



April 21, 2022

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

RE: Request for Rezoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on April 20, 2022 and the following action was taken:

Sam Gerges- Request for Rezone

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 24.44 +/- acres. Property is currently zoned PUD (Planned Unit Development) requested zone is R-3 (Residential Multi-Family). Property is located N. of County Rd. 20 and E. of S. Pine St. Applicant is Sam Gerges.

Commissioner Hare made a motion to recommend the requested rezoning to the Mayor and Council. Commissioner Hellmich seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning to Mayor and Council passes.

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

Respectfully,

Melissa Ringler

Melissa Ringler
Planning & Zoning Coordinator

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
ZONING OF PROPERTY**

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

Response: CR20 & S. Pine St., PPIN #034817, 269941, 269942, 238387 & 238388

2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:

Response: Please see attached list of property owners.

3. APPROXIMATE SIZE OF PROPERTY:

Response: 24.44

4. PRESENT ZONING OF PROPERTY:

Response: PUD

5. REQUESTED ZONING:

Response: R3

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

Response: The property is vacant and was previously approved PUD for a RV park.

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

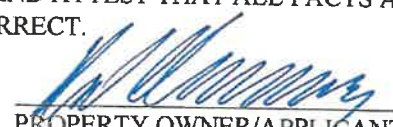
Response: Proposed multi-family development with 264 units

8. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.

Response: Total check amount is \$575

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

DATE: 3/25/22


PROPERTY OWNER/APPLICANT Hathaway Development

3300 Northeast Expressway Building 6, Atlanta, GA 30341

PROPERTY OWNER ADDRESS

251-928-3443

PHONE NUMBER

sruth@jadengineers.com

EMAIL ADDRESS

4pd. nvaapt
#20141



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NOTARIZED AUTHORIZATION OF OWNER

I/We, Sam and Lidia Gerges as the sole or joint fee simple title holder(s) of the property described as parcels 05-61-03-05-4-001-016.000, 05-61-03-05-4-001-016.002, 05-61-03-05-4-001-016.003 05-61-03-05-4-001-014.008 & 05-61-03-05-4-001-014.008 in the City of Foley, County of Baldwin, State of Alabama, authorize Hathaway Development, LLC and JADE Consulting, LLC and/or their consultants to act as our agent to seek City, County or state PUD, Rezone, subdivision, Site Plan/Development, Variance, DOT & DEP approvals, and/or all regulatory approvals in connection therewith, on the above referenced property.

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Sam Gerges

Lidia Gerges

As Its: Owner/ Seller

Address: 3041 East 1st. St.
Gulf Shores, AL 36548

Phone: _____ Fax: _____

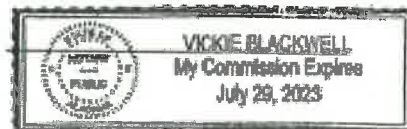
Email: _____

STATE OF Alabama
COUNTY OF Baldwin

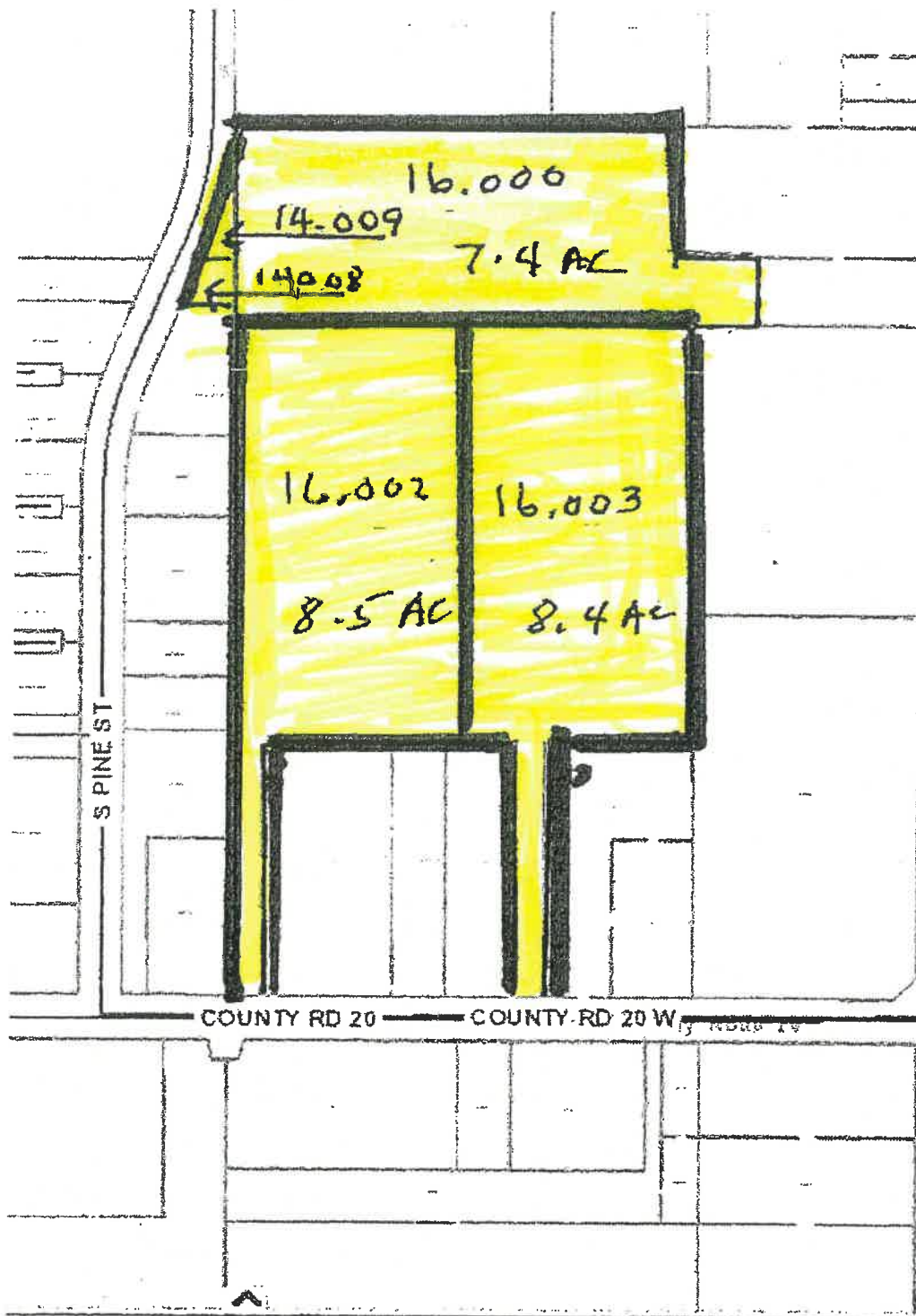
The forgoing instrument was acknowledged before me this 23rd day of March, 2022 by Sam Gerges and Lidia Gerges, who is personally known to me or who has produced Drivers Licenses (type of ID) as identification and who did not take an oath.

