

ORDINANCE # 2024-10
AN ORDINANCE TO ANNEX CERTAIN LANDS KNOWN AS
FAIRHOPE IRON WORKS, LLC – US Hwy 98, Elberta, AL
TAX ID: 05-53-04-19-0-000-009.000; 05-53-04-19-0-000-008.000; 05-53-09-30-0-000-006.000

WHEREAS, on the 20TH day of November, 2024, Fairhope Iron Works, LLC, by and through Frank Dishon, being the owner(s) of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the Town of Elberta, 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 Town of Elberta, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Elberta 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 TOWN COUNCIL OF ELBERTA, ALABAMA, AS FOLLOWS:

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

Section 2. The boundary lines of the Town of Elberta, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory hereto before encompassed by the corporate limits of the Town of Elberta, Alabama, and in addition thereto the following described territory, to-wit;

PARCEL A:

Beginning at a 1-1/2" OPEN TOP PIPE AT THE CORNER OF THE S.E.1/4 OF THE S.W.1/4 OF SECT. 19, T-7-S, R-5-E, BALDWIN COUNTY, AL, said point being the POINT OF BEGINNING; thence N.00°04'39"E., a distance of 1,324.72 feet to a 2" OPEN TOP PIPE AT THE N.W. CORNER OF THE S.E.1/4 OF THE S.W.1/4 OF SECT. 19, T-7-S, R-5-E, BALDWIN COUNTY, AL; thence N.89°58'55"E., a distance of 937.11 feet to a 1/2" REBAR; thence S.00°06'36"W., a distance of 999.31 feet to a 1/2" CAPPED REBAR (ILLEGIBLE); thence N.89°36'46"E., a distance of 231.11 feet to a 1/2" CAPPED REBAR "RABER"; thence S.00°07'22"W., a distance of 283.23 feet to a 1/2" CAPPED REBAR "RABER" ON THE NORTH R-O-W OF U.S. HIGHWAY 98; thence S.89°35'05"W., along said R-O-W, a distance of 72.59 feet to a CONCRETE R-O-W MONUMENT; thence Westerly along a R-O-W curve to the left, a distance of 384.24 feet, having a radius of 1,947.91 feet, a chord bearing of S.84°12'03"W., a chord distance of 383.62 feet to a SET 5/8" CAPPED REBAR ON SAID R-O-W; thence S.89°37'07"W., leaving said R-O-W, a distance of 40.75 feet to a 1" CRIMPED TOP PIPE; thence N.00°06'19"W., a distance of 360.01 feet to a 1/2" REBAR; thence S.89°52'36"W., a distance of 241.71 feet to a 3/4" CRIMPED TOP PIPE; thence S.00°03'30"E., a distance of 361.10 feet to a SET 5/8" CAPPED REBAR; thence S.89°37'07"W., a distance of 430.49 feet to the POINT OF BEGINNING.

2171573

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 02/18/2025 02:12 PM
TOTAL \$25.00 5 Pages



PARCEL B:

Commencing at a 1-1/2" OPEN TOP PIPE AT THE CORNER OF THE S.E.1/4 OF THE S.W.1/4 OF SECT. 19, T-7-S, R-5-E, BALDWIN COUNTY, AL; thence N.89°37'07"E., a distance of 430.49 feet to a SET 5/8" CAPPED REBAR and the POINT OF BEGINNING; thence N.00°03'30"W., a distance of 361.10 feet to a 3/4" CRIMPED TOP PIPE; thence S.89°42'56"E., a distance of 33.02 feet to a 1/2" REBAR; thence S.00°21'37"E., a distance of 209.49 feet to a 1/2" REBAR; thence N.89°55'50"E., a distance of 207.75 feet to a 1/2" CAPPED REBAR (ILLEGIBLE); thence S.00°06'19"E., a distance of 150.09 feet to a 1" CRIMPED TOP PIPE; thence S.89°37'07"W., a distance of 242.00 feet to the POINT OF BEGINNING.

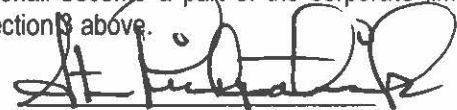
PARCEL C:

LOT 11 OF THE ELSHOFF PARK ADDITION TO ELBERTA AS SHOWN IN PLAT BOOK 3, ON PAGE 47, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

Section 3: As a provision of this ordinance PETITIONER requests that this property be pre-zoned as General Business (GB) and Single Family Residential (SFR), upon annexation. In the event that the pre-zoning of General Business (GB) and Single Family Residential (SFR) is not awarded, the annexation petition is withdrawn, and the property shall be de-annexed from the corporate limits of the Town of Elberta, Alabama.

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 Elberta, Alabama, upon publication of this ordinance as set forth in Section 3 above.


Steve Kirkpatrick, Mayor

ATTEST:


Caryn H. Woerner, Town Clerk

January 28, 2025



ELBERTA, AL



fur das gute Leben

"for the good life"

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 Town of Elberta, 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 Town of Elberta, a municipal corporation, that said property be annexed into the Town of Elberta 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 Town Council of the Town of Elberta, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property. We, the undersigned PETITIONERS, further petition that this property be pre-zoned as GB and SFL upon annexation.

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

Dated this the 20 day of November 2024.

Fairhope Iron Works, LLC
CORPORATE NAME

BY: [Signature]

ITS: MEMBER / OWNER

STATE OF ALABAMA
COUNTY OF BALDWIN

I, the undersigned Notary Public in and for said County in said State, do hereby certify that Frank Dishon, whose name as Member / owner 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 said instrument, he/she as said officer and with full authority, sworn and under oath, executed the same voluntarily for and as the act of the said Fairhope Iron Works on the day same bears date.

Given under my hand and official seal on the 20th day of November, 2024

Karen L. Bell
Notary Public
State of Alabama at Large
My Commission expires: 02/04/2025

EXHIBIT A - FAIRHOPE IRON WORKS, LLC

PARCEL A:

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PARCEL C:

LOT 11 OF THE ELSHOFF PARK ADDITION TO ELBERTA AS SHOWN IN PLAT BOOK 3, ON PAGE 47, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.

EXHIBIT B - Annexation of Fairhope Iron Works, LLC - 3 Parcels



December 9, 2024

pointLayer

- Override 1
- Override 2

polylineLayer

- Override 1

Parcel Line Labels

- COGO
- Parcels

ConveyanceDivisions

- Centerlines
- Coastal Control Line

Lot Lines

- Conflicts

