407 E. Laurel Ave.
Foley, AL 36535

251-943-1545
Fax (251) 952-4014
www.cityoffoley.org

City of Foley
CLERKS OFFICE

Kathryn A. Taylor, CMC
CITY CLERK

Kate Embry
ASSISTANT CITY CLERK

4BCC
RC
KC

RECEIVED
JAN 23 2019
BY: MH

January 18, 2019

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

RE: Vickey French; Totsch/Moore; Cheryl & Cotton Bayou 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 are copies of annexations for Vickey French for PPIN # 3328 consisting of 0.992 +/- acres located on Robert Lane Road in Foley, Alabama. The property is zoned as AO (Agricultural Open Space) consisting of 1 home and 2 Caucasian adults;

Totsch/Moore for PPIN #s 68039 and 93449 consisting of 5.605 +/- acres located off Miflin Road (County Road 20) in Foley, Alabama. The property is zoned as B-3 (Local Business District) consisting of 0 homes;

Cotton Bayou Development, LLC/Foley Farm, LLC for PPIN #s 66267, 378444 and 378445 consisting of 29.54 +/- acres located on County Road 65 in Foley, Alabama. The property is zoned as R-1D (Residential Single Family) consisting of 0 homes;

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

Kathryn Taylor, CMC
City Clerk

MAYOR John E. Koniar • CITY ADMINISTRATOR Michael L. Thompson
COUNCIL MEMBERS J. Wayne Trawick • Vera J. Quaites • Ralph G. Hellmich • Cecil R. Blackwell • Charles J. Ebert III

City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Ordinance: 18-2025-ORD

File Number: 18-0369 **Enactment Number: 18-2025-ORD**

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

WHEREAS, on the 19th day of July, 2018, Vicky French being the owner 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 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# 05-54-07-26-0-000-029.001; PIN # 3328

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

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 9/28/2018 1:27 PM
TOTAL $ 43.00
11 Pages

1722286

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 September 2018.

CITY OF FOLEY CORPORATE SEAL FOLEY, ALABAMA

President's Signature _____ **Date** 9-7-18

Attest by City Clerk _____ **Date** 9-7-18

Mayor's Signature _____ **Date** 9/7/18

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, September 19, 2018."

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 (I 975).

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 11th day of July, 2018

Vicky S French
Petitioner's Signature

Vicky S French
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 11th day of July, 2018, before me personally appeared Vicky S. French, 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.

Brenda W. Shamblo
NOTARY PUBLIC
My Commission Expires: 4/04/2020

BRENDA W. SHAMBLO NOTARY PUBLIC STATE AT LARGE ALABAMA

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-IA	Residential Single Family
☐	R-IB	Residential Single Family
☐	R-IC	Residential Single Family
☐	R-ID	Residential Single Family
☐	R-IR	Restricted Residential Single Family
☐	R-2	Residential Single Family & Duplex
☐	R-3	Residential Multi Family
☐	R-4	Residential Single Family & Duplex
☐	GPH-I	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-IA	Commercial Extended Business District
☐	B-2	Commercial Neighborhood Business District
☐	B-3	Commercial Local Business District
☐	PO	Preferred Office District
☐	M-I	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
COUNTY OF BALDWIN

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that VICKY S. COCKERHAM, formerly known as VICKY S. BLACK, an unmarried woman, 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 VICKY S. COCKERHAM, or her successor as TRUSTEE OF THE VICKY S. COCKERHAM REVOCABLE TRUST AGREEMENT, dated April 16, 1997, hereinafter called the "Grantee," receipt of which is hereby acknowledged, does hereby (subject to the matters hereinafter set out) GRANT, BARGAIN, SELL and CONVEY unto said Grantee, her successors and assigns, in fee simple, forever, all that real property in Baldwin County, Alabama, described as follows, to-wit:

PARCEL ONE: Commence at the Northwest corner of the Southwest quarter, Section 26, Township 7 South, Range 4 East, thence South along the West line of said quarter section 707.35 feet; thence 89 degrees 56 minutes left; 20.0 feet to the Point of Beginning. That point being also on the East right-of-way line of a dirt road, thence continue along last described course 180.0 feet, thence 89 degrees 56 minutes right; 120.0 feet, thence 90 degrees 04 minutes right; 180.0 feet to a point on said right-of-way line. Thence 89 degrees 56 minutes right; 120.0 feet to the Point of Beginning.

PARCEL TWO: Commence at the Northwest corner of the Southwest quarter, Section 26, Township 7 South, Range 4 East, thence South along the West line of said quarter section 587.35 feet; thence 89 degrees 56 minutes left; 20.0 feet to the Point of Beginning. That point being also on the East right of way line of a dirt road, thence continue along last described course 180.0 feet, thence 89 degrees 56 minutes right; 120.0 feet, thence 90 degrees 04 minutes right; 180.0 feet to a point on said right of way line. Thence 89 degrees 56 minutes right; 120.0 feet to the Point of Beginning. Containing 0.50 acres, according to plat of survey of McNeil Robinson registered surveyor No. 1065, dated December 15, 1977.

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

TO HAVE AND TO HOLD unto the said Grantee, her successors and assigns, 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.

2. Oil, gas and mineral lease as contained in instrument by Nolan W. T. Schlichting and Frances M. Schlichting to J. D. Tufts dated November 2, 1973 and recorded in Deed Book 451, page 351, Baldwin County, Alabama, Probate Records.

(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, Grantee's successors and assigns, 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 has 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

BK 755 PAGE 1849

and possession of said property unto the Grantee, Grantee's successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set her hand and seal on this 13 day of May, 1997.

Vicky S. Cockerham
VICKY S. COCKERHAM, f/k/a
VICKY S. BLACK

GRANTOR'S ADDRESS:
6711 Cadet Ave
Ft Myers, Fl 33905

GRANTEE'S ADDRESS:
6711 Cadet Ave
Ft Myers, Fl 33905

STATE OF Florida
COUNTY OF Lee

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that VICKY S. COCKERHAM, f/k/a VICKY S. BLACK, 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, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this, the 13th day of May, 19 97.

Lowell Schoenfeld
NOTARY PUBLIC

THIS INSTRUMENT PREPARED,
WITHOUT EXAMINATION OF TITLE, BY:

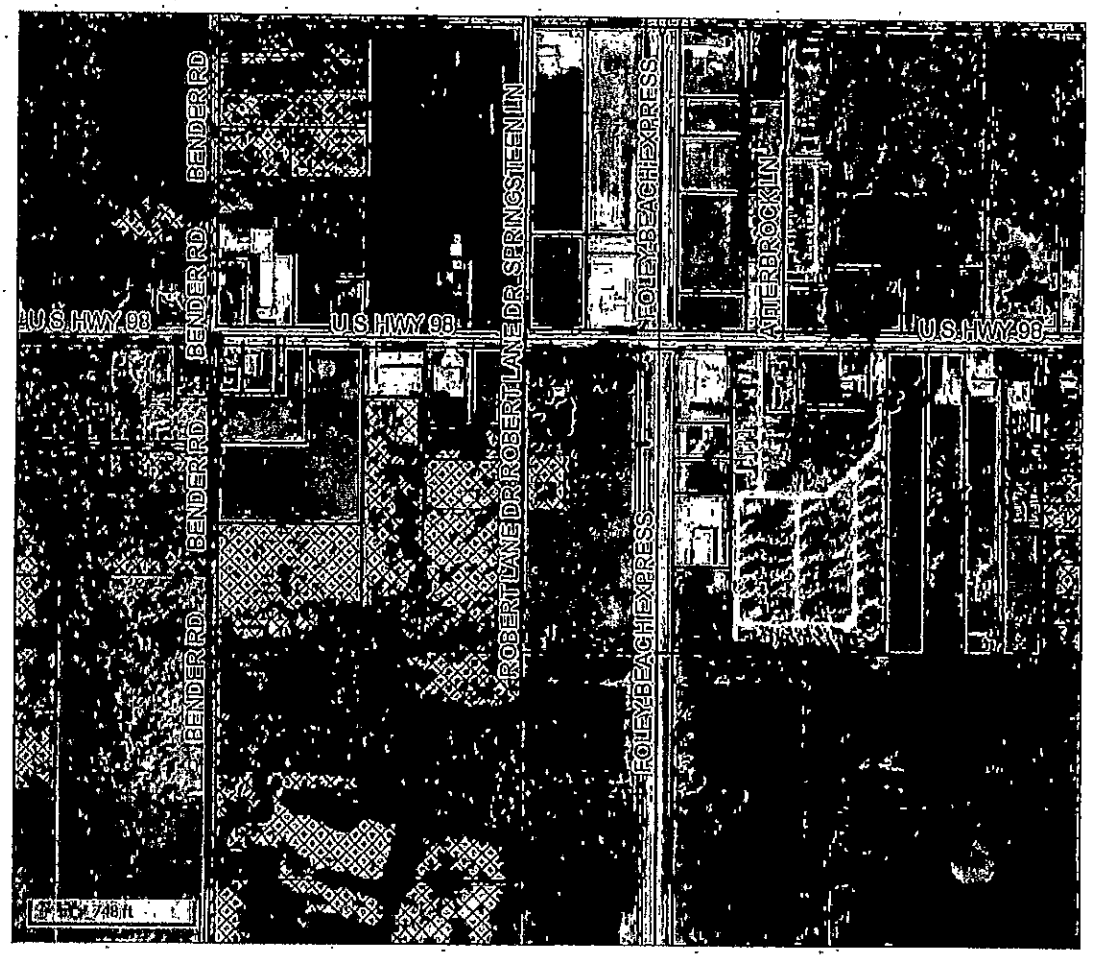
JULIAN B. BRACKIN
BRACKIN AND McGRIFF, P.C.
Post Office Box 998
Foley, Alabama 36536
334/943-4040