Vickie Blackwell
NOTARY PUBLIC - STATE OF AL
Vickie Blackwell
NAME OF NOTARY - TYPED OR PRINTED

COMMISSION NO:



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3/15/2021 AC



Baldwin County Revenue Commissioner

Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 3/25/2022

Tax Year 2021

Valuation Date October 1, 2020

OWNER INFORMATION

PARCEL	61-03-05-4-001-014.008	PPIN 238387	TAX DIST 07
NAME	GERGES, SAM ETAL GERGES, LIDIA		
ADDRESS	3041 W 1ST ST (MA) GULF SHORES AL 36542		
DEED TYPE IN	BOOK 0000	PAGE 1724448	
PREVIOUS OWNER	SE PROPERTY HOLDINGS L L C		
LAST DEED DATE	9/27/2018		

DESCRIPTION

80' X 95.4' IRR THE S PT OF "PARCEL C" PROCHAZKA SUB SLIDE 2
188-B DESC AS: BEG AT THE SE COR OF PAR C RUN TH W 95.4', TH
NE 90', TH E 60', TH S 80' TO POB IN CITY OF FOLEY SEC 5-T8
S-R4E (ST WD/SURVIVORSHIP)

PROPERTY INFORMATION

PROPERTY ADDRESS	FOLEY LN		
NEIGHBORHOOD	SBALDCO		
PROPERTY CLASS		SUB CLASS	
SUBDIVISION	01PRO	SUB DESC	PROCHAZKA SUB UNIT 1
LOT CPT BLOCK			
SECTION/TOWNSHIP/RANGE	00-00 -00		
LOT DIMENSION		ZONING	

PROPERTY VALUES

LAND:	5600	CLASS 1:	TOTAL ACRES:	.15
BUILDING:		CLASS 2: 5600	TIMBER ACRES:	
	=====	CLASS 3:		
TOTAL PARCEL VALUE:	5600			
ESTIMATED TAX:	\$36.96			

DETAIL INFORMATION

<u>CODE TYPE</u>	<u>REF METHOD</u>	<u>DESCRIPTION LAND USE</u>	<u>TC HsPn</u>	<u>MARKET USE</u>
			<u>VALUE</u>	<u>VALUE</u>
M	LAND 1	MA MA-50000 .15 acres	9150-VACANT COMMERCIA 2	N N 5600

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3/28/2022



Baldwin County Revenue Commissioner

Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 3/25/2022

Tax Year 2021

Valuation Date October 1, 2020

OWNER INFORMATION			
PARCEL	61-03-05-4-001-014.009	PPIN 238388	TAX DIST 07
NAME	GERGES, SAM ETAL GERGES, LIDIA		
ADDRESS	3041 W 1ST ST (MA)		
	GULF SHORES AL 36542		
DEED TYPE IN	BOOK 0000	PAGE	1724448
PREVIOUS OWNER	SE PROPERTY HOLDINGS L L C		
LAST DEED DATE	9/27/2018		

DESCRIPTION	
262'(S) X 60' IRR THE N PT OF "PARCEL C" PROCHAZKA SUB UNIT	
1 SLIDE 2188-B DESC AS: COM AT THE SE COR OF PAR C RUN TH N	
80' FOR POB TH RUN W 60', TH NE 262'(S), TH S 254'(S) TO POB	
IN CITY OF FOLEY SEC 5-T8S-R4E (ST WD/SURVIVORSHIP)	

PROPERTY INFORMATION			
PROPERTY ADDRESS	FOLEY LN		
NEIGHBORHOOD	SBALDCO		
PROPERTY CLASS		SUB CLASS	
SUBDIVISION	01PRO	SUB DESC	PROCHAZKA SUB UNIT 1
LOT CPT BLOCK			
SECTION/TOWNSHIP/RANGE	00-00 -00		
LOT DIMENSION	ZONING		

