



COMMUNITY DEVELOPMENT DEPARTMENT

120 S. MCKENZIE STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

June 22, 2022

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

RE: Request for Initial Zoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on June 15, 2022 and the following action was taken:

City of Foley- Request for Initial Zoning

The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the initial zoning of 3 +/- acres. Proposed zoning is AO (Agricultural Open Space) Property is located at the SW corner of Hance Ln. and Wolf Creek Ridge. Applicant is City of Foley.

Commissioner Hinesley made a motion to recommend the requested initial zoning to the Mayor and Council. Commissioner Mixon seconded the motion. All Commissioners voted aye.

Motion to recommend the requested initial zoning to the 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



PETITION FOR ANNEXATION

We, the undersigned PETITIONERS, owners of the property described in the attached Exhibit A and as delineated on the map attached as Exhibit B, such property being outside the corporate limits of the City of Foley, Alabama, but which is now, or at the time this petition is acted upon will be, contiguous to the said corporate limits, and such property not lying within the corporate limits of any other municipality, do by these presents hereby petition the City of Foley, a municipal corporation, that said property be annexed into the City of Foley, Alabama pursuant to the authority of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS further petition that the Honorable Mayor and City Council of the City of Foley, Alabama, set a date for the hearing of this petition and adopt an ordinance annexing such property.

We, the undersigned PETITIONERS also ask that the Honorable Mayor and City Council of the City of Foley, Alabama, do all things necessary and requisite to comply with the terms of Section 11-42-21 of the Code of Alabama (1975).

We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of 1965, as amended.

Dated this 8th day of March, 2022



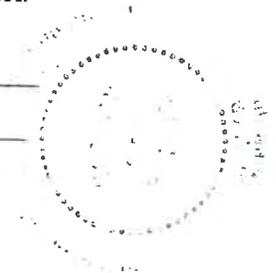
[Handwritten Signature]
Petitioner's Signature

Mayor
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 8th day of March, 2022 before me personally appeared Mayor Ralph Hellmich, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

Kathryn Taylor
NOTARY PUBLIC
My Commission Expires: _____



My Commission Expires
June 28, 2025

STATE OF ALABAMA
BALDWIN COUNTY

On this ____ day of _____, 20____, before me personally appeared _____, to me known and known to me to be the person who executed the foregoing instrument, and who, sworn and under oath, acknowledged that he/she executed the same as his/her own free act and deed, with full knowledge of the contents thereof.

NOTARY PUBLIC
My Commission Expires: _____

ATTACHMENT TO PETITION

PETITIONER(S) REQUEST PROPERTY BE INITIALLY ZONED AS FOLLOWS:

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input type="checkbox"/> | B-3 | Commercial Local Business District |
| <input type="checkbox"/> | PO | Preferred Office District |
| <input type="checkbox"/> | M-1 | Light Industry |
| <input checked="" type="checkbox"/> | A-O | Agriculture Open Space |
| <input type="checkbox"/> | H | Overlying area of Historic District |

PLEASE SELECT ONE OF THE ABOVE. IF YOU HAVE ANY QUESTIONS REGARDING THE REQUESTED ZONING, PLEASE CALL THE ZONING OFFICE AT 251-943-4011.

Initial Zoning Fee \$250.00 - check payable to the City of Foley due at time of submission.

Number of homes currently located on the property being annexed 0
 Number of occupants Adults 0 Race 0
 Number of businesses currently located on the property being annexed 0

(If more than one business on property, print information on back.)

Name of business _____
 Owner's Name _____
 Mailing Address _____

If property is undeveloped, have plans been submitted to Planning Commission?

- Yes
 If yes, state estimated date the development or subdivision will be completed _____
 No

 Petitioner's Signature Date

 Petitioner's Signature Date

For Internal Use Only: Are infrastructure valuation forms for annexations and subdivision acceptance from the Engineering Department attached?

