



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 11 day of Feb, 2019.

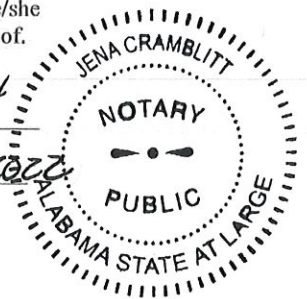
Millard B. Austin
Petitioner's Signature

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 11 day of February, 2019 before me personally appeared Millard B. Austin, 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.

Jena Cramblitt
NOTARY PUBLIC
My Commission Expires: 1/3/2021



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: _____

PPIN# 259514

05-54-09-31-0-000-005.017

ATTACHMENT TO PETITION

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

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input checked="" type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input type="checkbox"/> | M-1 | Light Industry |
| <input type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | 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 N/A

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 DEC. 2019

No

Michelle R. Austin 2/11/19
 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

Mortgage Recorded Simultaneously

TGA File No. 16-0115

\$310,500.00 (Purchase Price)

This instrument prepared by:
Candace D. Johnson, Esq.
1850 Conception Street Road
Mobile, Alabama 36610
(251) 377-2867



STATE OF ALABAMA)

COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **FOLEY INVESTMENT GROUP, LLC**, a Florida limited liability company ("Grantor"), for and in consideration of the sum of THREE HUNDRED TEN THOUSAND FIVE HUNDRED AND NO/100 (\$310,500.00) and other good and valuable consideration to said Grantor in hand paid by **BLUE MARLIN INVESTMENTS, LLC**, an Alabama limited liability company ("Grantee"), the receipt of which is hereby acknowledged by the Grantor, does hereby, subject to the matters and things hereinafter set forth, grant, bargain, sell and convey unto Grantee, that certain real property situated, lying and being in the County of Baldwin, State of Alabama, as is more particularly described to wit (the "Property"):

TOWNSHIP 7 SOUTH, RANGE 4 EAST

SECTION 31: Begin at the Northwest corner of the Southeast quarter of the Southeast quarter of Section 31, Township 7 South, Range 4 East, Baldwin County, Alabama; thence go South 89 degrees 59 minutes 15 seconds West a distance of 699.93 feet; thence go North 00 degrees 01 minutes 24 seconds East a distance of 1277.95 feet to the South Right of way line of Baldwin County Road No. 26 (80' right of way) ; thence go North 90 degrees 00 minutes 00 seconds East along said right of way line a distance of 2005.35 feet to the West right of way line of Baldwin County Road No. 12 (Hickory Street, 80' right of way); thence go South 00 degrees 18 minutes 38 seconds West along said right of way line a distance of 2166.85 feet thence go North 88 degrees 30 minutes 34 seconds West a distance of 289.84 feet; thence go North 84 degrees 41 minutes 33 seconds West a distance of 408.61 feet; thence go South 89 degrees 35 minutes 38 seconds West a distance of 213.45 feet; thence go South 27 degrees 52 minutes 00 seconds West a distance of 545.22 feet; thence go North 89 degrees 55 minutes 46 seconds West a distance of 131.97 feet; thence go North 00 degrees 06 minutes 54 seconds East a distance of 1327.04 feet to the point of beginning. The above described parcel of land contains 87.20 acres, more or less.

LESS AND EXCEPT, River Trace, Phase Two, according to the map thereof

recorded on Slide 2147-E, in the Office of the Judge of Probate, Baldwin County, Alabama.

ALSO, LESS AND EXCEPT, all that portion of the property lying East of River Trace Phase Two, according to the map thereof recorded on Slide 2147-E, in the Office of the Judge of Probate, Baldwin County, Alabama.

TOGETHER with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; **TO HAVE AND TO HOLD** unto Grantee, and to its successors and assigns forever.

This conveyance is made subject to the following title exceptions:

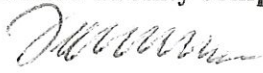
1. Any encroachment, encumbrance, violation, variation, or adverse circumstances affecting the title that would be disclosed by an accurate and complete survey of the Property.
2. Any prior reservation or conveyance, together with release of damages, of minerals of every kind and character, including, but not limited to, oil, gas, sand and gravel in, on and under subject Property.
3. All taxes for the year 2016 and subsequent years, not yet due and payable.
4. Subject to restrictive covenants, easements, rights of way, building setback lines and prior mineral reservations and/or conveyances, if any, of record in the Office of the Judge of Probate, Baldwin County, Alabama.
5. Title to minerals within and underlying the premises, together with all mining rights and other rights, privileges and immunities relating thereto as described in Warranty Deed with Vendor's Lien dated August 19, 1994, recorded in Real Property Book 591, Page 904, and as set out in Statutory Warranty Deed dated October 15, 1997, recorded in Real Property Book 787, Page 1451, both in the Probate Office of Baldwin County, Alabama.
6. Right of Way Deeds for Public Road granted to Baldwin County, Alabama, dated September 24, 1958, recorded in Real Property Book 384, Page 988, and dated March 8, 1995, recorded in Real Property Book 735, Page 1536, both in the Probate Office of Baldwin County, Alabama.
7. Right of Way Agreement for a pipeline granted to Amoco Production Company dated November 13, 1981, recorded in Real Property Book 107, Page 922, in the Probate Office of Baldwin County, Alabama.
8. Right of Way Agreement for a pipeline granted to El-Oil, Ltd. dated May 27, 1982, recorded in Real Property Book 118, Page 787, in the Probate Office of Baldwin County, Alabama.

