

Foley, Alabama 36535

www.cityoffoley.org
(251) 952-4011

December 14, 2017

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

RE: Request for Rezoning

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on December 13, 2017 and the following action was taken:

## Parkview RV Community LLC./Jim Brown- Request for Re-Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the rezoning of 8.8+/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is PUD (Planned Unit Development). Property is located south of County Rd. 20 (aka Miflin Rd.), east of James Road. Applicant is Parkview RV Community LLC./Jim Brown.

Commissioner Hellmich made a motion to recommend the requested rezoning to Mayor and Council. Commissioner Wilters 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 Planning & Zoning Coordinator mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson CITY CLERK: Kathryn Taylor COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; 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): 21240 MIFIN Rd Foley, AL 36535 (PIN # 080884)
- 2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS: Cattached
- 3. APPROXIMATE SIZE OF PROPERTY: 8.84ac+/-
- 4. PRESENT ZONING OF PROPERTY: PUD S9 10ts
- 5. REQUESTED ZONING: PUD- 61 lots
- 6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY: Farm and
- 7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)
- 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: 1117 2017

PROPERTY OWNER/APPLICANT
P.O. Box 2488 Orange Beach AL 3656
PROPERTY OWNER ADDRESS
(251) 981-SSS 3
PHONE NUMBER
jimbrowning Q att. net
EMAIL ADDRESS



#### REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Code of Alabama §4	10-22-1 (1975).		
The undersigned Grantor does attest, to the best of Grantor's knowledg	e and belief that the	ne information in this docume	nt is
true and accurate. The Grantor understands that any false statement cla	aimed on this form	may result in the imposition	of the
penalties indicated in Code of Alabama §40-22-1 (h) (1975).			
1 1 7	, D	1 " DIIC	

Grantor's Name Hercules Jav.	Grantee's Name Parlicien Ry Community Mailing Address P.O. Box 2408 Orange Bend St 3656
	Chance s Name 1
Mailing Address	Mailing Address P.O. DOY 2400
	Orang Beach De 36561
71718W-00 DA	D
Property Address Charles	Date of Sale
Property Address 7,740 Wiffin Rd.	Total Purchase Price \$ 500 669 000
J	or
*	Actual Value \$
	or
	Assessor's Market Value \$
n:	
The purchase price or actual value claimed on this form can be	e verified in the following documentary evidence: (check one)
(Recordation of documentary evidence is not required)	
Bill of Sale: Appraisal: Sales Contract:	Closing Statement;

STATE OF ALABAMA

COUNTY OF BALDWIN

WARRANTY DEED

BALDWIN COUNTY, ALABAMA TIM RUSSELL PROBATE JUDGE Filed/eart. 1/17/2017 10:49 AM DEED TAX \$ 0.50 TOTAL \$ 15.50 3 Pages

KNOW ALL MEN BY THESE PRESENTS, that HERCULES INVESTMENTS, LLC, an Alabama Limited Liability Company, ("Grantor"), for and in consideration of the sum of TEN DOLLARS (\$10.00) in cash and other good and valuable consideration, in hand paid to the Grantor by PARKVIEW RV COMMUNITY, LLC, an Alabama Limited Liability Company, ("Grantee"), the receipt and sufficiency of which is hereby acknowledged, subject to all matters and things hereinafter set forth, has this day bargained and sold and by these presents does hereby GRANT, BARGAIN, SELL AND CONVEY unto the said Grantee, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Commence at the Northwest corner of Section 10, Township 8 South, Range 4 East, and run thence East along the centerline of County Road 20 a distance of 1327.5 feet to a point; run thence South a distance of 40 feet to an iron pin on the South margin of said road for a point of beginning; run thence South 00 degrees 14 minutes West along a row of posts a distance of 890 feet to an iron pin; run thence South 89 degrees 38 minutes West a distance of 912 feet to a pin a distance of 1.7 feet East of an old fence; run thence North 00 degrees 35 minutes East on a straight line and parallel to said fence a distance of 398 feet to an iron pin; run thence East a distance of 497.83 feet to an iron pin on the South margin of said road; run thence East along said margin a distance of 60 feet to the point of beginning.