NOTARY PUBLIC STATE OF FLORIDA
OFFICIAL NOTARY SEAL
LOWELL SCHOENFELD
COMMISSION NUMBER
CC431650
MY COMMISSION EXP.
JAN. 4,1999

BK 755 PAGE 1850

JUL 28 1 53 PM '97
75.50
CB 755/1848-50

Beacon™ City of Foley, AL



Overview

Legend

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

PIN - 3328
Par Num - 029.001
Acreage - 0.992
Subdivision -
Lot -
Street Name - ROBERT LANE DR
Street Number - 12370
Improvement - RES

Name - COCKERHAM, VICKY S AS TRUSTEE OF THE VIC
Address1 - 6711 CADET AVE
Address2 -
Address3 -
City - FORT MYERS
State - FL
Zip - 33905

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: 7/17/2018
Last Data Uploaded: 7/16/2018 8:53:02 PM

Developed by Schneider GEOSPATIAL

COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

July 17, 2018

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, AL 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 # 3328 be prezoned 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 Qualtes; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Fiscal year ended 9/30/2018

Tract #5

INFRASTRUCTURE ADDITIONS DUE TO

Annexation

DATE ANNEXED/ACCEPTED: **6-Aug-18**

Resolution, Ordinance Act# (etc): **???**

ROW Acceptance Ordinance#

Data Collection by: Randy Kurtts Date: 7/25/2018

(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 3328 French

Border County? Y N Quadrant: NW NE SW SE

BEGIN ROAD SEGEMENT

Road Name: **Robert Lane - Unimproved road**

Segment Observed: FROM: CL of US 98 487 LF south to NW property corner

TO: 240 LF south to SW property corner

TRAFFIC USE: **Light** Moderate Heavy

TYPE: **Residential** Business Industrial

SURFACE (RS):

Length: 240 ft Road Width: Thickness: N/A

Estimated Life remaining (new=20 years): 20 Years Surface Condition: dirt

240 LF $ - (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

240 LF $ - (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: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (if not new, see above)

RIGHTS OF WAY (RW)
road Length= 240 LF width=17.5ft (half of 35ft)
Acers **0.1**
Accounting Valuation$ **$500.00**
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 $_____

City of Foley, AL

Signature Copy

Ordinance: 18-2029-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 11/28/2018 12:11 PM
TOTAL $ 100.00
30 Pages

1731746

File Number: 18-0502 **Enactment Number: 18-2029-ORD**

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Totsch/Moore)

WHEREAS, on the 11th day of September, 2018, Beverly Moore and Virginia Totsch, who is represented by her Power of Attorney Linda Goodman, 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# 05-61-02-10-0-000-004.004 PPIN# 68039

Tax Map Parcel # 05-61-02-10-0-000-004.004 PPIN# 93449

Section 3. Petitioners requested zoning as B-3 (Commercial Local Business District) for both 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 5th day of November 2018.

CITY OF FOLEY CORPORATE SEAL FOLEY, ALABAMA

President's Signature _____ **Date** 11-7-18

Attest by City Clerk Kathryn Taylor **Date** 11-7-18

Mayor's Signature _____ **Date** 11/8/18

I certify that the foregoing Ordinance was published in the Baldwin Times, a newspaper of general circulation in the City of Foley, in its issue of Friday, November 23, 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 (I 975).

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 23 day of July, 2018.

Beverly Moore
Petitioner's Signature

Linda B Goodman
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 23 day of July, 2018, before me personally appeared Beverly Moore, 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.

Haley Woodward
NOTARY PUBLIC
My Commission Expires: 4/25/22

HALEY WOODWARD NOTARY PUBLIC ALABAMA STATE AT LARGE

STATE OF ALABAMA
BALDWIN COUNTY

On this 10th day of September, 2018, before me personally appeared Linda Goodman, 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: _____

KATHRYN EMBRY NOTARY PUBLIC STATE OF ALABAMA

STATE OF ALABAMA NOTARY PUBLIC
KATHRYN EMBRY
My Commission Expires
March 22, 2021

Parcel No. PID# 05-61-02-10-0-000-004.004

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-I	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-I	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

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
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☐	PUD	Planned Unit Development
☐	PID	Planned Industrial District
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☐	B-1A	Commercial Extended Business District
☐	B-2	Commercial Neighborhood Business District
☒	B-3	Commercial Local Business District
☐	PO	Preferred Office District
☐	M-I	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.

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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

Foley
COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011
FAX (251) 971 -3442

September 12, 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 # 68039 and pin # 93449 be prezoned B-3 (Local Business District).

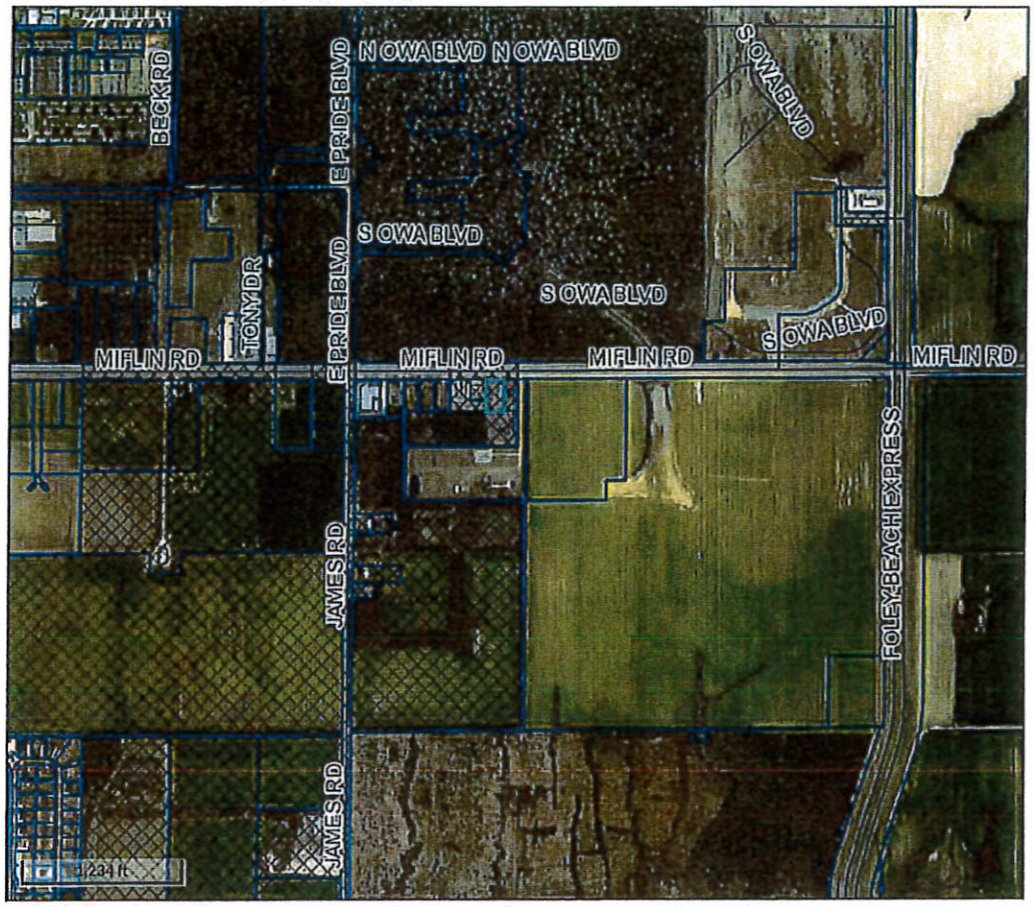
Please let me know if you have any questions or concerns.

Respectfully,

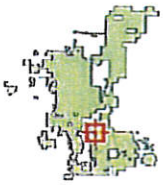
Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar
CITY ADMINISTRATOR: Michael L. Thompson CITY CLERK: Kathryn Taylor
COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Beacon™ City of Foley, AL



Overview



Legend

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

PIN - 68039
Par Num - 004.004
Acreage - 0.716
Subdivision -
Lot -
Street Name -
Street Number - 0
Improvement -

Name - MOORE, BEVERLY J ETAL TOTSCH, VIRGINIA
Address1 - 7060 HURRICANE ROAD LOT 10
Address2 -
Address3 -
City - BAY MINETTE
State - AL
Zip - 36507

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: 9/12/2018
Last Data Uploaded: 9/11/2018 8:46:31 PM

Developed by Schneider Geospatial

STATE OF ALABAMA
BALDWIN COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **FLOSSIE JAMES**, a widow, **ROBERT D. JAMES, JR.**, a married man, **LARRY S. JAMES**, a married man, **WILLIAM RANDLE JAMES**, a married man, and **KAREN D. JAMES PUMPHREY**, hereinafter called the Grantors, for and in consideration of the sum of Ten Dollars ($10.00) cash and other good and valuable considerations to said Grantors in hand paid by **BEVERLY J. MOORE**, a single woman, and **VIRGINIA TOTSCH**, a single woman, hereinafter called the Grantees, receipt of which is hereby acknowledged, does hereby (subject to the matters hereinafter set out) GRANT, BARGAIN, SELL and CONVEY unto the said Grantees, as tenants in common with equal interests in fee simple, forever, all that certain real property in Baldwin County, Alabama, described as follows, to-wit:

Commencing at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama; thence North 89 degrees 43 minutes 50 seconds East, along the North line of said Section 10 for 1031.20 feet to a point; thence South 00 degrees 16 minutes 10 seconds East for 40.00 feet to a pin and cap #18393 located on the South right of way line of County road #20 (80 foot right of way) and Point of Beginning; thence continue South 00 degrees 16 minutes 10 seconds East for 247.83 feet to a pin and cap #18393; thence North 89 degrees 43 minutes 50 seconds East for 135.00 feet to a pin and cap #18393; thence North 00 degrees 16 minutes 10 seconds West for 247.83 feet to a pin and cap #18393 located on said South right of way line; thence South 89 degrees 43 minutes 50 seconds West along said right of way for 135.00 feet to the Point of Beginning as shown in that certain boundary survey of Victor G. Schumer, Alabama Registered Surveyor #18393, dated March 24, 1993.

