

(CAI)
#1

Handout by Mrs.
Robin Hutchison

Paul G. Pacey, II
Post Office Box 356
Point Clear, AL 36564

May 10, 2018

To: Honorable Commissioner Frank Burt, Jr - Grantee
Robert Wilters - District Attorney
David Conner - Chief Legal Counsel

The barricade that was erected on April 24, 2018 on Zundel Road in Point Clear, Alabama was in direct violation of Line 1 of the Zundel Brodbeck-Gift Deed agreement which states that:

"Zundel Road shall remain open from Scenic 98 to Mobile Bay." ; and it is in agreement with the Alabama Supreme Court decision of 1972, (McPhillips v. Brodbeck) on line 7 which states: "**Remove the obstruction**" that restricts "landowners and the general public that use the water for bathing, fishing and other aquatic uses".

The barricade that Baldwin County built, consisting of posts and a chain across Zundel Road, is against the spirit and stated purpose of the Zundel Brodbeck-Gift Deed agreement and ignores and violates the 1972 Alabama Supreme Court decision in (McPhillips v. Brodbeck).

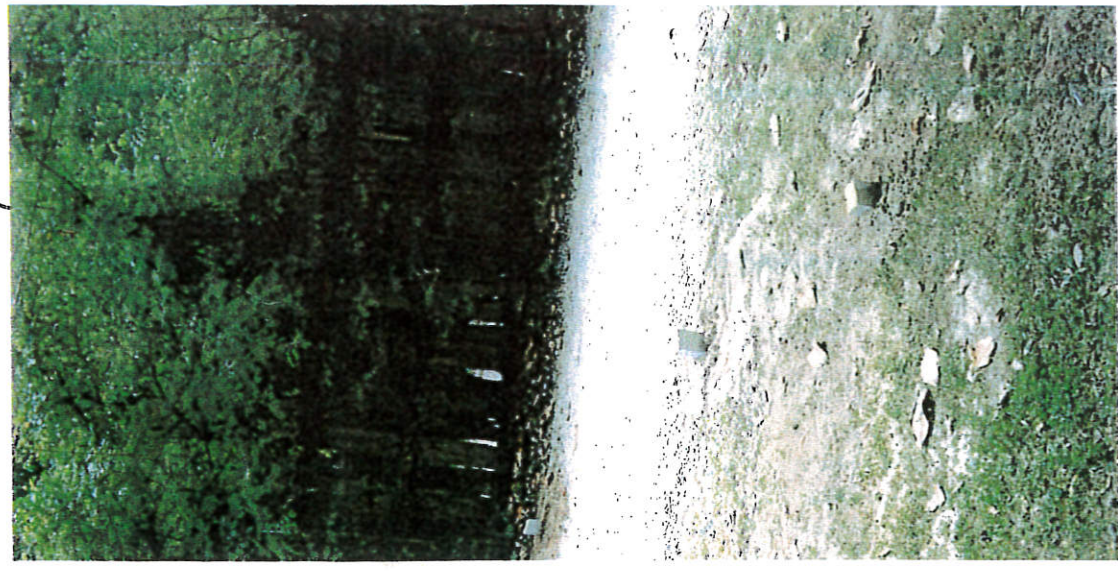
Please do not build any barricade that would obstruct, restrict or limit the use on Zundel Road as it will be considered a violation of the Zundel Brodbeck-Gift Deed and the Alabama Supreme Court decision of 1972 (McPhillips v Brodbeck).

Sincerely,



Paul G. Pacey, II
Personal Representative of the Estate of Dorothy B. Pacey

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#2
Handoet
Ran Ms.
Loban
Hutchison



June 2018 1161
On April 24 2018, the Baldwin County Commission Signed
built a fence on Zundel's Road. Zundel
We object to any fences on public water accesses. Alon
Call Rhin 31.929-2582 Mon.

