



Michael M. McMillan  
Mayor  
Rebecca A. Gaines  
City Clerk

## CITY OF SPANISH FORT

7361 Spanish Fort Blvd.  
Spanish Fort, Alabama 36527  
(251) 626-4884  
(251) 626-4880 Fax



August 11, 2021

Michelle  
Agenda Item  
for 9/7/21 BCC Mtg.  
4 BCC  
WD  
KC

City Council

Robert Curtis Smith  
Carl L. Gustafson, Jr.  
Shane M. Perry  
Clewis W. Smith, Jr.  
Mary W. Brabner

Mr. Wayne Dyess  
Baldwin County Administrator  
322 Courthouse Square  
Bay Minette, AL 36507

Dear Wayne,

Enclosed are copies of Ordinances reflecting recent annexations of properties by the City Council of the City of Spanish Fort. Specifically, the following parcels have been annexed into the City of Spanish Fort:

**Parcel 1:**

Lot 56, Churchill Subdivision, according to the Plat thereof recorded on Slide 2267-A and 2267-B and corrected and recorded in Slide No. 2290-A and 2290-B, of the records in the Office of the Judge of Probate, Baldwin County, Alabama.

Annexed by Ordinance No. 584-2021, a copy of which is attached.

**Parcel 2:**

Lot 1, Spanish Fort Cantina Subdivision, as shown on map or plat thereof recorded as Slide No. 2754-B in the Office of the Judge of Probate, Baldwin County, Alabama.

Annexed by Ordinance No. 589-2021, a copy of which is attached.

**Parcel 3:**

Lot 2, Spanish Fort Cantina Subdivision as recorded as Slide 2754-B, in the Office Of The Judge Of Probate, Baldwin County, Alabama.

Annexed by Ordinance No. 590-2021, a copy of which is attached.

Please note these annexations for your records and thank you for your attention to this matter. If you have any questions or comments, please do not hesitate to contact me.

Yours very truly,

Rebecca A. Gaines  
City Clerk/Treasurer

Enclosures

*"A City of Spirit"*

## **ORDINANCE NO. 584-2021**

### **AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA**

**WHEREAS**, on the 13th day of May, 2021, David Michael Bourrie, the owner of the parcel of real property hereinafter described, filed with the City Clerk of the City of Spanish Fort a petition requesting that said property be annexed into the corporate limits of the City of Spanish Fort; and

**WHEREAS**, said petition contained a description of the subject property, the signature of the owner of the subject property and a map of the subject property showing its relationship to the corporate limits of the City of Spanish Fort; and

**WHEREAS**, the City Council has determined that said property is contiguous to the corporate limits of the City of Spanish Fort and does not lie within the corporate limits of any other municipality; and

**WHEREAS**, the City Council of the City of Spanish Fort has determined that it is in the best interest of the City that the property described in Section 1 hereof be annexed into the corporate limits of the City of Spanish Fort, and that all of the requirements of Ala. Code §11-42-20 through §11-42-24 (1975), as amended, have been met.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

#### **SECTION 1. Consent to Annexation.**

The City Council of the City of Spanish Fort, Alabama, hereby assents to the annexation of the property described below into the corporate limits of the City of Spanish Fort. The boundary lines and corporate limits of the City of Spanish Fort are hereby altered, extended and rearranged so as to embrace and include the additional property as described in Exhibit A and as depicted in Exhibit B of the petition filed by the owner of the property which is attached hereto as Exhibit 1 and incorporated by reference as though set forth fully herein.

#### **SECTION 2. Filing in Probate Court.**

The City Clerk of the City of Spanish Fort is hereby directed to file a copy of this Ordinance, which includes a description of the subject property, in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Ala. Code §11-42-21 (1975), as amended.