Yes

No

Baldwin County Parcel Viewer



Navigation Tools



Layers

- Baldwin County Data
- Baldwin County Contours
- Baldwin County Imagery 2021

Legend

Find Address

Search

By Attribute By Shape

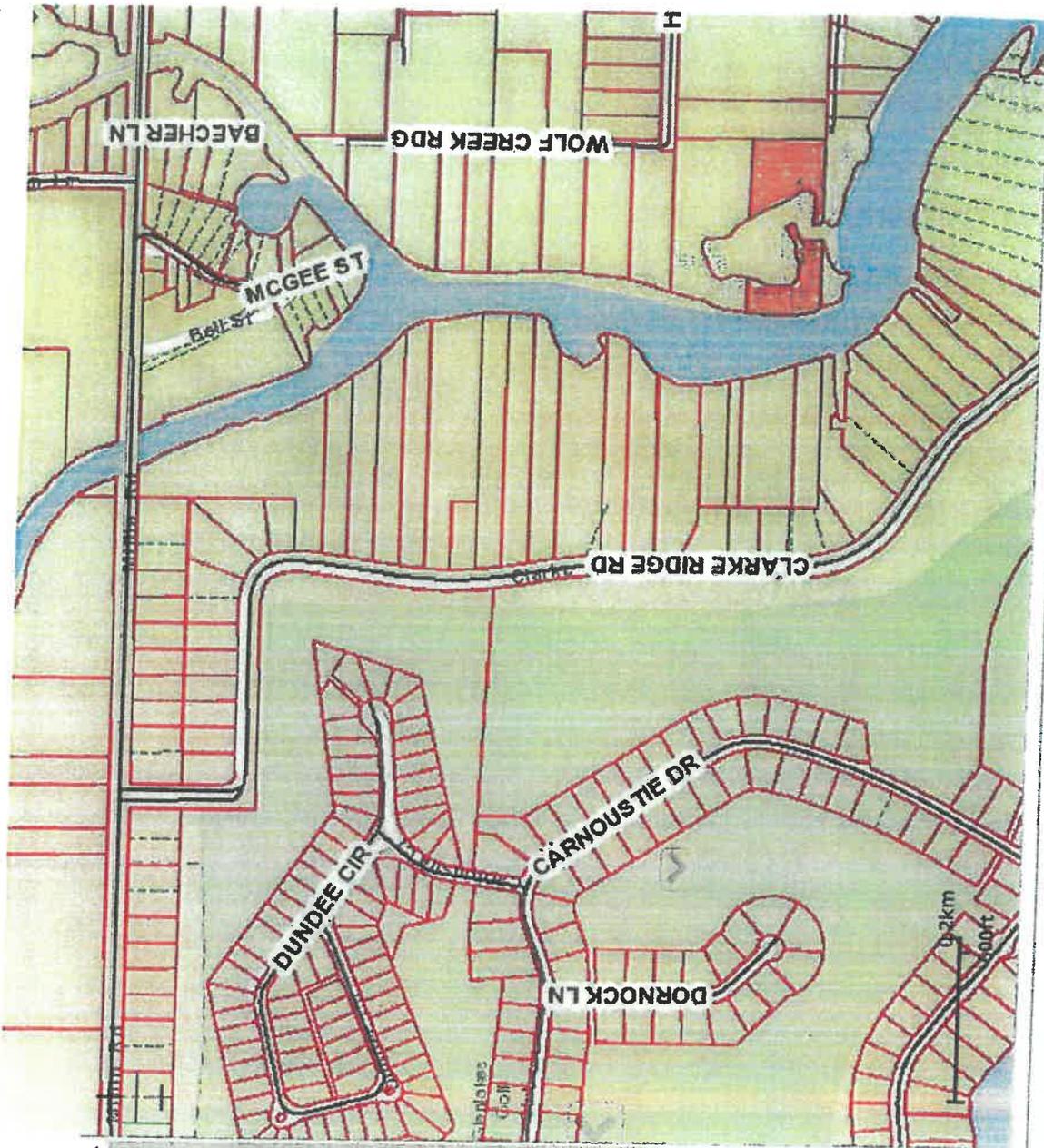
Select A Layer:

Parcels

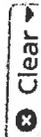
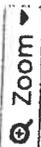
Owner Name: (at least 3 chars)

Enter the name Smith, John

Parcel Number: (at least 3 chars)



Parcels (x)



Clear

REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Code of Alabama §40-22-1 (1975).
The undersigned Grantor does attest, to the best of Grantor's knowledge and belief that the information in this document is true and accurate. The Grantor understands that any false statement claimed on this form may result in the imposition of the penalties indicated in Code of Alabama §40-22-1 (h) (1975).

Grantor's Name: Susanna M. Gordon Trust
Mailing Address: 23623 Griffin Road
Elberta, AL 36530
Property Address: n/a
Elberta, AL 36530

Grantee's Name: The City of Foley
Mailing Address: 407 E. Main St
Foley, AL 36535
Date of Sale: 7/20/2021
Total Purchase Price \$ 330,000
or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one)
(Recording of documentary evidence is not required) _____ Bill of Sale; _____ Appraisal; _____ Sales Contract;
 Closing Statement; _____ Other _____

STATE OF ALABAMA :
COUNTY OF BALDWIN :

WARRANTY DEED

69083

KNOW ALL MEN BY THESE PRESENTS, that SUSANNA M. GORDON and WILLIAM BYARD GORDON, SR. AS TRUSTEES OF THE REVOCABLE TRUST AGREEMENT OF SUSANNA M. GORDON DATED JUNE 8, 1999 ("Grantors"), 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 Grantors by THE CITY OF FOLEY, ALABAMA, ("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:

PARCEL A:

Commence at the Southeast corner of the Northeast Quarter of Section 12, Township 8 South, Range 4 East; run thence West for a distance of 1324.3 feet to the Point of Beginning; run thence North 0° 02' 35" West for a distance of 299.13 feet; run thence West for a distance of 568 feet, more or less, to the East margin of Wolf Creek; run thence along said Wolf Creek in a southwesterly direction to a point that is West and 641 feet, more or less, from the Point of Beginning; run thence East for a distance of 641 feet, more or less, to the Point of Beginning. Said land being in Section 12, Township 8 South, Range 4 East, Baldwin County, Alabama.

PARCEL B:

TOGETHER WITH a 28-foot wide non-exclusive, appurtenant easement for ingress, egress and utilities lying West of the East line of that certain property conveyed to Terry W. Forbes by Susanna M. Gordon in that certain Deed dated January 17, 1994, and recorded in Real Property Book 562, page 1240.

PARCEL C:

TOGETHER WITH a 14-foot wide non-exclusive, appurtenant easement for ingress, egress and utilities beginning at the Northwest corner of Parcel A, described hereinabove, and running Northeasterly along the East margin of Wolf Creek to the North boundary of the property conveyed to Terry W. Forbes by Susanna M. Gordon in that certain Deed dated January 17, 1994, and recorded in Real Property Book 562, page 1240; thence East along the North line of the property described in Real Property Book 562, page 1240, to the Northeast corner of said property; thence South 14 feet; thence West and parallel to

Filed with Estate ...
Judge of Probate at
Instrument # 1930119
On 7-21-2021

REAL ESTATE SALES VALIDATION FORM

The following information is provided pursuant to Code of Alabama §40-22-1 (1975).

The undersigned Grantor does attest, to the best of Grantor's knowledge and belief that the information in this document is true and accurate. The Grantor understands that any false statement claimed on this form may result in the imposition of the penalties indicated in Code of Alabama §40-22-1 (h) (1975).

