

ORDINANCE NO. 470-12-04-2023

AN ORDINANCE ANNEXING CERTAIN REAL PROPERTY  
INTO THE CORPORATE LIMITS  
OF THE TOWN OF SILVERHILL, ALABAMA

**WHEREAS**, on November 6, 2023, STEPHEN A. LYRENE, AS TRUSTEE OF THE HAZELTINE E. LYRENE REVOCABLE TRUST DATED FEBRUARY 25, 2014, ACTING BY AND THROUGH ITS AUTHORIZED AGENT DEWBERRY ENGINEERS, INC., filed with the Town Clerk a written *Petition for Annexation* requesting that the Town annex real property owned entirely by STEPHEN A. LYRENE, AS TRUSTEE OF THE HAZELTINE E. LYRENE REVOCABLE TRUST DATED FEBRUARY 25, 2014 into the Town of Silverhill's corporate limits;

**WHEREAS**, the foregoing *Petition* contained or included: (a) an accurate description of the property proposed to be annexed by the Town; (b) a map of the property showing its relationship to the existing corporate limits of the Town; and (c) the true and correct signatures of all of the owner's duly and legally authorized representative of the property described, all in accordance with § 11-42-21, CODE OF ALABAMA (1975, as amended);

**WHEREAS**, the property proposed to be annexed by the Town is contiguous to the existing corporate limits of the Town, an incorporated municipality located in Baldwin County in the State of Alabama, and the property does not lie within the corporate limits or the police jurisdiction of any other municipality of the State of Alabama, all as required by § 11-42-21, CODE OF ALABAMA (1975, as amended);

**WHEREAS**, the Town, acting by and through its Town Council, determines that the proposed annexation of the below-described property is in the public interest, and the Town Council further desires to annex the below-described property subject to all laws, ordinances, rules, regulations, and requirements of the Town;

**WHEREAS**, the Town, acting by and through its Town Council, determines that the proposed zoning for R-1 SINGLE-FAMILY RESIDENTIAL of the below-described property is in the public interest and is appropriate based on the current use of the property, and the Town Council further desires to zone the below-described property subject to all laws, ordinances, rules, regulations, and requirements of the Town, as R-1 SINGLE FAMILY RESIDENTIAL under the Town's *Zoning Ordinance*.

**NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF SILVERHILL, ALABAMA AS FOLLOWS:**

**SECTION I: ANNEXATION**

The corporate limits of the Town of Silverhill, Alabama be, and the same are hereby altered and rearranged so as to include all of the territory heretofore encompassed by the corporate limits of the Town of Silverhill, Alabama and in addition thereto the following described territory, contiguous to the existing corporate limits, to-wit:

BEGINNING AT A 1/2 INCH CAPPED REBAR FOUND (ILLEGIBLE), MARKING THE NORTHEAST CORNER OF LOT 1, PHASE ONE OF THE CEDARS, BEING A MAP OR PLAT THEREOF, AS RECORDED IN SLIDE 1626-A, IN THE OFFICE OF THE JUDGE OF PROBATE COURT IN BALDWIN COUNTY, ALABAMA, AND POINT ALSO BEING LOCATED ON THE SOUTH RIGHT-OF-WAY OF STATE HIGHWAY 104 (80 FEET RIGHT-OF-WAY):

THENCE RUNS 89° 51' 15" E, ALONG SAID SOUTH RIGHT-OF-WAY, A DISTANCE OF 1287.11 FEET, TO A 5/8 INCH CAPPED REBAR SET (DEWBERRY CA-1109-LS), ON THE WEST RIGHT-OF-WAY OF SEDLACK ROAD (APPARENT 70 FEET RIGHT-OF-WAY);

THENCE RUNS 00° 13' 12" W, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 1287.35 FEET, TO A 1/2 INCH CAPPED REBAR FOUND (GARSED 422LS), ON THE WEST RIGHT-OF-WAY OF SEDLACK ROAD (APPARENT 70 FEET RIGHT-OF-WAY); THENCE RUN N 89° 50' 43" W, LEAVING SAID WEST RIGHT-OF-WAY, A DISTANCE OF 1290.54 FEET, TO A 1/2 INCH CAPPED REBAR FOUND (ILLEGIBLE), ON THE EAST LINE OF PHASE FOUR OF THE CEDARS (SLIDE 1684-A), PHASE THREE OF THE CEDARS (SLIDE 1683-8), PHASE TWO OF THE CEDARS (SLIDE 1652-B), AND PHASE ONE OF THE CEDARS (SLIDE 1626-A), BEING MAPS OR PLATS THEREOF, AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE COURT IN BALDWIN COUNTY, ALABAMA;

THENCE RUN N 00° 22' 21" E, ALONG SAID EAST LINE, A DISTANCE OF 1287.16 FEET, TO THE POINT OF BEGINNING. PARCEL CONTAINING 38.10 ACRES, MORE OR LESS, AND LYING IN AND BEING A PART OF SECTION 9, TOWNSHIP 6 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.

**SECTION II: ZONING**

The above-described property (Parcels 1 through 4, inclusive) is hereby ZONED R-1 SINGLE FAMILY RESIDENTIAL under the Town's Zoning Ordinance, and the Town's Zoning Map is hereby amended to reflect the updated zoning for this property.

**SECTION III: PUBLICATION**

This Ordinance, as an ordinance of a general and permanent nature, shall be published as provided by § 11-45-8(a), CODE OF ALABAMA (1975, as amended) by posting a copy of the same in three (3) public places within the Town, one of which being the Mayor's Office, and a copy of the same shall be filed with the Probate Court of Baldwin County, Alabama, all as required by § 11-42-21, CODE OF ALABAMA (1975, as amended).

**SECTION IV: SEVERABILITY**

The provisions of this Ordinance are severable. If any section, subsection, sentence, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION V: EFFECTIVE DATE**

This Ordinance shall become effective immediately and be in full force and effect after the final passage and publication as required by law.

**APPROVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF SILVERHILL, ALABAMA ON THIS 4TH DAY OF DECEMBER, 2023.**

  
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JARED N. LYLES, MAYOR  
Town of Silverhill, Alabama

ATTEST:

  
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NICOLE HAIGLER, Town Clerk  
Town of Silverhill, Alabama

{TOWN SEAL}