \$ _____

[]

Fiscal year ended 9/30/2018
**INFRASTRUCTURE ADDITIONS DUE TO
 Annexation**

DATE ANNEXED/ACCEPTED: ??
 Resolution, Ordinance Act# (etc): ???
 ROW Acceptance Ordinance#
 Data Collection by: Randy Kurtts Date: 5/16/2018
 (Data obtained from as-builts, onsite inspection, GIS, etc.)
 Accounting Valuation by: Date:
 (See current year file for accounting valuation supporting detail)

ANNEXING PARTY AND/OR SUBDIVISION NAME/UNIT/PHASE:
PIN 99551 Flowerwood Nursery

Border County? Y N Quadrant: NW NE SW SE

BEGIN ROAD SEGEMENT

Note: The east side of Parcel borders City Property which is not ROW

ROW bordering south side of parcel

Road Name: **East-West ROW (unimproved ROW - No road/access)**
 Segment Observed: FROM: CL of Magnolia Creek Dr 2,042 ft East to SW property corner
 TO: 1,330 LF East to SE property corner

TRAFFIC USE:	Light	TYPE:	Residential
	Moderate		Business
	Heavy		Industrial

SURFACE (RS): N/A
 Length 0 Road Width: Thickness: N/A

Estimated Life remaining (new=20 years): 20 Years Surface Condition:
 0 LF \$ 18.78 (1 LF @24ft wide road =\$40.82) (11 ft wide=\$18.78/LF)

Notes: Passed testing reg's. N/A Accounting Valuation\$ \$ -
 Fd: 80 Acct: 300 Dept: 82 Bldg: 0003 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Life If new: dlrt-50, limestone-10
 asphalt & rock-20 (if not new, see above)

BASE (RB): Material: Sand/Clay Clay Shell Limestone Compaction: N/A
 Length Base width Base condition Notes: N/A
 0 LF \$ 17.99 (1 LF @28ft wide road =\$39.10) (11 ft wide=\$17.99/LF)
 Accounting Valuation\$ \$ -

Fd: 80 Acct: 300 Dept: 81 Bldg: 0002 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Non-Depr

CURB & GUTTER AND MEDIAN ISLANDS (CG):

Type: None C&G - Ribbon - valley gutter -
 Present on both sides of street ?
 Life remaining (new 25 years): 25 years Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 300 Dept: 88 Bldg: 0009 Prop: 0026 Class: 960 Cost Sre: E Funct: 431 Life New 25 (if not new, see above)

Concrete sidewalk : Y N

width: Length: Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 001 Dept: 87 Bldg: 0008 Prop: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (If not new, see above)

RIGHTS OF WAY (RW)

road Length= 1,330 LF width=20ft (half of 40ft) Acers 0.61
 Accounting Valuation\$ \$3,050.00
 Fd: 80 Acct: 001 Dept: 80 Bldg: P/TO Prop: 0026 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

Driveway Culvert							
Item	tag	length/qty	unit	description	unit price	amount	headwalls
1	1	0	LF	18"RCP	42.00	0.00	none
sub total						\$0.00	
TOTAL							\$0.00

Fd: 80 Acct: 300 Dept: 84 Bldg: 0005 Prop: 0026 Class: 930 Cost Sre: E Funct: 431 Life New:25 (If not new, see above)

END OF ROAD SEGEMENT

BEGIN ROAD SEGEMENT

ROW bordering West side of parcel

Road Name: **North-South ROW (unimproved ROW - No road/access)**

Segment Observed: FROM: CL of Magnolia Creek Dr 1,375 ft East to SW property corner
 TO: 1,256 LF North to NW property corner

TRAFFIC USE: Light TYPE: Residential
 Moderate Business
 Heavy Industrial

SURFACE (RS): N/A
 Length 0 Road Width: Thickness: N/A

Estimated Life remaining (new=20 years): Surface Condition:
 0 LF \$ 18.78 (1 LF @24ft wide road =\$40.82) (11 ft wide=\$18.78/LF)

Notes: Passed testing reg's. N/A Accounting Valuation\$ \$ -

Fd: 80 Acct: 300 Dept: 82 Bldg: 0003 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Life if new: dirt-50, limestone-10 asphalt & rock-20 (If not new, see above)

BASE (RB): Material: Sand/Clay Clay Shell Limestone Compaction: N/A
 Length Base width Base condition Notes: N/A
 0 LF \$ 17.99 (1 LF @28ft wide road =\$39.10) (11 ft wide=\$17.99/LF)
 Accounting Valuation\$ \$ -

Fd: 80 Acct: 300 Dept: 81Bldg: 0002 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Non-Depr

CURB & GUTTER AND MEDIAN ISLANDS (CG):

Type: None C&G - Ribbon - valley gutter -
 Present on both sides of street ?
 Life remaining (new 25 years):25 years Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 300 Dept: 88 Bldg: 0009 Prop: 0026 Class: 950 Cost Sre: E Funct: 431 Life New 25 (If not new, see above)

Concrete sidewalk : Y N
 width: Length: Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 001 Dept: 87 Bldg: 0008 Prop: 0028 Class: 945 Cost Sre: E Funct: 431 Life New:30 (If not new, see above)

RIGHTS OF WAY (RW)

Length= 1,256 LF width=15ft (half of 30ft)
 Acers 0.43
 Accounting Valuation\$ \$2,150.00

Fd: 80 Acct: 001 Dept: 80 Bldg: PITO Prop: 0028 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

Driveway Culvert							
item	tag	length/qty	unit	description	unit price	amount	headwalls
1	1	0	LF	18"RCP	42.00	0.00	none
sub total						\$0.00	
TOTAL							\$0.00

Fd: 80 Acct: 300 Dept: 84 Bldg: 0005 Prop: 0026 Class: 930 Cost Sre: E Funct: 431 Life New:25 (If not new, see above)

END OF ROAD SEGEMENT

DECORATIVE STREET LIGHT FIXTURES (SL):

Notation: The City is not currently capturing decorative light a as an asset. If the lights are damaged, The City will pay to have the lights replaced with current standard street lighting and will consider this a maintenance type expense. If the S/D homeowners wish to pay the difference, the same type of decorative light fixture will be installed.