LESS AND EXCEPT the following-described property as conveyed to The City of Foley, Alabama, at Instrument 1033397:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA; RUN THENCE EAST FOR 1327.50 FEET; RUN THENCE SOUTH FOR 40.00 FEET TO THE SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD NO. 20, (AKA MIFLIN ROAD). FOR THE POINT OF BEGINNING; RUN THENCE SOUTH 00 DEGREES 05 MINUTES 20 SECONDS EAST FOR 20.00 FEET; RUN THENCE SOUTH 89 DEGREES 31 MINUTES 36 SECONDS WEST FOR 60.00 FEET; RUN THENCE NORTH FOR 20.00 FEET TO THE SOUTH RIGHT-OF-WAY OF SAID BALDWIN COUNTY ROAD NO. 20; RUN THENCE NORTH 89 DEGREES 31 MINUTES 36 SECONDS EAST ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID BALDWIN COUNTY ROAD NO. 20 FOR 60.00 FEET TO THE POINT OF BEGINNING.

Warranty Deed – Hercules Investments, LLC to Parkview RV Community, LLC - Page 1 of 3 S: Files 17:6438 WD2.doc – GST #64756



KNOW ALL MEN
Alabama Limited Liability (
DOLLARS (\$10.00) in cash
PARKVIEW RV COMMU
receipt and sufficiency of w
forth, has this day bargained
AND CONVEY unto the sai
Alabama, described as follo
Commence at the No
run thence East along
run thence South a d
point of beginning; r
distance of 890 feet

LESS AND EXCEPT such oil, gas and other mineral interests and all rights and privileges in connection therewith as may have been reserved or conveyed by prior owners, if any.

THIS CONVEYANCE AND THE WARRANTIES CONTAINED HEREIN ARE MADE SUBJECT TO THE FOLLOWING:

- City of Foley, Alabama, Subdivision Regulations dated January 7, 2008, and recorded at Instrument 1098026, and all amendments thereto.
- Tree and Natural Feature Preservation Ordinance Number 1009-07, recorded at Instrument 1079685, as the same may have been modified at Instrument 1556660, Heritage Tree Preservation Ordinance Number 15-1003 as recorded at Instrument 1508545, and Ordinance Number 15-1003 Regulating Environmental Permits Related to Land Disturbance within the City of Foley recorded at Instrument 1508544.
- 3. City of Foley Ordinance No. 986-07, adopting the 2006 International Building (ICC) codes and supplemental provisions to upgrade the various codes relating to the inspection activities of the City of Foley and enforcement of the building provisions and fire safety as provided in said codes, dated June 18, 2007, as amended at Instruments 1110234, 1118864, 1198497; Ordinance No. 1200-12 adopting the 2009 codes, dated July 2, 2012 and recorded at Instrument 1348178; Ordinance No. 13-1025 approving the amendments to the City of Foley Building Codes, dated January 7, 2013, and recorded at Instrument 1380798; Ordinance No. 13-1043 adopting and amending the 2009 codes, dated November 4, 2013 and recorded at Instrument 1429467, as amended in Ordinance 13:1054 at Instrument 1436249; Ordinance No. 15-1013 adopting the 2012 codes, dated June 1, 2015 and recorded at Instrument 1517983; and Ordinance No. 16-2020-ORD adopting the 2012 codes, dated September 6, 2016 and recorded at Instrument 1594654.
- Reservation of one-half interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Robert D. James, Sr. and Flossie Y. James to Joseph S. Crain and Helen J. Crain, dated July 19, 1985, and recorded in Real Property Book 230, page 699.
- Reservation of one-half interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from The Merchants National Bank of Mobile, as Trustee for William Downey, III, et al., to Robert D. James and Flossie James, dated February 21, 1973, and recorded in Deed Book 441, page 389.
- Oil, Gas and Mineral Lease from Hoyt James, Robert D. James and Flossie James to Joe D. Edwards, dated November 7, 1968, and recorded in Deed Book 380, page 775.
- Reservation of one-half interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Annie Cook to Hoyt James and Dorothy James, dated January 8, 1952, and recorded in Deed Book 173, page 327.
- Reservation of one-half interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Annie Cook to Robert D. James and Flossy James, dated January 8, 1952, and recorded in Deed Book 173, page 328.
- 9. Any portion of the herein-described property lying in the right-of-way of a public road:
- 10. Rights of tenants under unrecorded leases.
- 11. No title to any submerged, filled, or accreted lands.
- Any implied temporary construction easement as may be contained within the Deed from Ace Mini Warehouse, LLC to The City of Foley, Alabama, dated February 19, 2007, and recorded at Instrument 1033397.