#### **SECTION 3. Repealer Clause.**

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

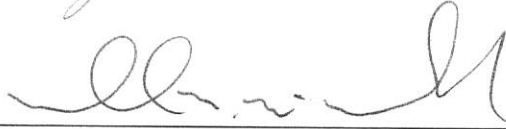
#### **SECTION 4. Severability Clause.**

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

#### **SECTION 5. Effective Date.**

This Ordinance shall become effective immediately upon its adoption or as otherwise required by state law.

ADOPTED and APPROVED this 7<sup>th</sup> day of June, 2021.



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Michael M. McMillan  
Mayor

ATTEST:



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Rebecca A. Gaines  
City Clerk



Exhibit 1

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY INTO  
THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA**

TO THE CITY OF SPANISH FORT, ALABAMA:

I, the undersigned, David Michael Bourrie, (the Petitioner), the owner of the hereinafter described property, do hereby file with the City Clerk of the City of Spanish Fort, Alabama, this written petition asking and requesting that the property hereinafter described be annexed into the City of Spanish Fort in accordance with Ala. Code §11-42-20 through §11-42-24 (1975), as amended. As grounds for said petition, the undersigned Petitioner submits and shows the following:

1. The property made the subject of this petition and request for annexation to the City of Spanish Fort is described in Exhibit A which is attached hereto and incorporated by reference as though set forth fully herein.

2. A map of the property described in Exhibit A showing its relationship to the corporate limits of the City of Spanish Fort is attached hereto as Exhibit B and incorporated by reference as though set forth fully herein.

3. The undersigned Petitioner hereby certifies that he is the sole owner of the property made the subject of this petition and request for annexation.

4. The undersigned Petitioner hereby represents and certifies that the property described in Exhibit A is contiguous to the corporate limits of the City of Spanish Fort, and said property does not lie within the corporate limits of any other municipality. In addition, the undersigned Petitioner represents and certifies that all of the property described in Exhibit A does not lie within the police jurisdiction of any other municipality, and in the event any portion of said property does lie within the police jurisdiction of another municipality, the Petitioner hereby represents and certifies that all of the subject property is located closer to the corporate limits of the City of Spanish Fort than to any other municipality and satisfies the requirements for annexation as set forth in Ala. Code §11-42-21 (1975), as amended.

The Petitioner does hereby request that the City Council of the City of Spanish Fort adopt an ordinance assenting to the annexation of the above-described property into the corporate limits of the City of Spanish Fort.

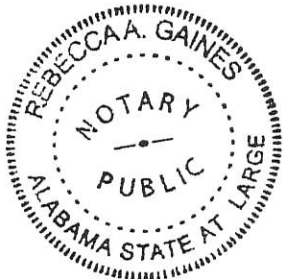
IN WITNESS WHEREOF, the undersigned Petitioner has hereunto set his hand and seal on this the 13th day of May, 2021.

  
David Michael Bourrie  
Petitioner

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, Rebecca A Gainer, a Notary Public, in and for said County in said State, hereby certify that David Michael Bourrie, 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, he executed the same voluntarily on the date the same bears date.

Given under my hand and seal this 13th day of May, 2021.



Rebecca A Gainer  
Notary Public, Baldwin County, Alabama

My Commission Expires: 11/16/2024

Exhibit A

Lot 56, Churchill Subdivision, according to the Plat thereof recorded on Slide 2267-A and 2267-B and corrected and recorded in Slide No. 2290-A and 2290-B, of the records in the Office of the Judge of Probate, Baldwin County, Alabama.