NUMBER OF FIXTURES _____ APPROXIAMTE COST INSTALLED _____
 IF OLDER FIXTURES, APPROXIMATE COST TO REPLACE \$ _____



City of Foley, AL

Signature Copy

Ordinance: 18-2020-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 8/17/2018 2:57 PM
TOTAL \$ 67.00
19 Pages

1714498



File Number: 18-0319

Enactment Number: 18-2020-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Downey Family Limited Partnership)

WHEREAS, on the 25th day of June, 2018, William Downey, Manager of the Downey Family Limited Partnership being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-61-06-13-0-000-002.000; PIN # 11219

Tax Map Parcel ID# 05-62-04-18-0-001-005.007; PIN # 29245

Section 3. Petitioner requested zoning as A-O (Agriculture Open Space) for both parcels.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with

PPIN# City of Foley, AL
11219 29245

the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 6th day of August, 2018.



President's Signature [Signature] Date 8-8-18

Attest by City Clerk Kathryn Taylor Date 8-18-18

Mayor's Signature [Signature] Date 8/8/18

I certify that the foregoing Ordinance was published in the Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Wednesday, August 15, 2018."

Kathryn Taylor
Kathryn Taylor, LMC
City Clerk



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 08 day of June, 2018
RE: PIN #11219

Downey Family Limited Partnership
Petitioner's Signature

William Downey, MGR
Petitioner's Signature

STATE OF ALABAMA STATE OF GEORGIA
~~BALDWIN COUNTY~~ GLYNN COUNTY

On this 08 day of June, 2018, before me personally appeared William Downey, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.



STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of _____, 20___, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- R-1A Residential Single Family
- R-1B Residential Single Family
- R-1C Residential Single Family
- R-1D Residential Single Family
- R-1R Restricted Residential Single Family
- R-2 Residential Single Family & Duplex
- R-3 Residential Multi Family
- R-4 Residential Single Family & Duplex
- GPH-1 Residential Garden-Patio Homes
- TH-1 Residential Townhouses
- MH-1 Residential Mobile Home Park/Subdivision
- OSP Open Space/Reservation District
- PDD Planned Development District
- PUD Planned Unit Development
- PID Planned Industrial District
- B-1 Central Business District
- B-1A Commercial Extended Business District
- B-2 Commercial Neighborhood Business District
- B-3 Commercial Local Business District
- PO Preferred Office District
- M-1 Light Industry
- A-O Agriculture Open Space
- H Overlying area of Historic District

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed _____

No

Petitioner's Signature Date

Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?

Yes

No

STATE OF ALABAMA
BALDWIN COUNTY

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:
2006 February - 2 1:15PM
Instrument Number 553614 Pages 3
Recording 9.00 Mortgage
Deed 79.00 Min Tax
Index 5.00
Archive 5.00
Marian T. Johns, Judge of Probate

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WILLIAM DOWNEY, a/k/a WILLIAM DOWNEY, III, a married man, hereinafter called the "Grantor," for and in consideration of the sum of TEN DOLLARS (\$10.00) cash and other good and valuable considerations to said Grantor in hand paid by the DOWNEY FAMILY LIMITED PARTNERSHIP, hereinafter called the "Grantee," receipt of which is hereby acknowledged, do hereby (subject to the matters hereinafter set out) GRANT, BARGAIN, SELL and CONVEY unto said Grantee, in fee simple, forever that real property in Baldwin County, Alabama, described as follows, to-wit:

PARCEL A

Lots 66 - 74, inclusive, Wolf Bay Estates, Unit Four, according to plat thereof recorded in Map Book 6, Page 84, Probate Court Records, Baldwin County, Alabama.

PARCEL B

All of the Northeast Quarter of Section 13 Township 8 South Range 4 East, Baldwin County, Alabama, lying North of Owens Creek, except the right-of-way of Satsuma Beach Road.

PARCEL C

The West one-half (1/2) of the Southeast Quarter and the West one-half (1/2) of the East one-half (1/2) of the Southeast Quarter lying North of Graham Bayou and all of the East one-half of the Southeast quarter lying South of Graham Bayou, Section 13, Township 8 South, Range 4 East, and the Southwest Quarter of the Southwest Quarter lying South of Graham Bayou, Section 18, Township 8 South, Range 5 East, containing approximately 138 acres.

EXCEPTING AND RESERVING, as to Parcels A and B, hereinabove described, thereout and therefrom unto the Grantor, its successors and assigns, forever, an undivided one-half (1/2) of all the oil, gas and other minerals owned by the Grantor in, on, under and that may be produced from the lands hereinabove described, together with all rights of ingress and egress over and across said lands for the purpose of exploring for, finding, mining, developing, marketing, storing or producing any and all such minerals.

TOGETHER WITH ALL AND SINGULAR, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, all of the right, title and interest to the hereinabove described property, in fee simple, FOREVER.

Conveyance of the above described property and all covenants and warranties of the Grantor hereunder (whether express, implied or statutory) is made subject to the following:

1. Lien for taxes hereafter falling due.

953614

2. Previous reservations, conveyances, and leases of oil, gas and other minerals and rights incidental thereto now of record, if any.
3. The terms of existing farm leases, pertaining to Parcels A and B.
4. Any and all existing easements and/or rights of way for road, power lines and/or telephone lines, pertaining to Parcels A and B.
5. Rights of the other parties, the United State of American or State of Alabama, in and to the shore, littoral or riparian rights to the property lying adjacent to Wolf Creek, pertaining to Parcel A.
6. A 10 foot draining and utility easement along the West line of Lot 66 and 10 foot drainage and utility easement along the East line of Lot 74, pertaining to Parcel A.
7. A 35 foot building setback line along the South line of the property, pertaining to Parcel A.
8. Rights of other parties, the United States of America or State of Alabama, in and to the above, littoral or riparian rights to the property lying adjacent to Owens Creek, pertaining to Parcel B.
9. Conveyance of 1/2 oil, gas and other minerals, and all rights in connection therewith, by The Merchants National Bank, as Trustee to The Merchants National Bank as Trustee for William Downey et al by instrument dated March 11, 1976 and recorded in Deed Book 491 page 553, pertaining to Parcel C.
10. Oil, gas and mineral lease and all rights in connection therewith, by The Merchants National Bank as Trustee to Amoco Production Company dated April 1, 1976 and recorded in Deed Book 490, Page 355, pertaining to Parcel C.
11. Oil, gas and mineral lease and all rights in connection therewith by, The Merchants National bank of Mobile as Trustee to Amoco Production Company dated April 1, 1976 and recorded in Deed Book 490 Page 351, pertaining to Parcel C.
12. Easement granted by The Merchants National Bank of Mobile, as Trustee for William Downey, III, et al, dated September 13, 1978 and recorded in Real Property Book 30, Page 334, pertaining to Parcel C.

(All recording references refer to the records in the office of the Judge of Probate of Baldwin County, Alabama.)

And except as provided above, the Grantor, for Grantor and Grantor's heirs and assigns, hereby covenant to and with the Grantee, and the successors and assigns of the Grantee, that the Grantor is seized of an indefeasible estate in fee simple in and to said property; that Grantor is in peaceable possession thereof and have a perfect right to sell and convey the same; that the same is free from all encumbrances and that Grantor will forever warrant and defend title to and possession of said property unto the Grantee, and the successors and assigns of the Grantee, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this 30th day of December, 2005.

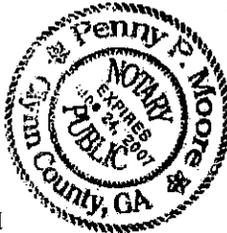

WILLIAM DOWNEY

STATE OF GEORGIA
COUNTY OF GLYNN

Personally appeared before me, the undersigned, a Notary Public, in and for said State and County, do hereby certify that WILLIAM DOWNEY, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 30th day of December, 2005.


NOTARY PUBLIC



Grantor's Address:
William Downey, III
330 Mallory Street
St. Simons Island, GA 31522

Grantee's Address:
Downey Family Limited Partnership
330 Mallory Street
St. Simons Island, GA 31522

THIS INSTRUMENT PREPARED BY

JULIAN B. BRACKIN
BRACKIN, McGRUFF & JOHNSON, P.C.
POST OFFICE BOX 998
FOLEY, ALABAMA 36536
251/943-4040



Overview



Legend

-  Main Highways
-  County Roads
-  Foley City Limits
-  County Mask

PIN - 11219
 Par Num - 002.000
 Acreage - 37.866
 Subdivision -
 Lot -
 Street Name - CO RD 12 S
 Street Number - 23624
 Improvement -

Name - DOWNEY FAMILY LIMITED PARTNERSHIP
 Address1 - 330 MALLORY STREET
 Address2 -
 Address3 -
 City - ST SIMONS ISLAND
 State - GA
 Zip - 31522

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 6/21/2018
 Last Data Uploaded: 6/20/2018 8:56:30 PM

Developed by





COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

June 21, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, AL 36535

Re: Rezoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 8, 2018 and recommended pin # 11219 be rezoned as AO (Agricultural Open Space).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 08 day of JUNE, 2018

RE: PIN #29245

Downey Family Limited Partnership
Petitioner's Signature

William Downey, MGR
Petitioner's Signature

~~STATE OF ALABAMA~~ STATE OF GEORGIA
~~BALDWIN COUNTY~~ GLYNN COUNTY

On this 08 day of June, 2018, before me personally appeared William Downey, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.



STATE OF ALABAMA
BALDWIN COUNTY

On this ___ day of _____, 20___, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No



Overview



Legend

- Centerlines
- Foley City Limits
- ▣ County Mask
- Parcels
- - Lot Lines

PIN - 29245	Name - DOWNEY FAMILY LIMITED PARTNERSHIP
Par Num - 005.007	Address1 - 330 MALLORY STREET
Acreage - 2.247	Address2 -
Subdivision -	Address3 -
Lot -	City - ST SIMONS ISLAND
Street Name -	State - GA
Street Number - 0	Zip - 31522
Improvement -	

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 6/21/2018
 Last Data Uploaded: 6/20/2018 8:56:30 PM

Developed by



STATE OF ALABAMA
BALDWIN COUNTY

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:
2006 February - 2 1115PM
Instrument Number 953614 Pages 3
Recording 3.00 Mortgage
Deed 75.00 Min Tax
Index BP 5.00
Archive 5.00
Adrian T. Johns, Judge of Probate

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that WILLIAM DOWNEY, a/k/a WILLIAM DOWNEY, III, a married man, hereinafter called the "Grantor," for and in consideration of the sum of TEN DOLLARS (\$10.00) cash and other good and valuable considerations to said Grantor in hand paid by the DOWNEY FAMILY LIMITED PARTNERSHIP, hereinafter called the "Grantee," receipt of which is hereby acknowledged, do hereby (subject to the matters hereinafter set out) GRANT, BARGAIN, SELL and CONVEY unto said Grantee, in fee simple, forever that real property in Baldwin County, Alabama, described as follows, to-wit:

PARCEL A

Lots 66 - 74, inclusive, Wolf Bay Estates, Unit Four, according to plat thereof recorded in Map Book 6, Page 84, Probate Court Records, Baldwin County, Alabama.

PARCEL B

All of the Northeast Quarter of Section 13 Township 8 South Range 4 East, Baldwin County, Alabama, lying North of Owens Creek, except the right-of-way of Satsuma Beach Road.

PARCEL C

The West one-half (1/2) of the Southeast Quarter and the West one-half (1/2) of the East one-half (1/2) of the Southeast Quarter lying North of Graham Bayou and all of the East one-half of the Southeast quarter lying South of Graham Bayou, Section 13, Township 8 South, Range 4 East, and the Southwest Quarter of the Southwest Quarter lying South of Graham Bayou, Section 18, Township 8 South, Range 5 East, containing approximately 138 acres.

