

62119

BALDWIN COUNTY, ALABAMA
 TIM RUSSELL PROBATE JUDGE
 Filed/cert. 9/11/2015 2:17 PM
 TOTAL \$ 9.00
 1 Pages

1534124

STATE OF ALABAMA :
 COUNTY OF BALDWIN :

SCRIVENER'S AFFIDAVIT

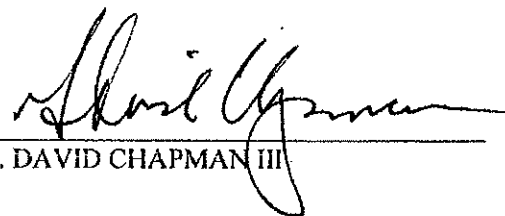
Comes now the undersigned affiant, G. DAVID CHAPMAN III, after being first duly sworn according to law, and says as follows:

I am an Attorney at Law, having a license to practice law within the State of Alabama. On or about October 30, 2014, Gulf Shores Title Company, Inc. requested that I prepare a Warranty Deed to be executed by JOHN D. FLOWERS and BARBARA H. FLOWERS conveying real property located in Baldwin County, Alabama to MTSC LAND DEVELOPMENT, LLC. Said Warranty Deed was subsequently recorded in the Office of the Judge of Probate of Baldwin County, Alabama on November 4, 2014 at Instrument Number 1484316. The title insurance commitment issued by Gulf Shores Title Company, Inc. contained an error in the legal description, and consequently, the Warranty Deed prepared by me contained the same error. It is my understanding that the correct legal description of the property conveyed in said Warranty Deed is as follows, to-wit:

Commencing at the purported Northwest corner of Section 8, Township 8 South, Range 4 East, Baldwin County, Alabama; run South 1325.13 feet to a point on the West boundary of said Section 8; thence run North 89° 47' East, a distance of 1331.8 feet to a point; thence run South 89° 23' East a distance of 888.30 feet to the Point of Beginning, said point being witnessed by a capped iron rod 1.2 feet north of actual corner; thence run South 89° 23' 00" East, a distance of 444.15 feet to a capped rod set; thence run South 00° 04' 50" East, a distance of 1268.02 feet to a crimped top pipe found on the North right-of-way line of Baldwin County Road 20 South (50 foot right-of-way); thence run South 89° 43' 40" West, along said North right-of-way line a distance of 441.07 feet to a rebar pin found; thence run North 00° 13' 00" West, a distance of 1274.90 feet to the Point of Beginning.

Affiant gives this Affidavit for the purpose of correcting and perfecting title by evidencing and showing the scrivener's error appearing in above described deed of conveyance.

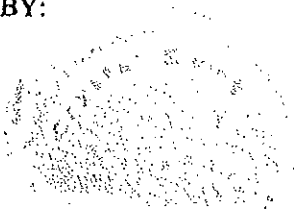
Further than that, Affiant saith nothing.


 G. DAVID CHAPMAN III

Sworn to and subscribed before me
 on this the 8th day of September, 2015.


 NOTARY PUBLIC
 My Commission Expires: 5/20/2017

THIS INSTRUMENT PREPARED BY:
 G. DAVID CHAPMAN III, P.C.
 Attorney at Law
 Post Office Box 1508
 Gulf Shores, Alabama 36547
 File 14.3897



STATE OF ALABAMA :
COUNTY OF BALDWIN :

SCRIVENER'S AFFIDAVIT

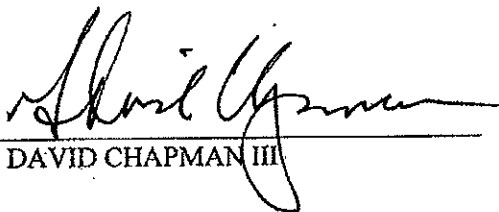
Comes now the undersigned affiant, G. DAVID CHAPMAN III, after being first duly sworn according to law, and says as follows:

I am an Attorney at Law, having a license to practice law within the State of Alabama. On or about October 30, 2014, Gulf Shores Title Company, Inc. requested that I prepare a Warranty Deed to be executed by JOHN D. FLOWERS and BARBARA H. FLOWERS conveying real property located in Baldwin County, Alabama to MTSC LAND DEVELOPMENT, LLC. Said Warranty Deed was subsequently recorded in the Office of the Judge of Probate of Baldwin County, Alabama on November 4, 2014 at Instrument Number 1484316. The title insurance commitment issued by Gulf Shores Title Company, Inc. contained an error in the legal description, and consequently, the Warranty Deed prepared by me contained the same error. It is my understanding that the correct legal description of the property conveyed in said Warranty Deed is as follows, to-wit:

Commencing at the purported Northwest corner of Section 8, Township 8 South, Range 4 East, Baldwin County, Alabama; run South 1325.13 feet to a point on the West boundary of said Section 8; thence run North 89° 47' East, a distance of 1331.8 feet to a point; thence run South 89° 23' East a distance of 888.30 feet to the Point of Beginning, said point being witnessed by a capped iron rod 1.2 feet north of actual corner; thence run South 89° 23' 00" East, a distance of 444.15 feet to a capped rod set; thence run South 00° 04' 50" East, a distance of 1268.02 feet to a crimped top pipe found on the North right-of-way line of Baldwin County Road 20 South (50 foot right-of-way); thence run South 89° 43' 40" West, along said North right-of-way line a distance of 441.07 feet to a rebar pin found; thence run North 00° 13' 00" West, a distance of 1274.90 feet to the Point of Beginning.