Barry L. Allen - Ponder RD Point clear AL

Charles Ranch 689-3772 - Ponder RD Point clear

TERRY REAUCHER - Ponder RD Point clear
STEVE SHEPARD - Ponder RD Point clear AL
GILBERT ATEN - Ponder RD Point clear AL

Yvonne Mc 251-644-9878 Point clear AL

Sumner

Arthur & D

Wheat

FROM F

Bobbie Holliman

251-644-9878 Point clear AL
251-644-9878 Point clear AL
Point clear AL

415-846-4444 Ponder RD Point clear

Gene L. Robinson (215) 928-7934 - Point clear AL
Adelaide T. Moon - Point clear AL

Fn drive Ray Land - Point clear, Ageless

14

285
14
66
66
161

- ① Dorothy mitchell - 251-622-4701 - Point clear AL 36564
- ② William mitchell - 251-232-2169 - Point clear AL 36564
- ③ Clifton Prim - 251-943-6543 - Point clear AL 36564
- ④ F. Verlean ~~Prim~~ 251-233-7636 - Point clear AIA 36564
- ⑤ Mary Agee 251.599,5964 - Daphn All 36564
- ⑥ Rev. John Whitfield 251-351-8073 - Point clear AIA 36564
- ⑦ James M. Lewis 251-228-3485 - Point clear AIA 36564
- ⑧ Terrence Ruch 251-367-0855 - Point clear AIA 36564
- ⑨ WILLARD HOLLIMAN (251) 222-6521 - Point clear AIA 36564
- ⑩ Steven C. Shepherd 251-229-6216 - Point clear AIA 36564
- ⑪ Rowald ALEXANDER (251) 284-1925 - Point clear AIA 36564
- ⑫ Augusta L. WASS - Point clear AIA 36564
- ⑬ TASHAWA E. JAGGLES/WASS - Point clear AIA 36564
- ⑭ DAYNE C. LUSTED - Point clear AIA 36564
- ⑮ Wayne Agee - Point clear AIA 36564
- ⑯ Earl McCants - Point clear AIA 36564
- ⑰ VINCENT HOWARD - Point clear AIA 36564
- ⑱ EMERUEL MERTHS - Point clear AIA 36564

- 19 Carla Jackson - Fairhope AL 36532 Era Drive
- 20 Crystal Ball - Fairhope AL 36532 Era Drive
- 21 Courtney Ball - Fairhope AL 36532 Era Drive
- 22 Martin Wasp - Point Clear AL 36564 Agee Lane
- 23 Cali Bender - Point Clear AL 36564 Agee Lane
- 24 Antonasa Chaney - Point Clear AL 36564 Agee Lane
- 25 Caleb Milton - Point Clear AL 36564 Agee Lane
- 26 Loden Kylee - Point Clear AL 36564 Agee Lane
- 27 Tyrone Perdue - Fairhope AL 36532 Era Drive
- 28 Mary Brille - 6471 Agee Ln AL 36532 Era Drive
- 29 John Smith - Fairhope AL 36532 Kirtman Lane
- 30 Michael White - Fairhope AL 36532 Kirtman Lane
- 31 Kevin Gates - Fairhope AL 36532 Kirtman Lane
- 32 John Hall - Fairhope AL 36532
- 33 Zack Smith - Fairhope AL 36532
- 34 Derris Johnson - Fairhope AL 36532
- 35 Jimmy Neutron - Fairhope AL 36532
- 36 John Ross - Fairhope AL 36532 Era Drive
- 37 Bill Johnson - Fairhope AL 36532 Era Drive
- 38 Lucas Bras - Fairhope AL 36532 Kirtman Lane
- 39 David Watkins - Fairhope AL 36532 Kirtman Lane

