



COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

July 23, 2018

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

RE: Re-Zoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on July 17, 2018 and the following action was taken:

Agenda Item: The Housing Authority of the City of Foley- Request for Re-zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 9.93+/- acres. Property is currently zoned R-1A (Residential Family) proposed zoning is R-3 (Residential Multi-Family). Property is located E of S. Oak St. between 6th and 9th Ave. Applicant is The Housing Authority of the City of Foley.

Action Taken: Commissioner Hellmich made a motion to recommend the requested re-zoning to Mayor and Council. Vice-Chairman Hare seconded the motion. Commissioner Hamrick abstained. All other Commissioners voted aye.

Motion to recommend the requested re-zoning to Mayor and Council passes.

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

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringle@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaite; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III



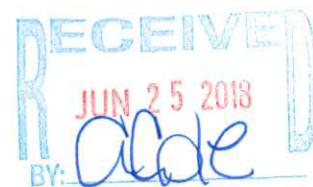
**CITY OF FOLEY, ALABAMA
APPLICATION FOR
ZONING OF PROPERTY**

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
Baldwin County Tax Pin #s 42244, 71942 & 71943; Lots 4-10, Block 14, Lots 1-3, 7 & 8, Block 15, and Lots 2-5, Block 16, Aronville S/D located in Sec. 32, T7, R4 per attached survey. Owned by The Housing Authority of the City of Foley.
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
3. APPROXIMATE SIZE OF PROPERTY:
9.93 Acres
4. PRESENT ZONING OF PROPERTY:
R-1A
5. REQUESTED ZONING:
R-3
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: Multifamily housing owned and managed by the Housing Authority of the City of Foley, 22 existing buildings to be demolished
7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.) Re-Development into new multifamily dwellings, 13 dwelling buildings with 88 family living units plus a community building and amenities
8. PROCESSING FEE OF \$500.00 FOR 20 ACRES OR LESS, PLUS \$15.00 PER ADDITIONAL ACRE OVER 20.

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

DATE: June 25, 2018

Cindy Hamrick
Foley Housing Authority
PROPERTY OWNER/APPLICANT
302 W. Fourth Avenue, Foley, AL
PROPERTY OWNER ADDRESS
251-943-5370 ext. #6
PHONE NUMBER
Cindy@Foleyhousingauthority.com
EMAIL ADDRESS



Pin# 71942

STATE OF ALABAMA

BALDWIN COUNTY

WARRANTY DEED

THIS INDENTURE, made and entered into by and between MAGNOLIA LAND COMPANY, a corporation, hereinafter referred to as party of the first part, and THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, hereinafter referred to as party of the second part, WITNESSETH:-

That for and in consideration of the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration this day cash in hand paid to party of the first part by party of the second part, receipt whereof is hereby acknowledged, party of the first part has granted, bargained, sold and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, the following described real estate in Baldwin County, Alabama, to-wit:

From the Southeast corner of the Southwest Quarter of the Southeast Quarter, Section 32, Township 7 South, Range 4 East, run thence North 355 feet to a point; run thence West 282 feet to the point of beginning; run thence North 290 feet to a point; run thence West 375 feet to a point; run thence South 145 feet to a point; run thence East 125 feet to a point; run thence South 145 feet to a point; run thence East 250 feet to the point of beginning, being Lots 1, 2, 3, 7, and 8, Block 15 of an unrecorded plat of Aaronville.

Grantor reserves unto itself, its successors or assigns, all oil, gas and minerals on, upon or under the above described property and all rents or returns therefrom, in perpetuity.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, its successors and assigns, FOREVER.

And the said party of the first part, for itself and its successors and assigns, hereby covenants and warrants with and unto the said party of the second part, its successors and assigns, that it is seized of an indefeasible estate in fee simple in and to all of the property hereinabove conveyed; that the same is free from all liens and encumbrances; that it has a good right to sell and convey the same as herein conveyed; that it will guarantee the peaceable possession thereof and that it will and its successors and assigns shall forever warrant and defend the same unto the said party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, MAGNOLIA LAND COMPANY, a corporation, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized on this 14 day of July, 1970.