Grantor's Name: Susanna M. Gordon Trust
Mailing Address: 23673 A.E. In Road
Elberta, AL 36530

Grantee's Name: The City of Foley
Mailing Address: 407 E. Laurel
Foley, AL 36535

Property Address: N/A
Elberta, AL 36530

Date of Sale: 7/20/2021
Total Purchase Price \$ 330,000
or
Actual Value \$ _____
or
Assessor's Market Value \$ _____

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one)
(Recording of documentary evidence is not required) _____ Bill of Sale; _____ Appraisal; _____ Sales Contract;
 Closing Statement; _____ Other _____

STATE OF ALABAMA :

COUNTY OF BALDWIN :

WARRANTY DEED

69083

KNOW ALL MEN BY THESE PRESENTS, that SUSANNA M. GORDON and WILLIAM BYARD GORDON, SR. AS TRUSTEES OF THE REVOCABLE TRUST AGREEMENT OF SUSANNA M. GORDON DATED JUNE 8, 1999 ("Grantors"), 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 Grantors by THE CITY OF FOLEY, ALABAMA, ("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:

PARCEL A:

Commence at the Southeast corner of the Northeast Quarter of Section 12, Township 8 South, Range 4 East; run thence West for a distance of 1324.3 feet to the Point of Beginning; run thence North 0° 02' 35" West for a distance of 299.13 feet; run thence West for a distance of 568 feet, more or less, to the East margin of Wolf Creek; run thence along said Wolf Creek in a southwesterly direction to a point that is West and 641 feet, more or less, from the Point of Beginning; run thence East for a distance of 641 feet, more or less, to the Point of Beginning. Said land being in Section 12, Township 8 South, Range 4 East, Baldwin County, Alabama.

PARCEL B:

TOGETHER WITH a 28-foot wide non-exclusive, appurtenant easement for ingress, egress and utilities lying West of the East line of that certain property conveyed to Terry W. Forbes by Susanna M. Gordon in that certain Deed dated January 17, 1994, and recorded in Real Property Book 562, page 1240.

PARCEL C:

TOGETHER WITH a 14-foot wide non-exclusive, appurtenant easement for ingress, egress and utilities beginning at the Northwest corner of Parcel A, described hereinabove, and running Northeasterly along the East margin of Wolf Creek to the North boundary of the property conveyed to Terry W. Forbes by Susanna M. Gordon in that certain Deed dated January 17, 1994, and recorded in Real Property Book 562, page 1240; thence East along the North line of the property described in Real Property Book 562, page 1240, to the Northeast corner of said property; thence South 14 feet; thence West and parallel to

the North boundary of the property conveyed to Terry W. Forbes by Susanna M. Gordon in that certain Deed dated January 17, 1994, and recorded in Real Property Book 562, page 1240, to a Point lying East 14 feet from the margin of Wolf Creek; thence Southwesterly 14 feet east of a line running along the margin of Wolf Creek to a point lying on the North boundary of Parcel A, which point is 14 feet East of the Point of Beginning; thence West 14 feet to the Point of Beginning of the Easement herein described.

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:

1. Reservation of one-half interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Knud Jensen and Rosa Jensen to Donald S. White and Ethel White, dated March 3, 1953, and recorded in Deed Book 192, page 193.
2. Reservation of all interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Ethel Fountain f/k/a Ethel White and Carl Fountain to Terry W. Forbes and Susanna P. Forbes, dated October 28, 1982, and recorded in Real Property Book 130, page 318.
3. 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.
4. Rights of the United States of America, State of Alabama, or other parties in and to the bed, shore and water of Wolf Creek and Lake as shown on tax map. Title to no portion of the herein described land lying below ordinary mean high water mark.
5. Rights, if any, of the public to use as a public beach or recreation area any part of the herein described land lying between the body of water abutting said land and the natural line of vegetation, dunes, extreme high water line or other apparent boundary lines separating the publicly used area from the upland private area.
6. Rights of other parties in and to the easements described herein.