EXCEPTING AND RESERVING, as to Parcels A and B, hereinabove described, thereout and therefrom unto the Grantor, its successors and assigns, forever, an undivided one-half (1/2) of all the oil, gas and other minerals owned by the Grantor in, on, under and that may be produced from the lands hereinabove described, together with all rights of ingress and egress over and across said lands for the purpose of exploring for, finding, mining, developing, marketing, storing or producing any and all such minerals.

TOGETHER WITH ALL AND SINGULAR, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto the said Grantee, all of the right, title and interest to the hereinabove described property, in fee simple, FOREVER.

Conveyance of the above described property and all covenants and warranties of the Grantor hereunder (whether express, implied or statutory) is made subject to the following:

1. Lien for taxes hereafter falling due.

953614

2. Previous reservations, conveyances, and leases of oil, gas and other minerals and rights incidental thereto now of record, if any.
3. The terms of existing farm leases, pertaining to Parcels A and B.
4. Any and all existing easements and/or rights of way for road, power lines and/or telephone lines, pertaining to Parcels A and B.
5. Rights of the other parties, the United State of American or State of Alabama, in and to the shore, littoral or riparian rights to the property lying adjacent to Wolf Creek, pertaining to Parcel A.
6. A 10 foot draining and utility easement along the West line of Lot 66 and 10 foot drainage and utility easement along the East line of Lot 74, pertaining to Parcel A.
7. A 35 foot building setback line along the South line of the property, pertaining to Parcel A.
8. Rights of other parties, the United States of America or State of Alabama, in and to the above, littoral or riparian rights to the property lying adjacent to Owens Creek, pertaining to Parcel B.
9. Conveyance of 1/2 oil, gas and other minerals, and all rights in connection therewith, by The Merchants National Bank, as Trustee to The Merchants National Bank as Trustee for William Downey et al by instrument dated March 11, 1976 and recorded in Deed Book 491 page 553, pertaining to Parcel C.
10. Oil, gas and mineral lease and all rights in connection therewith, by The Merchants National Bank as Trustee to Amoco Production Company dated April 1, 1976 and recorded in Deed Book 490, Page 355, pertaining to Parcel C.
11. Oil, gas and mineral lease and all rights in connection therewith by, The Merchants National bank of Mobile as Trustee to Amoco Production Company dated April 1, 1976 and recorded in Deed Book 490 Page 351, pertaining to Parcel C.
12. Easement granted by The Merchants National Bank of Mobile, as Trustee for William Downey, III, et al, dated September 13, 1978 and recorded in Real Property Book 30, Page 334, pertaining to Parcel C.

(All recording references refer to the records in the office of the Judge of Probate of Baldwin County, Alabama.)

And except as provided above, the Grantor, for Grantor and Grantor's heirs and assigns, hereby covenant to and with the Grantee, and the successors and assigns of the Grantee, that the Grantor is seized of an indefeasible estate in fee simple in and to said property; that Grantor is in peaceable possession thereof and have a perfect right to sell and convey the same; that the same is free from all encumbrances and that Grantor will forever warrant and defend title to and possession of said property unto the Grantee, and the successors and assigns of the Grantee, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this 30th day of December, 2005.


WILLIAM DOWNEY

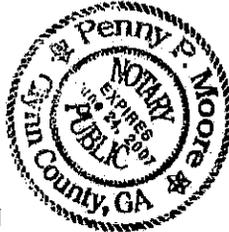
STATE OF GEORGIA

COUNTY OF GLYNN

Personally appeared before me, the undersigned, a Notary Public, in and for said State and County, do hereby certify that WILLIAM DOWNEY, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that being informed of the contents of said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and seal on this the 30th day of December, 2005.


NOTARY PUBLIC



Grantor's Address:
William Downey, III
330 Mallory Street
St. Simons Island, GA 31522

Grantee's Address:
Downey Family Limited Partnership
330 Mallory Street
St. Simons Island, GA 31522

THIS INSTRUMENT PREPARED BY

JULIAN B. BRACKIN
BRACKIN, McGRIFF & JOHNSON, P.C.
POST OFFICE BOX 998
FOLEY, ALABAMA 36536
251/943-4040



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

June 21, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, AL 36535

Re: Rezoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 8, 2018 and recommended pin # 29245 be rezoned as AO (Agricultural Open Space).

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

[]

Fiscal year ended 9/30/2018
**INFRASTRUCTURE ADDITIONS DUE TO
 Annexation**

DATE ANNEXED/ACCEPTED: ??
 Resolution, Ordinance Act# (etc): ???
 ROW Acceptance Ordinance#

Data Collection by: Randy Kurtts Date: 6/27/2018
 (Data obtained from as-builts, onsite inspection, GIS, etc.)

Accounting Valuation by: Date:
 (See current year file for accounting valuation supporting detail)

**ANNEXING PARTY AND/OR SUBDIVISION NAME/UNIT/PHASE:
 PIN 11219 & PIN 29245 Downey**

Border County? Y N Quadrant: NW NE SW SE

BEGIN ROAD SEGEMENT

PIN 11219

Road Name: **CR 12**

Segment Observed: FROM: CL of Wolf Bay Dr 2710 ft east to NW property corner
 TO: 1,353 LF east to NE property corner

TRAFFIC USE:	Light	TYPE:	Residential
	Moderate		Business
	Heavy		Industrial

SURFACE (RS):

Length: 1,353 ft Road Width: 12 ft (half of road) Thickness: N/A
 Estimated Life remaining (new=20 years): 5 Years Surface Condition: poor
 1,353 LF \$ 18.78

Notes: Passed testing reg's. N/A Accounting Valuation\$ \$ 25,409.34
 Fd: 80 Acct: 300 Dept: 82 Bldg: 0003 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Life If new: dirt-50, limestone-10
 asphalt & rock-20 (if not new, see above)

BASE (RB): Material: Sand/Clay Clay Shell Limestone Compaction: N/A

Length Base width Base condition Notes: N/A
 1,353 LF \$ 17.99 (1 LF @28ft wide road =\$39.10) (11 ft wide=\$17.99/LF)

Accounting Valuation\$ \$ 24,340.47

Fd: 80 Acct: 300 Dept: 81 Bldg: 0002 Prop: 0026 Class: 910 Cost Sre: E Funct: 431 Non-Depr

CURB & GUTTER AND MEDIAN ISLANDS (CG):

Type: None C&G - Ribbon - valley gutter -
 Present on both sides of street ?