MAGNOLIA LAND COMPANY, a corporation

By J. B. Foley
President

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed
and the following tax collected on

JUL 23 1970

Deed \$ 100.00 Mort. \$ 1.00 Recorded Index

Book 404 Page 68 Judge of Probate

By [Signature]



(Affix Corporate Seal)

WITNESSETH:

Ardis Foley
Secretary

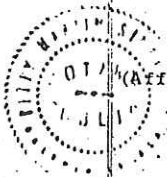
C. G. C.

STATE OF ALABAMA

BALDWIN COUNTY

I, Betty Martin Singleton, a Notary Public in and for said County in said State, hereby certify that J. B. Foley and Ardis Foley, whose names as President and Secretary, respectively, of MAGNOLIA LAND COMPANY, a corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and Notarial Seal hereto affixed by me on this 16th day of JULY, 1970.



(Affix Seal)

Betty Martin Singleton
Notary Public, Baldwin County
State of Alabama

BOOK 404 PAGE 668

C. G. C.

Pin # 71943

STATE OF ALABAMA

BALDWIN COUNTY

WARRANTY DEED

THIS INDENTURE, made and entered into by and between MAGNOLIA LAND COMPANY, a corporation, hereinafter referred to as party of the first part, and THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, hereinafter referred to as party of the second part, WITNESSETH:

That for and in consideration of the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration this day cash in hand paid to party of the first part by party of the second part, receipt whereof is hereby acknowledged, party of the first part has granted, bargained, sold and by these presents does hereby GRANT, BARGAIN, SELL and CONVEY unto the party of the second part, the following described real estate in Baldwin County, Alabama, to-wit:

From the Southeast corner of the Southwest Quarter of the Southeast Quarter of Section 32, Township 7 South, Range 4 East, run North 170 feet, run thence West 32 feet for the point of beginning; continue thence West 375 feet to a point; run thence North 145 feet to a point; run thence East 375 feet to a point; run thence South 145 feet to the point of beginning, being Lots 3, 4, and 5, Block 16 of an unrecorded plat of Aaronville.

Grantor reserves unto itself, its successors or assigns, all oil, gas and minerals on, upon or under the above described property and all rents or returns therefrom, in perpetuity.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, its successors and assigns, FOREVER.

And the said party of the first part, for itself and its successors and assigns, hereby covenants and warrants with and unto the said party of the second part, its successors and assigns, that it is seized of an indefeasible estate in fee simple in and to all of the property hereinabove conveyed; that the same is free from all liens and encumbrances; that it has a good right to sell and convey the same as herein conveyed; that it will guarantee the peaceable possession thereof and that it will and its successors and assigns shall forever warrant and defend the same unto the said party of the second part, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, MAGNOLIA LAND COMPANY, a corporation, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized on this the 16 day of July, 1970.

MAGNOLIA LAND COMPANY, a corporation

By

J. B. Foley
President

(Affix Corporate Seal)

ATTEST:

Ardis Foley
Secretary

STATE OF ALABAMA,
BALDWIN COUNTY

I certify that this instrument was filed
and the following tax collected on

JUL 23 1970

Deed \$50.00 Mort. \$0.00 Recorded in file

Book 404 Page 667-701

By Arthur R. B. Jones
Judge of Probate

C. G. C.

- 1 -

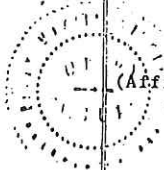
BOOK 404 PAGE 669

STATE OF ALABAMA

BALDWIN COUNTY

I, Betty Martin Singleton, a Notary Public in and for said County in said State, hereby certify that J. B. Foley and Ardis Foley, whose names as President and Secretary, respectively, of MAGNOLIA LAND COMPANY, a corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and Notarial Seal hereto affixed by me on this 16th day of July, 1970.