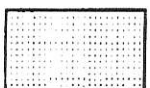
Exhibit B

Shambo Rd

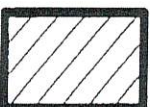
Arlington Blvd

Buckingham Blvd

PROPOSED FOR ANNEXATION INTO THE CORPORATE  
LIMITS OF THE CITY OF SPANISH FORT



SPANISH FORT CORPORATE LIMITS



31410 BUCKINGHAM BOULEVARD  
LOT 56, CHURCHILL SUBDIVISION





## **ORDINANCE NO. 589-2021**

### **AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA**

**WHEREAS**, on the 6th day of July, 2021, BAY SHORE OIL, INC., an Alabama corporation, by and through Paul E. Moore, its President, being the owner of the parcel of real property hereinafter described, filed with the City Clerk of the City of Spanish Fort a petition requesting that said property be annexed into the corporate limits of the City of Spanish Fort; and

**WHEREAS**, said petition contained a description of the subject property, the signature of the owner of the subject property and a map of the subject property showing its relationship to the corporate limits of the City of Spanish Fort; and

**WHEREAS**, the City Council has determined that said property is contiguous to the corporate limits of the City of Spanish Fort and does not lie within the corporate limits of any other municipality; and

**WHEREAS**, the City Council of the City of Spanish Fort has determined that it is in the best interest of the City that the property described in Section 1 hereof be annexed into the corporate limits of the City of Spanish Fort, and that all of the requirements of Ala. Code §1-42-20 through §11-42-24 (1975), as amended, have been met.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

#### **SECTION 1. Consent to Annexation.**

The City Council of the City of Spanish Fort, Alabama, hereby assents to the annexation of the property described below into the corporate limits of the City of Spanish Fort. The boundary lines and corporate limits of the City of Spanish Fort are hereby altered, extended and rearranged so as to embrace and include the additional property as described in Exhibit A and as depicted in Exhibit B of the petition filed by the owner of the property which is attached hereto as Exhibit 1 and incorporated by reference as though set forth fully herein.

#### **SECTION 2. Filing in Probate Court.**

The City Clerk of the City of Spanish Fort is hereby directed to file a copy of this Ordinance, which includes a description of the subject property, in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Ala. Code §11-42-21 (1975), as amended.

#### **SECTION 3. Repealer Clause.**

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

#### **SECTION 4. Severability Clause.**

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

#### **SECTION 5. Effective Date.**

This Ordinance shall become effective immediately upon its adoption or as otherwise required by state law.



ADOPTED AND APPROVED this 2nd day of August, 2021.

A handwritten signature in black ink, appearing to read "McMillan", written over a horizontal line.

Michael M. McMillan  
Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Rebecca A. Gaines", written over a horizontal line.

Rebecca A. Gaines  
City Clerk

Exhibit 1

PETITION FOR ANNEXATION OF CERTAIN PROPERTY INTO  
THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA

TO THE CITY OF SPANISH FORT, ALABAMA:

I, Paul E. Moore, acting in my capacity as President of BAY SHORE OIL, INC., an Alabama corporation (hereinafter referred to as the Petitioner), which is the owner of the hereinafter described property, does hereby file with the City Clerk of the City of Spanish Fort, Alabama, this written petition asking and requesting that the property hereinafter described be annexed into the corporate limits of the City of Spanish Fort in accordance with Ala. Code "11-42-20 through 11-42-24 (1975), as amended. As grounds for said petition, the undersigned Petitioner submits and shows the following:

1. The property made the subject of this petition and request for annexation to the City of Spanish Fort is described in Exhibit A which is attached hereto and incorporated by reference as though set forth fully herein.

2. A map of the property described in Exhibit A showing its relationship to the corporate limits of the City of Spanish Fort is attached hereto as Exhibit B and incorporated by reference as though set forth fully herein.

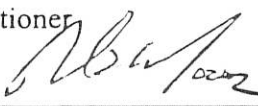
3. The undersigned Petitioner hereby certifies that it is the sole owner of the property made the subject of this petition and request for annexation.

4. The undersigned Petitioner hereby represents and certifies that the property described in Exhibit A is contiguous to the corporate limits of the City of Spanish Fort, and said property does not lie within the corporate limits of any other municipality. In addition, the undersigned Petitioner represents and certifies that either (1) all of the property described in Exhibit A does not lie within the police jurisdiction of any other municipality, or (2) in the event any portion of the said property lies within the police jurisdiction of another municipality, the Petitioner hereby represents and certifies that all of the subject property is located closer to the corporate limits of the City of Spanish Fort than to any other municipality and satisfies the requirements for annexation as set forth in Ala. Code '11-42-21 (1975), as amended.

