



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).

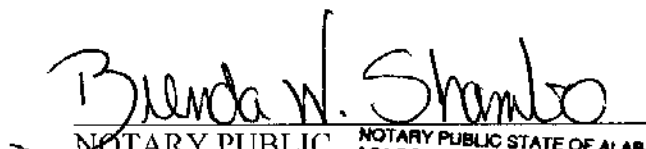
We, the undersigned PETITIONERS understand that we will have no right to vote in any elections which we would be entitled to vote in as a result of this proposed annexation until the annexation is pre-cleared by the United States Department of Justice pursuant to section 5 of the Voting Rights Act of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

Dated this 25th day of January, 2013.


Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this the 25th day of January, 2013, before me personally appeared John E. Koniar, 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 executed the same as his own free act and deed, with full knowledge of the contents thereof.


NOTARY PUBLIC
My Commission Expires: Dec 18, 2015

NOTARY PUBLIC STATE OF ALABAMA AT LARGE
MY COMMISSION EXPIRES: Dec 18, 2015
BONDED THRU NOTARY PUBLIC UNDERWRITERS

ATTACHMENT TO PETITION

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

- | | | |
|-------------------------------------|-------|---|
| ☒ | R-1A | Residential Single Family |
| ☐ | R-1B | Residential Single Family |
| ☐ | R-1C | Residential Single Family |
| ☐ | R-1D | Residential Single Family |
| ☐ | R-1R | Restricted Residential Single Family |
| ☐ | R-2 | Residential Single Family & Duplex |
| ☐ | R-3 | Residential Multi Family |
| ☐ | R-3P | Residential Multi Family Planned |
| ☐ | R-4 | Residential Single Family & Duplex |
| ☐ | GPH-1 | Residential Garden-Patio Homes |
| ☐ | TH-1 | Residential Townhouses |
| ☐ | MH-1 | Residential Mobile Home Park/Subdivision |
| ☐ | PDD | Planned Development District |
| ☐ | PUD | Planned Unit Development |
| ☐ | PID | Planned Industrial District |
| ☐ | B-1 | Central Business District |
| ☐ | B-1A | Commercial Extended Business District |
| ☐ | B-2 | Commercial Neighborhood Business District |
| ☐ | B-3 | Commercial Local Business District |
| ☐ | PO | Preferred Office District |
| ☐ | M-1 | Light Industry |
| ☐ | A-O | Agriculture Open Space |
| ☐ | FH | Flood Hazard Zone/Flood Prone Area |
| ☐ | 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.

ATTACHMENT TO PETITION

Number of homes currently located on the property being annexed N/A

Total number of occupants: Under 18 N/A Adults N/A Race N/A

Number of businesses currently located on the property being annexed N/A

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

Name of business N/A

Owner's Name _____

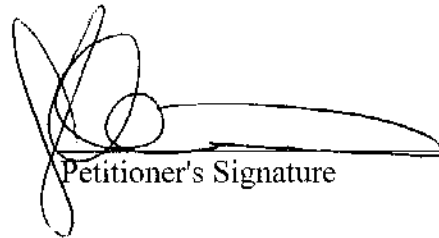
Mailing Address _____

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

1/25/2013

Date

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

☐ Yes

☐ No



City of Foley, AL

407 E. Laurel Avenue
Foley, AL 36536

Signature Copy

Resolution: 13-0106

File Number: 13-0335

Enactment Number: 13-0106

Resolution Authorizing the Purchase of Certain Real Property

WHEREAS, Pen Air Federal Credit Union is the owner of certain real property which it has contracted to sell to Happy Investments, LLC; and

WHEREAS, Happy Investments, LLC has offered to assign its purchase rights to the Pen Air property to the City of Foley; and

WHEREAS, the City of Foley desires to purchase said property upon the general terms and conditions contained herein because said purchase is in the best interests of the City of Foley;

NOW THEREFORE, be it resolved by the City Council of the City of Foley at its meeting the 19th day of November, 2012 as follows:

1. That the Mayor, City Clerk, and other municipal officials, are hereby authorized and directed to execute such documents and to pay such sums of money as are necessary or required to carry forward the assignment of the purchase agreement and the closing of the purchase of the property on the general terms and conditions contained in the Purchase Agreement which is attached hereto as Exhibit A. This authorization is contingent on and subject to the Mayor and City Administrator's satisfaction with their due diligence review of the transaction and on their receipt of a formal approved jurisdictional determination from the Corps of Engineers that the interior 8 to 9 acre wetland is considered isolated and does not fall under Section 404 of the Clean Water Act jurisdiction (in accordance with the ruling in Solid Waste Agency of Northern Cook County (SWANCC) v. U.S. Army Corps of Engineers, 531 U.S. 159 (2001)), and further subject to satisfactory completion of all other due diligence recommended by counsel including without limitation review and acceptance of a title commitment and any recommended survey.
2. That all prior actions taken by any elected or appointed officers or by any employees or agents of the City of Foley in connection with the entering into of said Purchase Agreement or the purchase of the subject property are hereby ratified and affirmed.

PASSED, APPROVED AND ADOPTED this 19th day of November, 2012.