Affiant gives this Affidavit for the purpose of correcting and perfecting title by evidencing and showing the scrivener's error appearing in above described deed of conveyance.

Further than that, Affiant saith nothing.


G. DAVID CHAPMAN III

Sworn to and subscribed before me
on this the 8th day of September, 2015.


NOTARY PUBLIC
My Commission Expires: 5/20/2017

THIS INSTRUMENT PREPARED BY:
G. DAVID CHAPMAN III, P.C.
Attorney at Law
Post Office Box 1508
Gulf Shores, Alabama 36547
File 14.3897

SURVEY SERVICESP.O. BOX 970
MAGNOLIA SPRINGS, AL 36555

9690-A SHERMAN ROAD, FOLEY, AL

PH. 251-971-2986 FAX: 251-971-2987

I, LAURENCE H. ZANDER, DO HEREBY STATE THAT THIS SURVEY AND DRAWING, TO THE BEST OF MY KNOWLEDGE AND BELIEF, HAVE BEEN COMPLETED IN ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING IN THE STATE OF ALABAMA.

LAURENCE H. ZANDER

Sept 04, 2015
ALABAMA P.L.S. NO. 25847**OWNER N/F:**

JOHN & BARBARA FLOWERS

TYPE OF SURVEY:

CLOSING

SURVEY REQUESTED BY: HERALD HANNA (Island Sands Realty)

STATE: ALABAMA COUNTY: BALDWIN

SECTION: 8 TOWNSHIP: 8 SOUTH RANGE: 4 EAST

PARCEL #: 81-03-08-0-000-008.002

ADDRESS: COUNTY ROAD 20 SOUTH
FOLEY, AL 36535

PROJECT NO.: 142988

OWN. BY: LHZ

FIELD WORK: 10-16-14

DATED: 10-17-14

* REVISED 08-04-15 TO CHANGE DESCRIPTION OF RIGHT-OF-WAY TO 60' FROM 80'

