

TOWN OF LOXLEY

4BCC
RC
KC
BILLY MIDDLETON, MAYOR

Town Clerk - Treasurer

Melissa Lawrence

P.O. BOX 9

LOXLEY, ALABAMA 36551

OFFICE: (251) 964-5162

FAX: (251) 964-5371

Council Members

Richard Lee Wilson

Jeffrey T. Knight

Katherine Q. Breeden

Richard L. Teal

Kasey Childress

RECEIVED
FEB 08 2019
BY: *mxh*

February 6, 2019

RE: Annexation into the corporate limits of the Town of Loxley

To Whom It May Concern:

The Town of Loxley Council, during a special called council meeting held on January 28, 2019, approved Ordinance No. 2019-02 which annexed a certain property into the corporate limits of the Town of Loxley. Documentation on the annexation is enclosed. Please update your records to include the following parcel of land.

Property Owners: NW-BBE, LLC

Parcel No.: 05-41-02-04-0-000-005.000

PPIN: 062790

Census Block: 2109

If you have any questions please contact me at 251-964-5162.

Sincerely,

Melissa Lawrence

Melissa Lawrence
Town Clerk/Treasurer

enclosure

STATE OF ALABAMA
COUNTY OF BALDWIN

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 2/4/2019 8:05 PM
TOTAL \$ 34.00
8 Pages

1741763



PETITION FOR ANNEXATION

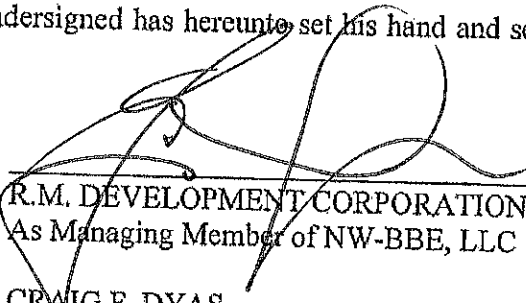
TO THE CLERK OF THE TOWN OF LOXLEY, AN ALABAMA MUNICIPAL CORPORATION:

Comes now NW-BBE, LLC, and respectfully petitions the Mayor and Council, as the governing body of the Town of Loxley, an Alabama municipal corporation, that the property hereinafter described be annexed into and be included within the corporate limits of the Town of Loxley and respectfully represents and shows as follows:

1. That the Petitioner is the owner of real property situated in Baldwin County, Alabama, described on the attached Exhibit "A."
2. That said Petitioner is an Alabama limited liability company and no part of its property is subject to homestead or any right of survivorship.
3. That said property is located outside the corporate limits of the Town of Loxley, Alabama, but it is contiguous to the corporate limits of such municipality and not within the corporate limits or police jurisdiction of any other municipality.
4. That the Petitioner has attached as Exhibit "B" a map showing the property's relationship to the corporate limits of the Town of Loxley.
5. This petition is filed pursuant to §11-42-21, Code of Alabama, 1975, as amended.

WHEREFORE, Petitioner respectfully requests that the governing body of the Town of Loxley, Alabama, adopt an ordinance assenting to the annexation of said property into such municipality, all in accordance with the statutes provided.

IN WITNESS WHEREOF, the undersigned has hereunto set his hand and seal on this
the 14 day of January, 2018.



R.M. DEVELOPMENT CORPORATION, INC.
As Managing Member of NW-BBE, LLC

BY: CRAIG F. DYAS

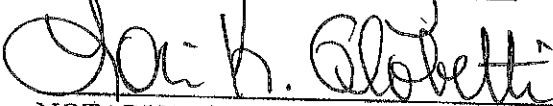
ITS: PRESIDENT

STATE OF ALABAMA

COUNTY OF BALDWIN

I, the undersigned Notary Public, in and for said County in said State, hereby certify that CRAIG F. DYAS, whose name as the President of R.M. DEVELOPMENT CORPORATION, INC., as Managing Member of NW-BBE, LLC, an Alabama limited liability company, 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, he acting in his capacity as such officer and with full authority, executed the same voluntarily on the day the same bears date, as and for the act of said corporation.

