PLANNING & DEVELOPMENT SERVICES
120 S McKenzie Street
Foley, Alabama 36535
www.cityoffoley.org
(251) 952-4011

March 20, 2026

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

RE: Request for Rezoning

Dear Mayor Hellmich and City Council Members,

The City of Foley Planning Commission held a meeting on March 18, 2026 and the following action was taken:

Rivi Apartments- Rezoning
The City of Foley Planning Commission has received a request to recommend to the Mayor and Council the rezoning of 9.35+/- acres. Property is currently zoned B-1A (Extended Business District) Proposed zoning is R-3 (Residential Multi-Family). Property is located at 458 E. Riviera Blvd. Applicant is Thompson Engineering.

Planning Commission Action:
Commissioner Hinesley made a motion to recommend the requested rezoning which shall not include the current non-conforming signage. Commissioner Swanson seconded the motion. All Commissioners voted aye.

Motion to recommend the requested rezoning which shall not include the current non-conforming signage 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: Christi Watkins
COUNCIL MEMBERS: J. Wayne Trawick, Charles Ebert III, Roderick Burkle, Larry Engel, Timothy Lower

ASSURANCE NOTE

THE PROPERTY HEREON DESCRIBED IS THE SAME AS THE PERTINENT PROPERTY AS DESCRIBED IN FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT FILE NO.: NCS-1286016-CAST, WITH AN EFFECTIVE DATE OF NOVEMBER 27, 2025.

ZONING REQUIREMENTS DATA

ZONING ITEM	REQUIRED	PARKING REQUIREMENTS
ZONING DISTRICT	B1-A (EXTENDED BUSINESS DISTRICT)	2 SPACES PER DWELLING UNIT MINIMUM TOTAL: 288 SPACES
PERMITTED USE	NO, MULTIFAMILY IS NOT A PERMITTED USE IN THE B1-A ZONING DISTRICT. THE EXISTING USE IS LEGAL NONCONFORMING.	
MINIMUM LOT AREA (SQ.FT.)	NO REQUIREMENT	
MAX BUILDING COVERAGE	50 PERCENT	
MAX BUILDING HEIGHT	6 STORIES OR 85 FEET	
BUILDING SETBACKS		CONTACT: KELLI WROBEL
FRONT	30 FEET MINIMUM	
STREET SIDE	30 FEET MINIMUM	PHONE/EMAIL: 330-355-1941
REAR	20 FEET MINIMUM	KWROBEL@GRS-GLOBAL.COM
NOTES:		REPORT DATE: DECEMBER 22, 2025
		PROJECT SITE #: 25-78446.3

FLOOD NOTE

FLOOD NOTE: BASED ON MAPS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AVAILABLE ONLINE AT WWW.MSC.FEMA.GOV, AND BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS LOCATED IN ZONE X ON FLOOD INSURANCE RATE MAP NUMBER 01003C0818M, WHICH BEARS AN EFFECTIVE DATE OF (04/19/2019) AND IS NOT IN A SPECIAL FLOOD HAZARD AREA. BY REVIEWING FLOOD MAPS PROVIDED BY THE NATIONAL FLOOD INSURANCE PROGRAM WE HAVE LEARNED THIS COMMUNITY DOES PARTICIPATE IN THE PROGRAM. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE AND AN ELEVATION CERTIFICATE MAY BE NEEDED TO VERIFY THE ACCURACY OF THE MAPS AND/OR TO APPLY FOR A VARIANCE FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY.

SIGNIFICANT OBSERVATIONS

1. *SIDEWALK IS 3.0' OVER THE PROPERTY LINE*
2. *SIDEWALK IS 4.0' OVER THE PROPERTY LINE*

SURVEY PREPARED BY:
EARTHPRO LAND SURVEYING
7973 HIGHWAY 172
COMER, GA. 30629
OFFICE: 678-640-5500
FAX: 706-510-2620
EMAIL:
gh@earthprolandsurvey.com

ALABAMA PLS #29410
ALABAMA CA-853-LS

EarthPro Project Number 25369

SCHEDULE B-II ITEMS

FIRST AMERICAN TITLE INSURANCE COMPANY
COMMITMENT NUMBER: NCS-1286016-CAST
EFFECTIVE DATE: NOVEMBER 27, 2025

Items 1-12 are NOT survey matters.

13. Terms, conditions, rules, regulations, subdivision regulations, ordinances, and other matters relating to the City of Foley, Alabama, including, but not limited to:

A. City of Foley, Alabama, Subdivision Regulations dated January 7, 2008, and recorded as Instrument No. 1098026, and all amendments thereto.
NOT A SURVEY RELATED MATTER

B. Tree and Natural Feature Preservation Ordinance Number 1009-07, recorded as Instrument No. 1079685, as the same may have been modified as Instrument No. 1556660, Heritage Tree Preservation Ordinance Number 15-1003 as recorded as Instrument No. 1508545, Ordinance Number 15-1003 Regulating Environmental Permits Related to Land Disturbance within the City of Foley recorded as Instrument No. 1508544, and Ordinance 16-2001-ORD, Rescinding Ordinance 1009-07 recorded as Instrument No. 1556660.
NOT A SURVEY RELATED MATTER

C. 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 as Instruments No. 1110234, 1118864, 1198497; Ordinance No. 1200-12 adopting the 2009 codes, dated July 2, 2012 and recorded as Instrument No. 1348178; Ordinance No. 13-1025 approving the amendments to the City of Foley Building Codes, dated January 7, 2013,and recorded as Instrument No. 1380798; Ordinance No. 13-1043 adopting and amending the 2009 codes, dated November 4, 2013 and recorded as Instrument No. 1429467, as amended in Ordinance 13:1054 as Instrument No. 1436249; Ordinance No. 15-1013 adopting the 2012 codes, dated June 1, 2015 and recorded as Instrument No. 1517983; Ordinance No. 16-2020-ORD adopting the 2012 codes, dated September 6, 2016 and recorded as Instrument No. 1594654; Ordinance 17-2028-ORD, Building Code & Fee Amendments recorded as Instrument No. 1646589; Ordinance 17-2029-ORD, Amendments to Manual for Design and Construction Standards, recorded as Instrument No. 1648524; Ordinance 17-2036-ORD rescinding Ordinance 17-2028 Building Codes and Fee Amendments recorded as Instrument No. 1655740; Ordinance 17-2037-ORD, Building Code & Fee Amendment recorded as Instrument No. 1655741; Ordinance 17-2038-ORD rescinding Ordinance 17-2029, Amendments to the Manual for Design and Construction Standards Ordinance as recorded as Instrument No. 1655742; Ordinance 17-2039-ORD, Amendments to the Manual for Design and Construction Standards Ordinance, recorded as Instrument No. 1655743; Ordinance 18-2004-ORD Amending Building Code & Fee Amendments as recorded as Instrument No.1685212; Resolution 2018-120, Ordinance 19-2023-ORD, An Ordinance to Amend the Manual for Design and Construction Standards recorded as Instrument No. 1786474; and Ordinance 20-2005-ORD, Adopting the 2018 International Building (ICC) Codes and Supplement Provisions recorded as Instrument No. 1827606 and Instrument 1870348, and all amendments thereto.
NOT A SURVEY RELATED MATTER