PROPERTY VALUES			
LAND:	4200	CLASS 1:	TOTAL ACRES: .13
BUILDING:		CLASS 2: 4200	TIMBER ACRES:
	=====	CLASS 3:	
TOTAL PARCEL VALUE:	4200		
ESTIMATED TAX:	\$27.72		

DETAIL INFORMATION			
CODE TYPE	REF METHOD	DESCRIPTION LAND USE	TC HsPn MARKET USE VALUE VALUE
M	LAND 1	MA MA-50000 .13 acres	9150-VACANT COMMERCIA 2 N N 4200

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Baldwin County
Revenue Commissioner

Property Appraisal Link

BALDWIN COUNTY, AL

Current Date 11/30/2021

Tax Year 2021

Valuation Date October 1, 2020

OWNER INFORMATION

PARCEL 61-03-05-4-001-016.000 **PPIN** 034817 **TAX DIST** 07
NAME GERGES, SAM ETAL GERGES, LIDIA
ADDRESS 3041 W 1ST ST (MA)
 GULF SHORES AL 36542
DEED TYPE IN BOOK 0000 **PAGE** 1724448
PREVIOUS OWNER SE PROPERTY HOLDINGS L L C
LAST DEED DATE 9/27/2018

DESCRIPTION

7.4 AC(C) ALL THAT PART OF LOT 3 PROCHAZKA SUB SLIDE 2188-B
 EXCEPT THAT PT DESC IN PARCEL "C" WHICH ADJOINS PINE ST R/W
 (A/K/A PARCELS 14.008 & 14.009) IN CITY OF FOLEY SEC 5-T8S-R
 4E (ST WD/SURVIVORSHIP)

PROPERTY INFORMATION

PROPERTY ADDRESS 10253 ST HWY 59
NEIGHBORHOOD SBALDCO
PROPERTY CLASS **SUB CLASS**
SUBDIVISION 01PRO **SUB DESC** PROCHAZKA SUB UNIT 1
LOT 3 BLOCK
SECTION/TOWNSHIP/RANGE 00-00 -00
LOT DIMENSION **ZONING** B-1A

PROPERTY VALUES

LAND: 158400 **CLASS 1:** **TOTAL ACRES:** 7.40
BUILDING: **CLASS 2:** **TIMBER ACRES:**
 ===== **CLASS 3:** 158400
TOTAL PARCEL VALUE: 158400
ESTIMATED TAX: \$522.72

DETAIL INFORMATION

<u>CODE TYPE</u>	<u>REF METHOD</u>	<u>DESCRIPTION LAND USE</u>	<u>TC</u>	<u>HsPn</u>	<u>MARKET USE</u>	<u>VALUE</u>	<u>VALUE</u>
M	<u>LAND</u> 2	MA MA-20000 7.40 acres	9110-VAC RES	3	N N	158400	

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Baldwin County Revenue Commissioner

Property Appraisal Link BALDWIN COUNTY, AL

Current Date 11/30/2021

Tax Year 2021

Valuation Date October 1, 2020

OWNER INFORMATION

PARCEL 61-03-05-4-001-016.002 **PPIN** 269941 **TAX DIST** 07
NAME GERGES, SAM ETAL GERGES, LIDIA
ADDRESS 3041 W 1ST ST (MA)
 GULF SHORES AL 36542
DEED TYPE IN BOOK 0000 **PAGE** 1724448
PREVIOUS OWNER SE PROPERTY HOLDINGS L L C
LAST DEED DATE 9/27/2018

DESCRIPTION

8.5 AC LOT 1 PROCHAZKA SUB SLIDE 2188-B IN CITY OF FOLEY SEC
 5-T8S-R4E (ST WD/SURVIVORSHIP)

PROPERTY INFORMATION

PROPERTY ADDRESS 10253 ST HWY 59
NEIGHBORHOOD SBALDCO
PROPERTY CLASS **SUB CLASS**
SUBDIVISION 01PRO **SUB DESC** PROCHAZKA SUB UNIT 1
LOT 1 BLOCK
SECTION/TOWNSHIP/RANGE 00-00 -00
LOT DIMENSION

ZONING

PROPERTY VALUES

LAND: 181900 **CLASS 1:** **TOTAL ACRES:** 8.50
BUILDING: **CLASS 2:** **TIMBER ACRES:**
 ===== **CLASS 3:** 181900
TOTAL PARCEL VALUE: 181900
ESTIMATED TAX: \$600.60

DETAIL INFORMATION

<u>CODE</u>	<u>TYPE</u>	<u>REF METHOD</u>	<u>DESCRIPTION</u>	<u>LAND USE</u>	<u>TC</u>	<u>HsPn</u>	<u>MARKET USE</u>
							<u>VALUE</u> <u>VALUE</u>
M	<u>LAND</u>	2	MA MA-20000	8.50 acres	9110-VAC RES	3	N N 181900

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Baldwin County Revenue Commissioner