The Petitioner does hereby request that the City Council of the City of Spanish Fort adopt an ordinance assenting to the annexation of the above-described property into the corporate limits of the City of Spanish Fort.

IN WITNESS WHEREOF, the undersigned Petitioner has caused this instrument to be executed by its duly authorized representative on this the 6th day of July, 2021.

BAY SHORE OIL, INC.,  
an Alabama corporation  
Petitioner

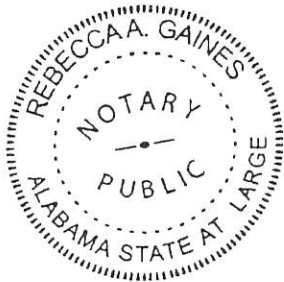
  
\_\_\_\_\_  
By: Paul E. Moore  
Its: President

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Rebecca A. Gaines, a Notary Public, in and for said County in said State, hereby certify that Paul E. Moore, whose name as President of BAY SHORE OIL, INC., an Alabama corporation, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and seal this 02 day of July, 2021.

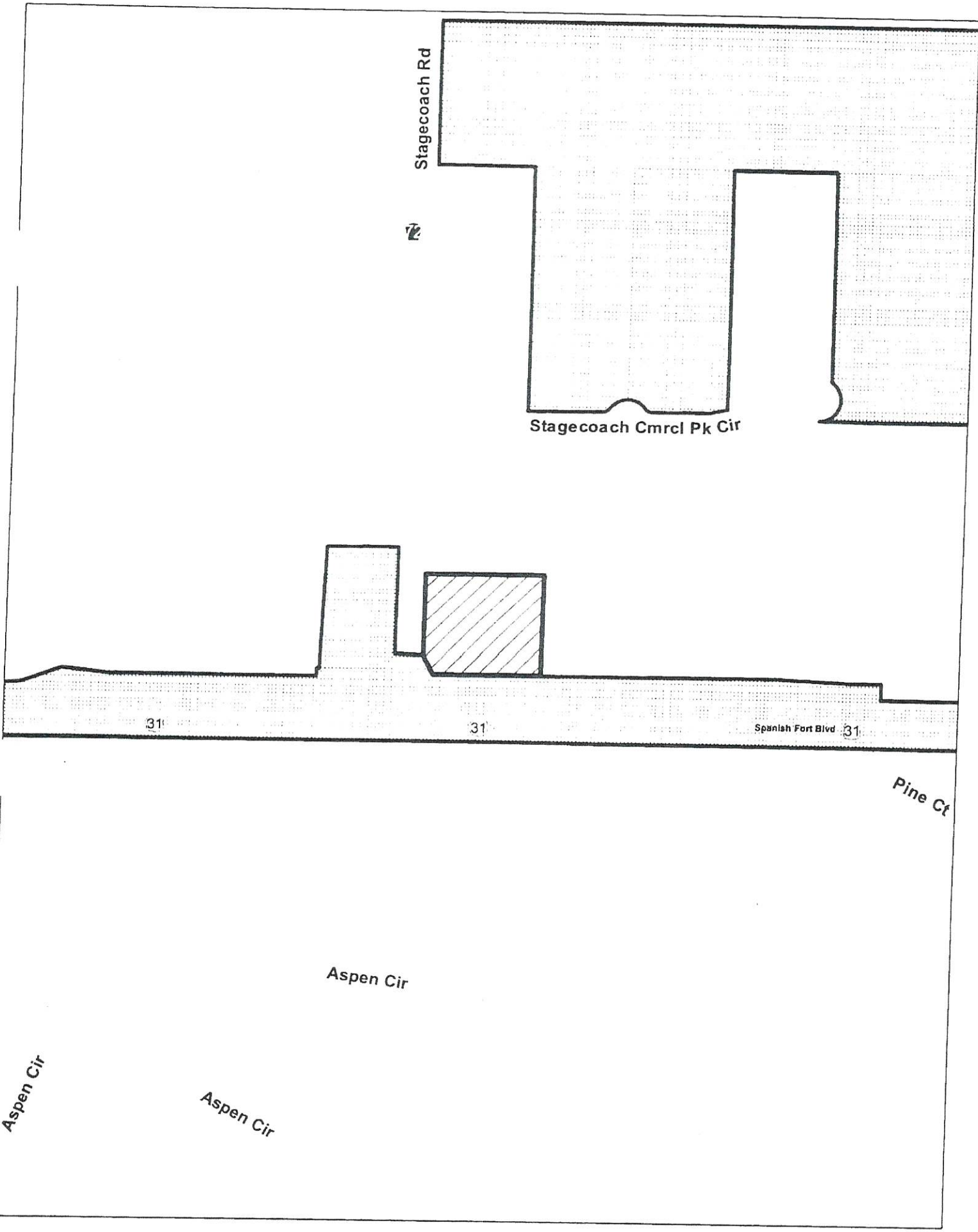


Rebecca A. Gaines  
Notary Public, Baldwin County, Alabama  
My Commission Expires: 7/6/2027

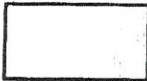


EXHIBIT A

Lot 1, Spanish Fort Cantina Subdivision, as shown on map or plat thereof recorded as Slide No. 2754-B in the Office of the Judge of Probate, Baldwin County, Alabama.



PROPOSED FOR ANNEXATION INTO THE CORPORATE  
LIMITS OF THE CITY OF SPANISH FORT



SPANISH FORT CORPORATE LIMITS



LOT 1, SPANISH FORT CANTINA SUBDIVISION  
PARCEL NO. 05-32-05-22-0-000-081.022



## **ORDINANCE NO. 590-2021**

### **AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA**

**WHEREAS**, on the 2<sup>nd</sup> day of July, 2021, COLLINS ENTERPRISES, LLC, an Alabama limited liability company, by and through Richard M. Collins, its Manager and Member, being the owner of the parcel of real property hereinafter described, filed with the City Clerk of the City of Spanish Fort a petition requesting that said property be annexed into the corporate limits of the City of Spanish Fort; and

**WHEREAS**, said petition contained a description of the subject