14. Oil, gas, and mineral lease from Carlisle H. Childress and Sue K. Childress, to Clayton W. Williams, Jr., dated May 18, 1981, and recorded in Real Property Book 95, Page 678.
DOES AFFECT THE SURVEYED PROPERTY, DOCUMENT IS BLANKET IN NATURE

15. Reservation of all remaining interest in and to all oil, gas, and minerals and rights in connection therewith as contained in deed from Carlisle H. Childress and Sue K. Childress, to Dewey E. White, dated December 31, 1986, and recorded in Real Property Book 273, Page 1872, as modified by that certain Surface/Non-Disclosure Agreement recorded in Real Property Book 426, Page 349.
DOES AFFECT THE SURVEYED PROPERTY, DOCUMENT IS BLANKET IN NATURE.

16. Covenants, conditions and restrictions appearing of record in Miscellaneous Book 61, Page 1120, as modified in Real Property Book 426, Page 348.
DOES AFFECT, NOTHING TO PLOT

17. Right of way granted City of Foley by Carlisle H. Childress and Sue K. Childress, dated October 11, 1990, and recorded in Real Property Book 429, Page 1733.
DOES NOT AFFECT SURVEYED PROPERTY, DOCUMENT CREATES THE RIGHT-OF-WAY OF JUNIPER ST.

18. Right of way granted City of Foley by Fanning Builders, Inc., dated September 4, 1990, and recorded in Real Property Book 429, Page 1745.
DOES NOT AFFECT SURVEYED PROPERTY, DOCUMENT CREATES THE RIGHT-OF-WAY OF JUNIPER ST.

19. Right of way granted City of Foley by MMAB, Inc., dated August 20, 1991, and recorded in Real Property Book 435, Page 463.
DOES NOT AFFECT SURVEYED PROPERTY, DOCUMENT CREATES THE RIGHT-OF-WAY OF JUNIPER ST.

20. Terms and conditions of that certain Agreement Granting Non-Exclusive Main Entrance Drive Easement from MMAB, Inc., White-Spunner Development Company, Inc., Baker Investments, Inc., and CMB Investments, Inc. to R. R. Foley, Inc., dated December 11, 1996, and recorded IN Real Property Book 726, Page 1306, and failure to comply with said terms and conditions.
DOES NOT AFFECT SURVEYED PROPERTY, EASEMENTS CONTAINED THEREIN ARE WITHIN THE RIGHT-OF-WAY OF RIVIERA DRIVE.

21. Terms and conditions of Agreement Granting Non-Exclusive Riviera Centre Connection Easement from R. R. Foley, Inc., to MMAB, Inc, White-Spunner Development Company, Inc, Baker Investments, Inc., and CMB Investments, Inc., dated December 11, 1996, and recorded at Real Property Book 726, Page 1318, and failure to comply with said terms and conditions.
DOES NOT AFFECT SURVEYED PROPERTY, EASEMENTS CONTAINED THEREIN ARE WITHIN THE RIGHT-OF-WAY OF RIVIERA DRIVE.

22. Building setback lines, drainage and utility easements, and other matters appearing of record in plat of said MMAB Subdivision recorded at Slide 2240-F.
DOES AFFECT, NOTHING TO PLOT, PLAT SLIDE IS SUPERCEDED BY PLAT SLIDE 2855-A

23. Building setback lines, drainage and utility easements, and other matters appearing of record in plat of said Resubdivision of Parcel 4, MMAB Subdivision recorded at Slide 2254-E.
DOES AFFECT, NOTHING TO PLOT, PLAT SLIDE IS SUPERCEDED BY PLAT SLIDE 2855-A

24. Terms and conditions of that certain Agreement Granting Non-Exclusive Main Entrance Drive Easement from White-Spunner Development Company, Inc., Baker Investments, Inc., and CMB Investments, Inc. to MMAB, Inc. and FBC, Inc., dated February 21, 2006, and recorded as Instrument No. 958062, and failure to comply with said terms and conditions.
DOES NOT AFFECT SURVEYED PROPERTY, EASEMENTS CONTAINED THEREIN ARE WITHIN THE RIGHT-OF-WAY OF RIVIERA DRIVE.

25. Terms and conditions of that certain Agreement Granting Non-Exclusive Main Entrance Drive Easement from MMAB, Inc. to LakeHeron, Inc., dated February 21, 2006, and recorded as Instrument No. 958064, and failure to comply with said terms and conditions.
DOES NOT AFFECT SURVEYED PROPERTY, EASEMENTS CONTAINED THEREIN ARE WITHIN THE RIGHT-OF-WAY OF RIVIERA DRIVE.

26. Covenants, conditions and restrictions appearing of record as Instrument No. 958067, as amended by the Assignment of Declarant Rights recorded as Instrument No. 2022239, and further amended by the Assignment of Declarant Rights recorded as Instrument No. 2022254.
DOES AFFECT, NOTHING TO PLOT

27. Transfer of Water Distribution System from MMAB, Inc c/o Baker Properties to The Utilities Board of the City of Foley, dated September 13, 2006, and recorded as Instrument No. 1009888.
DOES AFFECT, NOTHING TO PLOT

28. Building setback lines, drainage and utility easements, and other matters appearing of record in plat of said Resubdivison of Parcel 4, Resubdivision of Parcel 4B, MMAB Subdivision as recorded at Slide 2362-E.
DOES AFFECT, NOTHING TO PLOT, PLAT SLIDE IS SUPERCEDED BY PLAT SLIDE 2855-A

29. *Building setback lines, drainage and utility easements, and other matters appearing of record in plat of said The Rivi Subdivision recorded at Slide 2855-A.*
DOES AFFECT, AS SHOWN ON SURVEY

LEGEND

BC - BACK OF CURB
BFP - BACK FLOW PREVENTER
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BOL - BOLLARD
BWF - BARBED WIRE FENCE
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WV - WATER VALVE
WL - WHITE LINE
WM - WATER METER
WVT - WATER VAULT

0' 40' 80' 120'
GRAPHIC SCALE: 1" = 40'

RECORD DESCRIPTION

The Land referred to herein below is situated in the County of Baldwin, State of Alabama, and is described as follows:

LOT 1, THE RIVI SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED AT SLIDE 2855-A IN THE RECORDS OF THE OFFICE OF JUDGE OF PROBATE OF BALDWIN COUNTY, ALABAMA.

THE LANDS SURVEYED, SHOWN AND DESCRIBED HEREON ARE THE SAME LANDS AS DESCRIBED IN THE TITLE COMMITMENT PROVIDED BY FIRST AMERICAN TITLE INSURANCE COMPANY, COMMITMENT NO. NCS-1286016-CAST, DATED NOVEMBER 27, 2025.

