



COMMUNITY DEVELOPMENT DEPARTMENT
120 S. MCKENZIE STREET
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

April 22, 2021

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 April 21, 2021 and the following action was taken:

Norman & Marjorie Moore- Initial Zoning

The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 3 +/- acres being annexed into the corporate limits. Proposed zoning is R-1C (Residential Single Family). Property is located south of Underwood Rd. and west of County Rd. 65. Applicant is Norman and Marjorie Moore.

Commissioner Swanson made a motion to recommend to Mayor and Council the requested initial zoning of R-1C (Residential Single Family). Commissioner Abrams seconded the motion. All Commissioners voted aye.

Motion to recommend to Mayor and Council the requesting initial zoning of R-1C (Residential Single Family) passes.

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

Respectfully,

Melissa Ringler

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

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 10 day of February, 2021

Norman W. Moore
Petitioner's Signature

Margorie Moore
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 10 day of February, 2021, before me personally appeared Norman Moore, 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.

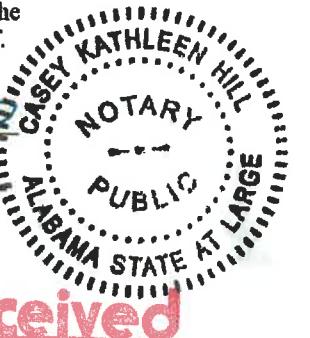
Casey Kathleen Hill
NOTARY PUBLIC
My Commission Expires: 08/2023



STATE OF ALABAMA
BALDWIN COUNTY

On this 10 day of February, 2021, before me personally appeared Margorie Moore, 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.

Casey Kathleen Hill
NOTARY PUBLIC
My Commission Expires: 08/2023



ATTACHMENT TO PETITION

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

- | | | |
|-------------------------------------|-------|---|
| <input type="checkbox"/> | R-IA | Residential Single Family |
| <input type="checkbox"/> | R-IB | Residential Single Family |
| <input checked="" type="checkbox"/> | R-IC | Residential Single Family |
| <input type="checkbox"/> | R-ID | Residential Single Family |
| <input type="checkbox"/> | R-IR | 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-I | 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-IA | 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-I | Light Industry |
| <input 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 one

Number of occupants Adults zero Race n/a

Number of businesses currently located on the property being annexed zero

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

Name of business n/a

Owner's Name n/a

Mailing Address n/a

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

Yes

If yes, state estimated date the development or subdivision will be completed April 2021

No

Norman Moore
Petitioner's Signature Date

Margorie Moore
Petitioner's Signature Date

Received
3-16-21 JER

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

Yes

No

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3/16/21 wR



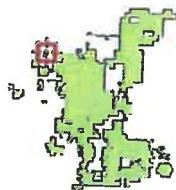
Annexation

Moore Property

Created by: Katy Taylor



Overview



Legend

- Centerlines
- Foley City Limits
- ▨ County Mask
- Parcels
- Lot Lines
- Streams and Creek
- Lakes and Bays

PIN - 59298
Par Num - 004.004
Acreage - 2.959
Subdivision -
Lot -
Street Name - UNDERWOOD RD
Street Number - 17900
Improvement - BARN,RES,CARP

Name - THOMAS, BRYANT ABBOTT ETAL WEBB, VIRGINI
Address1 - 17900 CO RD 24
Address2 -
Address3 -
City - FOLEY
State - AL
Zip - 36535

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Date created: 2/22/2021
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Foley
CITY OF FOLEY
AGENT AUTHORIZATION FORM

I/We authorize and permit Dewberry to act as My/Our representative and agent in any manner regarding this application which relates to property described as tax parcel ID# 05-55-06-13-0-000-004.004

I/We understand that the agent representation may include but not be limited to decisions relating to the submittal, status, conditions, or withdrawal of this application. In understanding this, I/We release the City of Foley from any liability resulting from actions made on My/Our behalf by the authorized agent and representative. I hereby certify that the information stated on and submitted with this application is true and correct. I also understand that the submittal of incorrect information will result in the revocation of this application and any work performed will be at the risk of the applicant.