9. Right of Way Agreement for a pipeline granted to Bay City Minerals, Inc. dated February 22, 1983, recorded in Real Property Book 133, Page 409, in the Probate Office of Baldwin County, Alabama.
10. Rights of other parties, the United State of America or State of Alabama, in and to the shore, littoral or riparian rights to the subject property lying adjacent to Bon Secour River.
11. Any claim or claims arising by reason of any portion of the subject property being delineated as wetlands by a governmental agency or agencies having jurisdiction over same.
12. Terms, conditions, provisions and restrictions of all permits and licenses of federal, state or local government, including applicable agencies and department and private and quasi-governmental agencies having jurisdiction over the real property, including but not limited to restrictions on construction of any areas delineated by governmental agencies as wetlands.

And, except as to taxes hereafter falling due which are assumed by the Grantee herein, and except as herein otherwise provided, said Grantor does hereby covenant with the Grantee herein, and its successors and assigns, that Grantor is seized of an indefeasible estate in fee simple in and to the Property; that the Property is free and clear of all encumbrances, and that Grantor will forever WARRANT AND DEFEND the title thereto, and the peaceable possession thereof unto the said Grantee, and its successors and assigns, against the lawful claims of all persons whomsoever.

Executed this 18ⁿ day of APRIL, 2016.

**FOLEY INVESTMENT GROUP, LLC, a
Florida limited liability company**

x 
By: FRED HEMMER
As Its: MANAGER

STATE OF FLORIDA

COUNTY OF PINELLAS

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that on this day, before me personally appeared FRED HEMMER as MANAGER of **FOLEY INVESTMENT GROUP, LLC, a Florida limited liability company**, 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 and delivered the same voluntarily and with authority on behalf of said company, on the day the same bears date.

Given under my hand and official seal this the 18 day of APRIL, 2016.

Laura Cappelli
★NOTARY PUBLIC
My Commission Expires: _____

(AFFIX NOTARIAL SEAL)



Property Address:
Vacant land (no assigned street address)

Grantor's Address:
695-31 St. S.
St Petersburg, FL 33712

Grantee's Address:
7778-B McKinley Ave.
Mobile, AL
36608

NOTE: The preparer of this instrument, having served as a scrivener only, has not examined title to the Property described herein and expressly does not give an opinion with respect to the title.

**CITY OF FOLEY
AGENT AUTHORIZATION FORM**

I/We authorize and permit Chris Lieb
to act as My/Our representative and agent in any manner regarding this application which
relates to property described as tax parcel ID# 05-54-09-31-0-000-005.017
I/We understand that the agent representation may include but not be limited to decisions
relating to the submittal, status, conditions, or withdrawal of this application. In understanding
this, I/We release the City of Foley from any liability resulting from actions made on My/Our
behalf by the authorized agent and representative. I hereby certify that the information stated
on and submitted with this application is true and correct. I also understand that the submittal of
incorrect information will result in the revocation of this application and any work performed will
be at the risk of the applicant.

**Note: All correspondence will be sent to the authorized representative. It will be the
representative's responsibility to keep the owner(s) adequately informed as to the status of the
application.*

PROPERTY OWNER(S):

Blue Marlin Investments, LLC

Name(s) printed

7778-B McKinley Ave

Address

Mobile, AL 36608

City/State

251-633-0997 Millard@austinengineering.org 251-633-2434

Phone

Email

Fax

Millard B. Austin

2/11/19

Signature(s)

Date

PROPERTY OWNER(S):

Name(s) printed

Address

City/State

Phone

Email

Fax

Signature(s)

Date

14.1.4 R-1C RESIDENTIAL SINGLE FAMILY

- A. Uses/Structures Permitted: Single family dwelling units, Modular dwellings and home based businesses. Excluding townhouses, mobile/manufactured dwellings, Recreational Vehicles, and garden-patio homes.
- B. Uses/Structures Permitted on Appeal: Home occupations.
- C. Uses/Structures Prohibited: Agriculture, poultry and livestock. Any use or structure not specifically permitted or permitted on appeal in this section or in Sections 13.1.1 or 13.1.2 of Article XIII.
- D. Requirements:

Minimum Lot Area	9,500 square feet*
Minimum Lot Width at Building Line	75 feet
Minimum Depth of Front Yard	30 feet
Minimum Depth of Rear Yard	30 feet
Minimum Width of Each Side Yard	10 feet (5 feet on side with carport)
Minimum Depth of Side Yard Abutting Street	30 feet
Maximum Building Area (% of Gross Lot Area)	40 %
Maximum Building Height (feet):	50 feet
Maximum Building Height (stories):	2
Off-Street Parking Spaces	2
Maximum Density Per Acre	3.8

* or meet Health Department requirements.