(Affix Seal)

Betty Martin Singleton
Notary Public, Baldwin County
State of Alabama

BOOK 404 p. 670

C. O. C.

Pin # 42244

STATE OF ALABAMA

BALDWIN COUNTY

QUIT CLAIM DEED

THIS INDENTURE, made and entered into by and between MAGNOLIA LAND COMPANY, a corporation, hereinafter referred to as party of the first part, and THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, hereinafter referred to as party of the second part, WITNESSETH:

That for and in consideration of the sum of One Hundred Dollars (\$100.00) and other good and valuable consideration this day cash in hand paid to party of the second part, receipt whereof is hereby acknowledged, party of the first part has and by these presents does hereby REMISE, RELEASE, QUIT CLAIM and CONVEY unto the party of the second part, the following described real property situated in Baldwin County, Alabama, to-wit:

Beginning at the Southwest corner of the Southwest Quarter of the Southeast Quarter of Section 32, Township 7 South, Range 4 East, thence run East on Section Line 680 feet, thence North 685 feet for a beginning corner; thence run East 125 feet to a point; thence run North 145 feet to a point; thence run West 125 feet to a point; thence run South 145 feet to the point of beginning, being Lot 6, Block 14 shown on the unrecorded plat of Aaronville.

Grantor reserves unto itself, its successors or assigns, all oil, gas and minerals on, upon or under the above described property and all rents or returns therefrom, in perpetuity.

Together with, all and singular, the rights, benefits, privileges, improvements, tenements, hereditaments and appurtenances unto the same belonging or in any wise appertaining.

TO HAVE AND TO HOLD unto THE HOUSING AUTHORITY OF THE CITY OF FOLEY, a corporation, its successors and assigns, FOREVER.

IN WITNESS WHEREOF, MAGNOLIA LAND COMPANY, a corporation, has caused its corporate name to be hereunto signed and its corporate seal to be hereunto affixed by its officers thereunto duly authorized on this the 12th day of November, 1970.



(Affix Corporate Seal)

Attest:

Ardis Foley
Secretary

MAGNOLIA LAND COMPANY, a corporation
By J. B. Foley

President
STATE OF ALABAMA
BALDWIN COUNTY
I certify that this instrument was filed on

NOV 17 1970 94M

STATE OF ALABAMA

BALDWIN COUNTY

and that no tax was collected. Recorded in NS

Book 408 Page 125
Judge of Probate

By Betty Martin Singleton

I, Betty Martin Singleton, a Notary Public in and for said County in said State, hereby certify that J. B. Foley, whose name as President, and Ardis Foley, whose name as Secretary of MAGNOLIA LAND COMPANY, a corporation, are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of the said instrument, they, as such officers and with full authority, executed the same for and as the act of said corporation.



Given under my hand and Notarial Seal hereto affixed by me on this the 12th day of November, 1970.

(Affix Seal)

Betty Martin Singleton
Notary Public, Baldwin County
State of Alabama

The Housing Authority of the City of Foley, Alabama
Legal Description of Southernmost Parcels

LEGAL DESCRIPTION AS SURVEYED

LEGAL DESCRIPTION "A"

All that certain tract or parcel of land lying in Section 32, Township 7 South, Range 4 East, Foley, Baldwin County, Alabama, containing 2.03 acres and being more particularly described as follows:

Commencing at the Southeast corner of Section 32, Township 7 South, Range 4 East, Foley, Baldwin County, Alabama, run North 89 degrees 17 minutes 08 seconds West 1349.63 feet to a point; thence North 00 degrees 08 minutes 52 seconds East 25.00 feet to a point; thence North 89 degrees 51 minutes 08 seconds West 32.00 feet to the intersection of the North right-of-way of West Ninth Avenue and the West right-of-way of Pine Street (Not Open); thence along the West right-of-way of Pine Street (Not Open), North 00 degrees 08 minutes 52 seconds East 145.00 feet to a 1/2" rebar w/cap iron pin set on the West right-of-way of Pine Street (Not Open), also being the POINT OF BEGINNING; thence North 89 degrees 51 minutes 08 seconds West 375.00 feet to a 1/2" rebar w/cap iron pin set; thence South 00 degrees 16 minutes 18 seconds West 144.82 feet to a concrete monument located on the North right-of-way of West Ninth Avenue; thence along the North right-of-way of West Ninth Avenue, North 89 degrees 56 minutes 14 seconds West 124.69 feet to a 1/2" rebar w/cap iron pin set; thence North 00 degrees 07 minutes 29 seconds East 290.00 feet to a concrete monument located on the South right-of-way of West Eighth Avenue; thence along the South right-of-way of West Eighth Avenue, South 89 degrees 51 minutes 08 seconds East 319.30 feet to a point; thence along the South right-of-way of West Eighth Avenue as it curves, concave Northerly, having a chord bearing and distance of South 89 degrees 51 minutes 08 seconds East 91.65 feet, an arc length of 115.93 feet and a radius of 50.00 feet to a point on the South right-of-way of West Eighth Avenue; thence continue along the South right-of-way of West Eighth Avenue, South 89 degrees 51 minutes 08 seconds East 89.17 feet to a point on the West right-of-way of Pine Street (Not Open); thence along the West right-of-way of Pine Street (Not Open), South 00 degrees 08 minutes 52 seconds West 145.00 feet to the POINT OF BEGINNING.