Property Appraisal Link BALDWIN COUNTY, AL

Current Date 11/30/2021

Tax Year 2021

Valuation Date October 1, 2020

OWNER INFORMATION

PARCEL 61-03-05-4-001-016.003 **PPIN** 269942 **TAX DIST** 07
NAME GERGES, SAM ETAL GERGES, LIDIA
ADDRESS 3041 W 1ST ST (MA)
 GULF SHORES AL 36542
DEED TYPE IN BOOK 0000 **PAGE** 1724448
PREVIOUS OWNER SE PROPERTY HOLDINGS L L C
LAST DEED DATE 9/27/2018

DESCRIPTION

8.4 AC LOT 2 PROCHAZKA SUB SLIDE 2188-B IN CITY OF FOLEY SEC
 5-T8S-R4E (ST WD/SURVIVORSHIP)

PROPERTY INFORMATION

PROPERTY ADDRESS 10253 ST HWY 59
NEIGHBORHOOD SBALDCO
PROPERTY CLASS **SUB CLASS**
SUBDIVISION 01PRO **SUB DESC** PROCHAZKA SUB UNIT 1
LOT 2 BLOCK
SECTION/TOWNSHIP/RANGE 00-00 -00
LOT DIMENSION

ZONING

PROPERTY VALUES

LAND: 179800 **CLASS 1:** **TOTAL ACRES:** 8.40
BUILDING: **CLASS 2:** **TIMBER ACRES:**
 ===== **CLASS 3:** 179800
TOTAL PARCEL VALUE: 179800
ESTIMATED TAX: \$593.34

DETAIL INFORMATION

<u>CODE</u>	<u>TYPE</u>	<u>REF METHOD</u>	<u>DESCRIPTION</u>	<u>LAND USE</u>	<u>TC</u>	<u>HsPn</u>	<u>MARKET USE</u>
							<u>VALUE</u> <u>VALUE</u>
M	<u>LAND</u>	2	MA MA-20000	8.40 acres	9110-VAC RES	3	N N 179800

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8/27/20

STATE OF ALABAMA
COUNTY OF MOBILE

LOTS 1, 2 & 3, UNIT 1 OF PROCHAZKA SUBDIVISION, AS RECORDED ON SLIDE 2188B OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA;

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A CAPPED REBAR (ILLEGIBLE) AT THE SOUTHEAST CORNER OF LOT 2, UNIT 1 OF PROCHAZKA SUBDIVISION, AS RECORDED ON SLIDE 2188-B OF THE RECORDS IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA, SAID POINT BEING ON THE NORTH RIGHT- OF-WAY LINE OF COUNTY ROAD 20 (80' R/W), THENCE RUN NORTH 89°-51'-18" WEST ALONG THE SOUTH LINE OF SAID LOT 2 AND ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 59.85 FEET TO A CAPPED REBAR (VOLKERT); THENCE RUN NORTH 00°-01'-09" EAST ALONG SAID LOT 2 A DISTANCE OF 463.19 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN NORTH 89°-59'-23" WEST ALONG SAID LOT 2 AND ALONG LOT 1 OF SAID UNIT 1 OF PROCHAZKA SUBDIVISION A DISTANCE OF 470.40 FEET TO A CAPPED REBAR (CA-0371); THENCE RUN SOUTH 00°-03'-01" EAST ALONG SAID LOT 1 A DISTANCE OF 462.48 FEET TO A CAPPED REBAR (VOLKERT) ON THE NORTH RIGHT-OF-WAY OF SAID COUNTY ROAD 20; THENCE RUN SOUTH 89°-45'-19" WEST ALONG SAID NORTH RIGHT-OF-WAY LINE AND ALONG SAID LOT 1 A DISTANCE OF 59.97 FEET; THENCE RUN NORTH 00°-00'-39" WEST ALONG SAID LOT 1 AND ALONG LOT 3 OF SAID UNIT 1 OF PROCHAZKA SUBDIVISION A DISTANCE OF 1,286.03 FEET TO A CAPPED REBAR (GMC); THENCE RUN NORTH 89°-52'-09" WEST ALONG SAID LOT 3 A DISTANCE OF 95.43 FEET TO A CAPPED REBAR (VOLKERT) ON THE EAST RIGHT-OF-WAY LINE OF PINE STREET (80' R/W); THENCE RUN NORTH 23°-39'-31" EAST ALONG SAID EAST RIGHT-OF-WAY LINE AND ALONG SAID LOT 3 A DISTANCE OF 109.79 FEET TO A CAPPED REBAR (WATTIER); THENCE RUN NORTHWARDLY ALONG SAID EAST RIGHT-OF-WAY LINE, ALONG SAID LOT 3, AND ALONG THE ARC OF A CURVE TO THE LEFT (HAVING A DELTA OF 22°-25'-26", A RADIUS OF 613.24 FEET, A CHORD BEARING OF NORTH 12°-25'-11" EAST, AND A CHORD LENGTH OF 238.53 FEET) AN ARC DISTANCE OF 240.06 FEET TO A CAPPED REBAR (WATTIER); THENCE RUN SOUTH 00°-00'-49" EAST ALONG SAID LOT 3 A DISTANCE OF 3.45 FEET TO A CAPPED REBAR (CA-0371); THENCE RUN SOUTH 89°-54'-23" EAST ALONG SAID LOT 3 A DISTANCE OF 831.60 FEET TO A CAPPED REBAR (ILLEGIBLE); THENCE RUN SOUTH 02°-42'-27" WEST ALONG SAID LOT 3 A DISTANCE OF 240.75 FEET TO A CAPPED REBAR (VOLKERT); THENCE RUN SOUTH 89°-57'-05" EAST ALONG SAID LOT 3 A DISTANCE OF 161.65 FEET TO A CAPPED REBAR (SPEAKS); THENCE RUN SOUTH 00°-04'-14" WEST ALONG SAID LOT 3 A DISTANCE OF 125.05 FEET TO A CAPPED REBAR (SPEAKS); THENCE RUN NORTH 89°-55'-06" WEST ALONG SAID LOT 3 A DISTANCE OF 117.44 FEET TO A CRIMP TOP PIPE AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE RUN SOUTH 00°-02'-56" EAST ALONG SAID LOT 2 A DISTANCE OF 771.78 FEET TO A 1/2" REBAR; THENCE RUN NORTH 89°-49'-23" WEST ALONG SAID LOT 2 A DISTANCE OF 274.64 FEET TO A 1/2" REBAR; THENCE RUN SOUTH 00°-02'-28" WEST ALONG SAID LOT 2 A DISTANCE OF 479.20 FEET TO THE POINT OF BEGINNING.