I HEREBY CERTIFY THAT ALL PARTS OF THIS SURVEY AND DRAWING HAVE BEEN COMPLETED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR SURVEYING IN THE STATE OF ALABAMA TO THE BEST OF MY KNOWLEDGE, INFORMATION, AND BELIEF.

SURVEYORS SIGNATURE:

ALABAMA LICENSE NUMBER: 29410 DATE: FEBRUARY 5, 2026

DATE	REVISION HISTORY
12/23/2025	ZONING, UPDATE NOTES AND OBSERVATIONS
01/08/2026	ADDING TO CERTIFICATE, UPDATE WORDING ON ZONING, ADDING TO GENERAL NOTES

GRS PROJECT NO. / JOB NO.
25-78446.2 25369
SCALE:
1" = 40"
DRAWN BY:
DC/DDW
APPROVED BY:
GSH

DATED 2025 - USE OF THIS DOCUMENT'S FORMAT IS PROHIBITED AND CONTINGENT UPON THE WRITTEN CONSENT & PERMISSION BY GRS GROUP AN N|V|5 COMPANY

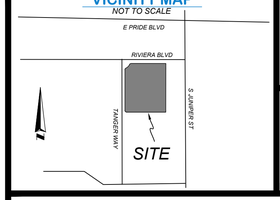
GENERAL SURVEY NOTES

1. *ALL STATEMENTS WITHIN THE CERTIFICATION, AND OTHER REFERENCES LOCATED ELSEWHERE HEREON, RELATED TO UTILITIES, IMPROVEMENTS, STRUCTURES, BUILDINGS, PARKING, EASEMENTS, SERVITUDES, AND SIGNIFICANT OBSERVATIONS ARE BASED SOLELY ON ABOVE GROUND, VISIBLE EVIDENCE, UNLESS ANOTHER SOURCE OF INFORMATION IS SPECIFICALLY REFERENCED HEREON.*
2. *THIS DRAWING MEETS OR EXCEEDS THE SURVEYING STANDARDS AND STANDARDS OF CARE AS SET FORTH IN SECTION 3 OF THE 2021 ALTA/NSPS SURVEYING REQUIREMENTS.*
3. *ALL FIELD MEASUREMENTS MATCH RECORD DIMENSIONS WITHIN THE PRECISION REQUIREMENTS OF ALTA/NSPS SPECIFICATIONS.*
4. *AT THE TIME OF SURVEY, THERE IS NO RECORD OR OBSERVED EVIDENCE OF A CEMETERY, BURIAL GROUNDS OR LOCATION OF ISOLATED GRAVESITES.*
5. *THE BASIS OF BEARING FOR THIS SURVEY IS GRID NORTH PER AL STATE PLANE COORDINATE SYSTEM, WEST ZONE, NAD83-2011, AS MEASURED ALONG THE 699.87' LINE OF THE SUBJECT PROPERTY WHICH BEARS S 00°04'17" W PER GPS COORDINATE OBSERVATIONS*
6. *THE PARCELS CONTAINED IN THE RECORD DESCRIPTION ARE CONTIGUOUS WITHOUT ANY GAP, GORES OR OVERLAYS.*
7. *THE SUBJECT PROPERTY HAS DIRECT ACCESS TO AND FROM RIVIERA BOULEVARD AND TANGER WAY*
8. *AT THE TIME OF THE FIELD WORK, THERE WAS NO OBSERVABLE EVIDENCE OF SUBSTANTIAL AREAS OF REFUSE.*
9. *IN REGARDS TO TABLE "A" ITEM 2, THE PROPERTY HAS AN ADDRESS OF 458 RIVIERA BOULEVARD, FOLEY, ALABAMA.*
10. *IN REGARDS TO TABLE "A" ITEM 7(A), THE BUILDING AREA SHOWN HEREON IS FOR THE FOOTPRINT OF THE BUILDING ONLY AT GROUND LEVEL.*
11. *IN REGARDS TO TABLE "A" ITEM 14, THE NEAREST INTERSECTION OF STREET IS THAT AT THE POB OF THE RIGHT OF WAY OF JUNIPER STREET AND RIVIERA BOULEVARD.*
12. *IN REGARDS TO TABLE "A" ITEM 16, AT THE TIME OF THIS SURVEY, THERE IS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.*
13. *IN REGARDS TO TABLE "A" ITEM 17, AT THE TIME OF THIS SURVEY, NO APPARENT CHANGES IN STREET RIGHT OF WAY LINES EITHER COMPLETED OR PROPOSED, AND AVAILABLE FROM THE CONTROLLING JURISDICTION. THERE IS NO OBSERVABLE EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS.*
14. *NO PARTY WALLS WERE OBSERVED AT THE TIME OF THE SURVEY.*

SITE PICTURE

VICINITY MAP

NOT TO SCALE



LAND AREA

407,498 SQUARE FEET±
9.355 ACRES±

PARKING SPACES

REGULAR= 275 HANDICAP= 14
TOTAL= 289

ALTA/NSPS LAND TITLE SURVEY

THE RIVI APARTMENTS
458 E. RIVIERA BOULEVARD
FOLEY, ALABAMA, 36535
BALDWIN COUNTY

SURVEYOR'S CERTIFICATE

TO: First American Title Insurance Company and GRS GROUP an N|V|5 COMPANY; KeyBank National Association, a national banking association, Freddie Mac, its successors and assigns., Carter Funds Properties, LLC, a Florida limited liability company., CXC The Rivi, DST, a Delaware limited liability company., Gunster, Yoakley & Stewart, P.A., Rivi Apartments, LLC, an Indiana limited liability company., Kirwin Norris P.A.