property, the signature of the owner of the subject property and a map of the subject property showing its relationship to the corporate limits of the City of Spanish Fort; and

**WHEREAS**, the City Council has determined that said property is contiguous to the corporate limits of the City of Spanish Fort and does not lie within the corporate limits of any other municipality; and

**WHEREAS**, the City Council of the City of Spanish Fort has determined that it is in the best interest of the City that the property described in Section 1 hereof be annexed into the corporate limits of the City of Spanish Fort, and that all of the requirements of Ala. Code §11-42-20 through §11-42-24 (1975), as amended, have been met.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:**

#### **SECTION 1. Consent to Annexation.**

The City Council of the City of Spanish Fort, Alabama, hereby assents to the annexation of the property described below into the corporate limits of the City of Spanish Fort. The boundary lines and corporate limits of the City of Spanish Fort are hereby altered, extended and rearranged so as to embrace and include the additional property as described in Exhibit A and as depicted in Exhibit B of the petition filed by the owner of the property which is attached hereto as Exhibit 1 and incorporated by reference as though set forth fully herein.

#### **SECTION 2. Filing in Probate Court.**

The City Clerk of the City of Spanish Fort is hereby directed to file a copy of this Ordinance, which includes a description of the subject property, in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Ala. Code §11-42-21 (1975), as amended.

#### **SECTION 3. Repealer Clause.**

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

#### **SECTION 4. Severability Clause.**

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

#### **SECTION 5. Effective Date.**

This Ordinance shall become effective immediately upon its adoption or as otherwise required by state law.