Life remaining (new 25 years):25 years Accounting Valuation\$ \$0.00

Fd: 80 Acct: 300 Dept: 88 Bldg: 0009 Prop: 0026 Class: 950 Cost Sre: E Funct: 431 Life New 25 (if not new, see above)

Concrete sidewalk : Y N

width: Length: Accounting Valuation\$ \$0.00
 Fd: 80 Acct: 001 Dept: 87 Bldg: 0008 Prop: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (if not new, see above)

RIGHTS OF WAY (RW)

road Length= 1,353 LF width=45ft (half of 90ft) Acers 1.4
 Accounting Valuation\$ \$7,000.00
 Fd: 80 Acct: 001 Dept: 80 Bldg: PITO Prop: 0026 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

Driveway Culvert							
Item	tag	length/qty	unit	description	unit price	amount	headwalls
1	-	0	LF			-	none
sub total						\$0.00	

TOTAL \$0.00

Fd: 80 Acct: 300 Dept: 84 Bldg: 0005 Prop: 0026 Class: 930 Cost Sre: E Funct: 431 Life New:25 (if not new, see above)

END OF ROAD SEGEMENT

BEGIN ROAD SEGEMENT

PIN 29245

Landlocked-NO ROW

END OF ROAD SEGEMENT

DECORATIVE STREET LIGHT FIXTURES (SL):

Notation: The City is not currently capturing decorative light a as an asset. If the lights are damaged, The City will pay to have the lights replaced with current standard street lighting and will consider this a maintenance type expense. If the S/D homeowners wish to pay the difference, the same type of decorative light fixture will be installed.

NUMBER OF FIXTURES _____ APPROXIAMTE COST INSTALLED _____
 IF OLDER FIXTURES, APPROXIMATE COST TO REPLACE \$ _____



City of Foley, AL

Signature Copy

Ordinance: 18-2019-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL, PROBATE JUDGE
Filed/cert. 8/17/2018 2:55 PM
TOTAL \$ 76.00
22 Pages

17714497



File Number: 18-0317

Enactment Number: 18-2019-ORD

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Oscar and Kay Payne)

WHEREAS, on the 25th day of June, 2018, Oscar and Kay Payne, who is represented by Dewberry being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petitions did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real 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 FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID#s 05-61-03-07-0-000-007.004; 05-61-03-07-0-000-007.005 and 05-61-03-07-0-000-007.006

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH 01°05'17" EAST, A DISTANCE OF 40.30 FEET TO AN OPEN END PIPE ON THE NORTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NO. 12; THENCE RUN NORTH 89°39'26" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 311.88 FEET TO A 1/2" CAPPED REBAR (LINDSEY)

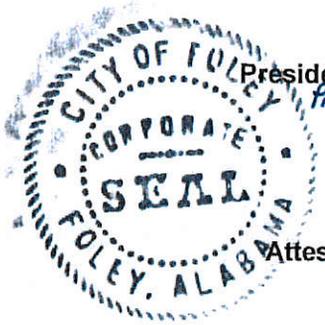
FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH 89°39'26" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 119.88 FEET TO A 1" CRIMP TOP IRON PIN; THENCE RUN NORTH 01°04'57" EAST, A DISTANCE OF 625.89 FEET TO A 1" CRIMP TOP IRON PIN; THENCE RUN SOUTH 89°35'57" EAST, A DISTANCE OF 119.69 FEET TO A 1/2" CAPPED REBAR (CA-17836-LS); THENCE RUN SOUTH 01°03'54" WEST, A DISTANCE OF 625.87 FEET TO THE POINT OF BEGINNING.

Section 3. Petitioner requested zoning as R-ID (Residential Single Family) for all parcels.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

PASSED, APPROVED AND ADOPTED this 6th day of August, 2018.



President's Signature [Signature]

Date 8-8-18

Attest by City Clerk Kathryn Taylor

Date 8-8-18

Mayor's Signature [Signature]

Date 8/8/18

I certify that the foregoing Ordinance was published in the Onlooker, a newspaper of general circulation in the City of Foley, in its issue of Wednesday, August 15, 2018."

Kathryn Taylor
Kathryn Taylor, CMC
City Clerk



Dewberry Engineers Inc. | 251.990.9950
25353 Friendship Road | 251.990.9910 fax
Daphne, AL 36526 | www.dewberry.com

June 25, 2018

Ms. Miriam Boutwell
City of Foley
200 N. Alston Street
Foley, Alabama 36535

**RE: Payne Property
Annexation Application**

Dear Ms. Boutwell:

Please find enclosed a Rezoning Application for the Payne property (new entrance to Arbor Walk). The attached documents are summarized below:

- Check for Application Fee for \$250
- Annexation Petition
- Agent Authorization Form
- List of PPIN numbers for Subject Parcels
- Metes and Bounds Description
- Warranty Deeds (3)
- List of Adjacent Property Owners
- 18" by 24" Property Survey

With this submittal we request to be placed on the agenda for the next regularly scheduled Planning Commission Meeting. We look forward to meeting with you prior to that meeting date to discuss any comments the City may have.

Sincerely,
Dewberry


Steven Pumphrey
Senior Planner

Cc: File (50104538)



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

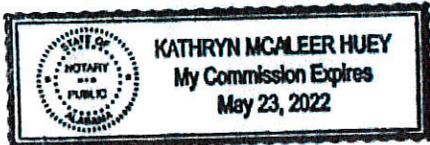
Dated this 12 day of June, 2018.