- 40 Kady Matthew - Point Clear AL 36564
- 41 Theodore Matthew - Point Clear AL 36564
- 42 Ashley Matthew - Point Clear AL 36564
- 43 Colman Dacus - Point Clear AL 36564
- 44 Ronald Wasp - Point Clear AL 36564
- 45 Nicole Dacus - Point Clear AL 36564
- 46 Kady Matthew - Point Clear AL 36564
- 47 Kady Matthew - Point Clear AL 36564
- 48 Joshua Walsh - Point Clear AL 36564
- 49 Loden Kylee - Point Clear AL 36564
- 50 Kady Matthew - Point Clear AL 36564
- 51 Michael Lockett - Point Clear AL 36564
- 52 Kevin Smith - Point Clear AL 36564
- 53 Justin Smith - Point Clear AL 36564
- 54 Angelia Scott - Point Clear AL 36564
- 55 Melba Parker - Point Clear AL 36564
- 56 Deborah Jackson - Point Clear AL 36564
- 57 Edd Parker - Point Clear AL 36564
- 58 Tamara Peterson - Point Clear AL 36564
- 59 Percival Jackson - Point Clear AL 36564
- 60 Marla McLean - Point Clear AL 36564
- 61 Byron Koe - Point Clear AL 36564
- 62 Kady Matthew - Point Clear AL 36564

- 81) LaBree T. Watts - Fairhope AL
 82) Via Johnson - Fairhope AL
 83) Garbua Jernison - Fairhope AL
 84) Michelle Jernison - Fairhope AL
 85) Jerome Chanely - Fairhope AL
 86) Lisa Williams - Fairhope AL
 87) Katrina Billie - Fairhope AL
 88) Raymond Billie - Fairhope AL
 89) Annie Reed - Fairhope AL
 90) Norman Reed - Fairhope AL
 91) F. S. Williams - Fairhope AL
 92) Jean Reed - Fairhope AL
 93) Linda Reed - Fairhope AL
 94) I. D. Jean Reed - Fairhope AL
 95) Brittany Reed - Fairhope AL
 96) Shawn Octaviss - Fairhope AL
 97) Jeremiah Curry - Fairhope AL
 98) Barbara A. Mills - Point Clear AL 36364
 99) Barbara A. Mills - Point Clear AL 36364
 100) Barbara A. Mills - Point Clear AL 36364

- 81) Henry Barnes - Point Clear AL
 82) Wilbur Coleman - Point Clear AL
 83) Cliffit Wasp - Point Clear AL
 84) Larry Davis - Point Clear AL
 85) Celeste Edwards - Point Clear AL

PRINT

NAME

(66)