Aye: 4 President Trawick, Council Member Quaates, Council Member Helmich
and Council Member Blackwell

President's Signature

Date

11-21-12

File Number: 13-0335

Enactment Number: 13-0081-RES

Attest by City Clerk

Joseph P. Sawyer

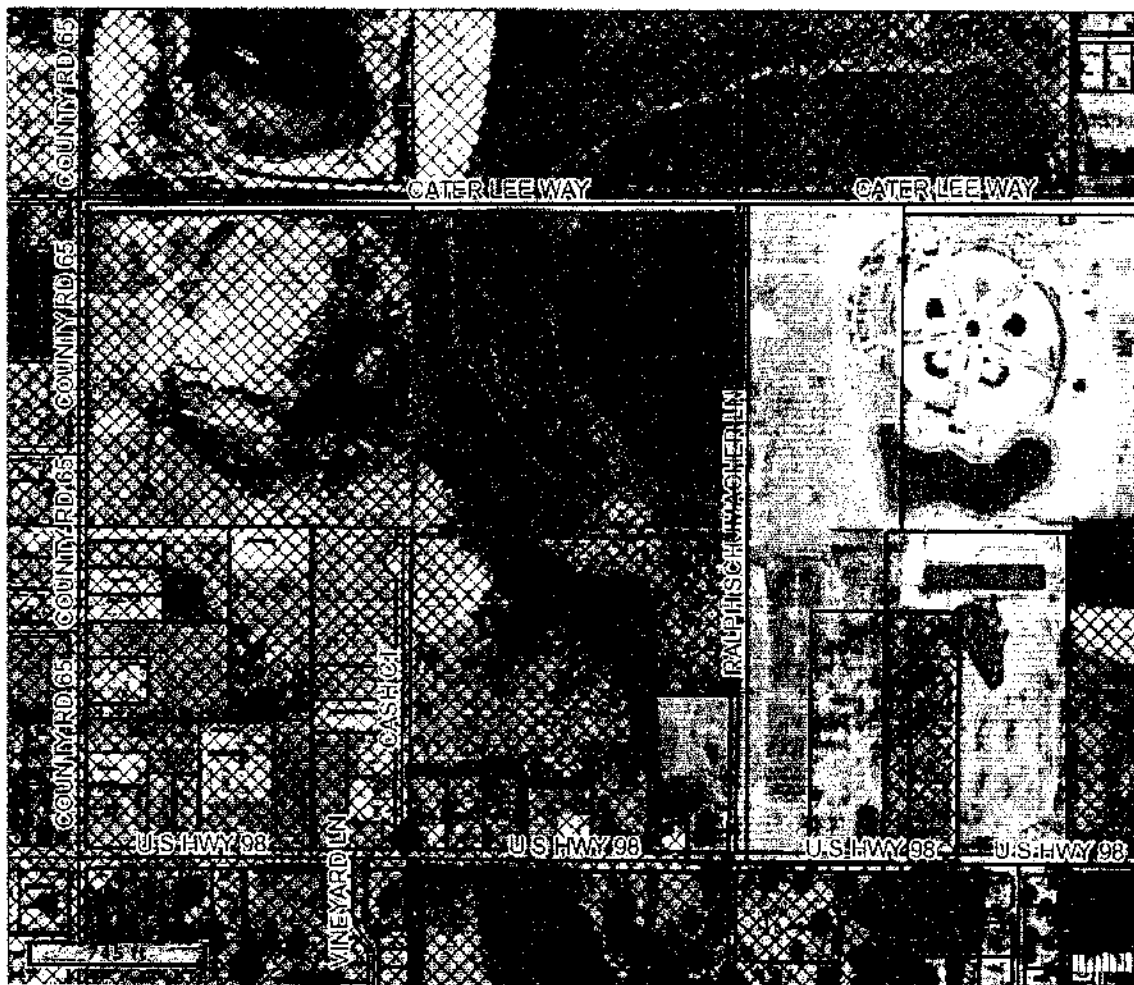
Date

Sent to Mayor

Date

PENN AIR FEDERAL CREDIT UNION

Created By: VSouthern
Date Created: 1/17/2013



Overview



Legend

-  Main Highways
-  County Roads
-  Centerlines
-  Foley City Limits
-  County Mask
-  Foley City Limit Background
-  Parcels
-  Downtown Historic District
-  Streams and Creeks
-  Lakes and Bays

PIN - 100367
Par Num - 001.002
Acreage - 39.132
Subdivision -
Lot -
Street Name -
Street Number - 0
Improvement -

Name - PEN-AIR FEDERAL CREDIT UNION
Address1 - 1495 EAST NINE MILE RD
Address2 -
Address3 -
City - PENSACOLA
State - FL
Zip - 32514

Last Data Upload: 1/15/2013 11:22:27 PM

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CITY OF FOLEY MEMO

To: Miriam
Butch / Randy
Leslie
From: Donna Poole
Date: January 28, 2013
Re: Pen Air Annexation

Miriam, Butch & Leslie, Randy,

Attached is the paperwork for the City of Foley's Pen Air property Petition for Annexation. Please prepare your evaluations for Council's review. I know you all are very busy but, I need this information Wednesday morning at the latest to go into the Council packets. Randy, Please get the infrastructure valuations for Finance. Thanks.

Karen has COGO'ed the legal.

Thanks.

Donna
dpooles@cityoffoley.org