BK 736 PAGE 1190

SUBJECT TO:

1. Title to the minerals within and underlying the premises, together with mining rights and other rights, privileges and immunities relating thereto as recorded in Deed Book 173 at page 327; Deed Book 173 at page 328 and Real Property Book 91 at page 1220.

2. Any and all zoning, subdivision, or other governmental regulations pertaining to the use of said property.

3. Construction setback from any state or county public road or highway, which may be set by the Federal Highway Administration for Baldwin County.

GRANTORS SPECIFICALLY STATE THAT THE ABOVE DESCRIBED PROPERTY IS NOT GRANTORS' HOMESTEAD.

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

TO HAVE AND TO HOLD unto the said Grantees, as tenants in common with equal interests in fee simple, FOREVER.

And, except as hereinafter set out, the Grantors, for Grantors and Grantors' heirs and personal representatives, hereby covenant to and with said Grantees and Grantees' heirs and assigns, that the Grantors are seized of an indefeasible estate in fee simple in and to said property; that Grantors are in peaceful possession thereof

and have a perfect right to sell and convey the same; that the same is free from all encumbrances and that Grantors will forever warrant and defend the title to and possession of said property unto the said Grantees and Grantees' heirs and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantors have set their hands and seal on this 17th day of February, 1997.

Flossie James
FLOSSIE JAMES

Robert D. James Jr.
ROBERT D. JAMES, JR.

Larry S. James
LARRY S. JAMES

William Randle James
WILLIAM RANDLE JAMES

Karen D. James Pumphrey
KAREN D. JAMES PUMPHREY

BK 736 PAGE 1191

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned notary public in and for said county and state, hereby certify that FLOSSIE JAMES, a widow, 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 said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 6th day of February, 1997.

Marvarlean Little
NOTARY PUBLIC
My Commission Expires: 7-17-00

(Seal)

STATE OF ALABAMA
_____ COUNTY

I, the undersigned notary public in and for said county and state, hereby certify that ROBERT D. JAMES, JR., a married man, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 3 day of Feb., 1997.

Dara F. Adams
NOTARY PUBLIC
My Commission Expires: 10-30-99

(Seal)

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned notary public in and for said county and state, hereby certify that LARRY S. JAMES, a married man, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 6th day of February, 1997.

Marvahlean Little
NOTARY PUBLIC
My Commission Expires: 2-17-00

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned notary public in and for said county and state, hereby certify that WILLIAM RANDLE JAMES, a married man, 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 said instrument, he executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 7th day of February, 1997.

Marvahlean Little
NOTARY PUBLIC
My Commission Expires: 2-17-00

STATE OF ALABAMA
BALDWIN COUNTY

I, the undersigned notary public in and for said county and state, hereby certify that KAREN D. JAMES PUMPHREY, a married woman, 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 said instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this 17th day of February, 1997.

Marvahlean Little
NOTARY PUBLIC
My Commission Expires: 2-17-00

This instrument prepared by
DAVID J. THIES
MURCHISON & SUTLEY, L.L.C.
Attorneys at Law
Post Office Drawer 1320
Foley, AL 36536

Grantor's Address: 9730 James Road, Foley, AL 36535
Grantee's Address: 21200 Miflin Rd Foley 36536

FEB 20 11 53 AM '97

BK 1750 PG 1192

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 (I 975).

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 23rd day of August, 2018

Beverly J. Moore
Petitioner's Signature

Linda P. Goodman
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 23rd day of August, 2018, before me personally appeared Beverly J. Moore, 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.

KAREN G. WILLIAMS NOTARY PUBLIC ALABAMA STATE AT LARGE

Karen G Williams
NOTARY PUBLIC
My Commission Expires: 6/8/2021

STATE OF ALABAMA
BALDWIN COUNTY

On this 10th day of September, 2018 before me personally appeared Linda Goodman, 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 STATE OF ALABAMA

Kathryn Embry
NOTARY PUBLIC
My Commission Expires:

STATE OF ALABAMA NOTARY PUBLIC
KATHRYN EMBRY
My Commission Expires
March 22, 2021

Parcel # 05-44-22-10-0-000-004.009

ATTACHMENT TO PETITION

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

☐	R-lA	Residential Single Family
☐	R-lB	Residential Single Family
☐	R-lC	Residential Single Family
☐	R-lD	Residential Single Family
☐	R-lR	Restricted Residential Single Family
☐	R-2	Residential Single Family & Duplex
☐	R-3	Residential Multi Family
☐	R-4	Residential Single Family & Duplex
☐	GPH-I	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-l	Central Business District
☐	B-lA	Commercial Extended Business District
☐	B-2	Commercial Neighborhood Business District
☒	B-3	Commercial Local Business District
☐	PO	Preferred Office District
☐	M-I	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

ATTACHMENT TO PETITION

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

☐	R-lA	Residential Single Family
☐	R-lB	Residential Single Family
☐	R-lC	Residential Single Family
☐	R-lD	Residential Single Family
☐	R-lR	Restricted Residential Single Family
☐	R-2	Residential Single Family & Duplex
☐	R-3	Residential Multi Family
☐	R-4	Residential Single Family & Duplex
☐	GPH-I	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-l	Central Business District
☐	B-lA	Commercial Extended Business District
☐	B-2	Commercial Neighborhood Business District
☒	B-3	Commercial Local Business District
☐	PO	Preferred Office District
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☐	H	Overlying area of Historic District

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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

COMMUNITY DEVELOPMENT DEPARTMENT
200 NORTH ALSTON STREET
Foley, Alabama 36535
www.cityoffoley.org

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

September 12, 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 # 68039 and pin # 93449 be prezoned B-3 (Local Business District).

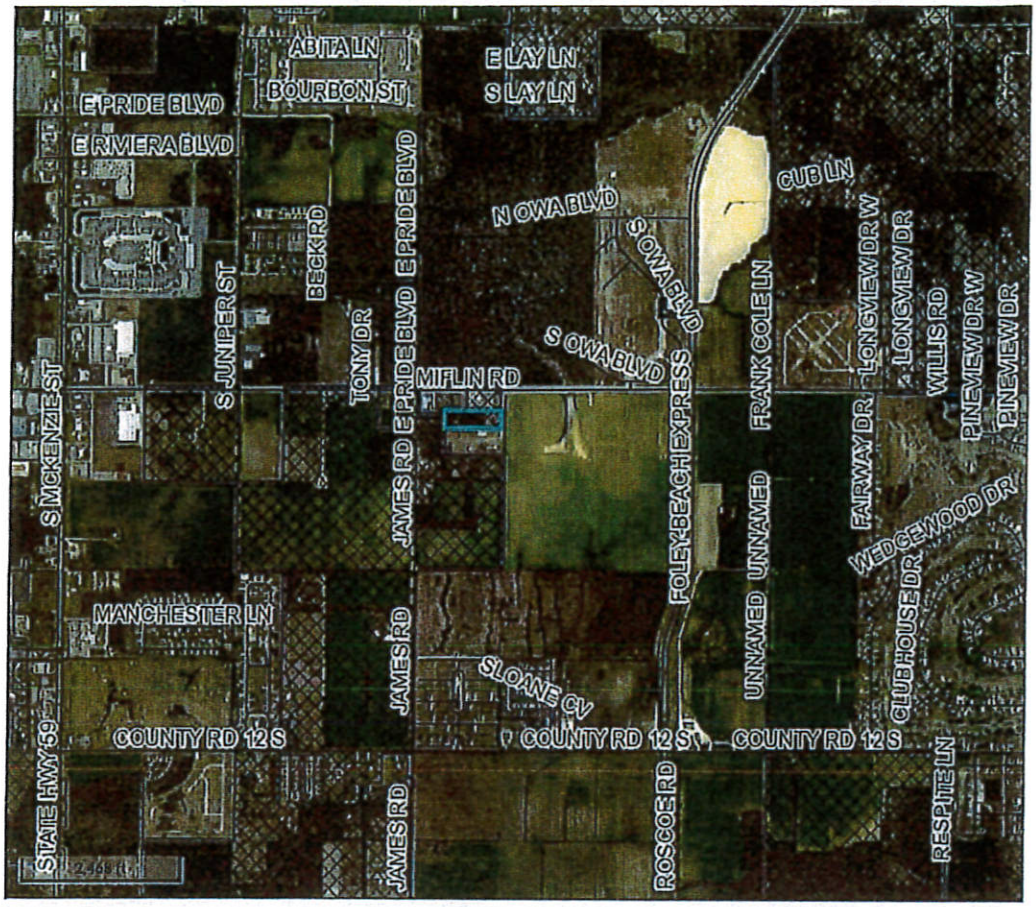
Please let me know if you have any questions or concerns.