ADDRESS

PHONE

SIGNATURE

NAME	ADDRESS	PHONE	SIGNATURE
JOE Klumpff	9332 Co Rd 24	251-928-7332	Joe Klumpff
HV STREET JR	8914 Co. Rd 32	251-490-7018	HV Street Jr
William E. Street	8198 Co. Rd 34 Fairhope		William E. Street
J.R. Wood	7490 Wood Acres RD Fairhope	36532	J.R. Wood
DANNY BORTON	13750 KELLER ROAD	FAIRHOPE AL. 36532	DANNY BORTON
hous mckride	16978 JB Lane	Fairhope AL 36532	hous mckride
Arden Ward	104 Homestead Village, Unit 7 - Fairhope	36532	Arden Ward
Cecilia Frego	10460 Co Rd 24, Fairhope	36532 Cecilia Frego	Cecilia Frego
ANITA F. COOPER	15592 Co Rd 13 FAIRHOPE, AL	36532 Anita F Cooper	Anita F Cooper
Daniel Russell	6772 Cook Rd. Foley	36535 Daniel Russell	Daniel Russell
Doug Lowell	14065 St. Hwy 181 Fairhope	36532	Doug Lowell
RAY ARMSTRONG	10848 Hughes Ln Fairhope	36532 Ray Armstrong	Ray Armstrong
Judy Klumpff	7332 Co. Rd 24 Fairhope AL	36532 Judy Klumpff	Judy Klumpff
Arthur Fregori	13974 Sherwood Highland Road Fairhope AL	Arthur Fregori	Arthur Fregori
Nancy Foster	9501 Co Rd 24 Fairhope, AL	Nancy Foster	Nancy Foster
WILLO Foster	" "	Willo Foster	Willo Foster
IDA Nolte	13212 Greeno Rd Fhope AL	251-938-2744 IDA Nolte	IDA Nolte
Lynette Comalander	9570 Hamilton Ln Fhope AL	Lynette Comalander	Lynette Comalander
Mike Comalander	" "	Mike Comalander	Mike Comalander
Mackey Nolte	13168 Greeno Rd Fhope AL	Mackey Nolte	Mackey Nolte
Kevin Nolte	10751 Bahia Ct Daphne AL	Kevin Nolte	Kevin Nolte
Judy Nolte	13212 Greeno Rd Fairhope AL	680-8734 Judy Nolte	Judy Nolte
ROBERT Comalander	8594 U.S Hwy 98 Fairhope	421-7631 ROBERT Comalander	ROBERT Comalander
Irene Comalander	8594 US Hwy 98 Fairhope	402-5573 Irene Comalander	Irene Comalander
Sandra Hayes	12812 Lenard Robinson Ln.	Sandra Hayes	Sandra Hayes
Jotelle Seay	518 Concord Dr Fairhope, AL	Jotelle Seay	Jotelle Seay
Todie Pience	11890 Co. Rd. 32 Fairhope, AL	Todie Pience	Todie Pience

Print Name	Address	Phone	Signature
ARTHUR FREGO	15235 Co Rd 13	9285981	Arthur Frego
Mary K. Frego	15235 Co Rd 13	9285981	Mary K Frego
Sandra L. Bishop	16151 Greeno Rd	919-6524	Sandra Bishop
Mona B. Barfield	207 Spring Lake Dr.	752-2522	Mona Barfield
Clarence H. Bishop	16151 Greeno Rd	583-6657	Clarence Bishop
Kimberly Frego	13974 Sherwood Highland Rd. Fairhope		Kimberly Frego
Anthony Frego	8965 County Rd 24 Fairhope AL		Anthony Frego
Bobby Davis Jr	7755 Dove Ln Fairhope		Bobby Davis Jr
Bobby DAVIS SR	7830 Dove Ln Fairhope		Bobby Davis Sr
Gloria B. Davis	7830 Dove Ln. Fairhope, AL		Gloria B. Davis
MARK DAVIS	7850 Dove Ln Fairhope AL		Mark Davis
Grace Davis	7850 Dove Lane Fairhope AL		Grace Davis

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Caleb Frego	13994 Sherwood Highland Rd Fairhope	251-725-4101	Caleb Frego
Kirstie Frego	13994 Sherwood Highland Rd Fairhope, AL	251-725-4103	Kirstie Frego
Kaci Frego	8965 Co Rd 24 Fairhope AL	36332	Kaci Frego
Kim Robison	8911 Co. Rd 24 Fairhope	36332	Kim Robison
Luke Robison	8911 Co. Rd Co. Rd 24 Fairhope	680-7725	Luke Robison
Jacob Yeakum	6640 Co. Rd 32 Fhope	251-5241	Jacob Yeakum
Anthony Robison	8911 Co. Rd 24 Fhope	223-2106	Anthony Robison
Max King	6640 Co Rd 32 Fhope	251-2508675	Max King
Jennife Pizzotti	9499 Co Rd 24 F'hope	251 9902472	Jennife Pizzotti
Randy Pizzotti	9499 Co. Rd. 24 F'hope	251 9902472	Randy Pizzotti

