

407 E. Laurel Avenue
Foley, AL 36535

City of Foley, AL

Signature Copy

Ordinance: 22-2007-ORD

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 4/ 1/2022 3:02 PM
TOTAL \$ 40.00
10 Pages

1989825



File Number: 22-0038

Enactment Number: 22-2007-ORD

(Second Reading) ORDINANCE PRE-ZONING PROPERTY OWNED BY TERRY GRANT TO
R3 - RESIDENTIAL MULTI-FAMILY DISTRICT

ORDINANCE AMENDING ORDINANCE NO. 387-87 PRE-ZONING PROPERTY OWNED BY TERRY GRANT TO R3 - RESIDENTIAL MULTI-FAMILY DISTRICT

WHEREAS, the City of Foley, Alabama, adopted Ordinance No. 387-87 on June 15, 1987, ordaining a new Zoning Ordinance and Zoning Map for the City of Foley which has subsequently been amended, and

WHEREAS, the Planning Commission has recommended approval of this pre-zoning, and

WHEREAS, the City of Foley has received a request that specific property proposing to annex to be pre-zoned, and the City Council of the City of Foley deems it necessary, for the purpose of promoting the health, safety, morals and general welfare of the City to amend said Ordinance, and

WHEREAS, all requirements to the laws of the State of Alabama, with regard to the preparation of the report of the Foley Planning Commission and subsequent action of the City Council have been met,

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FOLEY, ALABAMA while in regular session accepted the following changes:

Section 1. That the official Zoning Map of the City of Foley, Alabama be amended to pre-zone the property to R3 - Residential Multi-Family District said property description as follows:

LEGAL DESCRIPTION:

BEGINNING at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East as marked by an existing iron pin (EIP) (Illegible) and being the Southwest corner of Mullins Commercial Re-Subdivision of Lot 1 as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama, on Slide No. 2467-D, and being the Northwest corner of the Phase One AFCO Commercial Subdivision s found recorded in said Office on Slide No. 2173-C; thence along the East line of said SE 1/4 of the NE 1/4 bearing S 00°03'40" E a distance of 706.06 FT to an EIP (Illegible) and being on the West line of said Phase 1; thence along said East line bearing S 00°03'40" E a distance of 580.02 FT to the intersection of said East line with the North right of way (R/W) of County Road No. 20 (80' R/W) as marked by a set iron pin (SIP); thence along said North R/W bearing N 89°44'22" W a distance of 751.19 FT to an EIP (1" Pipe); thence depart said North R/W bearing N 00°28'53" E a distance of 210.00 FT to a SIP; thence N 00°28'53" E a distance of 1066.36 FT to a SIP being on the North line of said SW 1/4 of the NE 1/4; thence along said North line bearing N 89°30'29" E a distance of 739.11 FT to the POINT OF BEGINNING.

Said parcel being located in the City of Foley, Baldwin County, Alabama, in the SW 1/4 of the NE 1/4 of Section 8, T8S, R4E and containing 21.92 acres, more or less.

Instrument No. 1198477, PPIN No. 13599

SECTION 2: That the official Zoning Map of the City of Foley be revised to indicate this amendment and duly certified by the appropriate municipal officials.

SECTION 3: This Ordinance shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 7th day of March 2022.



President's Signature

[Signature]

Date

3-7-22

Attest by Clerk

Kathryn Taylor

Date

3-7-22

Mayor's Signature

[Signature]

Date

3-7-22



January 20, 2022

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

RE: Request for Pre-Zoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on January 19, 2022 and the following action was taken:

Terry Grant- Pre-zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres. Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S. Applicant is Terry Grant.

Commissioner Hare made a motion to recommend to Mayor and Council the requested pre-zoning to R-3 (Residential Multi-Family). Commissioner Mixon seconded the motion. All members voted aye.

Motion to recommend to Mayor and Council the requested pre-zoning to R-3 passes.

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

Respectfully,

Amanda Cole

Amanda Cole
Planning & Zoning Assistant
acole@cityoffoley.org

MAYOR: Ralph Hellmich

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Kathryn Taylor

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Richard Dayton; Cecil R. Blackwell; Charles Ebert III



**CITY OF FOLEY, ALABAMA
APPLICATION FOR
PRE-ZONING OF PROPERTY**

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):

pin # 13599

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

3. APPROXIMATE SIZE OF PROPERTY: 22 1/2 Acres

4. PRESENT ZONING OF PROPERTY:

unzoned

5. REQUESTED ZONING:

R-3

6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:

Wooded lot

7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)

The proposed development is composed of single story individual cottage dwelling. See drawing

I CERTIFY THAT I AM THE PROPERTY OWNER AND ATTEST THAT ALL FACTS AND INFORMATION SUBMITTED ARE TRUE AND CORRECT.