Respectfully,

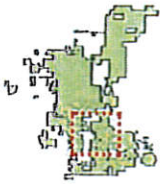
Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar
CITY ADMINISTRATOR: Michael L. Thompson CITY CLERK: Kathryn Taylor
COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III

Beacon™ City of Foley, AL



Overview



Legend

- Centerlines
- Foley City Limits
- County Mask
- Parcels

PIN - 93449
Par Num - 004.009
Acreage - 4.889
Subdivision -
Lot -
Street Name - MIFLIN RD
Street Number - 21200
Improvement -

Name - TOTSCH, VIRGINIA ETAL MOORE, BEVERLY J
Address1 - 7060 HURRICANE ROAD LOT 10
Address2 -
Address3 -
City - BAY MINETTE
State - AL
Zip - 36507

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STATE OF ALABAMA)
BALDWIN COUNTY)

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 3/22/2013 12:36 PM
Deed Tax $ 53.00
TOTAL $ 71.00
3 Pages

1389911

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) in cash and other good and valuable consideration, to the undersigned Grantor, in hand paid by the Grantees herein the receipt and sufficiency of which is hereby acknowledged, I, Virginia Totsch, as the President of BAYSIDE BLIND, INC., correct name being BAYSIDE BLINDS COMPANY, INC., an Alabama corporation and individually as VIRGINIA TOTSCH, a single woman and BEVERLY J. MOORE, as the Secretary/Treasurer of BAYSIDE BLIND, INC., correct name being BAYSIDE BLINDS COMPANY, INC, an Alabama corporation and individually as BEVERLY J. MOORE, a single woman, herein referred to as Grantors, hereby RELEASE, QUITCLAIM, GRANT, SELL, and CONVEY to VIRGINIA TOTSCH, a single woman, and BEVERLY J. MOORE, a single woman, herein referred to as Grantees, all of the Grantors' right, title, interest, and claim in or to the following described real estate, situated in Baldwin County, Alabama, to-wit.

> Commence at the Northwest corner of Section 10, being located in Township 8 South, Range 4 East, run thence East along the centerline of County Road 20 a distance of 1267.5 feet to a point; run thence South a distance of 40 feet to an iron pin on the South margin of said road; run thence South along a row of posts a distance of 247.8 feet to an iron pin for the point of beginning; run thence South 256.5 feet to an iron pin, run thence West 851.6 feet to an iron pin; run thence North 256.5 feet to an iron pin, run thence East 849 feet to an iron pin, the point of beginning.

TOGETHER WITH all and singular the rights, members, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

CONVEYANCE of the above described property and all covenants and warranties of the Grantors hereunder (whether express, implied or statutory) is made SUBJECT TO the following:

1. Lien of taxes hereinafter falling due which Grantees agree to assume.

2. Title to minerals within and underlying the premises, together with mining rights and other rights privileges and immunities relating thereto as recorded in Deed Book 173, page 327, Real Property Book 230, page 699; Real Property Book 328, page 231 and Real Property Book 328, page 229.

3. Oil, gas and mineral lease granted to Joe D. Edward by instrument dated November 7, 1968 and filed for record in Deed Book 380, page 775.

4. Restrictions appearing of record in Real Property Book 328 at page 299 and Real Property Book 328, page 1503 and any amendments thereof.

The premises are conveyed subject to any and all easements of record in the Land Records of the Probate Court of Baldwin County, Alabama.

This was not the homestead of the Grantors and will not be the homestead of the Grantees.
TO HAVE AND TO HOLD to said GRANTEES forever.
IN WITNESS WHEREOF, we have hereunto set our hands and seal this 22nd day of March, 2013.

Virginia Totsch
Virginia Totsch, President of
BAYSIDE BLIND, INC., actually BAYSIDE BLINDS COMPANY, INC., Grantor, and also as

Virginia Totsch
Virginia Totsch, Individually as Grantor

AND

Beverly J. Moore
Beverly Moore, Secretary/Treasurer of
BAYSIDE BLIND, INC., actually BAYSIDE BLINDS COMPANY, INC., Grantor, and also as

Beverly J. Moore
BEVERLY MOORE, Individually as Grantor

STATE OF Alabama)
COUNTY OF Baldwin)

On this 22nd day of March 2013, before me, Sheila Virginia Schoen, the undersigned officer a Notary Public in and for said County, in said State, personally appeared Virginia Totsch who acknowledged herself to be the President of BAYSIDE BLINDS COMPANY, INC., a corporation, erroneously listed on that Warranty Deed recorded in Real Property Book 451 page 308 as BAYSIDE BLIND, INC., and that she, as such President, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as President and individually.

Given under my hand and official seal this 22nd day of March, 2013.

Sheila Virginia Schoen
Notary Public
My Commission expires: 9/13/16

SHEILA VIRGINIA SCHOEN NOTARY PUBLIC ALABAMA STATE AT LARGE

STATE OF Alabama)
COUNTY OF Baldwin)

On this 21st day of March 2013, before me, Sheila Virginia Schoen, the undersigned officer a Notary Public in and for said County, in said State, personally appeared Beverly J. Moore who acknowledged herself to be the Secretary/Treasurer of BAYSIDE BLINDS COMPANY, INC., a corporation, erroneously listed on that Warranty Deed recorded in Real Property Book 451 page 308 as BAYSIDE BLIND, INC., and that she, as such Secretary/Treasurer, being authorized so to do, executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by herself as Secretary/Treasurer and individually.

Given under my hand and official seal this 21st day of March, 2013.

Sheila Virginia Schoen
Notary Public
My Commission expires: 9/13/16

SHEILA VIRGINIA SCHOEN NOTARY PUBLIC STATE OF ALABAMA

Grantor Bayside Blinds Company, Inc. aka Bayside Blind, Inc. Address:

Virginia Totsch
7582 Riverwood Drive
Foley, Alabama 36535

Grantors' Addresses:

Virginia Totsch
7582 Riverwood Drive
Foley, Alabama 36535

Beverly J. Moore
7060 Hurricane Road #10
Bay Minette, Alabama 36507

Grantees' Addresses:

Virginia Totsch
7582 Riverwood Drive
Foley, Alabama 36535

Beverly J. Moore
7060 Hurricane Road #10
Bay Minette, Alabama 36507

No representation is made as to the chain of title for the above described property. No title search was performed. Property description was provided by Grantor.

This instrument prepared by Sheila Stone Schoen, Attorney at Law
Post Office Box 391 Elberta, Alabama 36530
251-986-5551

DURABLE POWER OF ATTORNEY

IMPORTANT INFORMATION

This power of attorney authorizes another person (your agent) to make decisions concerning your property for you (the principal). Your agent will be able to make decisions and act with respect to your property (including your money) whether or not you are able to act for yourself. The meaning of authority over subjects listed on this form is explained in the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, Code of Alabama 1975.

This power of attorney does not authorize the agent to make health care decisions for you. Such powers are governed by other applicable law.

You should select someone you trust to serve as your agent. Unless you specify otherwise, generally the agent's authority will continue until you die or revoke the power of attorney or the agent resigns or is unable to act for you.

Your agent is entitled to reimbursement of reasonable expenses and reasonable compensation unless you state otherwise in the Special Instructions.

This form provides for designation of one agent. If you wish to name more than one agent you may name a co-agent in the Special Instructions. Co-agents are not required to act together unless you include that requirement in the Special Instructions.

If your agent is unable or unwilling to act for you, your power of attorney will end unless you have named a successor agent. You may also name a second successor agent.

If you have questions about the power of attorney or the authority you are granting to your agent, you should seek legal advice before signing this form.

SECTION I: DESIGNATION OF AGENT

I, Virginia Totsch, name the following person as my agent:

Name of Agent: Linda Goodman

Agent's Address: 1503 Old County Road, Daphne AL

Agent's Telephone Number: (251) 626.7913 (251) 751.1045

Name of Co-Agents:

None _____ _____

_____ _____

Address *Address*

_____ _____

Telephone: _____ Telephone: _____

_____ Co-Agents may exercise his/her authority independently

_____ Co-Agents may NOT exercise his/her authority independently.

SECTION II: DESIGNATION OF SUCCESSOR AGENT(S)

If my agent is unable or unwilling to act for me, I name as my successor agent:

Name of Successor Agent: Jeffrey E. Totsch

Successor Agent's Address: 2604 Cook Road, Foley AL

Successor Agent's Telephone Number: (251) 949.5323 (251) 978.6950

If my successor agent is unable or unwilling to act for me, I name as my second successor agent:

Name of Second Successor Agent: Walter E. "Pete" Totsch, Jr.

Second Successor Agent's Address: 1709 Downing Rd, Waynesboro, Tenn.

