

2167398



BALDWIN COUNTY, ALABAMA  
HARRY D'OLIVE, JR. PROBATE JUDGE  
Filed/cert. 01/24/2025 01:30 PM  
TOTAL \$28.00 6 Pages

ORDINANCE # 2024-08  
AN ORDINANCE TO ANNEX CERTAIN LANDS KNOWN AS  
RICHARDSON PARCELS; TAX ID: 05-54-07-25-0-000-002.001 AND  
05-54-07-25-0-000-002.184 (RECENTLY ASSIGNED TAX ID FOR PARCEL 1 BELOW)

WHEREAS, on the 12<sup>TH</sup> day of November 2024, James E. Richardson and Spicie E. Richardson through and by her son as Power of Attorney, being the owner(s) of all the real property hereinafter described, did file with the Town Clerk petition(s) asking that the said tracts or parcels of land be annexed to and become a part of the Town of Elberta, 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 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 1:**

A PORTION OF TAX PARCEL ID #05-54-07-25-0-000-002.001, A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 7 SOUTH, RANGE 4 EAST; ALSO BEING THAT SAME PARCEL OF LAND AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN INSTRUMENT #1574021; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A RAILROAD SPIKE ON THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SECTION 25, TOWNSHIP 7 SOUTH, RANGE 4 EAST; THENCE N00°45'47"E, 29.95' TO AN IRON PIN; THENCE N89°46'22"W, 1120.33' TO AN IRON PIN; THENCE N90°00'00"W, 250.00' TO AN IRON PIN; THENCE N89°23'40"W, 171.29' TO THE POINT OF BEGINNING. THENCE N09°52'42"W, 235.10' TO AN IRON PIN; THENCE A CURVE TO THE RIGHT, SAID CURVE HAVING AN ARC DISTANCE OF 524.99', A CHORD OF 523.35', S65°57'14"W, AND A RADIUS OF 1920.99' TO AN IRON PIN; THENCE S20°08'23"E, 13.78' TO AN IRON PIN; THENCE S89°23'40"E, 513.55' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 1.30 ACRES, MORE OR LESS.

**PARCEL 2:**

A PORTION OF TAX PARCEL ID #05-54-07-25-0-000-002.001, A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 7 SOUTH, RANGE 4 EAST; ALSO BEING THAT SAME PARCEL OF LAND AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN INSTRUMENT #1574021; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

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THENCE A CURVE TO THE LEFT, SAID CURVE HAVING AN ARC DISTANCE OF 78.21', A CHORD OF 78.21', N65°57'30"E, AND A RADIUS OF 1920.99' TO AN IRON PIN; THENCE N55°38.03"E, 488.46' TO AN IRON PIN;

THENCE S00°44'30"E, 253.49' TO AN IRON PIN; THENCE N90°00'00"W, 11.90' TO AN IRON PIN; THENCE S55°59'00"W, 106.99', TO AN IRON PIN, THENCE S55°59'00"W 181.50' TO AN IRON PIN; THENCE S01°11'15"W, 136.96' TO THE POINT OF BEGINNING. SAID PARCEL CONTAINS 2.79 ACRES, MORE OR LESS.

Section 3: As a provision of this ordinance PETITIONER requests that these properties be pre-zoned as **General Business (GB)** upon annexation. In the event that the pre-zoning of **GB** 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.

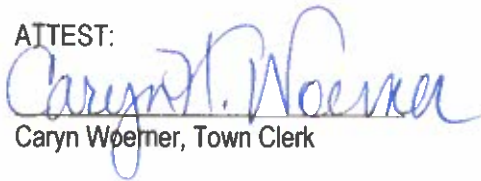
Section 5: The territory described in this ordinance shall become a part of the corporate limits of Elberta, Alabama, upon publication of this ordinance as set forth in Section 3 above

Done this the 17<sup>TH</sup>, day of December 2024



Steve Kirkpatrick, Mayor

ATTEST:



Caryn Woerner, Town Clerk

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 General Business upon annexation.

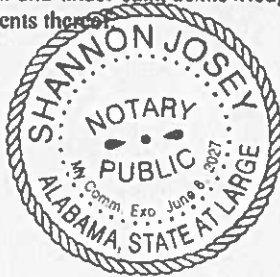
We, the undersigned PETITIONERS also ask that the Honorable Mayor and Town Council of the Town of Elberta, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

Dated this the 12 day of NOV 2024

James Elberta  
Spive Elberta  
James Elberta  
P.O.A

STATE OF ALABAMA  
COUNTY OF BALDWIN

On this 12th day of November, 2024, before me personally appeared James Richard Sa, 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.



