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 20th day of January, 2017.

COTTON BAYOU DEVELOPMENT, LLC

BY: Patrick Chapman

Petitioner's Signature

Patrick Chapman

Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 20th day of January, 2017, before me personally appeared Patrick Chapman, 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.

Rebecca A. McElhenney

NOTARY PUBLIC

My Commission Expires: Notary Public - Alabama State At Large
My Commission Expires
June 26, 2017

REBECCA L. MCELHENNEY NOTARY PUBLIC STATE OF ALABAMA

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:

☐	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-4	Residential Single Family & Duplex
☐	GPH-I	Residential Garden-Patio Homes
☐	TH-1	Residential Townhouses
☐	MH-1	Residential Mobile Home Park/Subdivision
☐	OSP	Open Space/Reservation District
☐	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-I	Light Industry
☐	A-O	Agriculture Open Space
☐	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 N/A

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

COTTON BAYOU DEVELOPMENT, LLC

BY: Patrick Chapman 1-20-17

Petitioner's Signature Date

Patrick Chapman

_____

Petitioner's Signature Date

EXHIBIT A

TO PETITION FOR ANNEXATION

PARCEL NO: 61-03-06-0-000-011.004
PPIN: 201478
15 AC(C) THE N ½ OF NW ¼ OF SW ¼ SEC 6 LESS THE N ½ OF NW ¼ OF NW ¼ OF SW ¼ LESS RD R/W SEC 6-T8S-R4E (WD)

PARCEL NO: 61-03-06-0-000-011.005
PPIN: 201479
5 AC THE N 5 AC OF NE ¼ OF SW ¼ SEC 6-T8S-R4E (WD)

PARCEL NO: 61-03-06-0-000-011.010
PPIN: 218500
10 AC(C) FM NE COF OF SW ¼ RUN S 165'(S) TO S LN OF 5 AC TR ACT FOR POB, TH S 33'(S), TH N 330'(S), THE E 1340'(S) TO BEG SEC 6-T8S-R4E (ST WD)

PARCEL NO: 61-03-06-0-000-011.007
PPIN: 214656
10 AC(C) FM NE COF OF SW ¼ RUN S 165'(S) TO S LN OF 5 AC TRACT, TH 2 330'(S) FOR POB, TH 2 330'(S), TH 2 1340'(S), TH N 330'(S), TH E 1340'(S) TO BEG SEC 6-T8S-R4E (ST WD)

PARCEL NO: 61-03-06-0-000-011.009
PPIN: 214658
15 AC(C) THE SOUTH 15 ACRES OF NE ¼ OF SW ¼ SEC 6-T8S-R4E (WD) IN#525685 IN#525686 IN#525687 IN#525688

PARCEL NO: 61-03-06-0-000-011.003
PPIN: 201477
20 AC S ½ OF NW ¼ OF SW ¼ LESS RD R/W SEC 6-T8S-R4E (WD)