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18-16511

STATE OF ALABAMA:

COUNTY OF BALDWIN:

BALDWIN COUNTY, ALABAMA
 TIM RUSSELL PROBATE JUDGE
 Filed/cert. 10/12/2018 12:32 PM
 DEED TAX \$ 750.00
 TOTAL \$ 775.00
 5 Pages

17724448

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that SE PROPERTY HOLDINGS, LLC, an Ohio limited liability company ("Grantor"), in consideration of the sum of SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$750,000.00) paid to Grantor by SAM GERGES and LIDIA GERGES (the "Grantees"), the receipt whereof is hereby acknowledged, does, subject to all matters and exceptions hereinafter mentioned, hereby GRANT, BARGAIN, SELL, and CONVEY unto the said Grantees as tenants in common, so long as they both shall live, and upon the death of either of them, to the survivor of them, and to the heirs, personal representatives and assigns of such survivor, the following described real property situated in the County of Baldwin, State of Alabama, to-wit:

Beginning at the Southeast corner of Lot 2, Unit One of Prochazka Subdivision, as recorded on Slide 2188B in the Office of Probate Records, Baldwin County, Alabama and the North Right of Way of County Road 20; thence N 89°51'19" W along said North Right of Way a distance of 59.82 feet to a capped rod; thence N 0°00'46" E a distance of 463.18 feet to a capped rod; thence N 89°59'00" W a distance of 470.57 feet to a capped rod; thence S 0°02'50" E a distance of 462.55 feet to a capped rod on the North Right of Way of County Road 20; thence N 89°54'23" W along said North right of way a distance of 60.00 feet to a capped rod; thence N 0°00'19" W a distance of 1285.84 feet to a capped rod; thence N 89°52'41" W a distance of 95.45 feet to a capped rod on the East right of way of Pine Street; thence N 23°36'54" E along said East right of way a distance of 109.78 feet to a capped rod; thence along said East right of way an arc 239.97 feet to the left, having a radius of 613.08 feet, the chord of which is N 12°27'13" E a distance of 238.44 feet to a capped rod; thence S 0°00'09" E a distance of 3.32 feet to a capped rod; thence S 89°54'34" E a distance of 589.00 feet to a capped rod; thence N 0°01'51" W a distance of 369.48 feet to a capped rod; thence N 89°59'09" E a distance of 342.95 feet to a capped rod; thence S 0°01'31" E a distance of 79.56 feet to a rebar; thence S 89°57'01" E a distance of 350.02 feet to

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a capped rod on the West right of way of Alabama Highway 59; thence S 0°02'11" E along said West right of way a distance of 40.00 feet to a capped rod; thence N 89°56'32" W a distance of 400.15 feet to a capped rod; thence S 0°00'01" W a distance of 249.92 feet to a capped rod; thence S 89°18'44" W a distance of 49.99 feet to a capped rod; thence S 2°41'40" W a distance of 240.83 feet to a capped rod; thence S 89°56'13" E a distance of 161.65 feet to a capped rod; thence S 0°02'10" W a distance of 125.00 feet to a capped rod; thence N 89°56'35" W a distance of 117.52 feet to an iron pipe; thence S 0°03'11" E a distance of 771.82 feet to a rebar; thence N 89°51'47" W a distance of 274.72 feet to a capped rod; thence S 0°02'24" W a distance of 479.01 feet to the POINT OF BEGINNING.

The above described parcel contains 27.396 acres, more or less.

The property is conveyed subject to the existing lien for ad valorem taxes and any future adjustment of prior taxes; prior reservations and conveyances of oil, gas and other minerals; any existing environmental condition, including but not limited to wetlands; zoning, subdivision, planning, building and other ordinances, laws, restrictions and/or regulations; any and all encumbrances, covenants, restrictions, easements, setback lines and/or rights-of-way applicable to said property; any deficiencies in the quantity of land, discrepancies as to boundary lines, overlaps, or encroachments; all matters which would be disclosed by a true and accurate survey of the property and/or are visible on the ground; building setback lines, access and utility easements, and all matters of record in the office of the Judge of Probate of Baldwin County, Alabama, and specifically to the following:

1. Royalty Deed from Frank D. Prochazka, et ux, Clara D. Prochazka, to Atwood M. Kimbrough, dated September 11, 1978, and recorded in Real Property Book 32, page 922.
2. Oil, gas and mineral lease and all rights in connection therewith, by Frank D. Prochazka and Clara Prochazka, dated July 26, 1983 and recorded in Real Property Book 150, page 897.
3. Right-of-Way Deeds for Public Road granted to Baldwin County recorded November 27, 1990 in Real Property Book 407, page 1062 and Real Property Book 407, page 1063.