Second Successor Agent's Telephone Number: (931) 722.7519 or 306.3331

SECTION III: GRANT OF GENERAL AUTHORITY

I grant my agent and any successor agent general authority to act for me with respect to the following subjects as defined in the Alabama Uniform Power of Attorney Act, Chapter 1A, Title 26, Code of Alabama 1975:

I grant my agent and any successor agent general authority over all of the subjects enumerated in this section.

Virginia Totah
Principal

OR

If you wish to grant specific authority over less than all subjects enumerated in this section you must INITIAL by each subject you want to include in the agent's authority:

_____ Real Property as defined in Section 26-1A-204
_____ Tangible Personal Property as defined in Section 26-1A-205
_____ Stocks and Bonds as defined in Section 26-1A-206
_____ Commodities and Options as defined in Section 26-1A-207
_____ Banks and Other Financial Institutions as defined in Section 26-1A-208
_____ Operation of Entity or Business as defined in Section 26-1A-209
_____ Insurance and Annuities as defined in Section 26-1A-210
_____ Estates, Trusts, and Other Beneficial Interests as defined in Section 26-1A-211
_____ Claims and Litigation as defined in Section 26-1A-212
_____ Personal and Family Maintenance as defined in Section 26-1A-213
_____ Benefits from Governmental Programs or Civil or Military Service as defined in Section 26-1A-214
_____ Retirement Plans as defined in Section 26-1A-215
_____ Taxes as defined in Section 26-1A-216
_____ Gifts as defined in Section 26-1A-217

SECTION IV: GRANT OF SPECIFIC AUTHORITY

My agent MAY NOT do any of the following specific acts for me UNLESS I have INITIALED the specific authority listed below:

CAUTION: Granting any of the following will give your agent the authority to take actions that could significantly reduce your property or change how your property is distributed at your death.

INITIAL the specific authority you WANT to give your agent.)

V.T.V Create, amend, revoke, or terminate an inter vivos trust, by trust or applicable law

V.T. Make a gift to which exceeds the monetary limitations of Section 26-1A-217 of the Alabama Uniform Power of Attorney Act, but subject to any special instructions in this power of attorney

V.T. Create or change rights of survivorship

V.T. Create or change a beneficiary designation

V.T. Authorize another person to exercise the authority granted under this power of attorney

V.T Waive the principal's right to be a beneficiary of a joint and survivor annuity, including a survivor benefit under a retirement plan

V.T. Exercise fiduciary powers that the principal has authority to delegate

SECTION V: LIMITATIONS ON AGENT'S AUTHORITY

An agent that is not my ancestor, spouse, or descendant MAY NOT use my property to benefit the agent or a person to whom the agent owes an obligation of support unless I have included that authority in the Special Instructions.

Limitation of Power. Except for any special instructions given herein to the agent to make gifts, the following shall apply:

Any power or authority granted to my Agent herein shall be limited so as to prevent this Power of Attorney from causing any Agent to be taxed on my income or from causing my assets to be subject to a "general power of appointment" by my Agent as defined in 26 U.S.C.S. § 2041 and 26 U.S.C.S. § 2514 of the Internal Revenue Code of 1986, as amended.

My Agent shall have no power or authority whatsoever with respect to any policy of insurance owned by me on the life of my Agent, or any trust created by my Agent as to which I am a trustee.

SECTION VI: SPECIAL INSTRUCTIONS

You may give special instructions on the following lines. For your protection, if there are no special instructions write NONE in this section.

None

SECTION VII: EFFECTIVE DATE

V.T. This power of attorney is effective immediately unless I have stated otherwise in the Special Instructions.

_____ This power of attorney shall become effective only if I become incapacitated, as determined by:

_____ A physician or licensed psychologist
_____ A Judge
_____ _____,
being the person(s) I authorize to determine my incapacity.

SECTION VIII: NOMINATION OF CONSERVATOR OR GUARDIAN *(OPTIONAL)*

If it becomes necessary for a court to appoint a conservator or guardian of my estate or guardian of my person, I nominate the following person(s) for appointment:

Name of Nominee for conservator of my estate: Linda Goodman

Nominee's Address: 1503 Old County Road, Daphne, AL

Nominee's Telephone Number: (251) 626.7913

Successor Nominee for conservator of my estate: Jeffrey Totsch

Successor Nominee's Address: 2604 Cook Road

Successor Nominee's Telephone Number: (251) 949.5323

Name of Nominee for guardian of my person: Linda Goodman

Nominee's Address: 1503 Old County Road, Daphne, AL

Nominee's Telephone Number: (251) 626.7913

Successor Nominee for guardian of my person: Jeffrey Totsch

Successor Nominee's Address: 2604 Cook Road

Successor Nominee's Telephone Number: (251) 949.5323

SECTION IX: DURABILITY

V.T.

_____ This power of attorney is durable in that it shall not be affected by my incapacity .
_____ This power of attorney is not durable and in the event of my incapacity, it shall be ineffective.

SECTION X: RELIANCE ON THIS POWER OF ATTORNEY

Any person, including my agent, may rely upon the validity of this power of attorney or a copy of it unless that person knows it has terminated or is invalid.

Virginia Totsch

Your Name Printed: Virginia Totsch

Your Address: 7582 Riverwood Dr., Foley, AL 36535

Your Telephone Number: (251) 949-6441

State of Alabama)
County of Baldwin)

I, the undersigned Notary Public, in and for the said County in said State, hereby certify that Virginia Totsch, whose name is signed to the foregoing document, and who is or was made known to me, acknowledged before me on this day that, being informed of the contents of the document, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 22nd day of February, 2012.

Sheila Virginia Schoen
Notary Public
My commission expires: 9/13/16

This document prepared by:

Sheila Stone Schoen
Attorney at Law
Post Office Box 391
Elberta, Alabama 36530
(251) 986-5551

SHEILA VIRGINIA SCHOEN NOTARY PUBLIC ALABAMA STATE AT LARGE

Fiscal year ended 9/30/2018

INFRASTRUCTURE ADDITIONS DUE TO

Annexation 10-Sep-18

DATE ANNEXED/ACCEPTED: ????

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 93449 Totsch

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

Parcel Landlocked

Fiscal year ended 9/30/2018

INFRASTRUCTURE ADDITIONS DUE TO

Annexation Sept. 10 , 2018

DATE ANNEXED/ACCEPTED: ????

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 68039 Moore

Border County? Y N Quadrant: NW NE SW SE

Value accounted during CR20 Widening project

City of Foley, AL

Signature Copy

Ordinance: 18-2031-ORD

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 11/28/2018 12:14 PM
TOTAL $ 118.00
36 Pages

1731748

File Number: 18-0470 **Enactment Number: 18-2031-ORD**

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY OWNED BY COTTON BAYOU DEVELOPMENT, LLC/FOLEY FARM LLC

WHEREAS, on the 6th day of September, 2018, Cotton Bayou Development, LLC being the owner 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 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:

PARCEL A
Tax Map Parcel ID# 05-61-03-07-0-000-003.000 PPIN# 66267

PARCEL B
Tax Map Parcel ID# 05-61-03-07-0-000-003.149 PPIN# 378444

PARCEL C
Tax Map Parcel ID# 05-61-03-07-0-000-003.150 PPIN# 378445

Section 3. Petitioner requested zoning as R-1D (Residential Single Family) for all parcels. The initial zoning will be placed on the September 19, 2018 Planning Commission Agenda.

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 5th day of November 2018.

CITY OF FOLEY CORPORATE SEAL FOLEY, ALABAMA

President's Signature _____ **Date** 11-7-18

Attest by City Clerk Kathryn Taylor **Date** 11-7-18

Mayor's Signature _____ **Date** 11/8/18

I certify that the foregoing Ordinance was published in the Baldwin Times, a newspaper of general circulation in the City of Foley, in its issue of Friday, November 23, 2018."

Kathryn Taylor
Kathryn Taylor, CMC
City Clerk

Dewberry

Dewberry Engineers Inc.
25353 Friendship Road
Daphne, AL 36526

251.990.9950
251.990.9910 fax
www.dewberry.com

August 27, 2018

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

RE: FOLEY FARM'S PARCELS A, B, & C
Annexation Application

Dear Ms. Boutwell:

Please find enclosed a Petition for Annexation for Foley Farm's Parcels A, B, and C. 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 Deed
- Articles of Incorporation
- List of Adjacent Property Owners
- 36" 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: Rosewood Subdivision
File (50106121)

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 14th day of August, 2018.

J. Patrick Chapman (managing Member)
Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 14th day of August, 2018, before me personally appeared Patrick Chapman, 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.

REBECCA L. MCELHENNEY NOTARY PUBLIC STATE OF ALABAMA

Rebecca L. McElhenney
NOTARY PUBLIC
My Commission Expires: 7/3/2021

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-IA	Residential Single Family
☐	R-IB	Residential Single Family
☐	R-IC	Residential Single Family
☒	R-ID	Residential Single Family
☐	R-IR	Restricted Residential Single Family
☐	R-2	Residential Single Family & Duplex
☐	R-3	Residential Multi Family
☐	R-4	Residential Single Family & Duplex
☐	GPH-I	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-I	Central Business District
☐	B-IA	Commercial Extended Business District
☐	B-2	Commercial Neighborhood Business District
☐	B-3	Commercial Local Business District
☐	PO	Preferred Office District
☐	M-I	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

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 _____

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

J. Paul Chapman 8/14/18

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?
☐ Yes ☐ No

COTTON BAYOU DEVELOPMENT, LLC
10505-B COUNTY ROAD 65
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 of Foley Farm's Parcels A, B, & C.