Zundel Road Barricade

We the undersigned object to the Barricade

stopping vehicles on Zundel Road

PRINT NAME	Address	Phone	Signature
Charles E Wiggins	16141 Clay Rd	251-367-7234	Charles Wiggins
Mike McKenzie	8407 Charley Boothe	251-379-6102	Mike McKenzie
Alicia McKenzie	8493 Charley Boothe	251-802-8219	Alicia McKenzie
Roxanne McKenzie	8407 Charley Boothe	251-379-6101	Roxanne McKenzie
Marda Davis	11650 Champion Rd	251-377-3090	Marda Davis
JAMES M. DAVIS	11650 CHAMPION RD.	251-402-4985	James M. Davis
John Rohm	17078 Magellan Blvd.	251-454-9508	John Rohm

Earl F. Riemann	17448 Green Rd	251-709-8701	Earl F. Riemann
Travis McInnis	8441 Charley Boothe Rd	251-228-1060	Travis McInnis

Hazel Allen	6401 Agee Ln	251-232-4884	Hazel Allen
George Allen Colman	6401 Agee Ln	251-487-5666	George Allen Colman
Claudia Weeks	7301 Antioch Ch. Rd.	251-716-0902	Claudia Weeks

Handicapped people
who've used Access
for over 50 years.

6401 Agee Ln.

Tonell Allen

Takes them now-487-5666-

ROSA AGE Agee Lane, Point Clear 36532

PAULIE J. PETERSON Court St F Hope, AL 36532

ANNIE LEATH 204 S. N. 1st St. 6355 Old Marlow Rd. F Hope, AL

Don L. Pln
1602 Main St
Daphne, 36526
6/4/2018

Adam Andrew C
600 Jackson St

Daphne AL 36526

6/4/2018

Community Meeting with David Ed Bishop , Scott Barnett, Albert Lipscomb, general public and
PCPOA members

1. January 28, 2005, Baldwin County Chief Legal Counsel, Scott Barnett, stated at our meeting that Mcphillips v v.Brodbeck Supreme Court Ruling set a precedent for public roads giving the public ingress and egress to Mobile Bay. Title 56 ss 32 Convenient Access is of the greatest benefit.

2. Zundel Road is designated as a road on a plat map.

You cannot turn a road into a park to obstruct it or limit hours.

Baldwin County v. Jesuits of Perdido (Baldwin Co. CV 69685)

3. The County's fence, encroachment, anything that renders travel on a road way more difficult constitutes a nuisance that may be enjoined.

McKenzie v Comalander (549 so 2d 476)

4. Obstruction or encroachment may be enjoined.

City of Troy v Watkins { 201 AL 274, 78 So 50 (1918) }

5. Section 19-10

There are Penalties and/or violations for builders whether , county, municipalities, or private citizens for obstructions on public roads.

#3
GAI Handout by
Mrs. Robin Hutchison

August 4, 2009

Good Morning Commissioners:

My name is Robin Hutchison and these Ordinances that Baldwin County is looking at adopting concern me for these reasons:

1. Work Order June 23, 2009 to obstruct Zundel's Road to vehicular traffic.
2. The approved case Z-05023 where staff recommends taking away approximately 5' from Zundel's Road for a private development.

I formally request that you permanently rescind the work order obstructing Zundel's Road to vehicular traffic and on case Z-05023 only allow a variance.

Giving away public property to a private development and obstructing a right-of-way going to Alabama waters is not the answer.

Here is a formal request in writing that asks the Baldwin County Commission and District Attorney office to use the 1971 Alabama Supreme Court Decision (McPhillips vs.

Brodbeck) as a guideline for any "public access" that leads to the waters of the state of Alabama.

Thank you for considering this matter.

Robin Hutchison

Robin Hutchison

dealing w obstructing R.O.W's
or giving ROWs to
private citizens. ~~personal gain~~

Mike Hutchison
P.O. Box 75
Point Clear, AL 36564

July 30, 2009

Subject: WA20090623Zundel's Road Automobile Access Restriction Work Order

Commissioners:

I notified you by certified letter of WA20090623: Zundel's Road Automobile Access Restriction Work Order: Item 21, that is in direct violation of the Alabama Supreme Court Decision of 1971(McPhillips v Brodbeck). Unless I receive written notification within 10 days of the receipt of this letter of the permanent withdrawal, I will petition a "declaratory judgment" and request a "permanent injunction" to stop your illegal restriction of vehicular access. That also includes you declaring a "road" an "historic site" or "park" in attempting a backdoor way of shutting it down to vehicular access.