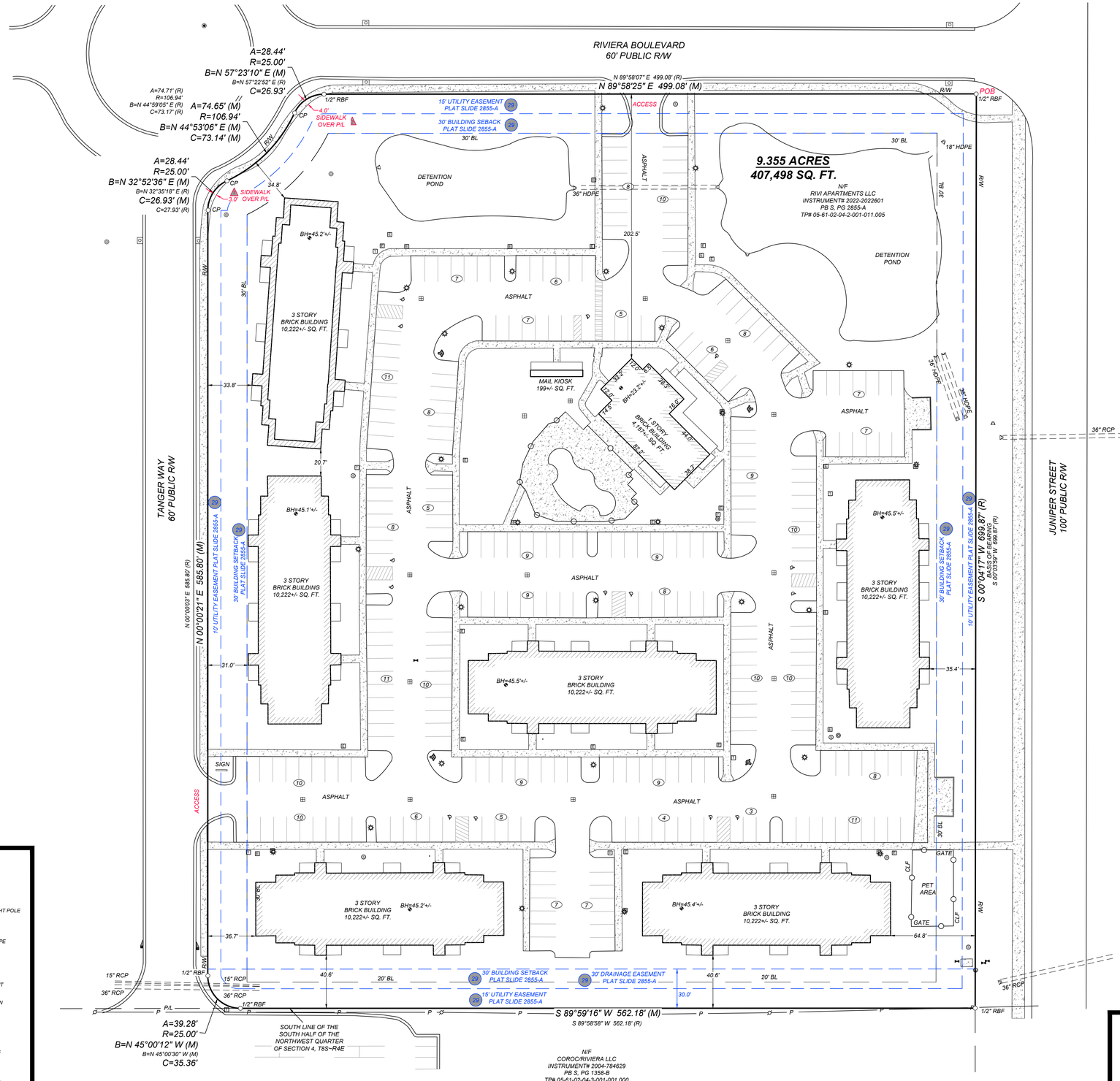
THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES TABLE A ITEMS: 1, 2, 3, 4, 6A, 6B, 7A, 7B1, 7C, 8, 9, 13, 14, 16, 17, AND 19. THE FIELD WORK WAS COMPLETED ON DECEMBER 18, 2025.

Gary S Harvin, Jr
Land Surveyor Number: 29410
In state of: Alabama
Date of Plat or Map: December 19, 2025
Date of last revision: January 8, 2026
EarthPro Project # 25369

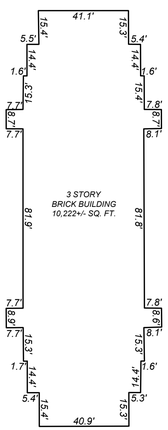
ALABAMA LICENSED NO. 29410 PROFESSIONAL LAND SURVEYOR GARY S. HARVIN JR.

GRS GROUP
AN N|V|5 COMPANY

133 TECHNOLOGY DRIVE, SUITE 200, IRVINE, CA 92618
FIELDSURVEYOR@GRS-GLOBAL.COM | PHONE: 330-267-4405



BUILDING DIMENSIONS
NOT TO SCALE



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WVT - WATER VAULT

SURVEY PREPARED BY:
EARTHPRO LAND SURVEYING
7973 HIGHWAY 172
COMER, GA. 30629
OFFICE: 678-640-5500
FAX: 706-510-2620
EMAIL: gh@earthprolandsurvey.com
ALABAMA PLS #29410
ALABAMA CA-853-LS
EarthPro Project Number 25369

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AN NV5 COMPANY
133 TECHNOLOGY DRIVE, SUITE 200, IRVINE, CA 92618
FIELDSURVEYOR@GRS-GLOBAL.COM | PHONE: 330-267-4405

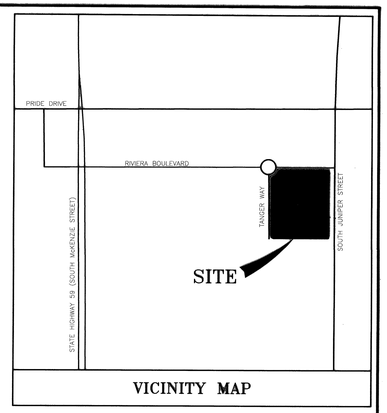
THE RIVI SUBDIVISION

(A REPLAT OF PARCEL 4A, MMAB SUBDIVISION, RESUBDIVISON OF PARCEL 4 SLIDE 2254–E AND LOTS 1–7, MMAB SUBDIVISION, RESUBDIVISION OF PARCEL 4, RESUBDIVISION OF PARCEL 4B SLIDE 2362–E)