Given under my hand and seal this the 14th day of January, 2018.



NOTARY PUBLIC

Print Name: Lori K. Globetti

My Commission Expires:

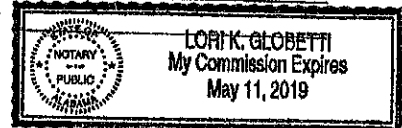
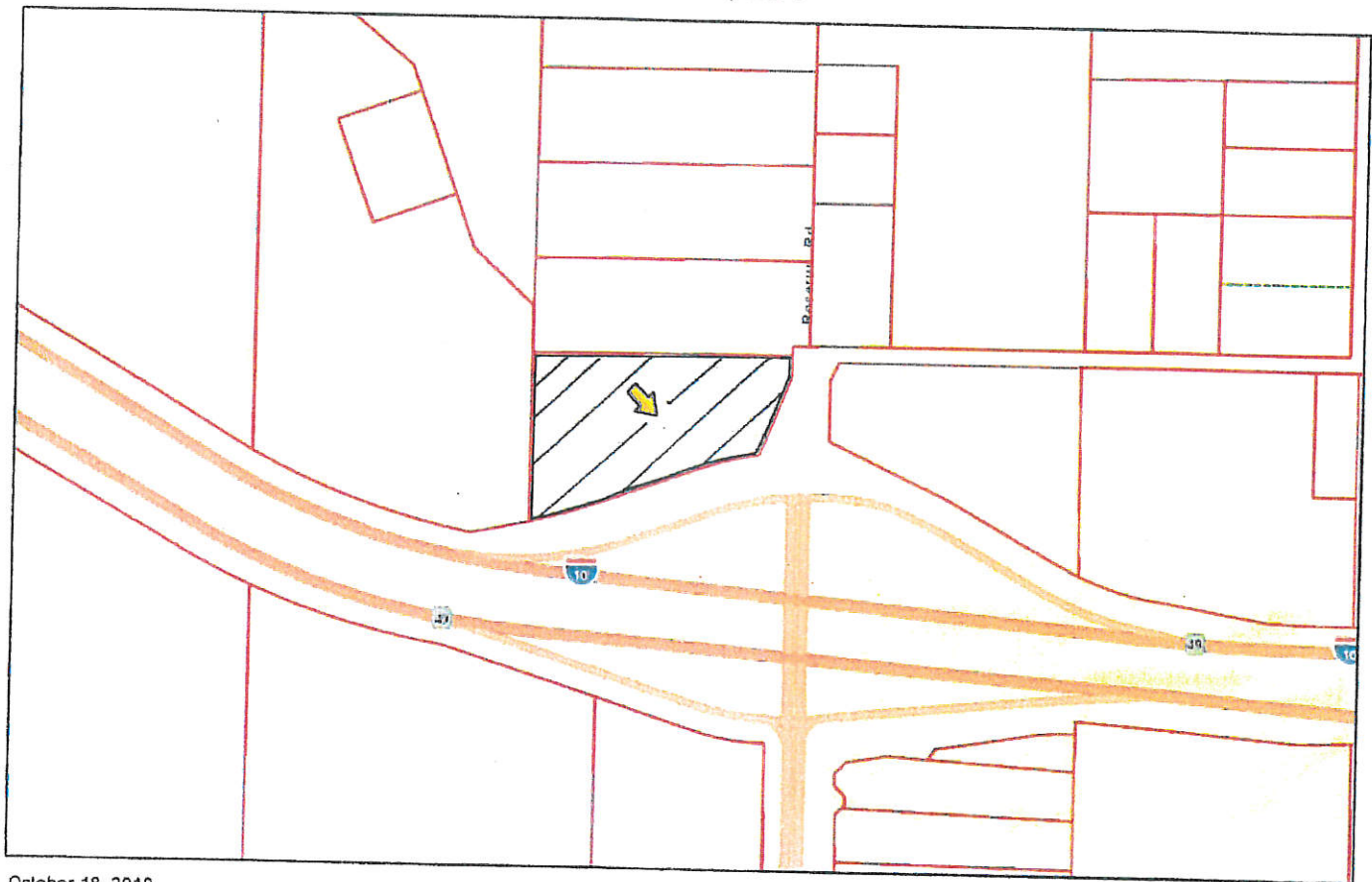