Shannon Josey  
Notary Public  
State of Alabama at Large  
My Commission expires:

STATE OF ALABAMA  
COUNTY OF BALDWIN

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  
State of Alabama at Large  
My Commission expires:

EXHIBIT A – LEGAL DESCRIPTION(S)

PARCEL 1:

A PORTION OF TAX PARCEL ID #05-54-07-25-0-000-002.001, A PARCEL OF LAND LYING IN SECTION 25, TOWNSHIP 7 SOUTH, RANGE 4 EAST; ALSO BEING THAT SAME PARCEL OF LAND AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA IN INSTRUMENT #1574021; AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

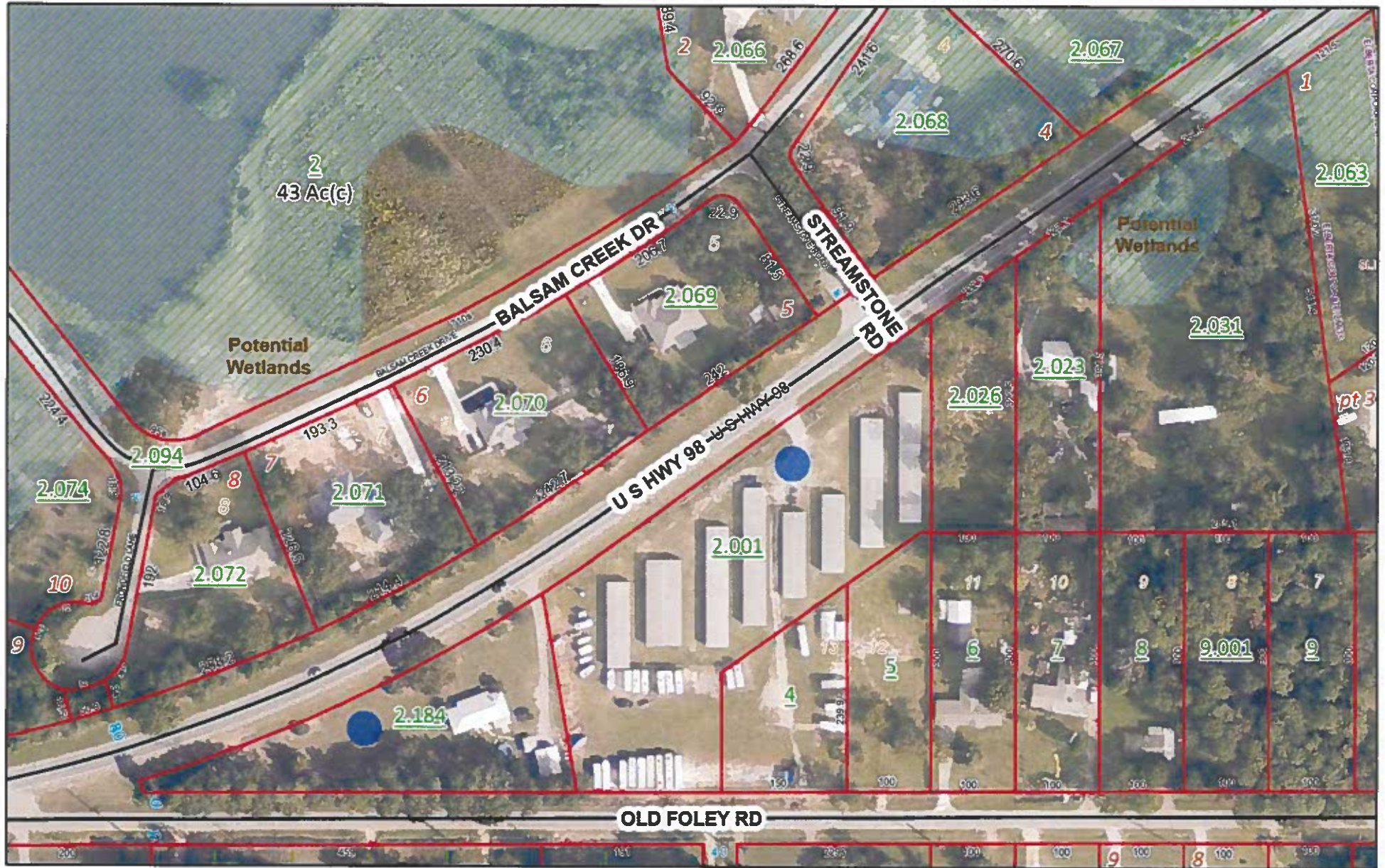
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ANNEXATION - RICHARDSON PROPERTIES - GENERAL BUSINESS - EXHIBIT D



December 18, 2024

pointLayer

● Override 1

Parcel Line Labels

COGO  
 □ Parcels



Conveyance Divisions



Centerlines



Coastal Control Line



Lot Lines



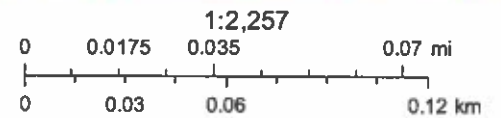
Potential Wetlands



Conflicts



County Boundary



KCS, Pictometry  
 KCS