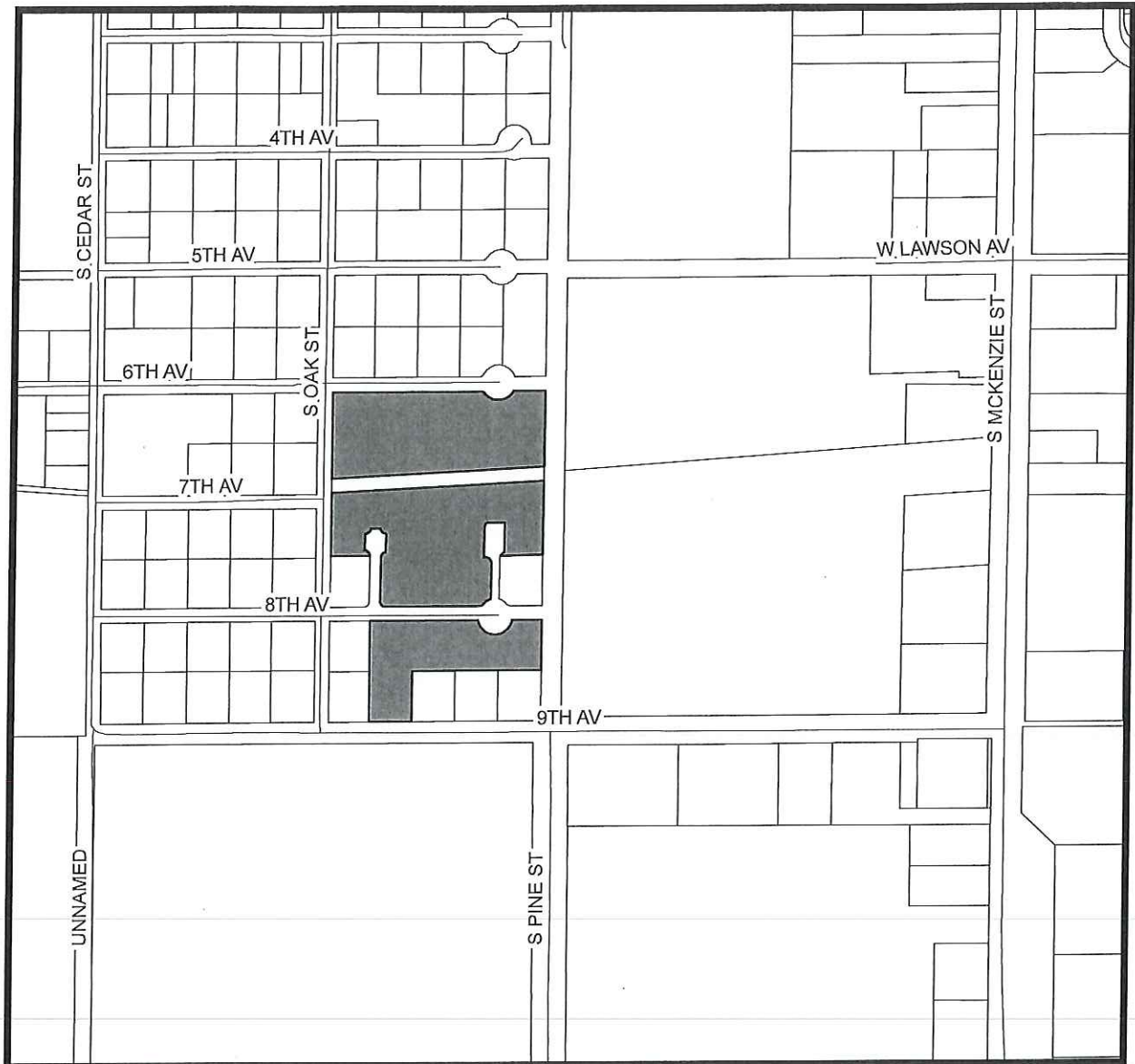
LEGAL DESCRIPTION "B"

