



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36535

Signature Copy

Resolution: 14-0355-RES

File Number: 14-0608

Enactment Number: 14-0355-RES

Reducing the City's Corporate Limits

WHEREAS, Larry Wireman was advised of the proposed Annexation by Legislative Act along U.S. Hwy. 98 West and received notice of the public hearing held on January 8, 2014, and had made his wishes known that he wanted to "Opt-Out", and

WHEREAS, the property located at 17195 US Highway 98 West, which consists of 19.44 acres, was inadvertently included in Legislative Act 2014-409 annexing various properties along U.S. Hwy. 98 west of Foley, and

WHEREAS, it is the City's desire to decrease the City's corporate limits by de-annexing 17195 US Highway 98 West in accordance with the procedures set forth in the *Code of Alabama, 1975, Section 11-42-200*.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Foley, Alabama, as follows:

SECTION 1: Approves the de-annexation of 17195 US Highway 98 West.

SECTION 2: The qualified elector that owns the property is Larry Wireman.

SECTION 3: Approves the new corporate limits as set forth in the attached Exhibit

"A".

SECTION 4: A certified copy of this resolution defining the City's proposed corporate limits will be sent to the Judge of Probate, Baldwin County, Alabama, who will hold a hearing at which the owner of record, Larry Wireman, may appear before the Judge of Probate to show just cause as to why the proposed reduction of corporate limits should not take place (Section 11-42-202, Code of Alabama, 1975).

SECTION 5: This Resolution shall become effective immediately upon its adoption as required by law.

PASSED, APPROVED AND ADOPTED this 18th day of August, 2014.

Aye: 4 President Trawick, Council Member Quaites, Council Member Hellmich
and Council Member Blackwell

Nay: 1 Council Member Ebert III



President's Signature

JW Trawick

Date

8-19-14

Attest by City Clerk

Victoria Southern

Date

8-19-14

Mayor's Signature

[Signature]

Date

8/19/14



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.

X Larry Wireman

Signature of Owner (1)

8/12/14
Date

LARRY WIREMAN

Print Name and Title

P.O. Box 189, Orange Beach, AL 36561

Address, City, State, Zip Code

Rachel Deisner
Notary Exp 05/02/15

N/A

Signature of Owner (2)

Date

Print Name and Title

Notary Seal

Address, City, State, Zip Code

Notary

N/A

Signature of Owner (3)

Date

Print Name and Title

Notary Seal

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: N/A
2. Total number of dwelling on the property: N/A
3. Total number of persons, including children and tenants, living on the property, by race: N/A
☐ 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: N/A
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: N/A

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

_____	_____
_____	_____
_____	_____

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 my intention to not have this property annexed earlier this year. I thought that I had provided the proper materials to confirm that request, but it has become clear that an error or omission was made which allowed the property to be annexed.

8. Voting District: 4



ATTACHMENT "A"

Legal Description of Property to be De-Annexed:

Property situated in the City of Foley, County of Baldwin, State of Alabama, as more particularly described as:

Commencing at the Southeast corner of the Southwest Quarter of the Northwest Quarter, of Section 25, Township 7 South, Range 3 East, Baldwin County, Alabama, run north $00^{\circ} 00' 47''$ East, 50 feet to a potato iron at the Southwest corner of Lot One, SUNSET SUBDIVISION, UNIT ONE (unrecorded subdivision) and also being on the North right-of-way of U.S. Highway No. 98 for the POINT OF BEGINNING: Thence run West, along said North right-of-way, 675.6 feet to an iron pipe; thence run North $01^{\circ} 44' 33''$ East, 500.23 feet to an iron pipe; thence run North 775.93 feet to a point; thence run North $89^{\circ} 56' 19''$ East, 660.68 feet to an iron pipe; thence run South $00^{\circ} 00' 47''$ West, 1276.64 feet to the Point of Beginning.

Being more particularly described by survey of Moore Surveying Inc., dated June 27, 2005 by Seth W. Moore, P.L.S. Alabama Reg. No. 16671 as follows:

Commencing at the Southeast corner of the Southwest Quarter of the Northwest Quarter of Section 25, Township 7 South, Range 3 East, Baldwin County, Alabama, run north $00^{\circ} 00' 47''$ East, a distance of 50 feet to a concrete monument on the Southwest corner of Lot One of SUNSET SUBDIVISION, UNIT ONE (unrecorded subdivision) and lying on the North right-of-way of U.S. Highway No. 98 for the POINT OF BEGINNING: Thence run North $89^{\circ} 59' 20''$ West, along said North right-of-way line a distance of 675.6 feet to a concrete monument; thence run North $01^{\circ} 43' 19''$ East, a distance of 500.4 feet to a concrete monument; thence run North $00^{\circ} 00' 44''$ West, a distance of 776.1 feet to a concrete monument; thence run North $89^{\circ} 58' 02''$ East, a distance of 661.00 feet to a concrete monument; thence run South $00^{\circ} 00' 47''$ West, a distance of 1,276.7 feet to the Point of Beginning.