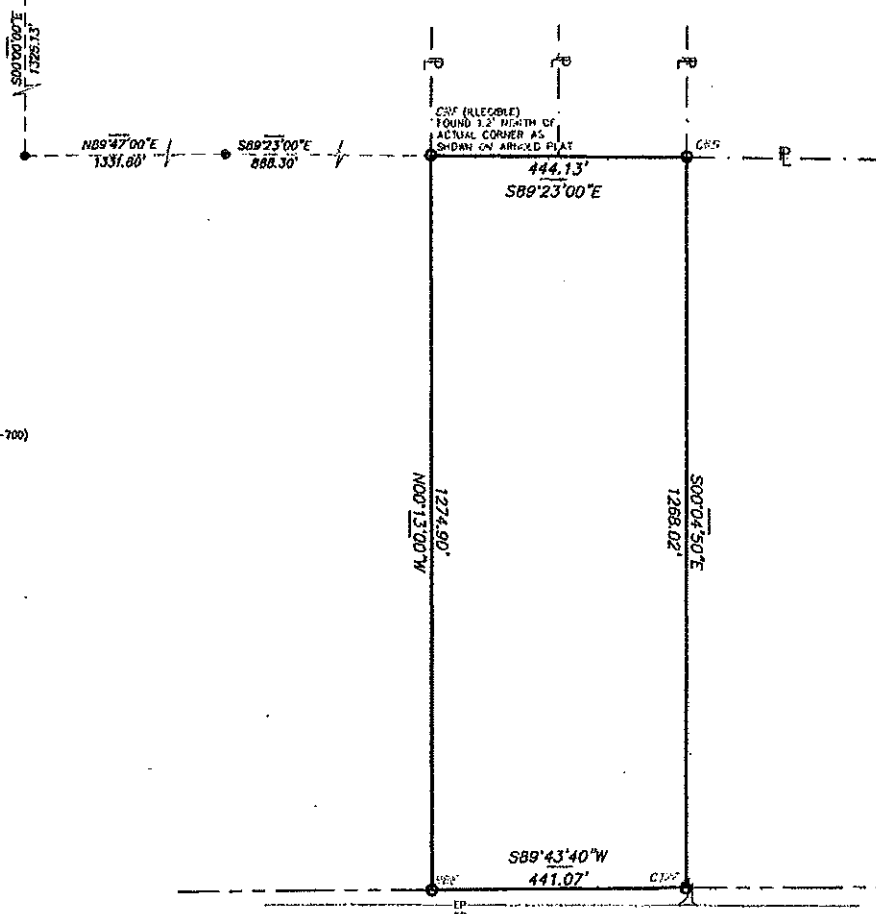
PROPERTY DESCRIPTION

Commencing at the purported Northwest Corner of Section 8, Township 8 South, Range 4 East, Baldwin County, Alabama; run South 1325.13 feet to a point on the West boundary of said Section 8; thence run North 89°47' East, a distance of 1331.8 feet to a point; thence run South 89°23' East a distance of 888.30 feet to the Point of Beginning, said point being witnessed by a capped iron rod 1.2 feet north of actual corner; thence run South 89°23'00" East, a distance of 444.15 feet to a capped rod set; thence run South 00°04'50" East, a distance of 1268.02 feet to a crimped top pipe found on the North right-of-way line on Baldwin County Road 20 South (50 foot right-of-way); thence run South 89°43'40" West, along said North right-of-way line a distance of 441.07 feet to a rebar pin found; thence run North 00°13'00" West, a distance of 1274.90 feet to the Point of Beginning. Said described parcel of land containing 12.92 acres of land more or less.

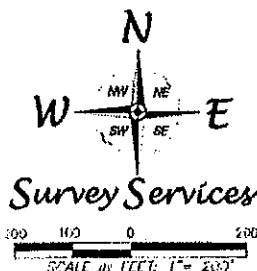
SURVEYOR NOTES

1. THE FIELD DATA UPON WHICH THIS PLAT IS BASED EXCEEDS SECOND ORDER CLASS I PRECISION AS OUTLINED BY THE AMERICAN CONGRESS ON SURVEY AND MAPPING.
2. THE DATA SHOWN ON THIS MAP INDICATING ACTUAL PROPERTY LINES HAS BEEN CALCULATED FOR A CLOSURE AND IS FOUND TO HAVE A CLOSURE PRECISION OF GREATER THAN ONE FOOT IN 10,000.
3. THE LINEAR AND ANGULAR MEASUREMENTS NECESSARY FOR THIS SURVEY WERE OBTAINED IN THE FIELD WITH A SPECTRA PRECISION FOCUS 30 ROBOTIC TOTAL STATION.
4. THE BASIS OF THE BEARINGS AND NORTH ARROW OF THIS PLAT ARE ASSUMED AND BASED ON THE WEST PROPERTY LINE BEING NORTH 00°13'00" WEST.
5. ALL LINEAR DISTANCES SHOWN ON THIS PLAT ARE HORIZONTAL AND ARE MEASURED AND RECORDED UNLESS OTHERWISE NOTED.
6. THIS LAND LIES WITHIN ZONE "X" PER GRAPHIC LOCATION AS DESIGNATED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, COMMUNITY PANEL NO. 010030030 L, BALDWIN CO. ALABAMA REVISED MAP DATED JULY 17, 2007.
7. THIS PLAT IS SUBJECT TO ALL RESTRICTIONS, ENCUMBRANCES AND EASEMENTS WHICH MAY OR MAY NOT BE OF RECORD.
8. THERE WAS NO ATTEMPT TO DETERMINE THE EXISTENCE, LOCATION OR EXTENT OF UTILITIES OR SUB-SURFACE FEATURES.
9. NO TITLE SEARCH OR ABSTRACT WAS FURNISHED TO NOR PERFORMED BY THIS FIRM FOR THE SUBJECT PROPERTY. SUCH A SEARCH OR ABSTRACT COULD AFFECT THE BOUNDARIES OF SAID PROPERTY.
10. SOURCE OF INFORMATION USED IN PREPARATION OF THIS PLAT: INSTRUMENT 1300151 & A PLAT BY CLAUDE V. ARNOLD.

POC, PURPORTED
NORTHWEST CORNER of
SECTION 8
TOWNSHIP 8 SOUTH
RANGE 4 EAST

**LEGEND**

CRS CAPPED REBAR SET (IJC # CA-700)
CRF CAPPED REBAR FOUND
CTPF CRIMPED TOP PIPE FOUND
RPF IRON PIPE FOUND
RRF REBAR FOUND
POC POINT OF COMMENCEMENT
POB POINT OF BEGINNING
R/W RIGHT-OF-WAY
P PROPERTY LINE
EP EDGE OF PAVEMENT



COUNTY ROAD 20 SOUTH
(50' RIGHT-OF-WAY)



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

September 23, 2015

Mayor and City Council
City of Foley
407 East Laurel Avenue
Foley, Alabama 36535

RE: Initial Zoning Recommendation

Dear Mayor Koniar and City Council Members,

The City of Foley Planning Commission held a regular meeting on September 16, 2015 and the following action was taken:

Agenda Item: MTSC Land Development, LLC- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 13.13+/- acres being annexed into the corporate limits. The proposed zoning is R-3 (Residential Multi- Family). Property is located on the north side of County Road 20 S., west of S. McKenzie St. Applicant is MTSC Land Development, LLC.

Action Taken: Commissioner Rauch made a motion to recommend the requested initial zoning to Mayor and Council. Commissioner Rouzie seconded the motion. All Commissioners voted aye.

Motion to recommend the requested initial zoning to Mayor and Council passes.

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

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringle@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III