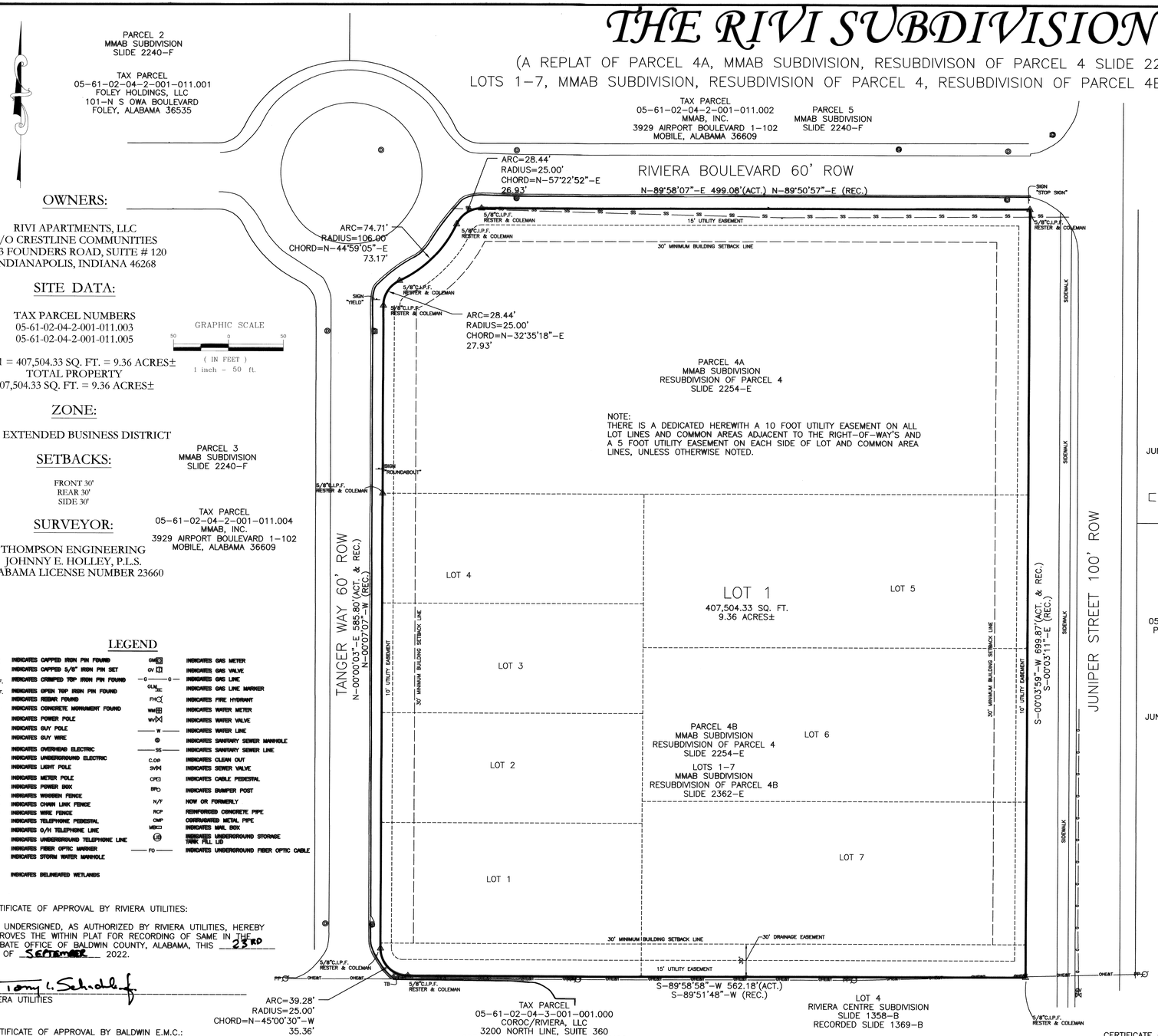
BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 9/28/2022 1:36 PM
TOTAL $ 25.00
1 Pages

2025582

SLIDE 0002855–A



VICINITY MAP



OWNERS:

RIVI APARTMENTS, LLC
C/O CRESTLINE COMMUNITIES
3333 FOUNDERS ROAD, SUITE # 120
INDIANAPOLIS, INDIANA 46268

SITE DATA:

TAX PARCEL NUMBERS
05-61-02-04-2-001-011.003
05-61-02-04-2-001-011.005

GRAPHIC SCALE
50 0 50
(IN FEET)
1 inch = 50 ft.

LOT 1 = 407,504.33 SQ. FT. = 9.36 ACRES±
TOTAL PROPERTY
407,504.33 SQ. FT. = 9.36 ACRES±

ZONE:

B-1A EXTENDED BUSINESS DISTRICT

SETBACKS:

FRONT 30'
REAR 30'
SIDE 30'

SURVEYOR:

THOMPSON ENGINEERING
JOHNNY E. HOLLEY, P.L.S.
ALABAMA LICENSE NUMBER 23660

LEGEND

C.I.P.F.	INDICATES CAPPED IRON PIN FOUND
C.I.P.S.	INDICATES CAPPED 5/8" IRON PIN SET
C.T.I.P.F.	INDICATES CRIMPED TOP IRON PIN FOUND
O.T.I.P.F.	INDICATES OPEN TOP IRON PIN FOUND
REBAR	INDICATES REBAR FOUND
CMF	INDICATES CONCRETE MONUMENT FOUND
PP	INDICATES POWER POLE
GP	INDICATES GUY POLE
GUY	INDICATES GUY WIRE
OHE	INDICATES OVERHEAD ELECTRIC
UGE	INDICATES UNDERGROUND ELECTRIC
LP	INDICATES LIGHT POLE
MP	INDICATES METER POLE
PB	INDICATES POWER BOX
	INDICATES WOODEN FENCE
	INDICATES CHAIN LINK FENCE
	INDICATES WIRE FENCE
TP	INDICATES TELEPHONE PEDESTAL
T	INDICATES O/H TELEPHONE LINE
UGT	INDICATES UNDERGROUND TELEPHONE LINE
FOCM	INDICATES FIBER OPTIC MARKER
	INDICATES STORM WATER MANHOLE
	INDICATES DELINEATED WETLANDS
GM	INDICATES GAS METER
GV	INDICATES GAS VALVE
G	INDICATES GAS LINE
GLM	INDICATES GAS LINE MARKER
FH	INDICATES FIRE HYDRANT
WM	INDICATES WATER METER
WV	INDICATES WATER VALVE
W	INDICATES WATER LINE
	INDICATES SANITARY SEWER MANHOLE
SS	INDICATES SANITARY SEWER LINE
C.O	INDICATES CLEAN OUT
SVM	INDICATES SEWER VALVE
CP	INDICATES CABLE PEDESTAL
BP	INDICATES BUMPER POST
N/F	NOW OR FORMERLY
RCP	REINFORCED CONCRETE PIPE
CMP	CORRUGATED METAL PIPE
MB	INDICATES MAIL BOX
	INDICATES UNDERGROUND STORAGE TANK FILL LID
FO	INDICATES UNDERGROUND FIBER OPTIC CABLE

NOTES:

1.) Type of Survey: Boundary Survey. No improvements were located except those shown hereon.
2.) Bearing Basis: All actual bearings are referenced to Alabama State Plane Coordinates West Zone established by RTK GPS sessions dialed to ALDOT Continuous Operating Reference Station (CORS) located at the Bankhead Tunnel. All record bearings are referenced to the recorded plat for Resubdivision of Lot 4B, MMAB Subdivision, Slide # 2254-E.
3.) Field Dates: July 23, 2021, July 31, 2021, August 6 & 7, 2021.
4.) Street Address: Riviera Boulevard Foley, Alabama.
5.) No attempt was made by the Surveyor to locate underground improvements or environmentally sensitive conditions.
6.) This property may be subject to County and City regulations in regards to setbacks, easements and building codes.
7.) Title documentation used to generate this survey was found within Title Commitment File No. 86631 issued by Anders, Boyett, Brady & Smith, P.C.. No title research was done by this surveyor and no additional information was used other than the above mentioned.
8.) I have consulted the FEMA Flood Insurance Rate Map Community Panel No. 01003C0818 M, dated April 19, 2021, and found, by graphic plotting only, that said map shows the above described property is found in Zone "X-Unshaded". The above statement is for information only, and this Surveyor assumes no liability for the correctness of the cited map(s). In addition, the above statement does not represent this Surveyor's opinion of the probability of flooding.