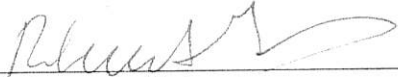


ADOPTED AND APPROVED this 2nd day of August, 2021.



Michael M. McMillan  
Mayor

ATTEST:



Rebecca A. Gaines  
City Clerk

Exhibit 1

PETITION FOR ANNEXATION OF CERTAIN PROPERTY INTO  
THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA

TO THE CITY OF SPANISH FORT, ALABAMA:

I, Richard M. Collins, acting in my capacity as Manager and Member of COLLINS ENTERPRISES, LLC, an Alabama limited liability company (hereinafter referred to as the Petitioner), which is the owner of the hereinafter described property, does hereby file with the City Clerk of the City of Spanish Fort, Alabama, this written petition asking and requesting that the property hereinafter described be annexed into the corporate limits of the City of Spanish Fort in accordance with Ala. Code §§11-42-20 through 11-42-24 (1975), as amended. As grounds for said petition, the undersigned Petitioner submits and shows the following:

1. The property made the subject of this petition and request for annexation to the City of Spanish Fort is described in Exhibit A which is attached hereto and incorporated by reference as though set forth fully herein.

2. A map of the property described in Exhibit A showing its relationship to the corporate limits of the City of Spanish Fort is attached hereto as Exhibit B and incorporated by reference as though set forth fully herein.

3. The undersigned Petitioner hereby certifies that it is the sole owner of the property made the subject of this petition and request for annexation.

4. The undersigned Petitioner hereby represents and certifies that the property described in Exhibit A is contiguous to the corporate limits of the City of Spanish Fort, and said property does not lie within the corporate limits of any other municipality. In addition, the undersigned Petitioner represents and certifies that either (1) all of the property described in Exhibit A does not lie within the police jurisdiction of any other municipality, or (2) in the event any portion of the said property lies within the police jurisdiction of another municipality, the Petitioner hereby represents and certifies that all of the subject property is located closer to the corporate limits of the City of Spanish Fort than to any other municipality and satisfies the requirements for annexation as set forth in Ala. Code §11-42-21 (1975), as amended.

The Petitioner does hereby request that the City Council of the City of Spanish Fort adopt an ordinance assenting to the annexation of the above-described property into the corporate limits of the City of Spanish Fort.

IN WITNESS WHEREOF, the undersigned Petitioner has caused this instrument to be executed by its duly authorized representative on this the 2 day of July, 2021.

COLLINS ENTERPRISES, LLC,  
an Alabama limited liability company  
Petitioner



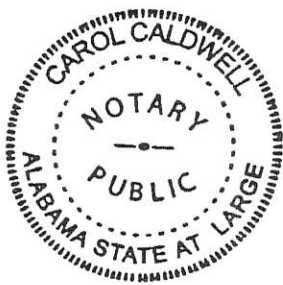
By: Richard M. Collins  
Its: Manager and Member

STATE OF ALABAMA

COUNTY OF BALDWIN

I, Carol Caldwell, a Notary Public, in and for said County in said State, hereby certify that Richard M. Collins, whose name as Manager and Member of COLLINS ENTERPRISES, 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, as such officer and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Given under my hand and seal this 2 day of July, 2021.