Oscar Gene Payne
Petitioner's Signature

Kay J. Payne
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 12th day of June, 2018, before me personally appeared Oscar Gene Payne, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.



Kathryn McAleer Huey
NOTARY PUBLIC
My Commission Expires: May 23, 2022

STATE OF ALABAMA
BALDWIN COUNTY

On this 12th day of June, 2018, before me personally appeared Kay T. Payne, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.



Kathryn McAleer Huey
NOTARY PUBLIC
My Commission Expires: May 23, 2022

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input checked="" type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input type="checkbox"/> | M-1 | Light Industry |
| <input type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed 1

Number of occupants Adults 2 Race White

Number of businesses currently located on the property being annexed 0

(If more than one business on property, print information on back.)

Name of business _____

Owner's Name _____

Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

Yes

If yes, state estimated date the development or subdivision will be completed _____

No

Cecilia Ann Payne 6/12/2018
 Petitioner's Signature Date

Kay D. Payne 6/12/2018
 Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?	
<input type="checkbox"/> Yes	<input type="checkbox"/> No

OSCAR GENE PAYNE and KAY T. PAYNE
18637 COUNTY ROAD 12 SOUTH
FOLEY, AL 36535

To Whom It May Concern:

DEWBERRY is hereby authorized as our agent to represent us before the City of Foley Planning Commission and City Council on the annexation and zoning of the following parcels:

05-61-03-07-0-000-007.004
05-61-03-07-0-000-007.005
05-61-03-07-0-000-007.006

Sincerely,

Oscar Gene Payne
Signature

6/12/2018
Date

OSCAR GENE PAYNE
Print Name

Kay T. Payne
Signature

6/12/2018
Date

KAY T. PAYNE
Print Name

Property Information

Parcel Number	Pin	Owner Name	Address	City	State	Zip
05-61-03-07-0-000-007.006	102610	PAYNE, OSCAR GENE ETAL PAYNE, KAY T	18637 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.004	90825	PAYNE, OSCAR GENE ETAL KAY T	18637 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.005	98766	PAYNE, OSCAR GENE ETUX KAY T	18637 CO RD 12 S	FOLEY	AL	36535

STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MICHAEL R. HARRIS, an unmarried man, hereinafter called the "Grantor", for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in cash and other good and valuable considerations, all hereby acknowledged to have been paid to the Grantor by OSCAR GENE PAYNE and KAY T. PAYNE, hereinafter called the "Grantees", and subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Commencing at the Southeast corner of the South Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 4 East; run thence North 00°48'11" East 40 feet to a point on the North right of way line of Baldwin County Road No. 12; run thence North 89°51'52" West along said right of way line for 311.99 feet to the Point of Beginning; thence continue along said line for 120.0 feet; run thence North 00°48'11" East for 200.0 feet; run thence South 89°51'52" East for 120.0 feet; run thence South 00°48'11" West for 200.0 feet to the Point of Beginning.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Right of way granted Baldwin County as recorded in Deed Book 278, page 525.
2. Reservation of 1/2 oil, gas and other minerals, and all rights in connection therewith, as contained in deed from Harry R. Decker, et ux to Donald R. Nelson and Dana Jean Nelson, recorded in Deed Book 474, page 974.
3. Existing right of way along the South property line of the property described above.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said above described property unto the said Grantees during the term of their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, and to the heirs and assigns of such survivor, forever, together with every contingent remainder and right of reversion.

And except as to taxes hereafter falling due which are assumed by the Grantees and except as to the encumbrances herein set out, the Grantor does for himself and his heirs

315-11-0894

and assigns, hereby covenant with the Grantees that he is seized of an indefeasible estate in fee simple in said property, is in peaceable possession thereof, that said property is free and clear of all encumbrances, and that he does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the peaceable possession thereof, unto the Grantees, and to the survivor of them, and to the heirs and assigns of such survivor, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this the 28th day of March, 1988.

Michael R. Harris (SEAL)
MICHAEL R. HARRIS

STATE OF Alabama

COUNTY OF Baldwin

I, Cleveland H. Handreth, the undersigned Notary Public in and for said State and County, hereby certify that MICHAEL R. HARRIS, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 28th day of March, 1988.

Cleveland H. Handreth
NOTARY PUBLIC

My Commission Expires:
My commission expires April 16, 1989

This Instrument Prepared by:

G. DAVID CHAPMAN III
Attorney at Law
Post Office Box 1558
Gulf Shores, Alabama 36542
File 88.165

Grantor's Address:

P. O. Box 1332
Foley, Alabama 36536

Grantees' Address:

3727 Gwynbrook Road
Montgomery, Alabama 36116

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed
and the following tax collected on

D.P. #108 MAR 30 1988 2P M

Min. Tax \$
Deed \$
Book 315
Page 894
Judge of Probate

315 PAGE 0895

STATE OF ALABAMA)
COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MICHAEL R. HARRIS, an unmarried man, hereinafter called the "Grantor", for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in cash and other good and valuable considerations, all hereby acknowledged to have been paid to the Grantor by OSCAR GENE PAYNE and KAY T. PAYNE, hereinafter called the "Grantees", and subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Commencing at the Southeast corner of the South Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 4 East, Baldwin County, Alabama; run thence North 00°48'11" East 40 feet to a point on the North right of way line of Baldwin County Road No. 12; run thence North 89°51'52" West along said right of way line for 311.99 feet; run thence North 00°48'11" East for 318 feet to the Point of Beginning; run thence North 89°51'52" West for 120 feet; run thence North 00°48'11" East for 311.09 feet; run thence South 89°51'52" East for 120.0 feet; run thence South 00°48'11" West for 311.09 feet to the Point of Beginning.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Right of way granted Baldwin County as recorded in Deed Book 278, page 525.
2. Reservation of 1/2 oil, gas and other minerals and all rights in connection therewith as contained in deed from Harry R. Decker, et ux to Donald R. Nelson and Dana Jean Nelson recorded in Deed Book 474, page 974.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said above described property unto the said Grantees during the term of their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, and to the heirs and assigns of such survivor, forever, together with every contingent remainder and right of reversion.