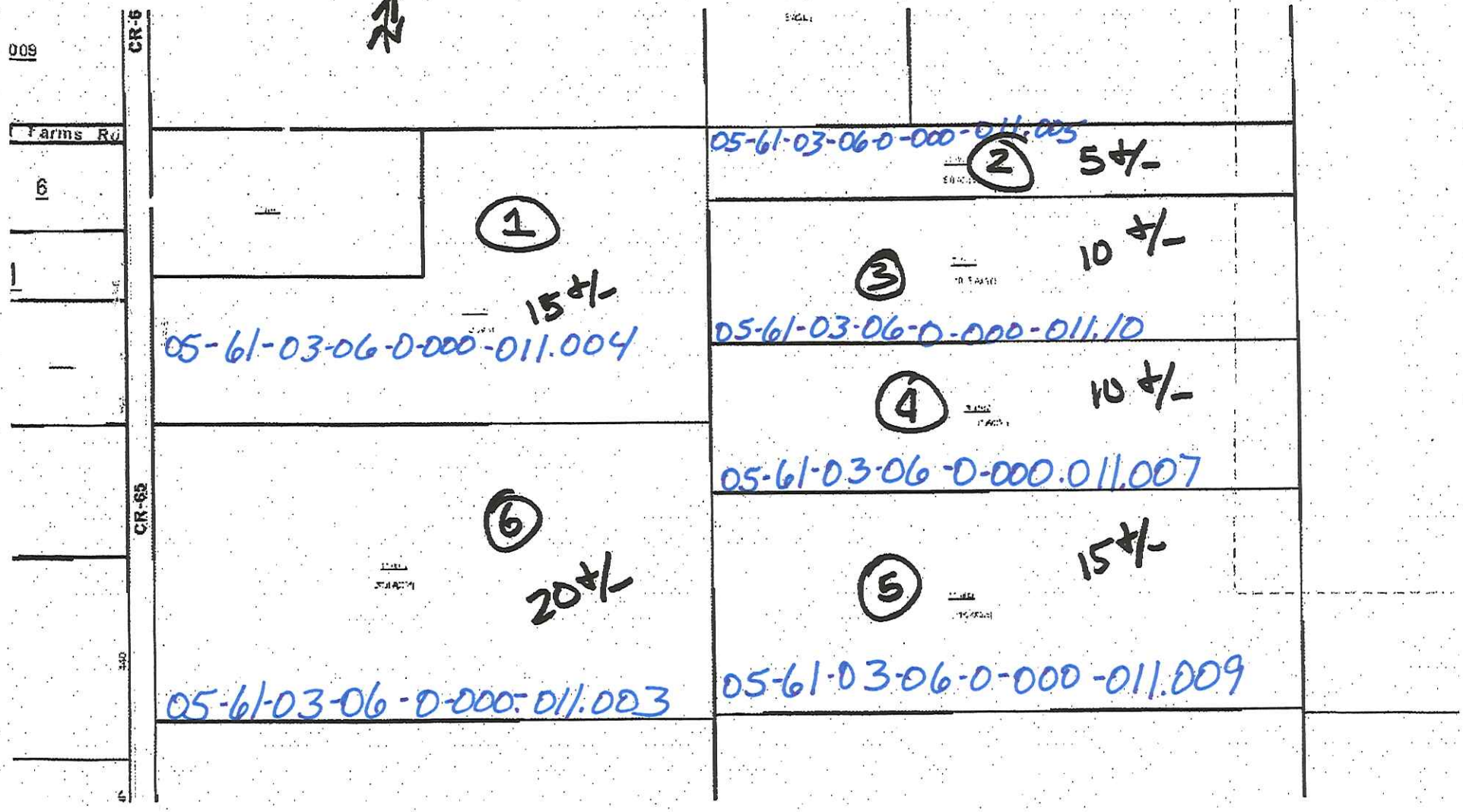

009
CR-6
Farms Rd
6
1
CR-65
340
1
15 +/-
05-61-03-06-0-000-011.004
2
5 +/-
05-61-03-06-0-000-011.005
3
10 +/-
05-61-03-06-0-000-011.10
4
10 +/-
05-61-03-06-0-000.011.007
5
15 +/-
05-61-03-06-0-000-011.009
6
20 +/-
05-61-03-06-0-000-011.003

EXHIBIT B-1

Foley

CITY OF FOLEY, ALABAMA
APPLICATION FOR
PRE-ZONING OF PROPERTY

1. LOCATION OF PROPERTY (ADDRESS, PIN #, LEGAL DESCRIPTION, MAP/SURVEY, DEED, AND CORPORATION OWNERSHIP INFORMATION):
   See Attached
2. ATTACH A SEPARATE LIST OF ADJACENT PROPERTY OWNERS:
   See Attached
3. APPROXIMATE SIZE OF PROPERTY:
   75 Acres
4. PRESENT ZONING OF PROPERTY:
   Unzoned
5. REQUESTED ZONING:
   R1-D
6. BRIEF DESCRIPTION OF CURRENT USE AND STRUCTURES LOCATED ON THE PROPERTY:
   Agriculture, No Structures
7. BRIEFLY DESCRIBE THE CONTEMPLATED USE OF THE PROPERTY IF REZONED (TYPE OF DEVELOPMENT, DENSITY, ETC.)
   Single Family Subdivision, Density less than 5 lots per acre.