14.1.5 R-1D RESIDENTIAL SINGLE FAMILY

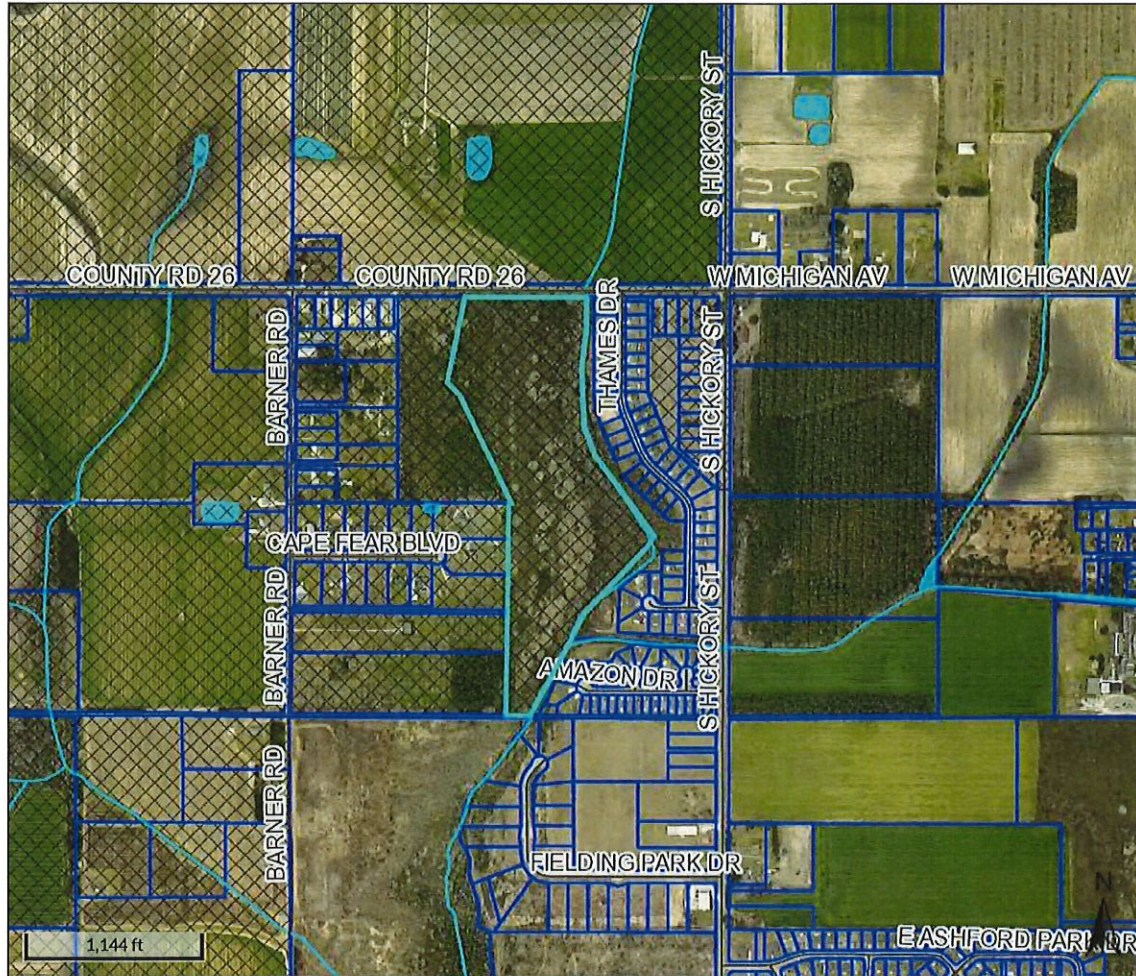
- A. Uses Permitted: Single family dwelling units, modular dwellings and home based businesses. Excluding townhouses, garden patio homes, mobile/manufactured dwellings, and recreational vehicles.
- B. Uses Permitted on Appeal: Home occupations.
- C. Uses Prohibited: Agriculture, poultry and livestock. Any use or structure not specifically permitted or permitted on appeal in this section or in Section 13.1.1 or 13.1.2 of Article XIII.
- D. Requirements:

Minimum Lot Area	6,000 square feet*
Minimum Lot Width at Building Line	60 feet
Minimum Depth of Front Yard	20 feet
Minimum Depth of Rear Yard	15 feet
Minimum Width of Each Side Yard	10 feet
Minimum Depth of Side Yard Abutting Street	20 feet

Blue Marlin Investments, LLC Annexation

Parcel 05-54-09-31-0-000-005.017 PIN# 259514

Created by: Katy Taylor



Overview



Legend

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

PIN - 259514
 Par Num - 005.017
 Acreage - 38.274
 Subdivision -
 Lot -
 Street Name -
 Street Number - 0
 Improvement -

Name - FOLEY INVESTMENT GROUP L L C
 Address1 - 695 31ST ST S
 Address2 -
 Address3 -
 City - ST PETERSBURG
 State - FL
 Zip - 33712

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