**Note: All correspondence will be sent to the authorized representative. It will be the representative's responsibility to keep the owner(s) adequately informed as to the status of the application.*

PROPERTY OWNER(S):

Name(s) printed Norman Moore
Address 2476 Cedarwood Dr
City/State Foley, AL 36535

Phone Norman Moore Email Nmoore@gulfnet.com Fax 2/10/2021
Signature(s) _____ Date _____

PROPERTY OWNER(S):

Name(s) printed Marjorie Moore
Address 2476 Cedarwood Dr
City/State Foley, AL 36535

Phone Marjorie Moore Email _____ Fax 2/10/2021
Signature(s) _____ Date _____

received
3-16-21 4:02



Dewberry Engineers Inc. | 251.990.9950
25353 Friendship Road | 251.990.9910 fax
Daphne, AL 36526 | www.dewberry.com

February 10, 2021

**RE: Parcel # 05-55-06-13-0-000-004.004
Annexation Application**

To whom it may concern:

As the property owners of Parcel # 05-55-06-13-0-000-004.004, we (Norman and Marjorie Moore) would like to request annexation into the City of Foley and to be zoned R-1C.

Sincerely,

Norman Moore
(PRINT) Norman Moore
(SIGNATURE)

Marjorie Moore
(PRINT) Marjorie Moore
(SIGNATURE)

Cc: Moore Minor Subdivision
File (50132078)

received
Page 1 of 1
3-11-2021

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 09/28/2020 09:32:49 AM
Deed Tax: \$125.00
Total: \$160.00
6 Pages

1859931

Instrument prepared by:
Andrew R. McKinney
McKinney & Associates, P.C.
Post Office Box 2999
Gulf Shores, AL 36547
(251) 967-2166

Title commitment provided by:
Professional Land Title, Inc.
3479-A Gulf Shores Pkwy
Gulf Shores, AL 36542
(251) 968-2700

REAL ESTATE SALES VALIDATION

The following information is provided pursuant to Code of Alabama §40-22-1 (1975) and is verified by the signature of the Grantor(s) below.

Grantors: ESTATE OF BRYANT ABBOT THOMAS, VIRGINIA ANN VICK, SUSAN EILEEN THOMAS
n/k/a SUSAN EILEEN THOMAS GRAYDON, and WILLIAM BRUCE
THOMAS

Mailing Address: 22932 Palmer St., Robertsdale, AL 36567

Grantees: NORMAN W. MOORE and MARJORIE G. MOORE

Mailing Address: 24746 Cedarwood Dr., Foley, AL 36535

Property Address: 17900 UNDERWOOD RD., FOLEY, AL 36535

Date of Sale: September 25, 2020

Value (\$40-22-1): \$125,000.00

The purchase price or actual value can be verified in the following documentary evidence:

Appraisal Sales Contract Closing Statement County Tax Valuation
 Other

STATE OF ALABAMA
COUNTY OF BALDWIN

STATUTORY WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, THIS DEED made the 25th day of September, 2020, between CHRISTIE THOMAS, acting in her capacity as Personal Representative of the Estate of BRYANT ABBOT THOMAS, Baldwin County, Alabama Probate Case No. 38374, and VIRGINIA ANN VICK, a hymned woman, and SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS GRAYDON, a hymned woman, by and through her Attorney-in-Fact, Ann Vick, and WILLIAM BRUCE THOMAS, a married man, being all of the heirs at law and next of kin of JAMES ABBOTT THOMAS a/k/a JAMES ABOT THOMAS, deceased, and NORMAN W. MOORE and MARJORIE G. MOORE ("Grantees");

WITNESSETH:

Grantors, for and in consideration of the sum of ONE HUNDRED TWENTY FIVE THOUSAND DOLLARS AND NO/100 (\$125,000.00) and other good and valuable consideration, in hand paid by the Grantee, the receipt of which is hereby acknowledged, subject to all matters and things hereinafter set forth, has by these presents BARGAIN, SELL AND CONVEY unto the said Grantees, as tenants in common, and with equal rights and interests for the period or term that the said Grantees shall both survive and unto the survivor of the said Grantees, at the death of the other, in fee simple, together with every contingent remainder and right of reversion, all that real property situated in the County of Baldwin, State of Alabama, described as follows, to-wit:

Being a parcel of land lying in the Northeast Quarter of the Southeast Quarter of Section 13, Township 7 South, Range 3 East, Baldwin County, Alabama, and also being more particularly described as follows: Commencing at the Northeast corner of the Northeast Quarter of the Southeast Quarter of said Section 13, thence South 00°00'00" East (South), 40.00 feet; thence South 89°45'15" West, 280.21 feet to a point on the South right of way of Baldwin County Road No. 24, same also being the Point of Beginning of the parcel herein described; thence South 00°00'00" East, (South), 305.00 feet; thence South 89°53'16" West 69.10 feet; thence South 00°20'05" East, 30.03 feet; thence South 88°41'18" West, 302.36 feet; thence North 01°58'52" West, 341.00 feet to said South right of way; thence South 89°50'48" East, along said South right of way, 383.00 feet to the Point of Beginning of the parcel herein described.