TAX PARCEL
05–61–02–04–0–000–002.000
FOLEY HOLDINGS, LLC
5811 JACK SPRINGS ROAD
ATMORE, ALABAMA 36502

LOT 2
BLUE COLLAR COUNTRY
JUNIPER STREET EXEMPTION (AMENDED)
(AN EXEMPT SUBDIVISION)
SLIDE 2522–F

TAX PARCEL
05–61–02–04–0–000–003.000
PUBLIC ATHLETIC AND SPORTS FACILITIES
407 EAST LAUREL AVENUE
FOLEY, ALABAMA 36535

LOT 1
BLUE COLLAR COUNTRY
JUNIPER STREET EXEMPTION (AMENDED)
(AN EXEMPT SUBDIVISION)
SLIDE 2522–F

OWNER: RIVI APARTMENTS, LLC C/O CRESTLINE COMMUNITIES

BY: _____

AS: Manager

STATE OF INDIANA
COUNTY OF MARION

I, THE UNDERSIGNED NOTARY PUBLIC, IN AND FOR SAID COUNTY, IN SAID STATE, HEREBY CERTIFY THAT JAMES M. WILSON, WHOSE NAME AS MANAGER, IS SIGNED TO THE FOREGOING CERTIFICATE AND WHO IS KNOWN TO ME, ACKNOWLEDGED BEFORE ME ON THIS DAY THAT BEING INFORMED OF THE CONTENTS OF THE FOREGOING CERTIFICATE, HE EXECUTED THE SAME VOLUNTARILY ON THE DAY SAME BEARS DATE.

GIVEN UNDER MY HAND AND SEAL THIS 16 DAY OF SEPTEMBER, 2022.

Camden Roemer
NOTARY PUBLIC, MARION COUNTY, INDIANA

August 3, 2030
MY COMMISSION EXPIRES

Camden Roemer
Marion County
NOTARY PUBLIC
Commission Number
NP0700755
NOTARY SEAL
Notary Expires August 3, 2030
STATE OF INDIANA

DESCRIPTION :

Parcels 4A and 4B of the MMAB Subdivision, a Resubdivision of Parcel 4, as per plat thereof recorded at Slide 2254-E in the Office of the Judge of Probate of Baldwin County, Alabama.

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

Johnny E. Holley, P.L.S.
Alabama License Number 23660

May 9, 2022
Date

CERTIFICATE OF APPROVAL BY RIVIERA UTILITIES:

THE UNDERSIGNED, AS AUTHORIZED BY RIVIERA UTILITIES, HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS 23RD DAY OF SEPTEMBER 2022.

Tony L. Schedler
RIVIERA UTILITIES

CERTIFICATE OF APPROVAL BY BALDWIN E.M.C.:

THE UNDERSIGNED, AS AUTHORIZED BY BALDWIN E.M.C., HEREBY APPROVES THE WITHIN PLAT FOR RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS 22ND DAY OF September 2022.

Gerald Ramsey
BALDWIN E.M.C. – POWER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY ENGINEER:

THE UNDERSIGNED, AS CITY ENGINEER OF THE CITY OF FOLEY, ALABAMA, HEREBY APPROVES THE WITHIN PLAT FOR THE RECORDING OF SAME IN THE PROBATE OFFICE OF BALDWIN COUNTY, ALABAMA, THIS 27TH DAY OF SEPTEMBER 2022.

CITY OF FOLEY ENGINEER

CERTIFICATE OF APPROVAL BY THE CITY OF FOLEY PLANNING COMMISSION:

THE WITHIN PLAT OF THE RIVI SUBDIVISION, FOLEY, ALABAMA, IS HEREBY APPROVED Y THE CITY OF FOLEY PLANNING COMMISSION, THIS 28 DAY OF September 2022.

CITY OF FOLEY PLANNING COMMISSION CHAIRMAN

THIS DRAWING REPRESENTS DESIGNS PREPARED BY THOMPSON ENGINEERING FOR SPECIFIC USE ON THIS PROJECT AND IS NOT TO BE COPIED, REPRODUCED, OR ALTERED WITHOUT THE EXPRESSED WRITTEN CONSENT OF THE THOMPSON ENGINEERING REPRESENTATIVE AUTHORIZED TO APPROVE THIS USE. UNAUTHORIZED USE IS SUBJECT TO LEGAL ACTION UNDER STATE AND FEDERAL LAW.

REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO.	DESCRIPTION	DATE	BY:
REVISION NO.	DESCRIPTION	DATE	BY:

ALABAMA LICENSED No. 23660 PROFESSIONAL LAND SURVEYOR JOHNNY E. HOLLEY

CRESTLINE DEVELOPMENT, LLC

thompson ENGINEERING
2970 COTTAGE HILL RD., STE. 190
MOBILE, ALABAMA 36606
TEL: (251) 666-2443
FAX: (251) 666-6422

MINOR SUBDIVSION
THE RIVI SUBDIVISION

SECTION 4, T–8S, R–4–E,
BALDWIN COUNTY, ALABAMA

SCALE:	DRAWN BY:	APPROVED BY:	DATE :	JOB NO.	DRAWING NO.	FILE:
1" = 50'	JEH	DBB	MAY 2022	21–1101–0135 21–1120–0013	THE RIVI SUBDIVISION.DWG	

STATE OF ALABAMA:

COUNTY OF BALDWIN:

DESCRIPTION:

LOT 1 THE RIVI SUBDIVISION (A REPLAT OF PARCEL 4A, MMAB SUBDIVISION, RESUBDIVISION OF PARCEL 4 SLIDE 2254-E AND LOTS 1-7, MMAB SUBDIVISION, RESUBDIVISION OF PARCEL 4, RESUBDIVISION OF PARCEL 4B SLIDE 2362-E), AS RECORDED IN SLIDE 2855-A, INSTRUMENT # 2025982, OF THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 9/ 9/2022 11:32 AM
TOTAL $ 25.00
5 Pages

2022601

STATE OF ALABAMA)

COUNTY OF BALDWIN)

Mortgage Recorded Simultaneously **STATUTORY WARRANTY DEED**

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **Heron, LLC,** an Alabama limited liability company **and Berwyn 163, LLC,** an Alabama limited liability company, hereinafter called the Grantors, in consideration of the sum of **SEVEN HUNDRED THIRTY NINE THOUSAND AND NO/100 DOLLARS ($739,000.00)**, cash, and other good and valuable considerations to said Grantors in hand paid by **RIVI Apartments, LLC,** an Indiana limited liability company, hereinafter called the Grantee, the receipt of which is hereby acknowledged by the Grantors, do hereby, subject to the matters and things hereinafter set forth, grant, bargain, sell and convey unto the Grantee all that real property situate, lying and being in the County of Baldwin, State of Alabama, described as follows, to-wit:

Lots 1 - 7 of the resubdivision of Parcel 4B, MMAB Subdivision, a Resubdivision of Parcel 4, as per plat thereof recorded at Slide 2362E in the Office of the Judge of Probate of Baldwin County, Alabama.