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

DATE: 1/20/17

Patrick Chapman
PROPERTY OWNER/APPLICANT

10505-B County Road 65 Foley, AL
PROPERTY OWNER ADDRESS

251-952-4769
PHONE NUMBER

PChapman@gcogrows.com
EMAIL ADDRESS

EXHIBIT B-2

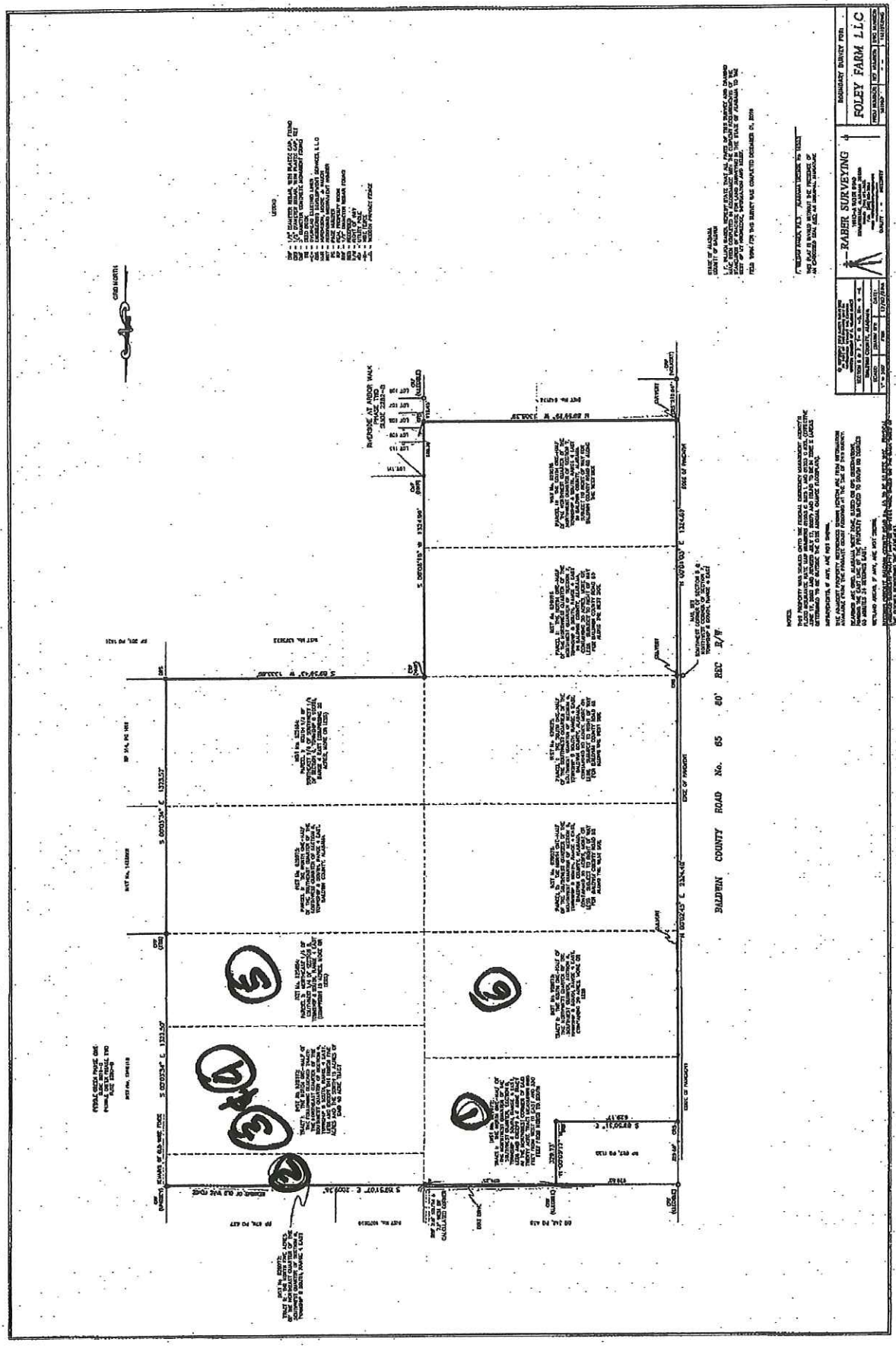
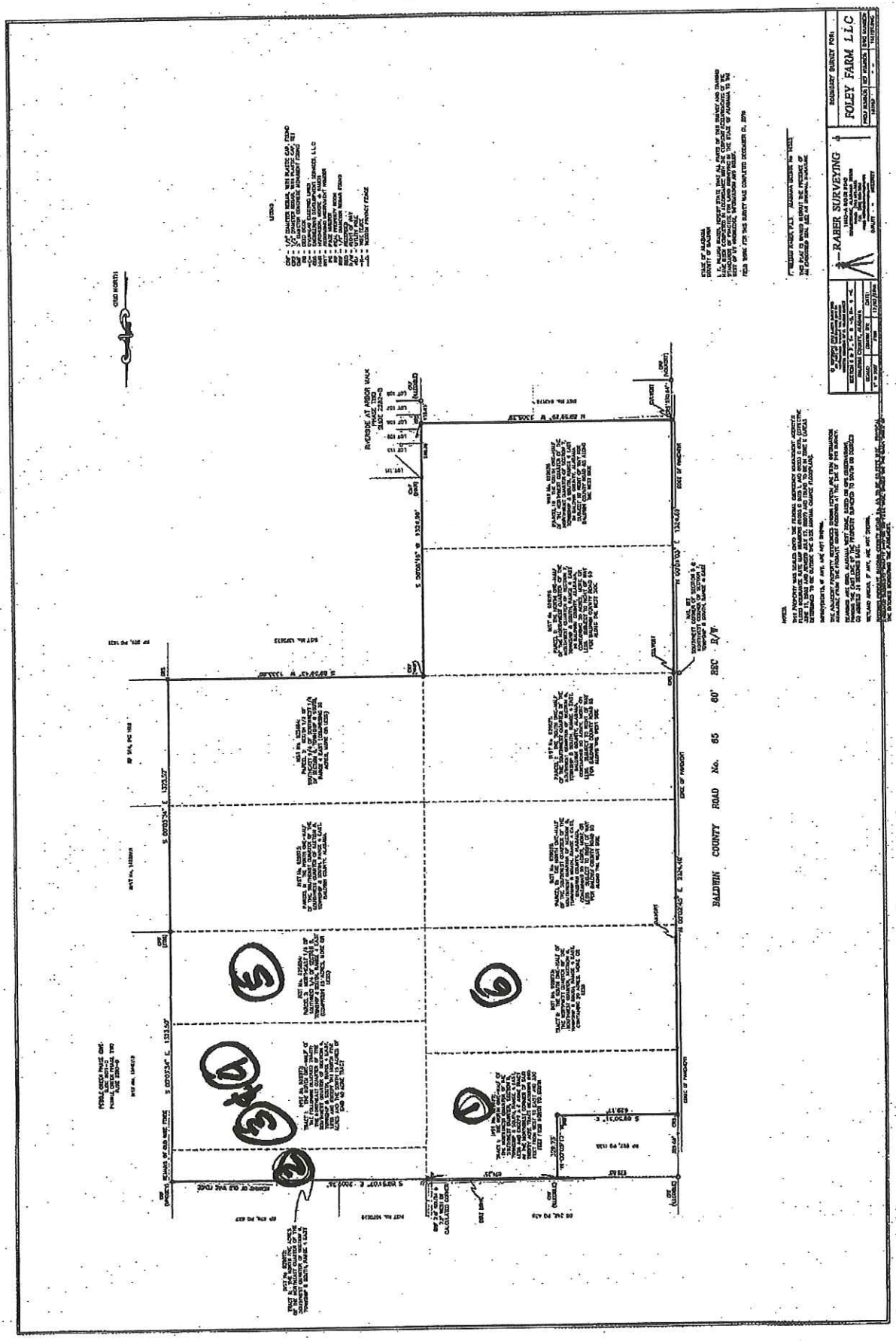