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

TOGETHER WITH ALL AND SINGULAR, the rights, members, privileges and appurtenances thereunto belonging, or in anywise appertaining.

TO HAVE AND TO HOLD the 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 Grantees, Grantors do, for Grantors, and for the respective heirs, successors and assigns of Grantors, hereby covenant with the Grantee that Grantors are seized of an indefeasible estate in fee simple in said property, is in quiet and peaceable possession thereof, that said property is free and clear of all encumbrances, and that Grantors do hereby WARRANT AND WILL FOREVER DEFEND the title to said property and the quiet and 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 Grantors have hereunto caused this instrument to be properly executed on this the 20th day of July, 2019.

 (SEAL)
SUSANNA M. GORDON,
AS TRUSTEE OF THE REVOCABLE TRUST
AGREEMENT OF SUSANNA M. GORDON
DATED JUNE 8, 1999

William Byard Gordon (SEAL)

WILLIAM BYARD GORDON, SR.,
AS TRUSTEE OF THE REVOCABLE TRUST
AGREEMENT OF SUSANNA M. GORDON
DATED JUNE 8, 1999

STATE OF Alabama
COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that SUSANNA M. GORDON, acting in her capacity as TRUSTEE OF THE REVOCABLE TRUST AGREEMENT OF SUSANNA M. GORDON DATED JUNE 8, 1999, 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 said conveyance, she, in her capacity as such Trustee, has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 20th day of July, 2021.

[Signature]
NOTARY PUBLIC
My Commission Expires: 3/18/2024

STATE OF Alabama
COUNTY OF Baldwin

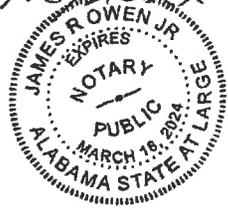
I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that WILLIAM BYARD GORDON, SR., acting in his capacity as TRUSTEE OF THE REVOCABLE TRUST AGREEMENT OF SUSANNA M. GORDON DATED JUNE 8, 1999, whose name is signed to the foregoing conveyance and who is known to me, acknowledged before me on this day, that being informed of the contents of said conveyance, he, in his capacity as such Trustee, has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 20th day of July, 2021.

[Signature]
NOTARY PUBLIC
My Commission Expires: 3/18/2024

THE SCRIVENER OF THIS DEED REPRESENTS NEITHER GRANTOR NOR GRANTEE AND RECOMMENDS EACH PARTY RETAIN INDEPENDENT LEGAL COUNSEL TO REVIEW SAID DOCUMENT.

THIS INSTRUMENT PREPARED BY:
G. DAVID CHAPMAN III, P.C.
Attorney at Law
Post Office Box 1508
Gulf Shores, Alabama 36547
File 21.0283





Wolf

Hance Ln

Hance Ln

Wilson Rd

PPIN 114869

PPIN 114869

ESF Community Work Composites
FROM: Planning Section, USA, CON/ANP, EPA, HERE, Harmin, SafeGraph,
INCREMENT 1, METANASA, USGS, EPA, USFS, US Census Bureau, USDA

10-20-20

PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the initial zoning of 3 +/- acres. Proposed zoning is AO (Agricultural Open Space). Property is located at the SW corner of Hance Ln. and Wolf Creek Ridge. Applicant is the City of Foley.

Anyone interested in this initial zoning request may be heard at a public meeting scheduled for June 15, 2022 in the Council Chambers of City Hall located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Wes Abrams
Planning Commission Chairman

LEGAL DESCRIPTION: Pin # 114869

299.13' X 650'(S) IRR COM AT THE SE COR OF THE NE1/4 OF SEC
12 TH RUN W 1324.3' TO POB TH N 299.13', TH W 650'(S), TH SW
'LY 300'(S), TH E 600'(S) TO POB SEC 12-T8S-R4E (WD)