This conveyance is made subject to all matters shown on said plat, the lien for current ad valorem taxes, all matters a current survey would disclose, and to the following:

1. Excepting therefrom such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed to others, other than by the Grantor.

2. Reservation of interest in and to oil, gas and other minerals as contained in deed from Carlisle H. Childress and Sue K. Childress to Dewey F. White dated December 31, 1986 and recorded in Real Property Book 273, Page 1872 as modified by release of surface rights by instrument dated June 5, 1991 and recorded in Real Property Book 426, Page 349.

3. Restrictive covenants appearing of record in Miscellaneous Book 61, Page 1120 as modified by instrument dated May 24, 1991 and recorded in Real Property Book 426, Page 348.

4. Agreement Granting Non-Exclusive Main Entrance Drive Easement by and between MMAB, Inc., White-Spunner Development Company, Inc. and Baker Investments, Inc., CMB Investments, Inc. and R. R. Foley, Inc. dated December 11, 1996 and recorded in Real Property Book 726, Page 1306.

5. Rights of other parties in and to use the "Extended Main Entrance Drive Area" as described in instrument dated December 11, 1996 and recorded in Real Property Book 726, Page 1306.

For Tax Collected See

Instrument # 2022600

5

6. Agreement Granting Non-Exclusive Riviera Centre Connection Easement in instruments recorded at Real Property Book 726, Page 1318 and Instruments #958062, #958064 and #958065.

7. Agreement regarding driveway and drainage ditch contained in deed recorded in Real Property Book 362, Page 723.

8. The rights of the Utilities Board of the City of Foley to Transfer of Water Distribution System as recorded in Instrument Number 1009888.

9. Declaration of Covenants, Restrictions and Limitations appearing of record in Instrument Number 958067, as amended by Assignment of Declarant Rights dated November 29, 2021, recorded on September 7, 2022 as Instrument Number 2022239, and by Assignment of Declarant Rights dated August 31, 2022, recorded on September 7, 2022 as Instrument Number 2022254.

10. Easements and rights-of-way reserved and shown on record map of subdivision in Slide #2362E, as shown on the survey prepared by Thompson Engineering dated August 7, 2021, as Project No. 21-1101-0135/Drawing No. Parcel 4B ALTA.DWG (the "Lots 1-7 Survey").

TOGETHER with all and singular the rights, privileges, tenements, hereditaments, members and appurtenances thereunto belonging or in anywise appertaining; **TO HAVE AND TO HOLD** the same unto the said Grantee.

(REMAINDER OF THE PAGE LEFT INTENTIONALLY BLANK)

IN WITNESS WHEREOF, the said Grantors have hereunto set its hands and seals effective on this the 31st day of August, 2022.

Heron, LLC

By: _____(SEAL)
Its: Member

Berwyn 163, LLC

By: _____(SEAL)
Its: Sole Member

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Michael C Rogers Jr, whose name as Sole Member of Heron, LLC 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 executed the same voluntarily for and on behalf of said company, and with full authority on the day the same bears date.

Given under my hand and official seal this the 6 day of September, 2022.

Melissa Barnett Chason
NOTARY PUBLIC
My Commission Expires: 7/12/2026

(NOTARIAL SEAL)

MELISSA BARNETT CHASON
NOTARY PUBLIC
ALABAMA STATE AT LARGE

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Steven A Willard, whose name as Sole Member of Berwyn 163, LLC 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 executed the same voluntarily for and on behalf of said company, and with full authority on the day the same bears date.

Given under my hand and official seal this the 6th day of September, 2022.

Melissa Barnett Chason
NOTARY PUBLIC
My Commission Expires: 9/12/2026

(NOTARIAL SEAL)

MELISSA BARNETT CHASON
NOTARY PUBLIC
ALABAMA STATE AT LARGE

The following information is provided pursuant to Code of Alabama Section 40-22-1.

Grantee's address is:
3333 Founders Road, Suite 120
Indianapolis, IN 46268

Grantors' address is:
Heron LLC
550 St. Louis Street
Mobile, AL 36602

Berwyn 163, LLC
P. O. Box 1963
Mobile, AL 36633

Property address is: Juniper Street, S, Foley, AL 36535

THIS INSTRUMENT PREPARED BY:
J. David Brady, Jr.
ANDERS, BOYETT, BRADY & SMITH, P.C.
One Maison, Suite 203
3800 Airport Boulevard
Mobile, Alabama 36608
(251) 344-0880
86631

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name	Heron, LLC	Grantee's Name	RIVI Apartments, LLC
Mailing Address	Berwyn 163, LLC	Mailing Address	3333 Founders Road, Suite 120
	550 St. Louis Street, Mobile, AL 36602		Indianapolis, IN 46268
	P. O. Box 1963, Mobile, AL 36602		
Property Address	Juniper Street S	Date of Sale	08/31/2022
	Foley, AL 36535	Total Purchase Price	$ 739,000.00
		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) (Recordation of documentary evidence is not required)

- ☐ Bill of Sale
- ☒ Sales Contract
- ☐ Closing Statement
- ☐ Appraisal
- ☐ Other _____

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 8/31/22 Print Felix Shalit

____ Unattested _____ Sign Felix Shalit

(verified by) (Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1

BALDWIN COUNTY, ALABAMA
HARRY D'OLIVE, JR. PROBATE JUDGE
Filed/cert. 9/ 9/2022 11:25 AM
DEED TAX $ 262.50
TOTAL $ 284.50
4 Pages

2022600

STATE OF ALABAMA }

COUNTY OF BALDWIN }

Mortgage Recorded Simultaneously

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, **MMAB, INC.**, an Alabama corporation, (hereinafter referred to as "Grantor"), in consideration of the sum of FIVE HUNDRED SEVENTY ONE THOUSAND SEVEN HUNDRED NINETY FIVE AND NO/100 DOLLARS ($571,795.00), cash, and other good and valuable considerations to said Grantor in hand paid by **RIVI APARTMENTS, LLC**, an Indiana limited liability company, (hereinafter referred to as "Grantee"), the receipt of which is hereby acknowledged by the Grantor, does hereby, subject to the matters and things hereinafter set forth, grant, bargain, sell and convey unto the Grantee, its successors and assigns, forever, all that real property situate, lying and being in the County of Baldwin, State of Alabama, described as follows, to-wit:

Parcel 4A, MMAB Subdivision a Resubdivision of Parcel 4, as per plat thereof recorded at Slide 2254 E in the Office of the Judge of Probate of Baldwin County, Alabama.

Together with all and singular the rights, privileges, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining; TO HAVE AND TO HOLD the same unto the said Grantee, its successors and assigns, forever.

This conveyance is made subject to the following:

1. Excepting therefrom such oil, gas and other minerals in, on and under said real property, together with all rights in connection therewith, as have previously been reserved by or conveyed to others than the grantor.

2. Oil, gas and mineral reservation as contained in deed from Carlisle H. Childress and Sue K. Childress to Dewey F. White dated December 31, 1986 and recorded in Real Property Book 273, Page 1872 as modified by Book 426, Page 349.