All that certain tract or parcel of land lying in Section 32, Township 7 South, Range 4 East, Foley, Baldwin County, Alabama, containing 7.90 acres and being more particularly described as follows:

Commencing at the Southeast corner of Section 32, Township 7 South, Range 4 East, Foley, Baldwin County, Alabama, run North 89 degrees 17 minutes 08 seconds West 1349.63 feet to a point; thence North 00 degrees 08 minutes 52 seconds East 25.00 feet to a point; thence North 89 degrees 51 minutes 08 seconds West 32.00 feet to the intersection of the North right-of-way of West Ninth Avenue and the West right-of-way of Pine Street (Not Open); thence along the

West right-of-way of Pine Street (Not Open), North 00 degrees 08 minutes 52 seconds East 475.00 feet to a 1/2" rebar w/cap iron pin set, also being the POINT OF BEGINNING; thence North 89 degrees 51 minutes 08 seconds West 125.00 feet to a 1/2" rebar w/cap iron pin set; thence South 00 degrees 08 minutes 52 seconds West 116.01 feet to a 1/2" rebar w/cap iron pin set on the North right-of-way of West Eighth Avenue; thence along the North right-of-way of West Eighth Avenue, as it curves, concave Southerly, having a chord bearing and distance of South 62 degrees 42 minutes 07 seconds West 62.90 feet, an arc length of 68.03 feet and a radius of 50.00 feet to a point; thence continue along the North right-of-way of West Eighth Avenue, North 89 degrees 52 minutes 42 seconds West 319.25 feet to a 1/2" crimp-top iron pin found; thence North 00 degrees 25 minutes 06 seconds East 144.99 feet to a 1/2" crimp-top iron pin found; thence North 89 degrees 39 minutes 58 seconds West 117.45 feet to a 1" crimp-top iron pin found located on the East right-of-way of Oak Avenue; thence along the East right-of-way of Oak Avenue, North 00 degrees 04 minutes 03 seconds East 474.78 feet to a 1/2" rebar w/cap iron pin set at the intersection of the East right-of-way of Oak Avenue and the South right-of-way of West Sixth Avenue; thence along the South right-of-way of West Sixth Avenue, South 89 degrees 51 minutes 08 seconds East 436.68 feet to a 1/2" rebar w/cap iron pin set; thence continue along the South right-of-way of West Sixth Avenue, as it curves, concave Northerly, having a chord bearing and distance of South 89 degrees 51 minutes 08 seconds East 91.65 feet, an arc length of 115.93 feet and a radius of 50.00 feet to a PK-Nail with ID Shiner set on the South right-of-way of West Sixth Avenue; thence continue along the South right-of-way of West Sixth Avenue, South 89 degrees 51 minutes 08 seconds East 89.17 feet to a 1/2" rebar w/cap iron pin set on the West right-of-way of Pine Street (Not Open); thence along the West right-of-way of Pine Street (Not Open), South 00 degrees 08 minutes 52 seconds West 475.00 feet to the POINT OF BEGINNING.

PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 9.93+/- acres. Property is currently zoned R-1A (Residential Single Family) proposed zoning is R-3 (Residential Multi-Family). Property is located E of S. Oak St. between 6th and 9th Ave. Applicant is The Housing Authority of the City of Foley.

Anyone interested in this rezoning may be heard at a public hearing scheduled for Tuesday, July 17, 2018 in the Council Chambers of City Hall located at 407 E. Laurel Ave. at 5:30 p.m. or may respond in writing to 200 N. Alston St., Foley, AL 36535.

Phillip Hinesley
Planning Commission Chairman