Sincerely,

Patrick Chapman 8/14/18

Signature Date

J. Patrick Chapman (Managing Member)

Print Name

Foley Farm's Parcels A, B, and C
Subject Parcel Numbers

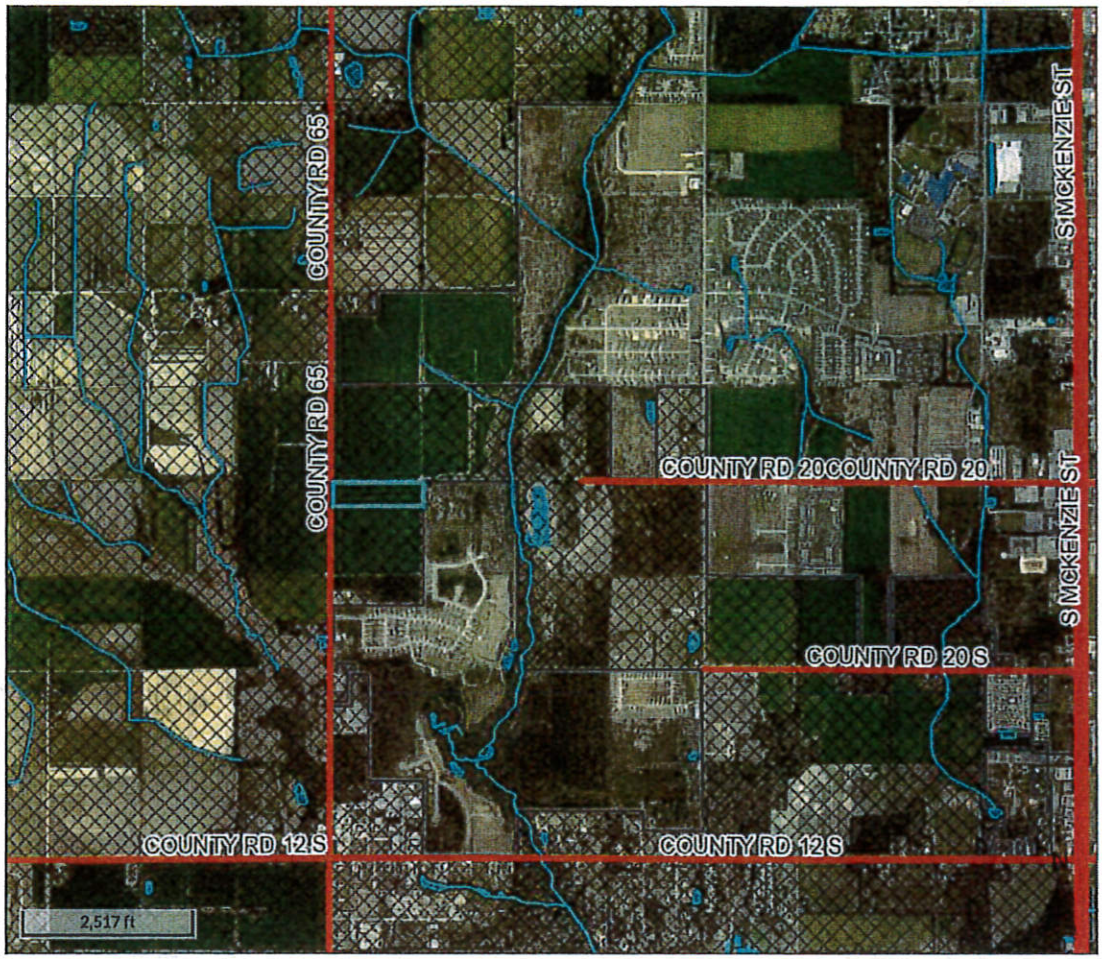
05-61-03-07-0-000-003.000
05-61-03-07-0-000-003.149
05-61-03-07-0-000-003.150

Beacon™ City of Foley, AL

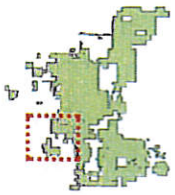
Cotton Bayou Development LLC/Foley Farm's South Annexation

Created by: Katy Taylor

Parcel A: 05-61-03-07-0-000-003.000



Overview



Legend

- Centerlines
- Foley City Limits
- County Mask
- Parcels
- Streams and Creek
- Lakes and Bays

PIN - 66267
Par Num - 003.000
Acreage - 9.836
Subdivision - 01FOLFS
Lot - PAR A
Street Name -
Street Number - 0
Improvement -

Name - FOLEY FARM L L C
Address1 - 303 WHITING CT
Address2 -
Address3 -
City - DAPHNE
State - AL
Zip - 36526

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: 9/6/2018
Last Data Uploaded: 9/5/2018 8:47:10 PM

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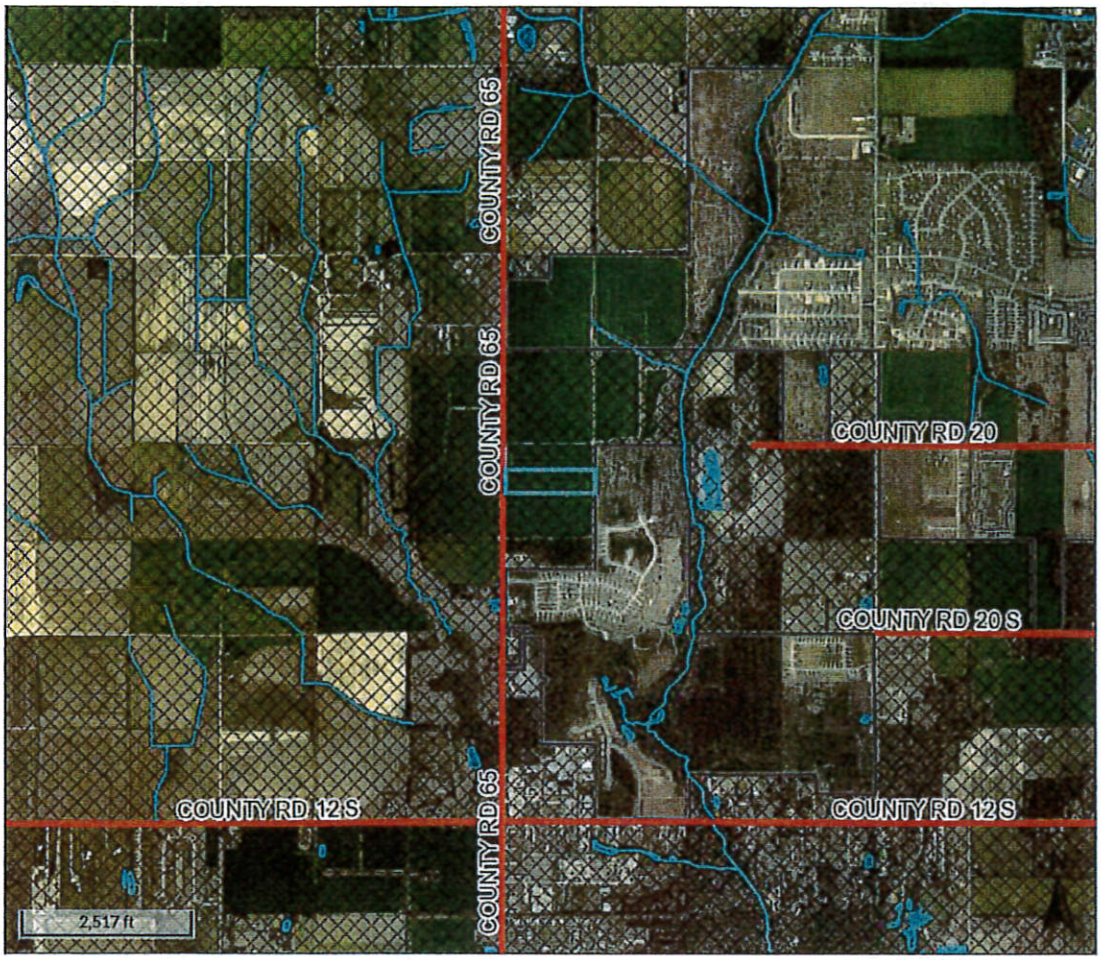
Beacon™ City of Foley, AL

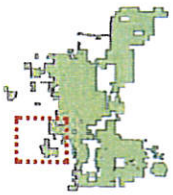
Cotton Bayou Development LLC/Foley Farm's South Annexation

Created by: Katy Taylor

Parcel B: 05-61-03-07-0-000-003.149



Overview



Legend

- Centerlines
- Foley City Limits
- County Mask
- Parcels
- Streams and Creek
- Lakes and Bays

PIN - 378444
Par Num - 003.149
Acreage - 9.847
Subdivision - 01FOLFS
Lot - PAR B
Street Name -
Street Number -
Improvement -