BALDWIN COUNTY ROAD No. 65 80' REC. R/W
RAABER SURVEYING
FOLEY FARM LLC
BOUNDARY SURVEY PLAT

EXHIBIT B-2


BOUNDARY SURVEY FOR:
FOLEY FARM LLC
RABER SURVEYING
BALDWIN COUNTY ROAD No. 65 - 60' ESC R/W
EDGE OF PAVEMENT
RIVERSIDE AT ARBOR WALK
SUBDIVISION
STATE OF ALABAMA
COUNTY OF BALDWIN
NOTES
LEGEND

16-14527

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 12/28/2016 9:40 AM
DEED TAX $ 292.50
TOTAL $ 310.50
4 Pages

1609990

SPACE ABOVE THIS LINE FOR RECORDING DATA

STATE OF ALABAMA)
COUNTY OF BALDWIN)

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that in consideration of TEN AND NO/100 ($10.00) DOLLARS in cash and other good and valuable consideration, to the undersigned GRANTOR, in hand paid by the GRANTEE, herein the receipt whereof is acknowledged, **FOLEY FARM, LLC, an Alabama Limited liability company** (herein referred to as GRANTOR), does hereby GRANT, BARGAIN, SELL AND CONVEY unto **COTTON BAYOU DEVELOPMENT, LLC, an Alabama limited liability company,** (herein referred to as GRANTEE), in fee simple, together with every contingent remainder and right of reversion, all that real property situated in Baldwin County, Alabama, described as follows, to-wit:

PARCEL A:

The South one-half (1/2)of the Northwest Quarter of the Northwest Quarter of Section 7, Township 8 South, Range 4 East in Baldwin County, Alabama. Subject to road right of way for Baldwin County Road 65 along the West side.