3. The rights of the Utilities Board of the City of Foley to Transfer of Water Distribution System as recorded in Instrument Number 1009888.

4. Declaration of Covenants, Restrictions and Limitations appearing of record in Instrument Number 958067, as amended by Assignment of Declarant Rights dated November 29, 2021, recorded September 7, 2022 as Instrument Number 2022239, and by Assignment of Declarant Rights dated August 31, 2022, recorded on September 7, 2022 as Instrument Number 2022254.

5. Restrictive Covenants appearing of record in Miscellaneous Book 61, Page 1120.

6. Any and all improvements, retention ponds, easements, setbacks and other matters as shown on the ALTA/NSPS Land Title Survey prepared by Johnny E. Holley (AL PLS No. 23660) of Thompson Engineering dated August 7, 2021 and assigned Job No. 21-1101-0135.

All recording references herein are to the records in the Office of the Judge of Probate of Baldwin County, Alabama.

And, except as to taxes hereafter falling due which are assumed by the Grantee herein, and except as herein otherwise provided, said Grantor does for itself and for its successors and assigns, hereby covenant with the Grantee herein, its successors and assigns, that it is seized of an indefeasible estate in fee simple in and to said property; that said property is free and clear of all encumbrances, and that it will forever WARRANT AND DEFEND the title thereto, and the peaceable possession thereof unto the said Grantee, its successors and assigns, against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has caused this deed to be executed by Chester M. Baker, Jr., its President, who is thereunto duly authorized, effective on this the 31st day of August, 2022.

MMAB, INC.,
an Alabama corporation

By: _____(SEAL)
Chester M. Baker, Jr.
As Its: President

STATE OF ALABAMA }

COUNTY OF MOBILE }

I, the undersigned authority, a Notary Public in and for said County in said State, hereby certify that Chester M. Baker, Jr., whose named as President of MMAB, Inc., 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, as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand this the 6th day of September, 2022.

Melissa Barnett Chason
NOTARY PUBLIC
My Commission Expires: 7/12/2026

{AFFIX NOTARIAL SEAL}

MELISSA BARNETT CHASON NOTARY PUBLIC ALABAMA STATE AT LARGE

The following information is provided pursuant to Code of Alabama Section 40-22-1.

The property address is: Riviera Boulevard, Parcel 4A, MMAB Subdivision, Foley, AL 36535

GRANTEE'S ADDRESS:

3333 Founders Road, Suite 120
Indianapolis, IN 46268

GRANTOR'S ADDRESS:

3929 Airport Boulevard Ste 1-102
Mobile, Alabama 36609

THIS INSTRUMENT PREPARED BY:

J. David Brady, Jr.
ANDERS, BOYETT, BRADY & SMITH, P.C.
One Maison, Suite 203
3800 Airport Boulevard
Mobile, Alabama 36608
(251) 344-0880
86632

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name	MMAB, Inc.	Grantee's Name	RIVI Apartments, LLC
Mailing Address	3929 Airport Boulevard 1-102	Mailing Address	3333 Founders Road, Suite 120
	Mobile, Alabama 36609		Indianapolis, IN 46268
Property Address	Riviera Blvd. Lot 4A	Date of Sale	08/31/2022
	Foley, AL 36535	Total Purchase Price	$ 571,795.00
		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) (Recordation of documentary evidence is not required)

- ☐ Bill of Sale
- ☒ Sales Contract
- ☐ Closing Statement
- ☐ Appraisal
- ☐ Other _____

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date 8/31/22 Print Felix Shalit

____ Unattested _____ Sign Felix Shalit

(verified by) (Grantor/Grantee/Owner/Agent) circle one

Print Form

Form RT-1

Rivi Apartments Rezoning

Project Narrative

The applicant respectfully requests rezoning of the subject property to R-3 Residential Multi-Family, based on the as-built site plan submitted with this application.

The property was lawfully developed, permitted, and constructed as a multi-family residential community and is currently improved with buildings, parking, infrastructure, and amenities consistent with the intent and purpose of the R-3 zoning district. The existing use is multi-family residential and aligns with the primary use permitted by right within the R-3 district.

As reflected on the site plan, the development's layout, density, and dimensional characteristics are established and existing conditions of the property. Upon rezoning, the development would be recognized as a conforming multi-family use and permitted by right in its current condition, with no expansion, intensification, or physical modification proposed.

This rezoning request is intended to align the zoning designation with the property's existing use and as-built configuration, and to ensure long-term consistency between the zoning designation and the existing, lawfully constructed development. The request is confirmatory in nature and seeks to provide regulatory clarity rather than authorize new development activity.

RIVI APARTMENTS, LLC
MANAGERS AND KEY OWNERS

Managers:

Felix Shalit, felix@silacapital.com , 317-514-7848
James Wilson, jmwilson@thinkcrestline.com , (317) 414-3977

Key Owners (direct and/or via other entities):

Felix Shalit, felix@silacapital.com , 317-514-7848
James Wilson, jmwilson@thinkcrestline.com , (317) 414-3977

Docusign Envelope ID: 7BEB39CC-33FD-4968-BB6A-EAC6D7ED7449

Foley

CITY OF FOLEY
AGENT AUTHORIZATION FORM

I/We authorize and permit Thompson Engineering to act as My/Our representative and agent in any manner regarding this application which relates to property described as tax parcel ID# 05-61-02-04-2-001-011.005 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): Rivi Apartments, LLC
Felix Shalit
Name(s) printed
706 Pro-Med Lane Ste 260
Address
Carmel, IN 46032
City/State
317-514-7848 felix@silacapital.com
Phone Email Fax
DocuSigned by: Felix Shalit 1/12/2026
Signature(s) Date

PROPERTY OWNER(S): Rivi Apartments, LLC
James Wilson
Name(s) printed
706 Pro-Med Lane Ste 260
Address
Carmel, IN 46032
City/State
317-414-3977 jmwilson@thinkcrestline.com
Phone Email Fax
DocuSigned by: James Wilson 1/12/2026
Signature(s) Date

BUSINESS INFORMATION
DIEGO MORALES
INDIANA SECRETARY OF STATE
01/20/2026 11:37 AM

Business Details

Business Name:	**RIVI APARTMENTS, LLC**	Business ID:	**202204251586855**
Entity Type:	**Domestic Limited Liability Company**	Business Status:	**Active**
Creation Date:	**04/25/2022**	Inactive Date:	
Principal Office Address:	**706 Pro Med Lane, Suite 260, Carmel, IN, 46032, USA**	Expiration Date:	**Perpetual**
Jurisdiction of Formation:	**Indiana**	Business Entity Report Due Date:	**04/30/2026**
		Years Due:	

Governing Person Information

Title	Name	Address
Manager	Felix Shalit	706 Pro Med Lane, Suite 260, Carmel, IN, 46032, USA

Registered Agent Information

Type:	**Business Commercial Registered Agent**
Name:	**2700 MARKET, LLC**
Address:	**2700 Market Tower, 10 West Market Street, Indianapolis, IN, 46204, USA**