And except as to taxes hereafter falling due which are assumed by the Grantees and except as to the encumbrances herein set out, the Grantor does for himself and his heirs and assigns, hereby covenant with the Grantees that he is seized of an indefeasible estate in fee simple in said property, is in peaceable possession thereof, that said pro-

REC 376 PM 0992

party is free and clear of all encumbrances, and that he does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the peaceable possession thereof, unto the Grantees, and to the survivor of them, and to the heirs and assigns of such survivor, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this the 19th day of December, 1989.

Michael R. Harris (SEAL)
MICHAEL R. HARRIS

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, CLEVELAND L. LAZARETH, the undersigned Notary Public in and for said State and County, hereby certify that MICHAEL R. HARRIS, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.

Given under my hand and notarial seal on this the 19th day of DECEMBER, 1989.

Woodard D. Handwith
NOTARY PUBLIC

My Commission Expires:
My Commission Expires 4/14/93

NOTARY
PUBLIC

This Instrument Prepared by:

G. DAVID CHAPMAN III
Attorney at Law
Post Office Box 1508
Gulf Shores, Alabama 36542
File 89.1858

Grantor's Address:

18657 County Road 12 South
Foley, AL 36535

Grantees' Address:

18637 COUNTY ROAD 12 SOUTH
FOLEY, AL 36535

REAL 376 PAF 0993

RECORD FEE 5.00
STATE OF ALABAMA
BALDWIN COUNTY
I CERTIFY THIS INSTRUMENT WAS
FILED AND TAXES COLLECTED ON
Dec 22 11 06 AM '89
WOODARD D. HANDWITH
NOTARY PUBLIC

STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MICHAEL R. HARRIS, an unmarried man, hereinafter called the "Grantor", for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS in cash and other good and valuable considerations, all hereby acknowledged to have been paid to the Grantor by OSCAR GENE PAYNE and KAY T. PAYNE, husband and wife, hereinafter called the "Grantees", and subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantees, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Commencing at the Southeast corner of the South Half of the Southwest Quarter of the Southeast Quarter of Section 7, Township 8 South, Range 4 East, Baldwin County, Alabama; run thence North 00° 48' 11" East 40 feet to a point on the North right of way line of Baldwin County Road No. 12; run thence North 89° 51' 52" West along said right of way line for 311.99 feet; run thence North 00° 48' 11" East for 200.0 feet to the Point of Beginning; run thence North 89° 51' 52" West for 120.0 feet; run thence North 00° 48' 11" East for 118.0 feet; run thence South 89° 51' 52" East for 120.0 feet; run thence South 00° 48' 11" West for 118.0 feet to the Point of Beginning.

THIS CONVEYANCE IS MADE SUBJECT TO THE FOLLOWING:

1. Subject to right of way granted Baldwin County as recorded in Deed Book 278, Page 525.
2. Reservation of 1/2 oil, gas and other minerals and all rights in connection therewith as contained in deed from Harry R. Decker, et ux, to Donald R. Nelson and Dana Jean Nelson, recorded in Deed Book 474, Page 974.

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the said above described property unto the said Grantees during the term of their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, and to the heirs and assigns of such survivor, forever, together with every contingent remainder and right of reversion.

And except as to taxes hereafter falling due which are assumed by the Grantees and except as to the encumbrances herein set out, the Grantor does for himself and his heirs and assigns, hereby covenant with the Grantees that he is

REEL 356-1534

seized of an infeasible estate in fee simple in said property, is in peaceable possession thereof, that said property is free and clear of all encumbrances, and that he does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the peaceable possession thereof, unto the Grantees, and to the survivor of them, and to the heirs and assigns of such survivor, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal on this the 22nd day of May, 1989.

Michael R. Harris (SEAL)
MICHAEL R. HARRIS

STATE OF Alabama

COUNTY OF Baldwin

I, Cleveland L. Sandwith, the undersigned Notary Public in and for said State and County, hereby certify that MICHAEL R. HARRIS, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me this day that, being informed of the contents of this conveyance, he executed the same voluntarily on the day the same bears date.



Given under my hand and notarial seal on this the 22nd day of May, 1989.

Cleveland L. Sandwith
NOTARY PUBLIC

My Commission Expires:

My Commission Expires 4/14/93

THIS INSTRUMENT PREPARED BY:

G. DAVID CHAPMAN III
Attorney at Law
Post Office Drawer 1508
Gulf Shores, Alabama 36542
File No. 89.1176

GRANTOR ADDRESS:

18657 COUNTY RD. 12 SOUTH
FOLEY, AL 36535

GRANTEES' ADDRESS:

5852 D EAGLE CIRCLE
MONTGOMERY, AL 36116

STATE OF ALABAMA
BALDWIN COUNTY
I certify that this instrument was filed
and the following fee collected as
\$1.00 MAY 24 1989 2P
Notary Public
Cleveland L. Sandwith
1535

REC-356 MAY 15 1989

LEGAL DESCRIPTION FOR THE PAYNE PROPERTY

COMMENCE AT THE SOUTHEAST CORNER OF THE SOUTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH $01^{\circ}05'17''$ EAST, A DISTANCE OF 40.30 FEET TO AN OPEN END PIPE ON THE NORTH RIGHT-OF-WAY LINE OF BALDWIN COUNTY ROAD NO. 12; THENCE RUN NORTH $89^{\circ}39'26''$ WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 311.88 FEET TO A 1/2" CAPPED REBAR (LINDSEY) FOR THE POINT OF BEGINNING; THENCE CONTINUE NORTH $89^{\circ}39'26''$ WEST ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 119.88 FEET TO A 1" CRIMP TOP IRON PIN; THENCE RUN NORTH $01^{\circ}04'57''$ EAST, A DISTANCE OF 625.89 FEET TO A 1" CRIMP TOP IRON PIN; THENCE RUN SOUTH $89^{\circ}35'57''$ EAST, A DISTANCE OF 119.69 FEET TO A 1/2" CAPPED REBAR (CA-17836-LS); THENCE RUN SOUTH $01^{\circ}03'54''$ WEST, A DISTANCE OF 625.87 FEET TO THE POINT OF BEGINNING.