EXHIBIT "A"

Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 4, Township 5 South, Range 4 East, Baldwin County, Alabama; thence North $89^{\circ}56'08''$ West, 84.15 feet to the west right-of-way of Baldwin County Road No. 68 and the point of beginning of the parcel herein described; thence South $00^{\circ}03'59''$ West, along said west right-of-way, 1031.93 feet to the present north right-of-way of Interstate Highway No. 10; thence North $84^{\circ}38'22''$ West, along said north right-of-way, 1182.60 feet to the P.T. of a curve to the right having a radius of 3691.45 feet; thence continue along said right-of-way and along said curve, a chord bearing and distance of North $84^{\circ}11'17''$ West, 58.67 feet to the west line of said Northeast Quarter of the Southwest Quarter of said Section 4; thence North $00^{\circ}18'03''$ East, along said west line, 916.90 feet to the northwest corner of same; thence South $89^{\circ}56'08''$ East, along the north line of the Northeast Quarter of the Southwest Quarter of said Section 4, 1232.18 feet to the point of beginning. LESS and EXCEPT all that property described in the condemnation of said right-of-way by the State of Alabama, as contained in Instrument No. 1291855, Pages 1-6.

EXHIBIT "B"

NW-BBE, LLC



October 18, 2018

pointLayer



Override 1



Parcels

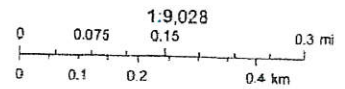


Lot Lines



County Boundary

Exhibit "B"



KCS
Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan.

Copyright 2018

ORDINANCE NO. 2019-02

AN ORDINANCE TO APPROVE THE ANNEXATION OF TERRITORY WITHIN THE
TOWN LIMITS OF THE TOWN OF LOXLEY, ALABAMA
(NW-BBE, LLC)

WHEREAS, on the 15th day of January, 2019, NW-BBE, LLC, being the owner of all the real property hereinafter described, did file with the Town Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the Town of Loxley; and

WHEREAS, said petition did contain the signatures of all of the owners of the described territory and a map of said property showing its relationship to the corporate limits of the Town of Loxley; and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the Town of Loxley 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, 1075;

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

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

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

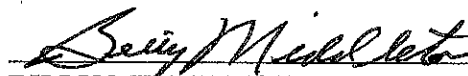
Commencing at the Northeast corner of the Northeast Quarter of the Southwest Quarter of Section 4, Township 5 South, Range 4 East, Baldwin County, Alabama; thence North 89°56'08" West, 84.15 feet to the west right-of-way of Baldwin County Road No. 68 and the point of beginning of the parcel herein described; thence South 00°03'59" West, along said west right-of-way, 1031.93 feet to the present north right-of-way of Interstate Highway No. 10; thence North 84°38'22" West, along said north right-of-way, 1182.60 feet to the P.T. of a curve to the right having a radius of 3691.45 feet; thence continue along said right-of-way and along said curve, a chord bearing and distance of North 84°11'17" West, 58.67 feet to the west

line of said Northeast Quarter of the Southwest Quarter of said Section 4; thence North 00°18'03" East, along said west line, 916.90 feet to the northwest corner of same; thence South 89°56'08" East, along the north line of the Northeast Quarter of the Southwest Quarter of said Section 4, 1232.18 feet to the point of beginning. LESS and EXCEPT all that property described in the condemnation of said right-of-way by the State of Alabama, as contained in Instrument No. 1291855, Pages 1-6.