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4. Ingress/Egress easement granted Waffle House, Inc., by George Nelson and Betty Nelson as set forth in Real Property Book 478, page 1117.

5. Right-of-Way Easements granted The Utility Board of the City of Foley, recorded in Real Property Book 587, page 1650, corrected in Real Property Book 607, page 1603, Real Property Book 607, page 1607, Instrument 516498 and Instrument 899846.

6. Lease from George Nelson and Betty Nelson to Digiph PCS, Inc., dated June 24, 1997 and recorded in Real Property Book 788, page 1088, and Assigned to Spectrasite in Instrument 529326 and Instrument 529327, being further assigned to Eliska Wireless Ventures I, Inc., in Instrument 599235.

7. Reservation of interest in and to income and other proceeds to cell tower leases as set forth in Instrument 848797.

8. Building setback lines, access easement, drainage and utility easements, sewer manholes, covenants, conditions, restrictions and other matters as shown on the recorded plat of said subdivision recorded in Slide 2188-B.

9. Reservation with reference to all oil, gas and other minerals, and all rights in connection therewith, as contained in deed from George Nelson and Betty Nelson, to Garrett Investments, LLC, dated October 13, 2004, and recorded in Instrument 848797.

10. Easement granted for signage to Walden Pond, LLC, as recorded in Instrument 1192680.

11. Setback lines, easements, and lease locations, as set forth on plat of survey by Volkert, dated March 29, 2014, Project No. 432600.01.

12. Subject to record and actual distances and bearings being different as shown on survey by Volkert, dated March 29, 2014, Project No. 432600.01.

GRANTOR EXPRESSLY DISCLAIMS ALL WARRANTIES AND REPRESENTATIONS WITH REGARD TO THE PROPERTY (WHETHER WRITTEN OR ORAL, EXPRESS OR IMPLIED) INCLUDING, BUT NOT LIMITED TO, FITNESS FOR A PARTICULAR PURPOSE, DESCRIPTION, CONDITION, USE, DESIGN AND/OR OTHERWISE, AND GRANTEEES AGREE THAT GRANTEEES ARE NOT



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RELYING ON ANY REPRESENTATION, WARRANTY, PROMISE AND/OR STATEMENT OF GRANTOR OR ITS AGENT. GRANTEEES AGREE THAT GRANTEEES ARE PURCHASING THE PROPERTY IN ITS "AS IS WHERE IS" CONDITION, AND ACCEPT ALL RISK RELATED THERETO.

TO HAVE AND TO HOLD said property, together with all and singular, the rights, members, privileges, tenements, improvements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining; subject, however, to the matters and exceptions to which reference is hereinabove made, unto the said Grantees, as tenants in common, and unto the survivor of them, and unto the heirs, personal representatives and assigns of such survivor, forever.

IN WITNESS WHEREOF, Grantor has caused this instrument to be executed by its duly authorized officer this 27th day of September, 2018.

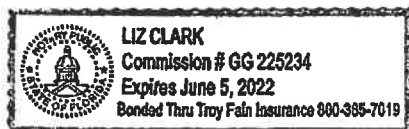
SE PROPERTY HOLDINGS, LLC,
an Ohio limited liability company

By: Jennifer Corbett, VP
[PRINT NAME] Jennifer Corbett
Its: Vice President

STATE OF Florida :
COUNTY OF Bay :

I, the undersigned notary public in and for said county in said state, hereby certify that Jennifer Corbett, whose name as VP of SE Property Holdings, LLC, an Ohio limited liability company, 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 conveyance, he/she, as such officer and with full authority, executed the same voluntarily for and as the act of said company.

Given under my hand and official seal this the 27th day of September, 2018.
[SEAL]



L. Clark
NOTARY PUBLIC
My Commission Expires: 6.5.22



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3/10/2020

Grantees' Address:

3041 West 1st St.
Gulf Shores, AL
36548

Grantor's Address:

50 N. Third Street
Newark, OH 43508

Property Address:

10253 Highway 59
Foley, AL

This instrument was prepared by:

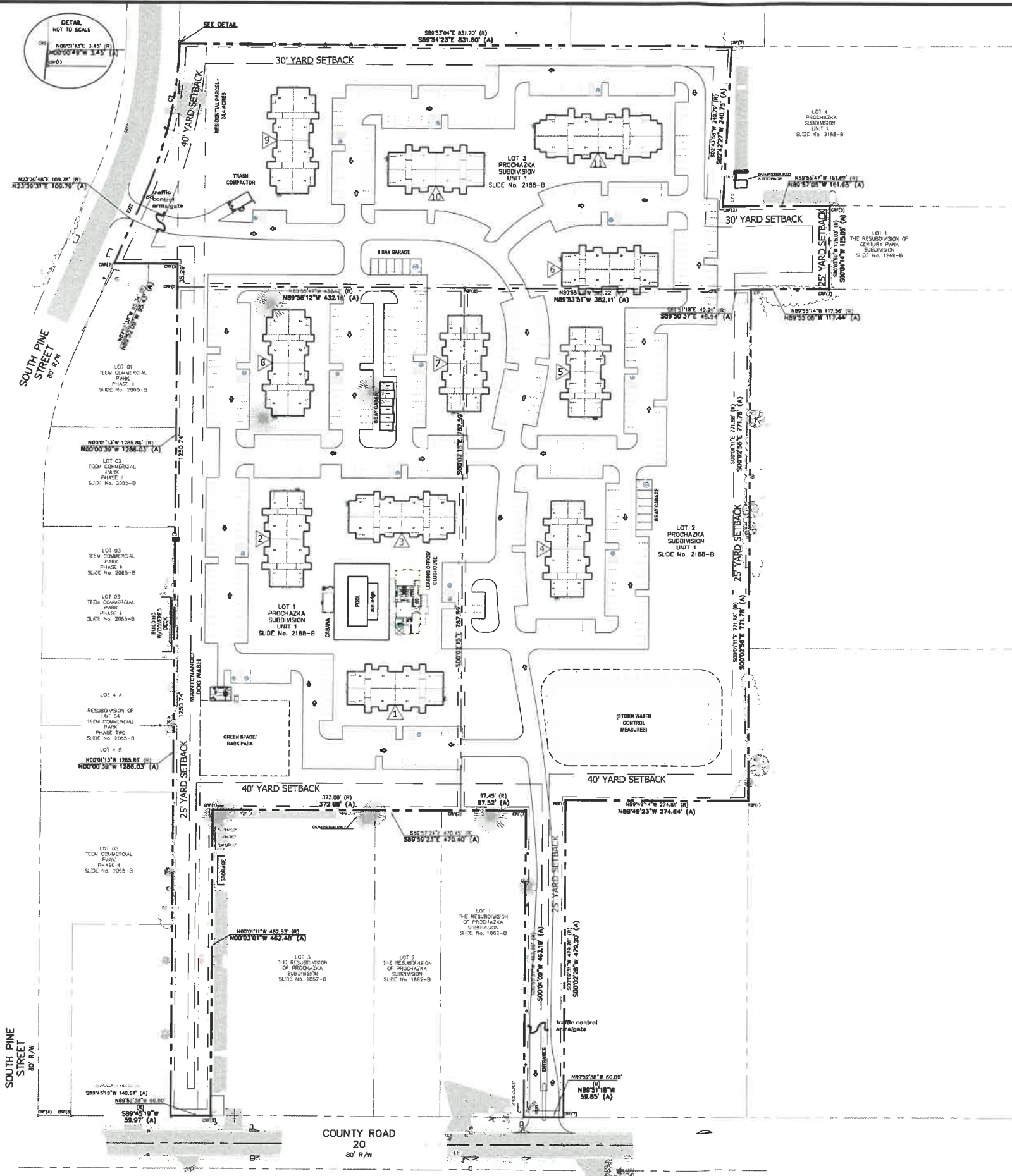
J. Stephen Harvey, Esq.
McDowell Knight Roedder & Sledge, L.L.C.
Post Office Box 350
Mobile, Alabama 36601



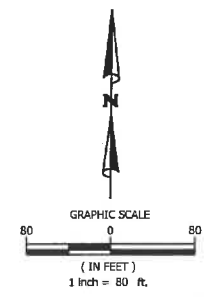
RECEIVED *al*
3/28/00



Wes Abrams
Planning Commission Chairman



Jinright & Associates Development Engineers
208 Greeno Road N., Ste. C Fairhope, Alabama 36532
P.O. Box 1929 Fairhope, Alabama 36533
Phone: (251) 928-3443 Fax: (251) 928-3665
jadengineers.com