Grantors, if married, hereby state that the above described real property does not constitute part of their homestead, nor does it constitute part of the homestead of their spouses.

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3/16/21 eef

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

1. Taxes for the current year, and subsequent years, which are not yet due and payable.
2. Prior reservations to all oil, gas and mineral rights, and all rights in connection therewith.
3. Subject to any debts or estate or inheritance taxes or appeal from the administration of the Estate of Bryant Abbott Thomas, deceased, Baldwin County, Alabama Probate Case No. 38374
4. Reservation of 1/2 interest in and to all oil, gas and minerals and rights in connection therewith as contained in deed from Thomas L. Cochran and Monette B. Cochran to Noah P. Zobrist, Sr. dated March 8, 1979 and recorded in Real Property Book 46, page 1638.
5. Reservation of 1/4 interest in and to all oil, gas and minerals and rights in connection therewith as contained in deed from Lloyd C. Zobrist and Calvin J. Zobrist, co-executors of The Estate of Noah P. Zobrist to Fern E. Grieder, dated March 1, 1985 and recorded in Real Property Book 215, page 759.
6. Covenants to Run With Land as set out in Miscellaneous Book 80, Page 1200.

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 said above described property unto the said Grantees, as tenants in common, and with equal rights and interests for the period or term that the said Grantees shall both survive and unto the survivor of the said Grantees, at the death of the other, in fee simple, together with every contingent remainder and right of reversion, and to their heirs and assigns, FOREVER.

AND, GRANTORS DO HEREBY COVENANT with the Grantee, except as above-noted, that, at the time of the delivery of this Deed, Grantors are duly appointed, qualified and acting in the fiduciary capacity described in the deed; Grantors are duly authorized to make and enter into the sale and conveyance of the real estate; in all the proceedings relating to the sale and conveyance, Grantors have complied with the requirements of all relevant statutes relating to fiduciaries concerning any required public or private notice, court hearings and court permission or orders obtained; the premises were free from all encumbrances made by Grantors; and that Grantors will warrant and defend the same against the lawful claims and demands of all persons claiming by, through, or under them, but against none other.

It is the intention of the Grantors herein that the title be taken in their joint names as tenants in common with cross-contingent remainders to the survivor in fee, and that this estate be destrutable only with the consent of all Grantees.

IN WITNESS WHEREOF, the Grantors have hereunto caused this instrument to be properly executed on the day and year first above written. This document may be executed in multiple counterparts, each of which will constitute an original when taken and shall comprise the agreement as set out herein.

THE SCRIVENER OF THIS INSTRUMENT REPRESENTS NEITHER GRANTOR(S) NOR GRANTEE(S) CONTAINED HEREIN AND RECOMMENDS EACH PARTY RETAIN INDEPENDENT LEGAL COUNSEL TO REVIEW SAID DOCUMENT.

(End of Page. Signature Pages Follow)

received
3/16/21 JP

Signature Page for CHRISTIE THOMAS

Statutory Warranty Deed from ESTATE OF BRYANT ABBOT THOMAS, VIRGINIA ANN VICK,
SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS GRAYDON, and WILLIAM BRUCE
THOMAS to NORMAN W. MOORE and MARJORIE G. MOORE

ESTATE OF BRYANT ABBOT THOMAS

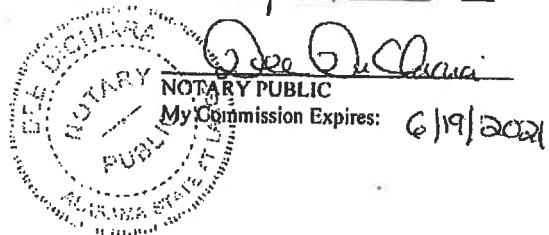
Christie Thomas Personal Rep
CHRISTIE THOMAS, PERSONAL REP.

STATE OF Alabama

COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that CHRISTIE THOMAS, acting in her capacity as Personal Representative of the Estate of BRYANT ABBOT THOMAS, Baldwin County, Alabama Probate Case No. 38374, 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 Personal Representative, has executed the same voluntarily for and on behalf of said Estate.

Given under my hand and seal this the 25th day of September, 2020.