Sincerely,

Michael Hutchison

Ray Armstrong
10848 Hughes Lane
Fairhope, AL 36532

August 3, 2009

Commissioners:

I remember back in the 70's when Mr Aldridge was posted ,with his German Shepard on Zundel's Rd and tried to stop me and my uncle, George Armstrong, from going to Mobile Bay. He also threatened to sic his dog on me.

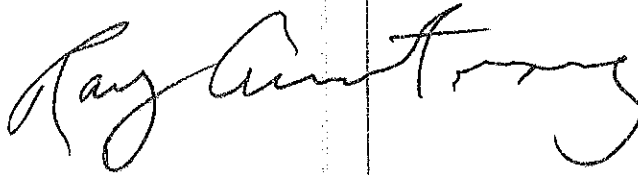
This happened in the daytime. The road had a chain across it.

John Metzger, Point Clear Postmaster cut the chain and put his own lock on it.

Everybody in the neighborhood fought for the right to use Zundel Road.

We still go floundering from time to time at night on Zundel's Road. We drive to the end and walk the beach. The people on the beach don't want us walking the beach.

This Ordinance concerns me for this reason.

A handwritten signature in cursive script that reads "Ray Armstrong". The signature is written in dark ink and is positioned to the right of the printed name.

Ray Armstrong

Commissioners and Protectors of Water Rights:
Community Watch Report
Robin Hutchison

July 25, 2009

Zundel's Road
Close Watch

I interviewed Frank Wallace from Loxley, AL about 30 minutes before sunset Friday night. He and his friend Jimmy R. Wallace from Robertsedale were just setting up to wade in the waters and throw their cast nets at the end of Zundel's Road in Point Clear, AL. Frank Wallace was 77 years old and Jimmy Wallace was 50 years old. I asked how long they had been coming to Zundel's and fishing. He said about 50 years. I asked how long they stayed at night to fish. He said maybe a couple of hours after sunset. Whenever it got too dark to see.

I told him of the Commissions intent to put concrete posts at the head of the lane and asked how that would affect them.

He said it would be a disservice to the senior citizens because they couldn't walk that far and carry their equipment. He said that he couldn't fish at Zundel's anymore if it had obstructions. I told him to call David Ed Bishop on Monday and tell him that.

I called Frank Wallace for permission to send this letter and was given permission at 9:46 AM July 25, 2009
His phone number is 1-251-964-5946

In His Service
Robin Hutchison
Community Watch Zundel Road

John & Nancy Falck -

August 8 AM
2005

John has been coming 1945. We have grandchildren as well as ourselves who need this access to our bay. With obstruction, it would hamper being able to use this public access at our age - especially with health & children as well.

P.O. Box 192
Fairhope AL 36533
928-5340

David Bishop-

11142 Co. Rd. 32
South River Park
928-2349 36532

Against it still
Phone call 7:51
May

Been awhile @ 30 yrs.
AJ Cabana - Student
251-259-0628
1138 Fairfield Dr. 36532

Save our Public

Accesses /

Kayak

AJ.cabana.va@gmail.com

Zundel against
barricade

PM August 8 Weeks Bay Boat
2009
Mike Lukas

4661- Emperor DR. 36608

M.H. 36606

421-4275

CHARLES CALGAZA

62 Sherwood DR

M.H. 36606

Kelly M Fulmer

1166 Terrell Rd

Mohr, Al. 36605

~~554~~ 554-9003
1-251-

Jennifer Brown

654 Murphy Ave.

Fairhope, AL. 36532.

928-5219