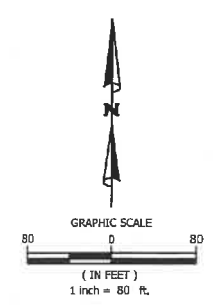
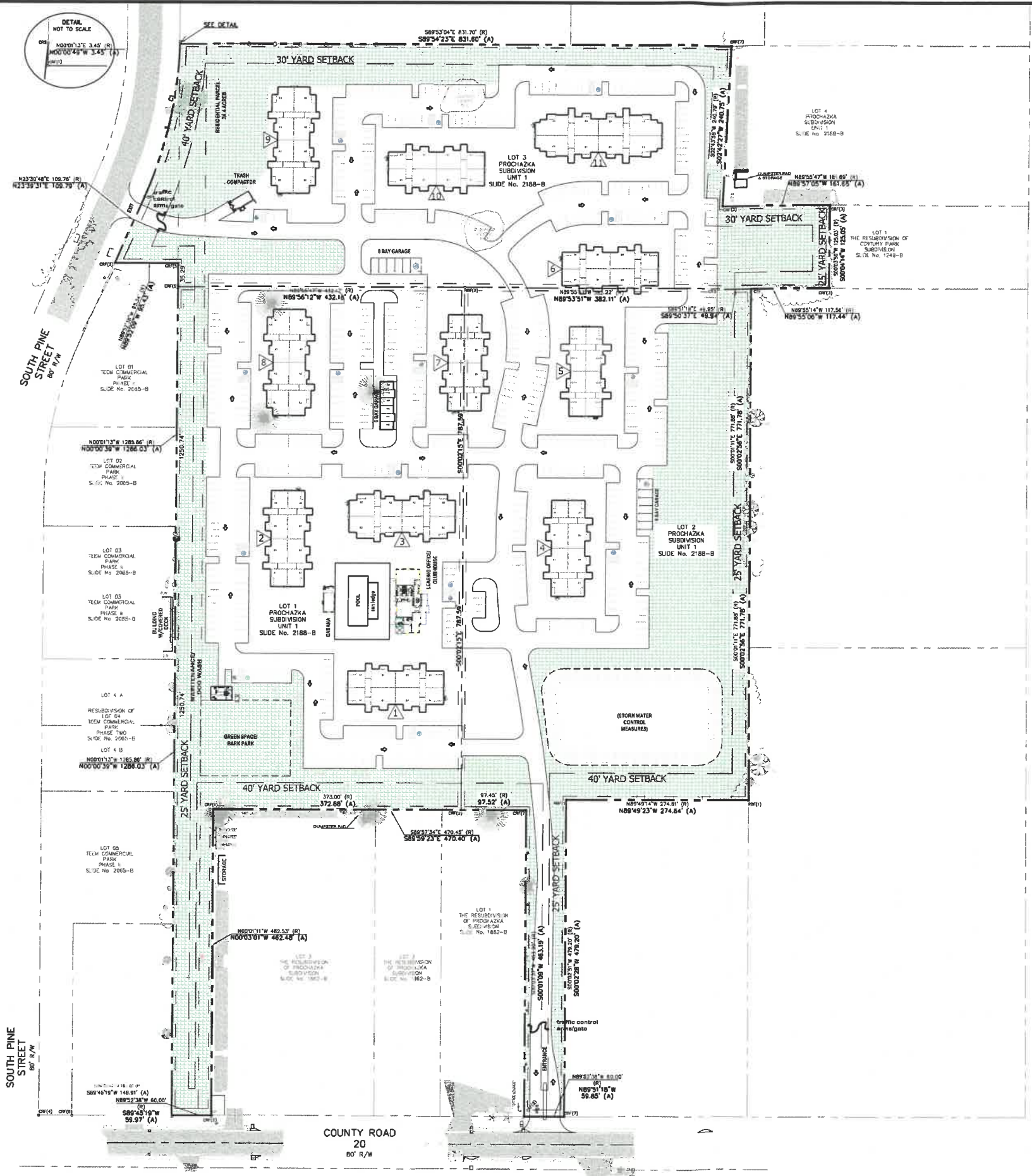


DATE: 03/25/2022

SITE DATA TABLE		
STATE OF ALABAMA COUNTY OF BALDWIN CITY OF FOLEY		
TAX PARCEL ID:	05-61-03-05-4-001-016.003 05-61-03-05-4-001-016.002 05-61-03-05-4-001-016.000 05-61-03-05-4-001-014.008 05-61-03-05-4-001-014.009	
PARCEL SIZE:	APPROX. 24.44 ACRES	
EXISTING ZONING:	FUD	
PROPOSED ZONING:	R-3	
<u>BUILDING SETBACKS:</u>		
FRONT:	40'	
SIDE:	25'	
REAR:	30'	
<u>PARKING STANDARDS:</u>		
	REQUIRED:	PROVIDED:
VEHICLE PARKING:	2 SPACES/UNIT 264 UNITS = 2 SPACES = 528 SPACES	528 SPACES (INC. 15 H/C)
<u>AREA & DIMENSIONAL REQUIREMENTS:</u>		
	MAXIMUM:	PROVIDED:
BUILDING HEIGHT:	50'-0"	46'-4"
BUILDING AREA:	40%	2.25 AC. / 24.44 AC. = 9%
<u>DENSITY REQUIREMENTS:</u>		
	MAXIMUM:	PROVIDED:
DENSITY:	12 UNITS/ACRE	264 UNITS / 24.44 AC. = 10.8 UNITS / AC.
<u>OPEN SPACE REQUIREMENTS:</u>		
	MINIMUM:	PROVIDED:
	25%	8.06 AC. / 24.44 AC. = 33%

REZONING EXHIBIT
APPROX. 24.44 ACRES
PROPOSED RESIDENTIAL DEVELOPMENT
COUNTY ROAD 20
AND
SOUTH PINE ST
FOLEY, AL





SITE DATA TABLE	
STATE OF ALABAMA COUNTY OF BALDWIN CITY OF FOLEY	
TAX PARCEL ID:	05-61-03-05-4-001-016.003 05-61-03-05-4-001-016.002 05-61-03-05-4-001-016.000 05-61-03-05-4-001-014.008 05-61-03-05-4-001-014.009
PARCEL SIZE:	APPROX. 24.44 ACRES
EXISTING ZONING:	PUD
PROPOSED ZONING:	R-3
OPEN SPACE REQUIREMENTS:	
	MINIMUM: PROVIDED:
	25% 8.06 AC. / 24.44 AC. = 33%

 PROVIDED OPEN SPACE
(APPROX. 8.06 AC. ≈ 33%)

OPEN SPACE EXHIBIT
 APPROX. 24.44 ACRES
 PROPOSED RESIDENTIAL DEVELOPMENT
 COUNTY ROAD 20
 AND
 SOUTH PINE ST
 FOLEY, AL

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 3/28/22