Section 3. 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 4. The territory described in this ordinance shall become a part of the corporate limits of Loxley, Alabama, upon publication of this ordinance as set forth in Section 3 above.

ADOPTED THIS THE 28th DAY OF JANUARY, 2019.



BILLY MIDDLETON

Mayor

Attest:



Melissa Lawrence

Town Clerk/Treasurer

CERTIFICATION OF POSTING

I, Melissa Lawrence, Town Clerk/Treasurer of the Town of Loxley, Alabama, hereby certify that the above noted ordinance was published by posting copies thereof in the Loxley Post Office, Loxley Police Station and Loxley Town Hall beginning January 29, 2019 and took effect five (5) days thereafter.



Melissa Lawrence

Town Clerk/Treasurer

**AUTHORIZING RESOLUTION OF
NW-BBE, LLC,
An Alabama limited liability company (the "Company")**

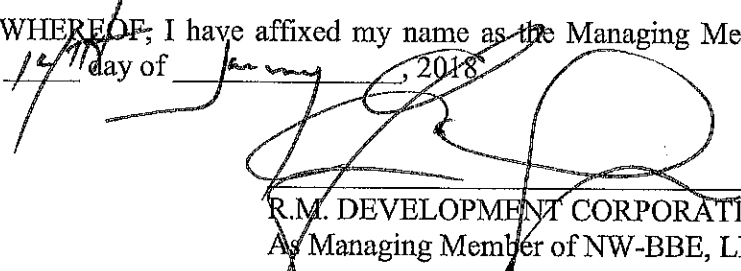
The undersigned, R.M. DEVELOPMENT CORPORATION, INC., as the Managing Member of NW-BBE, LLC, an Alabama limited liability company (the "Company") hereby certifies that said Company is a valid limited liability company organized and existing under the laws of the State of Alabama, and further certifies that at a meeting of the Members of said Company which meeting was a valid meeting of the Members in accordance with the Limited Liability Company Agreement of the Company, the following Resolution was unanimously adopted, and the same has not been revoked, cancelled, annulled or amended in any manner and is in full force and effect on the date hereof:

"RESOLVED that it is in the best interest of the Company to annex its real property located in Baldwin County, Alabama on County Road 68 at the intersection of Interstate 10 into the municipal limits of the Town of Loxley and to execute and deliver to the Town of Loxley a Petition for Annexation into the municipal limits of the Town of Loxley.

IT IS FURTHER RESOLVED, that CRAIG F. DYAS, as President of R.M. DEVELOPMENT CORPORATION, INC., as the Managing Member of the Company, is hereby authorized and directed on behalf of the Company to execute the Petition for Annexation and any other documents necessary to effectuate the annexation.

IT IS FURTHER RESOLVED, that this Resolution shall continue in full force and effect and may be relied upon until receipt of written notice of any change therein."

IN WITNESS WHEREOF, I have affixed my name as the Managing Member of this Company effective the 12th day of January, 2018.



R.M. DEVELOPMENT CORPORATION, INC.
As Managing Member of NW-BBE, LLC

BY: CRAIG F. DYAS

ITS: PRESIDENT

CLERK'S CERTIFICATION

I, Melissa Lawrence, Town Clerk/Treasurer of the Town of Loxley, Alabama, do hereby certify the attached and foregoing to be a true and exact copy of Ordinance No. 2019-02 approved and adopted by the Town Council of the Town of Loxley, Alabama in a special called council meeting held on the 28th day of January, 2019.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official corporate seal of the Town of Loxley, Alabama, on this the 4th day of February, 2019.

Melissa Lawrence
Melissa Lawrence
Town Clerk/Treasurer

Town of Loxley
P.O. Box 9
Loxley, AL 36551

CERTIFIED MAIL



7015 3430 0000 4649 5579

Baldwin County Commission
Attn: Records Mgr
312 Courthouse Square – STE 12
Bay Minette, AL 36507



US POSTAGE

\$07.75

ZIP 36551
041110211129

FEB 8

FEB 23

POSTNET barcode