Name -
Address1 -
Address2 -
Address3 -
City -
State -
Zip -

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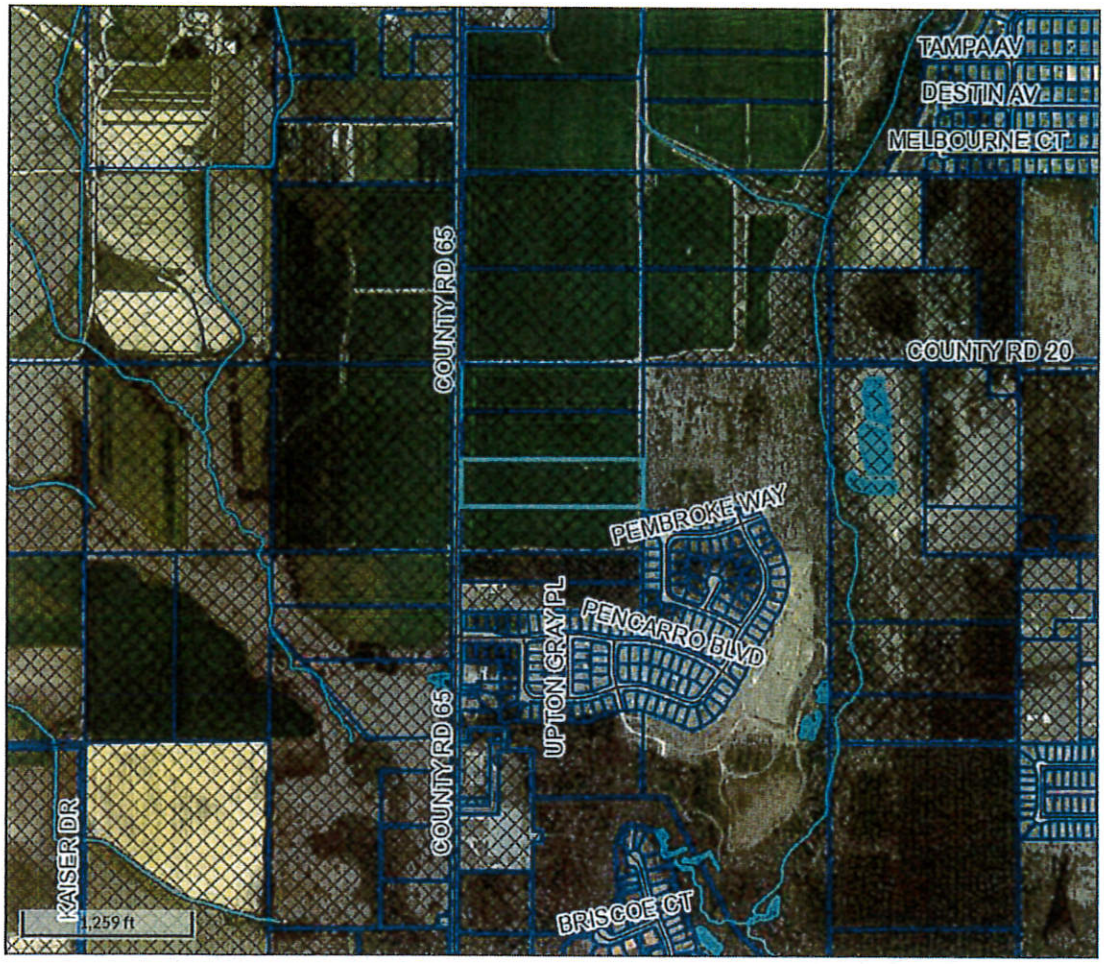
Beacon™ City of Foley, AL

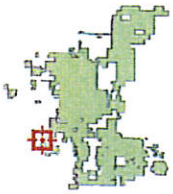
Cotton Bayou Development LLC/Foley Farm's South Annexation

Created by: Katy Taylor

Parcel C: 05-61-03-07-0-000-003.150



Overview



Legend

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

PIN - 378445
Par Num - 003.150
Acreage - 9.857
Subdivision - 01FOLFS
Lot - PAR C
Street Name -
Street Number -
Improvement -

Name -
Address1 -
Address2 -
Address3 -
City -
State -
Zip -

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Date created: 9/6/2018
Last Data Uploaded: 9/5/2018 8:47:10 PM

Developed by Schneider GEOSPATIAL

LEGAL DESCRIPTION

PARCEL A:
PARCEL A OF FOLEY FARM'S SOUTH 4 PARCELS AS SHOWN BY A MAP OR PLAT THEREOF, RECORDED AT SLIDE 2642-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

PARCEL B:
PARCEL B OF FOLEY FARM'S SOUTH 4 PARCELS AS SHOWN BY A MAP OR PLAT THEREOF, RECORDED AT SLIDE 2642-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

PARCEL C:
PARCEL C OF FOLEY FARM'S SOUTH 4 PARCELS AS SHOWN BY A MAP OR PLAT THEREOF, RECORDED AT SLIDE 2642-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA.

16-14527

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 12/28/2016 9:40 AM
DEED TAX $ 292.50
TOTAL $ 310.50
4 Pages
1609990

SPACE ABOVE THIS LINE FOR RECORDING DATA

STATE OF ALABAMA)
COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN AND NO/100 ($10.00) DOLLARS in cash and other good and valuable consideration, to the undersigned GRANTOR, in hand paid by the GRANTEE, herein the receipt whereof is acknowledged, **FOLEY FARM, LLC, an Alabama Limited liability company** (herein referred to as GRANTOR), does hereby GRANT, BARGAIN, SELL AND CONVEY unto **COTTON BAYOU DEVELOPMENT, LLC, an Alabama limited liability company,** (herein referred to as GRANTEE), in fee simple, together with every contingent remainder and right of reversion, all that real property situated in Baldwin County, Alabama, described as follows, to-wit:

PARCEL A:

The South one-half (1/2)of the Northwest Quarter of the Northwest Quarter of Section 7, Township 8 South, Range 4 East in Baldwin County, Alabama. Subject to road right of way for Baldwin County Road 65 along the West side.

PARCEL B:

The North one-half (½) of the Northwest Quarter of the Northwest Quarter of Section 7, Township 8 South, Range 4 East in Baldwin County, Alabama, containing 20 acres more or less. Subject to right of way for Baldwin County 65 along the West side.

PARCEL C:

The South One-Half (½) of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 6, Township 8 South, Range 4 East, Baldwin County, Alabama. Subject to right of way for Baldwin County 65 along the West side.

PARCEL D:

The North One-Half (½) of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 6, Township 8 South, Range 4 East, Baldwin County, Alabama. Subject to right of way for Baldwin County 65 along the West side;

PARCEL E:

The South one-half (½) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), Section 6, Township 8 South, Range 4 East, containing 20 acres more or less. Subject to right of way for Baldwin County 65 along the West side.

PARCEL F:

Mortgage Recorded Simultaneously

The North one-half (½) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), Section 6, Township 8 South, Range 4 East, less and except a five (5) acre tract in the Northwest corner of said twenty (20) acre tract measuring 660 feet from West to East and 330 feet from North to South; Subject to right of way for Baldwin County 65 along the West side.

PARCEL G:

The North five (5) acres of the Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East.

PARCEL H:

The North one-half (½) of the following described tract: Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East, less and except the North five (5) acres and the South 15 acres of said 40 acre tract.

PARCEL I:

The South one-half (½) of the following described tract: Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East, less and except the North 5 (5) acres and the South 15 acres of said 40 acre tract.

PARCEL J:

Northeast 1/4 of Southwest 1/4 of Section 6, T8S, R4E. (comprising 15 acres, more or less).

PARCEL K:

The North one-half (½) of the Southeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East in Baldwin County, Alabama.

PARCEL L:

South ½ of Southeast 1/4 of Southwest 1/4 of Section 6, T8S, R4E. (comprising 20 acres, more or less).

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 4 EAST, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, RUN NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, ALONG THE SOUTH BOUNDARY OF SAID SECTION 6 AND THE NORTH BOUNDARY OF SAID SECTION 7, A DISTANCE OF 28.38 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65 AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; RUN THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65, A DISTANCE OF 2,324.40 FEET TO A POINT; RUN THENCE SOUTH 89 DEGREES 50 MINUTES 51 SECONDS EAST A DISTANCE OF 629.17 FEET TO A POINT; RUN THENCE NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 329.73 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE AFOREMENTIONED SECTION 6; RUN THENCE SOUTH 89 DEGREES 51 MINUTES 07 SECONDS EAST, ALONG SAID NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 2,009.76 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 6; RUN THENCE SOUTH 00 DEGREES 03 MINUTES 34 SECONDS EAST, ALONG THE EAST BOUNDARY OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 2,647.04 FEET TO

THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 6; RUN THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 1,335.80 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OR THE NORTHWEST QUARTER OF THE AFOREMENTIONED SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST; RUN THENCE SOUTH 00 DEGREES 06 MINUTES 19 SECONDS WEST, ALONG THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, A DISTANCE OF 1,324.99 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7; RUN THENCE NORTH 89 DEGREES 59 MINUTES 29 SECONDS WEST, ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, A DISTANCE OF 1,305.39 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65; RUN THENCE NORTH 00 DEGREES 01 MINUTE 03 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65, A DISTANCE OF 1,324.69 FEET TO THE POINT OF BEGINNING; CONTAINING 195.66 ACRES, MORE OR LESS.

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. **Taxes for the year 2017, and subsequent years, which are not yet due and payable.**

2. **Reservations, restrictions, rights of way, easements, building setback lines and drainage and utility lines easements as noted on survey from Raber Surveying dated 12/2/16, project number 161107.**

3. **Any prior reservation of interest in and to the oil, gas, and other minerals and rights in connection therewith.**

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 said above described property unto the said GRANTEE, in fee simple, forever, together with every contingent remainder and right of reversion.