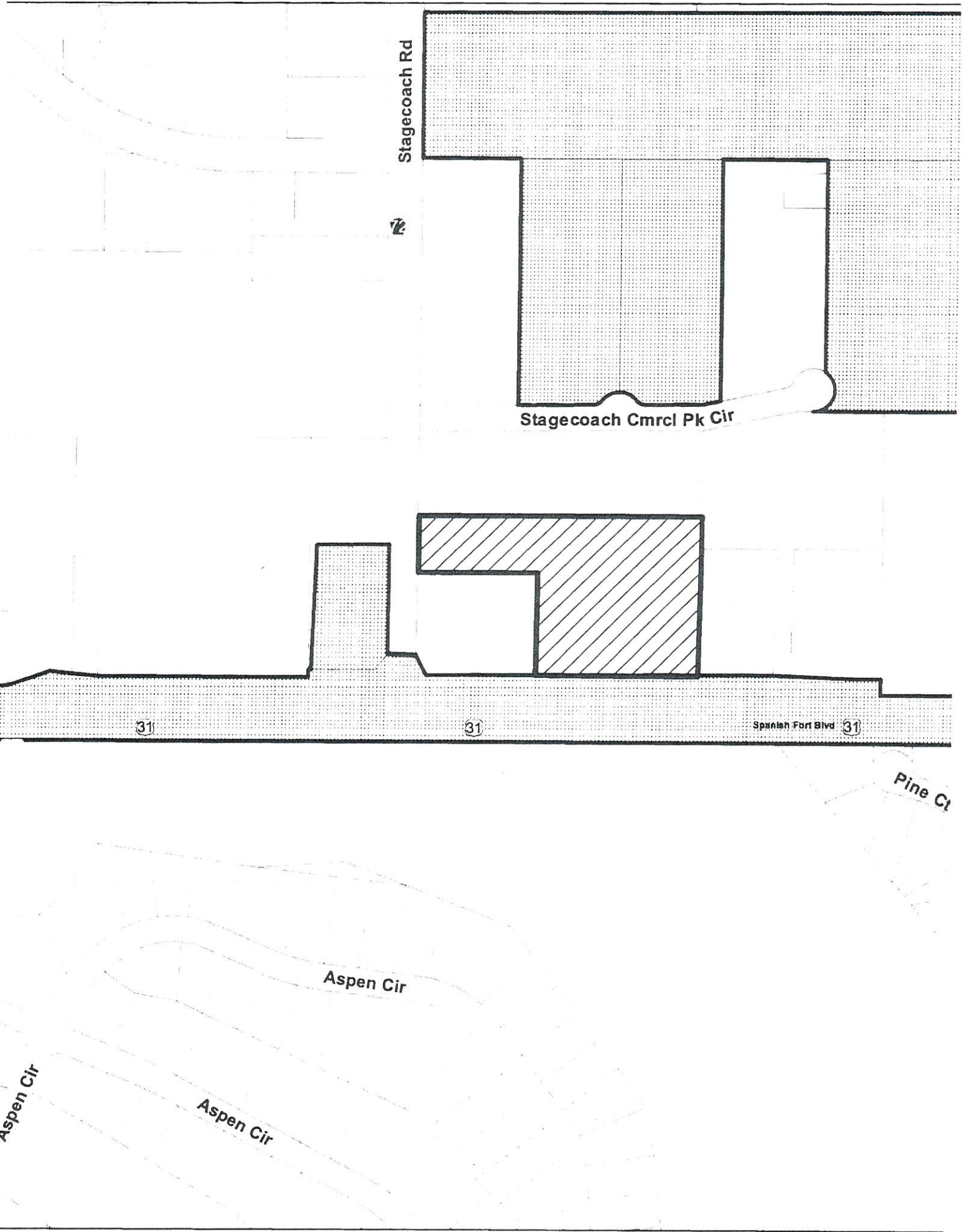


Carol Caldwell  
Notary Public, Baldwin County, Alabama  
My Commission Expires: 11/2/22



EXHIBIT A

LOT 2, SPANISH FORT CANTINA SUBDIVISION AS RECORDED AS SLIDE 2754-B, IN  
THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA.



**PROPOSED FOR ANNEXATION INTO THE CORPORATE  
LIMITS OF THE CITY OF SPANISH FORT**

-  **SPANISH FORT CORPORATE LIMITS**
-  **LOT 2, SPANISH FORT CANTINA SUBDIVISION  
PARCEL NO. 05-32-05-22-0-000-081.010**