Adjacent Property Owners

Parcel Number	Owner Name	Address	City	State	Zip
05-61-03-07-0-000-007.002	WARNER, DAN EVERETT ETAL LOCKETT, MARLEN	18651 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.004	PAYNE, OSCAR GENE ETAL KAY T	18637 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.005	PAYNE, OSCAR GENE ETUX KAY T	18637 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.003	EDSON, GILMORE L ETAL EDSON, SANDRA L	18657 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.006	PAYNE, OSCAR GENE ETAL PAYNE, KAY T	18637 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.008	HUNTER, LISA ANN HARRIS	18715 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.011	HARRIS, JOAN O	18715 CO RD 12 S	FOLEY	AL	36535
05-61-03-07-0-000-007.007	GCOF ARBOR WALK L L C	160 GREENTREE DR STE 101	DOVER	DE	19904
05-61-04-18-0-000-003.006	DILL, JOE	18662 CO RD 12 S	FOLEY	AL	36535
05-61-04-18-0-000-003.007	HARRY, TIMOTHY WAYNE	18740 CO RD 12 S	FOLEY	AL	36535
05-61-04-18-0-000-003.002	DILL, AUDREY NELL	314 PINE DR (MA)	JASPER	AL	35504

Annexation

Oscar and Kay Payne

Created by: Katy Taylor



Overview



Legend

- Centerlines
- Foley City Limits
- ▣ County Mask
- Parcels
- - Lot Lines
- Streams and Creeks
- Lakes and Bays

PIN - 90825
Par Num - 007.004
Acreage - 0.551
Subdivision -
Lot -
Street Name - CO RD 12 S
Street Number - 18637
Improvement - RES

Name - PAYNE, OSCAR GENE ETAL KAY T
Address1 - 18637 CO RD 12 S
Address2 -
Address3 -
City - FOLEY
State - AL
Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 6/25/2018
Last Data Uploaded: 6/24/2018 8:47:07 PM

Developed by



parcel 1

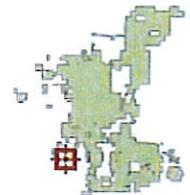
Annexation

Oscar and Kay Payne

Created by: Katy Taylor



Overview



Legend

- Centerlines
- Foley City Limits
- ▣ County Mask
- Parcels
- - Lot Lines
- Streams and Creel
- Lakes and Bays

PIN - 98766
Par Num - 007.005
Acreage - 0.325
Subdivision -
Lot -
Street Name - FLOWERS RD
Street Number - 0
Improvement - UTIL,BARN,UTIL

Name - PAYNE, OSCAR GENE ETUX KAY T
Address1 - 18637 CO RD 12 S
Address2 -
Address3 -
City - FOLEY
State - AL
Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 6/25/2018
Last Data Uploaded: 6/24/2018 8:47:07 PM

Developed by



Parcel 2

Annexation

Oscar and Kay Payne

Created by: Katy Taylor



Overview



Legend

- Center lines
- Foley City Limits
- ▣ County Mask
- Parcels
- - Lot Lines
- Streams and Creel
- Lakes and Bays

PIN - 102610
 Par Num - 007.006
 Acreage - 0.875
 Subdivision -
 Lot -
 Street Name -
 Street Number - 0
 Improvement - 2 BARN,BARN

Name - PAYNE, OSCAR GENE ETAL PAYNE, KAY T
 Address1 - 18637 CO RD 12 S
 Address2 -
 Address3 -
 City - FOLEY
 State - AL
 Zip - 36535

The information contained in the digital data distributed by the Baldwin County Commission is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness, currency, thereof are not guaranteed. The Baldwin County Commission makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of information or data contained in or generated from the county geographic database. Additionally, the Baldwin County Commission or any agent, servant, or employee thereof assume no liability associated with the use of the data and assume no responsibility to maintain it in any matter or form.

Date created: 6/25/2018
 Last Data Uploaded: 6/24/2018 8:47:07 PM

Developed by



Parcel 3



COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET

Foley, Alabama 36535
www.cityoffoley.org

(251) 952-4011
FAX (251) 971-3442

July 19, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Initial Zoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on July 17, 2018 and the following action was taken:

Agenda Item: Oscar & Kay Payne- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 1.75+/- acres. Proposed Zoning is R-1D (Residential Single Family). Property is located N of County Rd. 12 and W of Hickory St. Applicants are Oscar and Kay Payne.

Action Taken: Commissioner Hellmich made a motion to recommend the requested initial zoning to Mayor and Council. Commissioner Abrams seconded the motion. Commissioner Watkins abstained. All other Commissioners voted aye.

Motion to recommend the requested initial zoning to Mayor and Council passes.

Please let me know if you have any questions or concerns.

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Annexation Report for Mayor & Council

By: Miriam Boutwell

July 2018

Applicant: Oscar & Kay T Payne

Location: North of CR 12, west of Hickory Street

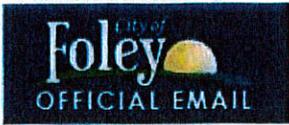
Current Zoning: Unzoned Baldwin County

Requested Zoning: R1D, Residential Single Family

Comments: These parcels are being annexed for access to a future phase of Arbor Walk Subdivision. The R1D zoning designation is consistent with the existing zoning.

6/28/2018

City of Foley Mail - Payne Petition For Annexation



Katy Taylor <ktaylor@cityoffoley.org>

Payne Petition For Annexation

David Wilson <dwilson@foleypolice.org>
To: Katy Taylor <ktaylor@cityoffoley.org>

Mon, Jun 25, 2018 at 3:31 PM

Enter into the Forward City! PD is good !

Sent from my iPhone
[Quoted text hidden]

<Payne Annexation.pdf>