And Grantor does for itself and for its successors and assigns covenant with the said GRANTEE, it's successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances unless otherwise noted above; that it has a good right to sell and convey the same aforesaid; that Grantor, its successors and assigns, WARRANT AND WILL FOREVER DEFEND the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS, WHEREOF, Barbara K. Leavell, as Manager of FOLEY FARM, LLC, and with full authority, has hereunto set her hand and seal this 9th day of Dec, 2016.

FOLEY FARM, LLC

Barbara K Leavell

By: Barbara K. Leavell, Manager

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said County, in said State, hereby certify Barbara K. Leavell, as Manager, of FOLEY FARM, LLC, 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, and with full authority, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of December, 2016.

Angela B. Deese

Notary Public

My Commission expires:

ANGELIA B. DEESE
My Commission Expires
June 29, 2019

GRANTOR'S ADDRESS:

303 Whiting Court
Daphne, AL 36526

GRANTEE'S ADDRESS:

10505-B County Rd. 65
Foley AL 36535

THIS INSTRUMENT WAS PREPARED BY:
McKinney & Associates, P.C., PO Box 2999, Gulf Shores, Alabama 36547, (251) 967-2166
Pltscans/Angel/Deeds/File 16-14527
Prepared from Title Commitment of Professional Land Title, Inc., (Fidelity National Title Insurance Company)

THIS INSTRUMENT PREPARED BY:
Robert J. Riccio, Esq.
HAND ARENDALL LLC
Post Office Box 123
Mobile, Alabama 36601
(251) 432-5511

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/Cert. 6/ 8/2016 1:58 PM
TOTAL $ 58.00
2 Pages

1517402

CERTIFICATE OF FORMATION

OF

COTTON BAYOU DEVELOPMENT, LLC

The undersigned organizer does hereby sign and adopt this Certificate of Formation pursuant to the Alabama Limited Liability Company Law of 2014, as amended from time to time, for the purpose of forming a domestic limited liability company.

ARTICLE ONE – NAME

The name of the limited liability company (the "Company") shall be as follows:

Cotton Bayou Development, LLC

ARTICLE TWO – INITIAL REGISTERED OFFICE AND AGENT

The location and mailing address of the Company's initial registered office, and the name of its initial registered agent at such address, are as follows:

Registered Agent: John Patrick Chapman

Street & Mailing Address: 10505-B County Road 65
Foley, Alabama 36535

ARTICLE THREE – MEMBERSHIP

Upon the filing for record of this Certificate of Formation in the Office of the Judge of Probate of Baldwin County, Alabama, there will be at least one member of the Company and the existence of a limited liability company under the name set forth in Article One hereof, shall commence.

IN WITNESS WHEREOF, the undersigned organizer has executed this Certificate of Formation on the 8th day of June, 2016.

ROBERT J. RICCIO
Organizer

2900927_1

John H. Merrill
Secretary of State

P.O. Box 5616
Montgomery, AL 36103-5616

STATE OF ALABAMA

I, John H. Merrill, Secretary of State of Alabama, having custody of the Great and Principal Seal of said State, do hereby certify that

pursuant to the provisions of Title 10A, Chapter 1, Article 5, Code of Alabama 1975, and upon an examination of the entity records on file in this office, the following entity name is reserved as available:

Cotton Bayou Development, LLC

This name reservation is for the exclusive use of Hand Arendall LLC, PO Box 123, Mobile, AL 36601 for a period of one year beginning April 28, 2016 and expiring April 28, 2017

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State, at the Capitol, in the city of Montgomery, on this day.

April 28, 2016

Date

J. H. Merrill

John H. Merrill **Secretary of State**

RES722466

Adjacent Properties to Foley Farm's South 4 Parcels

Parcel Number	Owner Name	Address	City	State	Zip
05-61-03-06-0-000-011.002	COTTON BAYOU DEVELOPMENT L L C	10505-B CO RD 65	FOLEY	AL	36535
05-61-03-06-0-000-011.000	COTTON BAYOU DEVELOPMENT L L C	10505-B CO RD 65	FOLEY	AL	36535
05-61-03-07-0-000-003.000	COTTON BAYOU DEVELOPMENT L L C	10505-B CO RD 65	FOLEY	AL	36535
05-61-03-07-0-000-006.014	EBERLY, DEREK ETAL LOGAN-GAFF, ASHLEY	1235 PEMBROKE WAY	FOLEY	AL	36535
05-61-03-07-0-000-006.012	WELLS, JAMES A	1243 PEMBROKE WAY	FOLEY	AL	36535
05-61-03-07-0-000-006.012	OTT, LINDA L ETAL DAVIDSON, SANDRA L	1243 PEMBROKE WAY	FOLEY	AL	36535
05-61-03-07-0-000-003.006	CAMPBELL, GREGORY ALLEN ETUX AMY LEIGH	17167 CO RD 16	FOLEY	AL	36535
05-61-03-07-0-000-006.013	BREEDEN, ROBERT GENE JR ETAL BREEDEN, CH	1239 PEMBROKE WAY	FOLEY	AL	36535
05-61-03-07-0-000-006.016	BENCHMARK HOMES GROUP L L C	1290 MAIN ST STE E	DAPHNE	AL	32526
05-61-03-07-0-000-006.015	SMITH, CORBIN D	1231 PEMBROKE WAY	FOLEY	AL	36535
05-61-03-07-0-000-006.000	GCOF ARBOR WALK L L C	160 GREENTREE DR STE 101	DOVER	DE	19904
05-60-01-01-0-000-006.007	CHAPMAN HOLDINGS L L C	198 PLISKA ST	FAIRHOPE	AL	36532
05-60-01-12-0-000-005.000	NEILL, BENNY	P O BOX 786	SAVANNAH	TN	38372
05-60-01-12-0-000-005.000	CHARTER LANDING INC ATTN: DEENA C MONTGOMERY	101 SHALLOW SPRINGS CV	FAIRHOPE	AL	36532
05-60-01-12-0-000-001.000	CHAPMAN HOLDINGS L L C	198 PLISKA ST	FAIRHOPE	AL	36532

Fiscal year ended 9/30/2018

INFRASTRUCTURE ADDITIONS DUE TO

Annexation

DATE ANNEXED/ACCEPTED: **14-Aug-18**

Resolution, Ordinance Act# (etc): **???**

ROW Acceptance Ordinance#

Data Collection by: Randy Kurtts Date: 9/10/2018

(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 66267 Chapman

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

BEGIN ROAD SEGEMENT

Road Name: **County Road 65**

Segment Observed: FROM: CL of Pencarro Blvd. 1,590 LF North to SW property corner

TO: 330 LF to NW property corner

TRAFFIC USE: Light TYPE: Residential

Moderate Business

Heavy **Industrial**

SURFACE (RS):

Length: 330 ft Road Width: 12 ft (half of 24 ft) Thickness: N/A

Estimated Life remaining (new=20 years): 10 Years Surface Condition: good

330 LF $20.41 (half of $40.82)

Notes: Passed testing reg's. N/A *Accounting Valuation$* $ **6,735.30**

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 330 LF Base width N/A Base condition Notes: N/A

330 LF $ 19.55 (half of 39.10)

Accounting Valuation$ $ **6,451.50**

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: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (if not new, see above)

RIGHTS OF WAY (RW)

road Length= 330 LF width=30ft (half of 60 ft)

Acers **0.23**

Accounting Valuation$ **$1,150.00**

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: **14-Aug-18**

Resolution, Ordinance Act# (etc): **???**

ROW Acceptance Ordinance#

Data Collection by: Randy Kurtts Date: 9/10/2018

(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 378444 Chapman

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

BEGIN ROAD SEGEMENT

Road Name: **County Road 65**

Segment Observed: FROM: CL of Pencarro Blvd. 1,260 LF North to SW property corner

TO: 330 LF to NW property corner

TRAFFIC USE: Light TYPE: Residential

Moderate Business

Heavy **Industrial**

SURFACE (RS):

Length: 330 ft Road Width: 12 ft (half of 24 ft) Thickness: N/A

Estimated Life remaining (new=20 years): 10 Years Surface Condition: good

330 LF $20.41 (half of $40.82)

Notes: Passed testing reg's. N/A *Accounting Valuation$* **$ 6,735.30**

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 330 LF Base width N/A Base condition Notes: N/A

330 LF $ 19.55 (half of 39.10)

*Accounting Valuation$* **$ 6,451.50**

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: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (if not new, see above)

RIGHTS OF WAY (RW)

road Length= 330 LF width=30 ft (half of 60 ft)

Acers **0.23**

Accounting Valuation$ **$1,150.00**

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

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IF OLDER FIXTURES, APPROXIMATE COST TO REPLACE $_____

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PIN 37845 Chapman

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Length 330 LF Base width N/A Base condition Notes: N/A

330 LF $ 19.55 (half of 39.10)

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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: 0026 Class: 945 Cost Sre: E Funct: 431 Life New:30 (if not new, see above)

RIGHTS OF WAY (RW)

road Length= 330 LF width=30 ft (half of 60 ft)

Acers **0.23**

Accounting Valuation$ **$1,150.00**

Fd: 80 Acct: 001 Dept: 80 Bldg: PITO Prop: 0026 Class: 001 Cost Sre: E Funct: 431 Non-Depr.

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TOTAL **$0.00**

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