The recording references refer to the records in the Office of the Judge of Probate of Baldwin County, Alabama, unless otherwise indicated.

 $\label{thm:condition} \textbf{TOGETHER WITH ALL AND SINGULAR}, the \ rights, \ members, \ privileges \ and \ appurtenances \\ thereunto belonging, \ or \ in \ anywise \ appertaining.$ 

TO HAVE AND TO HOLD the said above described property unto the said Grantee, and to the successors and assigns of said Grantee, in fee simple, FOREVER.

And, except as to the above and taxes hereafter falling due which are assumed by the Grantee, Grantor does, for Grantor and for the successors and assigns of Grantor, hereby covenant with the Grantee that Grantor is seized of an indefeasible estate in fee simple in said property, is in quiet and

Warranty Deed - Hercules Investments, LLC to Parkview RV Community, LLC - Page 2 of 3 S:\Files 17\6438\WD2.doc - GST #64756

· r . peaceable possession thereof, that said property is free and clear of all encumbrances, and that Grantor does hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the peaceable possession thereof, unto the Grantee, and to the successors and assigns of Grantee, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has caused this instrument to be properly executed to be effective as of the 10 day of 0000000, 2017.

HERCULES INVESTMENTS, LLC

An Alabama Limited Liability Company

I the undersigned authority, a Notary Public in and for said County in said State, hereby certify that James M. Bowlow, whose name as Managines Member HERCULES INVESTMENTS, LLC, LLC an Alabama 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 said instrument, he/she, in his/her capacity as such Monday Monday and with full authority, executed the same voluntarily for and as the act of said limited liability company on the day the same bears date.

Given under my hand and seal this the 10 day of

TRACY L. RICE NOTARY PUBLIC, STATE OF ALABAMA ALABAMA STATE AT LARGE MY COMMISSION EXPIRES

NOTARY PUBLIC

My Commission Expires:

APRIL 25, 2020 THE SCRIVENER OF THIS DEED REPRESENTS NEITHER

EACH PARTY RETAIN INDEPENDENT LEGAL COUNSEL TO REVIEW SAID DOCUMENT.

GRANTOR NOR GRANTEE AND RECOMMENDS

THIS INSTRUMENT PREPARED BY: G. DAVID CHAPMAN III, P.C. Attorney at Law Post Office Box 1508 Gulf Shores, Alabama 36547 File 17.6438

Business Entity Details Page 1 of 1



Home

Government Records

**Business Entities** 

Search

Details

## **Business Entity Details**

	ercules Investments, L.L.C.	
Entity ID Number	324 - 563	
Entity Type	Domestic Limited Liability Company	
Principal Address	Not Provided	
Principal Mailing Address	Not Provided	
Status	Exists	
Place of Formation	Baldwin County	
Formation Date	12-17-2014	
Registered Agent Name	BROWN, JAMES M	
Registered Office Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
Registered Office Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
Nature of Business	ANY LAWFUL BUSINESS	
Capital Authorized		
Capital Paid In		
	Managers	
Manager Name	BROWN, JAMES M	
Manager Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
Manager Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
	Organizers	
Organizer Name	BROWN, JAMES M	
Organizer Street Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
Organizer Mailing Address	8910 OLDENBURG DRIVE FAIRHOPE, AL 36532	
	Transactions	
Transaction Date	12-22-2014	
Miscellaneous Filing Entry	New Entity Effective 12-17-2014 13:51	
-	Scanned Documents	
C	lick here to purchase copies.	
Document Date / Type / Pages	12-22-2014 Articles of Formation 2 pgs.	