DATE: 1-6-22

Terry Grant
PROPERTY OWNER/APPLICANT
19521 Co. Rd. 205.
PROPERTY OWNER ADDRESS
251-233-9663
PHONE NUMBER

EMAIL ADDRESS

X Terry Grant



CITY OF FOLEY
AGENT AUTHORIZATION FORM

I/We authorize and permit M4 Development, LLC - Jonathan Meyers
to act as My/Our representative and agent in any manner regarding this application which
relates to property described as tax parcel ID# pin 13599 / 2213 0000
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):

Terry Grant
Name(s) printed
19521 Co. Rd. 20 S.
Address
Foley AL 36535
City/State
251-233-9663
Phone
Terry Grant Email Fax
Signature(s) 1-6-22 Date

PROPERTY OWNER(S):

/
Name(s) printed
Address
City/State
Phone Email Fax
Signature(s) Date

LEGAL DESCRIPTION: PROPOSED AREA TO BE PRE-ZONED

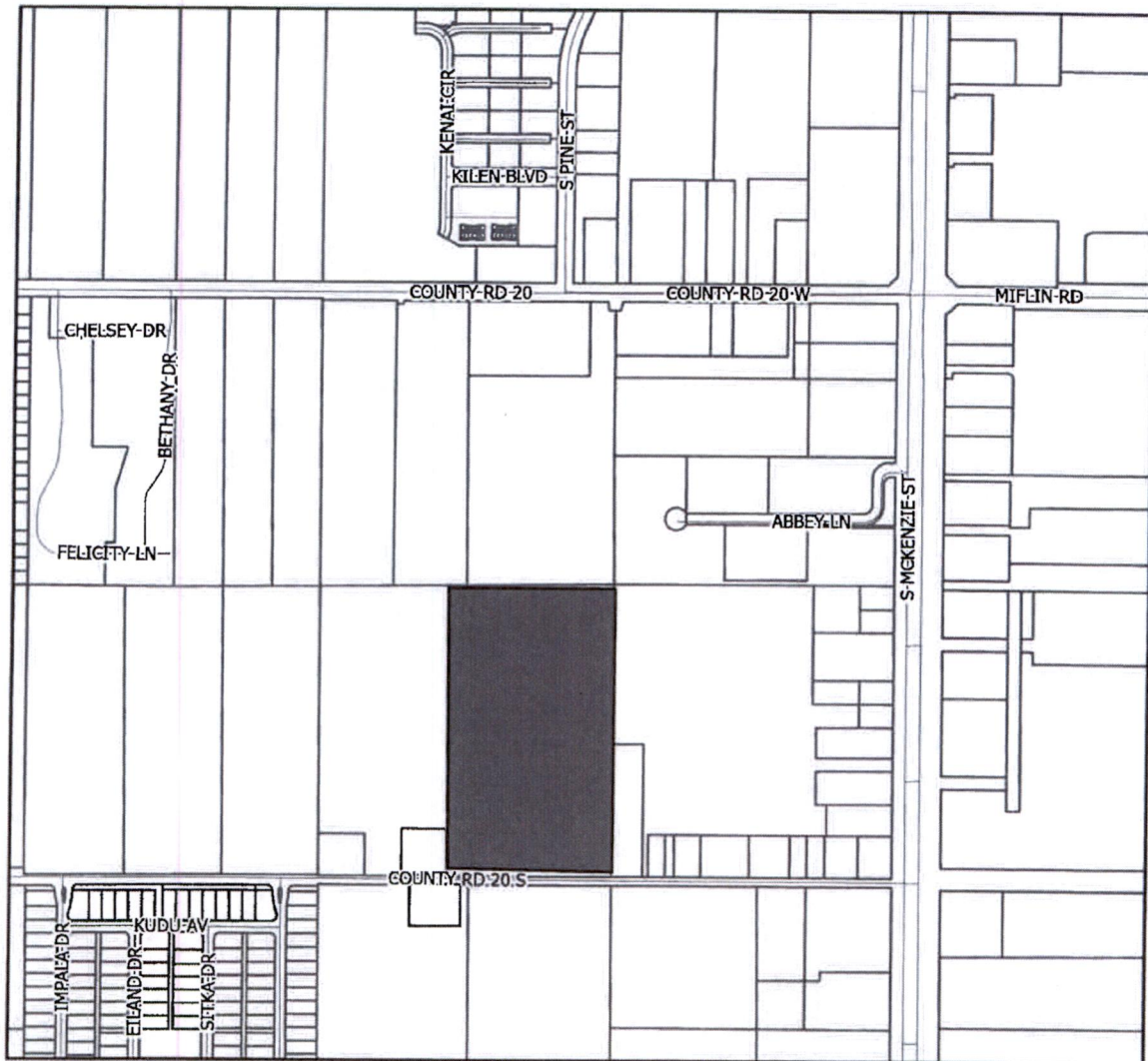
A lot or parcel of land being located in the City of Foley, Baldwin County, Alabama, and being more particularly described as follows:

BEGINNING at the Northeast corner of the Southwest 1/4 of the Northeast 1/4 of Section 8, Township 8 South, Range 4 East as marked by an existing iron pin (EIP) (Illegible) and being the Southwest corner of Mullins Commercial Re-Subdivision of Lot 1 as found recorded in the Office of the Judge of Probate of Baldwin County, Alabama, on Slide No. 2467-D, and being the Northwest corner of the Phase One AFCO Commercial Subdivision s found recorded in said Office on Slide No. 2173-C; thence along the East line of said SE 1/4 of the NE 1/4 bearing S 00°03'40" E a distance of 706.06 FT to an EIP (Illegible) and being on the West line of said Phase 1; thence along said East line bearing S 00°03'40" E a distance of 580.02 FT to the intersection of said East line with the North right of way (R/W) of County Road No. 20 (80' R/W) as marked by a set iron pin (SIP); thence along said North R/W bearing N 89°44'22" W a distance of 751.19 FT to an EIP (1" Pipe); thence depart said North R/W bearing N 00°28'53" E a distance of 210.00 FT to a SIP; thence N 00°28'53" E a distance of 1066.36 FT to a SIP being on the North line of said SW 1/4 of the NE 1/4; thence along said North line bearing N 89°30'29" E a distance of 739.11 FT to the POINT OF BEGINNING. Said parcel being located in the City of Foley, Baldwin County, Alabama, in the SW 1/4 of the NE 1/4 of Section 8, T8S, R4E and containing 21.92 acres, more or less.

Instrument No. 1198477, PPIN No. 13599



PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the pre-zoning of 22 +/- acres.

Proposed zoning is R-3 (Residential Multi-Family). Property is located W. of State Hwy. 59 and N. of County Rd. 20 S.

Applicant is Terry Grant.

Anyone interested in this pre-zoning request may be heard at a public hearing on January 19, 2022 in City Hall Council Chambers located at 407 E. Laurel Ave. at 5:30 p.m. or may respond in writing to 120 S. McKenzie St. , Foley, AL 36535.

Wes Abrams
Planning Commission Chairman

State of Alabama
Baldwin County

BALDWIN COUNTY, ALABAMA
JUDGE ADRIAN T. JOHNS
Filed/cert. 9/18/2009 10:28 AM
DEED TAX \$ 391.50
TOTAL \$ 408.50
2 Pages

1198477

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that MARGARET GRANT, a widow woman, surviving grantee of that instrument recorded in Real Property Book 294 at Page 464 in the Office of the Judge of Probate of Baldwin County, Alabama, (the other Grantee, Clifford Grant having departed this life on February 24, 2009, a copy of his death certificate recorded contemporaneously herewith) hereinafter Grantor, for in and consideration of the sum of TEN DOLLARS (\$10.00) cash, and other valuable consideration, in hand paid by TERRY GRANT, a single person, hereinafter Grantee, the receipt and sufficiency of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the said Grantee, all my right title and interest in and to the following described property, situated in Baldwin County, Alabama, to-wit:

The Southwest ¼ of the Northeast ¼ of Section 8, Township 8 South, Range 4 East, less and except 2 acres previously conveyed, being the same property described in instrument recorded in Real Property Book 294, Page 464 in the Office of the Judge of Probate of Baldwin County, Alabama.

Subject to: any and all reservations or easements of record, if any.

Grantor, for herself and her heirs and assigns, hereby covenants and warrants to the Grantee, that she is seized with an indefeasible estate in fee simple in and to all the property hereinabove conveyed; that the same is free from all liens and encumbrances; that she has a good right to sell and convey the same; that she will guarantee the peaceable possession thereof; and that she will forever warrant and defend the same unto the said Grantee, his heirs and assigns, against the lawful claims of all persons whomsoever.

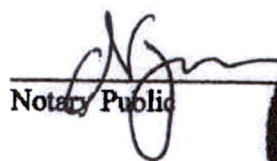
TO HAVE AND TO HOLD unto the said Grantee, his heirs and assigns, forever.

IN WITNESS WHEREOF, the Grantor sets her hand and seal on this the 17th day of September, 2009.


Margaret Grant

State of Alabama
Baldwin County

Personally appeared before me, the undersigned authority, MARGARET GRANT, who is known to me and acknowledged before me that being informed of the contents of this instrument, she signed the same voluntarily, and with full power and authority, on the day the same bears date, and further confirms that said property is not part of the homestead property of the Grantor.


Notary Public

Grantor Address: 19924 Co. Rd. 20 S., Foley, AL 36535
Grantee Address: 19521, Co. Rd. 20 S., Foley, AL 36535

This instrument prepared without title examination by:
J. RUSSELL PIGOTT
ATTORNEY AT LAW
107 W. Orange Ave. Ste. C
Foley, Alabama 36535
(251) 943-3535