IN THE PROBATE COURT OF BALDWIN COUNTY, ALABAMA

In re: City of Foley
De-annexation
Resolution No.

*
*
*
*
*

Case No. _____

WAIVER AND CONSENT REGARDING DE-ANNEXATION

The undersigned property owner, who is a non-resident owner of the real property situated in the territory described in Attachment A hereto and designated on Attachment B hereto, does hereby certify de-annexation of said territory by the City of Foley, and waives any rights to any and all hearings before the Probate Court of Baldwin County, Alabama, and consents to entering of an Order by said Probate Court to accomplish such of the said territory.

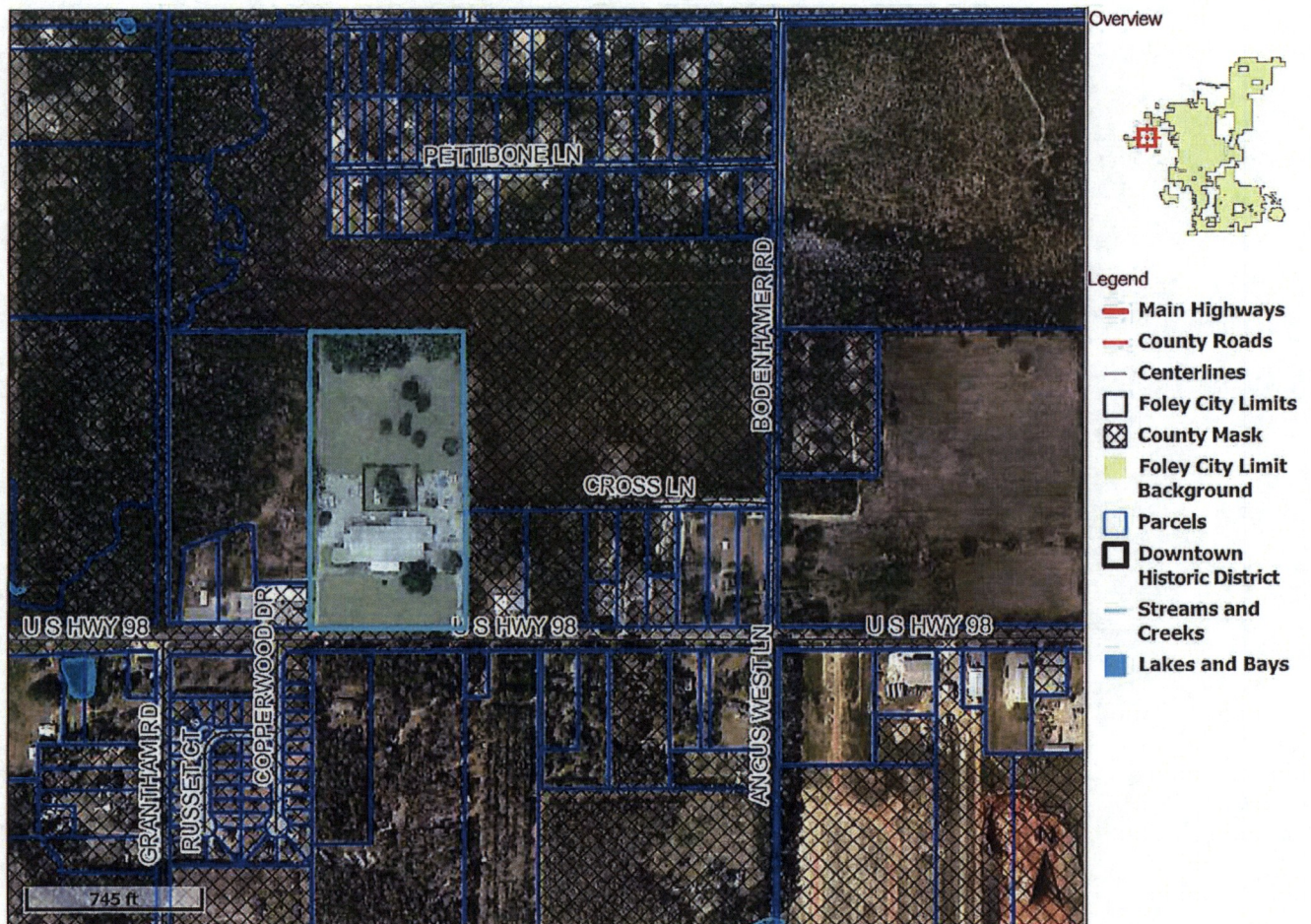
X Larry Wireman 8/12/14
, Owner Larry Wireman

, Owner

Deannexation: 17195 US HWY 98

Created By: K
Date Created: 8/13/2014

Larry Wireman



PIN - 61083
Par Num - 097.000
Acreage - 19.276
Subdivision -
Lot -
Street Name - US HWY 98
Street Number - 17195
Improvement - GENO,LMAN,PAVI,PAVI,FENC,MH,SHOP,2 PAV

Name - WIREMAN, LARRY
Address1 - 28103 PERDIDO BEACH BLVD
Address2 - STE 100
Address3 -
City - ORANGE BEACH
State - AL
Zip - 36561

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