



PETITION REQUESTING DE-ANNEXATION  
(MUST BE COMPLETED BY PROPERTY OWNER)

To the Mayor and Council of Foley, Alabama:

We, the undersigned owners of the property described in "Appendix A" hereby petition the City of Foley and request that said City de-annex the described property from the corporate boundaries of Foley.

Said owners certify that they are the owners of the land identified in "Appendix A" and that there are no other owners or co-owners of any such property.

James Randall McPhail 9-12-13  
Signature of Owner (1) Date

JAMES RANDALL McPhail Owner  
Print Name and Title

Notary Seal

22521 Hwy 98 Foley AL 36535  
Address, City, State, Zip Code

Joe A. Rodgers  
Notary My Commission Expires 11/7/2016

\_\_\_\_\_  
Signature of Owner (2) Date

Notary Seal

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Address, City, State, Zip Code

\_\_\_\_\_  
Notary

\_\_\_\_\_  
Signature of Owner (3) Date

Notary Seal

\_\_\_\_\_  
Print Name and Title

\_\_\_\_\_  
Address, City, State, Zip Code

\_\_\_\_\_  
Notary



### ADDENDUM TO APPLICATION

Please answer the following:

1. Total population, including children and tenants, who live on the property to be de-annexed is: 2
2. Total number of dwelling on the property: 2
3. Total number of persons, including children and tenants, living on the property, by race:  
☒ WHITE      ☐ HISPANIC      ☐ AFRICAN AMERICAN      ☐ ASIAN  
☐ NATIVE AMERICAN      ☐ OTHER (SPECIFY) \_\_\_\_\_
4. Total number of persons, eighteen (18) years of age or older living on the property: 1
5. Total number of individuals, eighteen (18) years of age or older who are registered to vote in Baldwin County, Alabama, who live on the property: 1

Please provide the complete name and age for each such person:

James Randall McPhail \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

6. What is the current use for the property to be de-annexed:

☒ Residential      ☐ Commercial

7. State the reason(s) for requesting de-annexation by the City of Foley, Alabama:

It was, out of state when they held the meeting  
I called, And was told I would have the choice to  
remain in the county I would not be annexed in without  
my consent we use the property for hunting

8. Voting District: \_\_\_\_\_



## "APPENDIX A"

Legal Description of Property to be De-Annexed:

## WARRANTY DEED

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

KNOW ALL MEN BY THESE PRESENTS: That for and in consideration of the sum of TEN DOLLARS (\$10.00) and other good and valuable considerations paid to me by **RANDY McPHAIL**, Post Office Box 945, Orange Beach, Alabama 36561 ["Grantee"], the receipt and sufficiency of which is hereby acknowledged, I, **DAVID HAEGELAND**, a married man, who does hereby certify that the property conveyed herein does not constitute any portion of his homestead, 65 East Palatine Road, Prospect Heights, Illinois 60070 ["Grantor"], do grant, bargain, sell and convey unto the Grantee the following described real property [the "Property"], situated in Baldwin County, Alabama, viz:

Lot Number 1, Sandy Creek Acres Subdivision, as shown by map or plat thereof recorded in Map Book 10, Page 134, Probate Records, Baldwin County, Alabama.

## SUBJECT TO THE FOLLOWING:

1. Restrictive Covenants/Restrictions as contained in Miscellaneous Book 31, Page 999. But deleting any covenant, condition or restriction indicating a preference, limitation or discrimination based on race, color, religion, sex, handicap, familial status or national origin to the extent such covenants, conditions or restrictions violate 42 USC 3604(c).
2. Title to any portion of the land below the normal high water level and rights of the public and others entitled thereto in and to the use of that portion of the described premises within the bounds of Sandy Creek.
3. Building set-back lines, drainage and utility easements as shown on recorded plat.
4. Any part of the land described which may constitute wetlands or tidelands and any restriction on use or development arising out of a determination that the land, or some portion thereof, may be subject to provisions of Alabama Coastal Preservation statutes.

## SUBJECT TO:


Any and all restrictive covenants, easements, reservations, mineral reservations or covenants of minerals and rights-of-ways applicable to said property of record in the Probate Court of Baldwin County, Alabama.

TO HAVE AND TO HOLD unto the Grantee, his heirs and assigns in fee simple, forever.

And I do, for myself and for my heirs, executors and administrators, covenant with the Grantee, his heirs and assigns that; I am lawfully seized in fee simple of the Property and that it is free from all encumbrances; I have a good right to sell and

convey the Property as aforesaid; and, I will, and my heirs, executors and administrators shall warrant and defend the title to the Property to the Grantee, his heirs and assigns, forever, against the lawful claims of all persons.


IN WITNESS WHEREOF, I have hereunto set my hand and seal, this 9th day of November, 2007.

  
\_\_\_\_\_  
DAVID HAEGELAND L.S.

STATE OF ALABAMA,  
COUNTY OF BALDWIN.

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that **DAVID HAEGELAND**, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of November, 2007.

  
\_\_\_\_\_  
Notary Public  
My Commission Expires: 08/03/2011

This instrument was prepared by:  
HARTLEY & HICKMAN  
Attorneys at Law  
P.O. Box 583  
Greenville, Alabama 36037  
(334) 382-6618  
(334) 382-5183 FAX

The preparation of this document does not constitute an examination of title as to the property described herein. The above attorneys have made no such title examination unless reflected by separate documents signed by such attorneys. The description of the real property used in this document was provided to the above attorneys by the Grantor and/or the Grantee and is not based on an historical examination of the title by the above attorneys or on an engineer's or other survey of the property described.