PARCEL B:

The North one-half (½) of the Northwest Quarter of the Northwest Quarter of Section 7, Township 8 South, Range 4 East in Baldwin County, Alabama, containing 20 acres more or less. Subject to right of way for Baldwin County 65 along the West side.

PARCEL C:

The South One-Half (½) of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 6, Township 8 South, Range 4 East, Baldwin County, Alabama. Subject to right of way for Baldwin County 65 along the West side.

PARCEL D:

The North One-Half (½) of the Southwest Quarter (1/4) of the Southwest Quarter (1/4) of Section 6, Township 8 South, Range 4 East, Baldwin County, Alabama. Subject to right of way for Baldwin County 65 along the West side;

PARCEL E:

The South one-half (½) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), Section 6, Township 8 South, Range 4 East, containing 20 acres more or less. Subject to right of way for Baldwin County 65 along the West side.

The North one-half (½) of the Northwest Quarter (1/4) of the Southwest Quarter (1/4), Section 6, Township 8 South, Range 4 East, less and except a five (5) acre tract in the Northwest corner of said twenty (20) acre tract measuring 660 feet from West to East and 330 feet from North to South; Subject to right of way for Baldwin County 65 along the West side.

PARCEL G:

The North five (5) acres of the Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East.

PARCEL H:

The North one-half (½) of the following described tract: Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East, less and except the North five (5) acres and the South 15 acres of said 40 acre tract.

PARCEL I:

The South one-half (½) of the following described tract: Northeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East, less and except the North 5 (5) acres and the South 15 acres of said 40 acre tract.

PARCEL J:

Northeast 1/4 of Southwest 1/4 of Section 6, T8S, R4E. (comprising 15 acres, more or less).

PARCEL K:

The North one-half (½) of the Southeast Quarter of the Southwest Quarter of Section 6, Township 8 South, Range 4 East in Baldwin County, Alabama.

PARCEL L:

South ½ of Southeast 1/4 of Southwest 1/4 of Section 6, T8S, R4E. (comprising 20 acres, more or less).

BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 6, TOWNSHIP 8 SOUTH, RANGE 4 EAST, SAID POINT ALSO BEING THE NORTHWEST CORNER OF SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST, BALDWIN COUNTY, ALABAMA, RUN NORTH 89 DEGREES 59 MINUTES 43 SECONDS EAST, ALONG THE SOUTH BOUNDARY OF SAID SECTION 6 AND THE NORTH BOUNDARY OF SAID SECTION 7, A DISTANCE OF 28.38 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65 AND THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; RUN THENCE NORTH 00 DEGREES 02 MINUTES 45 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65, A DISTANCE OF 2,324.40 FEET TO A POINT; RUN THENCE SOUTH 89 DEGREES 50 MINUTES 51 SECONDS EAST A DISTANCE OF 629.17 FEET TO A POINT; RUN THENCE NORTH 00 DEGREES 03 MINUTES 17 SECONDS WEST A DISTANCE OF 329.73 FEET TO A POINT ON THE NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF THE AFOREMENTIONED SECTION 6; RUN THENCE SOUTH 89 DEGREES 51 MINUTES 07 SECONDS EAST, ALONG SAID NORTH BOUNDARY OF THE SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 2,009.76 FEET TO THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 6; RUN THENCE SOUTH 00 DEGREES 03 MINUTES 34 SECONDS EAST, ALONG THE EAST BOUNDARY OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 2,647.04 FEET TO

THE SOUTHEAST CORNER OF SAID SOUTHWEST QUARTER OF SECTION 6; RUN THENCE SOUTH 89 DEGREES 59 MINUTES 43 SECONDS WEST, ALONG THE SOUTH LINE OF SAID SOUTHWEST QUARTER OF SECTION 6, A DISTANCE OF 1,335.80 FEET TO THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 6, SAID POINT ALSO BEING THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OR THE NORTHWEST QUARTER OF THE AFOREMENTIONED SECTION 7, TOWNSHIP 8 SOUTH, RANGE 4 EAST; RUN THENCE SOUTH 00 DEGREES 06 MINUTES 19 SECONDS WEST, ALONG THE EAST BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, A DISTANCE OF 1,324.99 FEET TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7; RUN THENCE NORTH 89 DEGREES 59 MINUTES 29 SECONDS WEST, ALONG THE SOUTH BOUNDARY OF SAID NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 7, A DISTANCE OF 1,305.39 FEET TO A POINT ON THE AFOREMENTIONED EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65; RUN THENCE NORTH 00 DEGREES 01 MINUTE 03 SECONDS EAST, ALONG SAID EAST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD No. 65, A DISTANCE OF 1,324.69 FEET TO THE POINT OF BEGINNING; CONTAINING 195.66 ACRES, MORE OR LESS.