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3/16/21-eeP

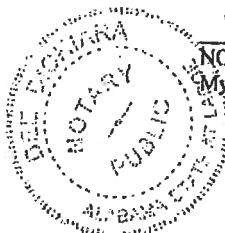
Signature Page for WILLIAM BRUCE THOMAS
Statutory Warranty Deed from ESTATE OF BRYANT ABOT THOMAS, VIRGINIA ANN VICK,
SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS GRAYDON, and WILLIAM BRUCE
THOMAS to NORMAN W. MOORE and MARJORIE G. MOORE

William Bruce Thomas
WILLIAM BRUCE THOMAS

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 BRUCE THOMAS, 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 has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 25th day of September, 2022



Dee Q. Hall
NOTARY PUBLIC
My Commission Expires: 6/19/2021

received
3/16/21 JEB

Signature Page for VIRGINIA ANN VICK

Statutory Warranty Deed from ESTATE OF BRYANT ABOT THOMAS, VIRGINIA ANN VICK, SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS GRAYDON, and WILLIAM BRUCE THOMAS to NORMAN W. MOORE and MARJORIE G. MOORE

Virginia Ann Vick
VIRGINIA ANN VICK

STATE OF Alabama

COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that VIRGINIA ANN VICK, 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 has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 25 day of September, 2020.



Dee D. Chan
NOTARY PUBLIC
My Commission Expires: 6/19/2021

received
3/16/21

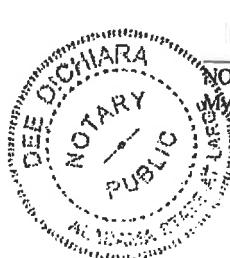
Signature Page for SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS
Statutory Warranty Deed from, ESTATE OF BRYANT ABBOT THOMAS VIRGINIA ANN VICK,
SUSAN EILEEN THOMAS n/k/a SUSAN EILEEN THOMAS GRAYDON, and WILLIAM BRUCE
THOMAS to NORMAN W. MOORE and MARJORIE G. MOORE

Ann Vick, P.A. Susan Eileen Thomas, Graydon
ANN VICK, acting in her capacity as Attorney-in-
Fact for SUSAN EILEEN THOMAS GRAYDON

STATE OF Alabama
COUNTY OF Baldwin

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify
that ANN VICK, acting in her capacity as Attorney-in-Fact for SUSAN EILEEN THOMAS
GRAYDON, 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
Attorney-in-Fact, has executed the same voluntarily on the day the same bears date.

Given under my hand and seal this the 25th day of September, 2020.



Dee Diclarra
NOTARY PUBLIC
My Commission Expires: 6/19/2021

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31161-112



Dewberry Engineers Inc. | 251.990.9950
25353 Friendship Road | 251.990.9910 fax
Daphne, AL 36526 | www.dewberry.com

LEGAL DESCRIPTION
SUMMERLYN SUBDIVISION

BEING A PARCEL OF LAND LYING IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 7 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA, AND ALSO BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 13, THENCE SOUTH 00°00'00" EAST (SOUTH), 40.00 FEET; THENCE SOUTH 89°45' 15" WEST, 280.21 FEET TO A POINT ON THE SOUTH RIGHT OF WAY OF BALDWIN COUNTY ROAD NO. 24, SAME ALSO BEING THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED; THENCE SOUTH 00°00'00" EAST, (SOUTH), 305.00 FEET; THENCE SOUTH 89°53' 16" WEST 69.10 FEET; THENCE SOUTH 00°20'05" EAST, 30.03 FEET; THENCE SOUTH 88°41'18" WEST, 302.36 FEET; THENCE NORTH 01°58'52" WEST, 341.00 FEET TO SAID SOUTH RIGHT OF WAY; THENCE SOUTH 89°50'48" EAST, ALONG SAID SOUTH RIGHT OF WAY, 383.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL HEREIN DESCRIBED.

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3116121.wsp



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PUBLIC NOTICE



The City of Foley Planning Commission has received a request to recommend to Mayor and Council the initial zoning of 3 +/- acres being annexed into the corporate limits. Proposed zoning is R-1C (Residential Single Family). Property is located south of Underwood Rd. and west of County Rd. 65. Applicant is Norman and Marjorie Moore.

Anyone interested in this initial zoning request may be heard at a public hearing scheduled for April 21, 2021 in City Hall Council Chambers located at 407 E. Laurel Ave., at 5:30 p.m. or may respond in writing to 120 S. McKenzie St., Foley, AL 36535.

Phillip Hinesley
Planning Commission Chairman