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New Search

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http://arc-sos.state.al.us/cgi/corpdetail.mbr/detail?corp=324563&page=name&file=

05/14/2015



Commencing at the Northwest corner of Section 10, Township 8 South, Range 4 East, Balo County, Alabama, run South 89°-22'-38" East, along the North boundary of said Section, a distance of 1327.50 feet; thence South 00°-25'-42" East, 60.00 feet to a rod and cap (Polysurveying) set on the South right-of-way line of County Road 20, as established by a to the City of Foley, Alabama, recorded as Instrument No. 1033397 in the Office of the Jud Probate, Baldwin County, Alabama, and the Point of Beginning of the property herein described; thence South 00°-01'-02" West, along a row of posts, a distance of 870.00 feet, thence South 88°-49'-25" West, 912.00 feet; thence North 00°-44'-04" East, 398.00 feet; t North 89°-34'-18" East, along a fence line, 849.00 feet; thence North 00°-13'-17" West, 48 feet; thence South 88°-04'-17" East, along the South line of said Baldwin County Road 20, distance of 59.9 feet to the Point of Beginning.

Being the same property conveyed by Instrument 1492927, Probate Court Records, Baldw County, Alabama.

I hereby state that all parts of this survey and drawing have been completed in accordance the current requirements of the Standards of Practice for Surveying in the State of Alabam the best of my knowledge, information and belief.

This is to state that I have consulted the Fema Flood Insurance Rate Map No. 01003C0935 dated July 17, 2007, and found that the above described property now is located in Flood Hazard Area "X-Unshaded" determined by graphic scaling.

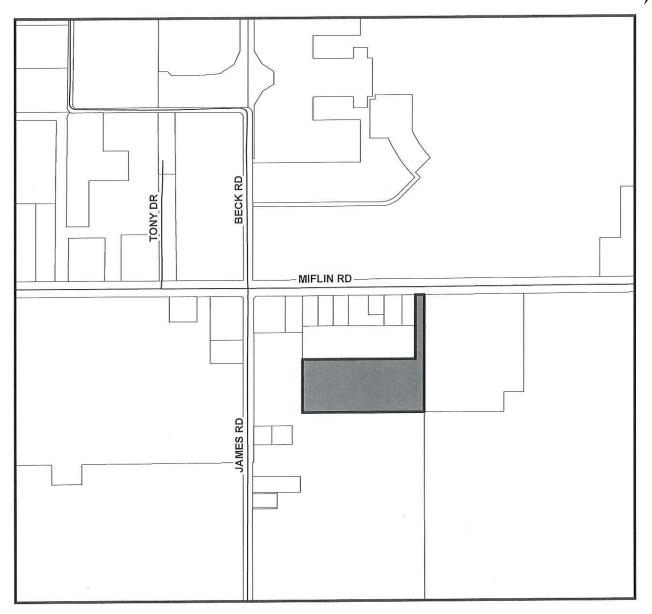


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# **PUBLIC NOTICE**





The City of Foley Planning Commission has received a request to recommend to Mayor and Council the re-zoning of 8.84 +/- acres. Property is currently zoned PUD (Planned Unit Development) proposed zoning is PUD (Planned Unit Development). Property is located at 21240 Miflin Rd. Applicant is Jim Brown/Parkview RV Community, LLC.

Anyone interested in the re-zoning request may be heard at a public hearing scheduled for Wednesday, December 13, 2017 in City Hall Council Chambers located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 200 N. Alston St., Foley, AL 36535.

Roderick Burkle
Planning Commission Chairman