Conveyance of the above described property and all covenants and warranties of the GRANTOR hereunder (whether express, implied or statutory) is made subject to the following:

1. **Taxes for the year 2017, and subsequent years, which are not yet due and payable.**

2. **Reservations, restrictions, rights of way, easements, building setback lines and drainage and utility lines easements as noted on survey from Raber Surveying dated 12/2/16, project number 161107.**

3. **Any prior reservation of interest in and to the oil, gas, and other minerals and rights in connection therewith.**

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 GRANTEE, in fee simple, forever, together with every contingent remainder and right of reversion.

And Grantor does for itself and for its successors and assigns covenant with the said GRANTEE, it's successors and assigns, that it is lawfully seized in fee simple of said premises; that said premises are free from all encumbrances unless otherwise noted above; that it has a good right to sell and convey the same aforesaid; that Grantor, its successors and assigns, WARRANT AND WILL FOREVER DEFEND the same to the said GRANTEE, its successors and assigns forever, against the lawful claims of all persons whomsoever.

IN WITNESS, WHEREOF, **Barbara K. Leavell, as Manager of FOLEY FARM, LLC**, and with full authority, has hereunto set her hand and seal this 9th day of Dec, 2016.

FOLEY FARM, LLC

Barbara K Leavell

By: Barbara K. Leavell, Manager

STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned Notary Public in and for said County, in said State, hereby certify **Barbara K. Leavell, as Manager, of FOLEY FARM, LLC**, 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 the conveyance, and with full authority, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 9th day of December 2016.

Angelia B. Deese

Notary Public

My Commission expires:

STATE OF ALABAMA NOTARY PUBLIC

ANGELIA B. DEESE
My Commission Expires
June 29, 2019

GRANTOR'S ADDRESS:

303 Whiting Court
Daphne, AL 36526

GRANTEE'S ADDRESS:

10505-B County Rd. 65
Foley AL 36535

THIS INSTRUMENT WAS PREPARED BY:
McKinney & Associates, P.C., PO Box 2999, Gulf Shores, Alabama 36547, (251) 967-2166
Pltscans/Angel/Deeds/File 16-14527
Prepared from Title Commitment of Professional Land Title, Inc., (Fidelity National Title Insurance Company)

THIS INSTRUMENT PREPARED BY:
Robert J. Riccio, Esq.
HAND ARENDALL LLC
Post Office Box 123
Mobile, Alabama 36601
(251) 432-5511

BALDWIN COUNTY, ALABAMA
TIM RUSSELL PROBATE JUDGE
Filed/cert. 6/ 8/2016 1:53 PM
TOTAL $ 56.00
2 Pages

1571902

CERTIFICATE OF FORMATION

OF

COTTON BAYOU DEVELOPMENT, LLC

The undersigned organizer does hereby sign and adopt this Certificate of Formation pursuant to the Alabama Limited Liability Company Law of 2014, as amended from time to time, for the purpose of forming a domestic limited liability company.

ARTICLE ONE – NAME

The name of the limited liability company (the "Company") shall be as follows:

Cotton Bayou Development, LLC

ARTICLE TWO – INITIAL REGISTERED OFFICE AND AGENT

The location and mailing address of the Company's initial registered office, and the name of its initial registered agent at such address, are as follows:

Registered Agent:	John Patrick Chapman
Street & Mailing Address:	10505-B County Road 65 Foley, Alabama 36535

ARTICLE THREE – MEMBERSHIP

Upon the filing for record of this Certificate of Formation in the Office of the Judge of Probate of Baldwin County, Alabama, there will be at least one member of the Company and the existence of a limited liability company under the name set forth in Article One hereof, shall commence.

IN WITNESS WHEREOF, the undersigned organizer has executed this Certificate of Formation on the 8th day of June, 2016.

ROBERT J. RICCIO
Organizer