



PPIN# 21885

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 7th day of May, 2018.

Cheryl Beverly
Petitioner's Signature

Jimmy Beverly
Petitioner's Signature

STATE OF ALABAMA
BALDWIN COUNTY

On this 7th day of May, 2018, before me personally appeared Cheryl Belinda Cheryl Beverly, 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.

Keri Gregory
NOTARY PUBLIC
My Commission Expires: 4/30/2022

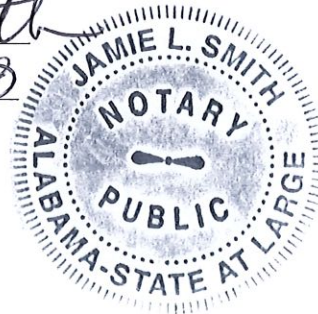


STATE OF ALABAMA
BALDWIN COUNTY

On this 8th day of May, 2018, before me personally appeared Jimmy Beverly, 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
JAMIE L. SMITH
ALABAMA, STATE AT LARGE
My Commission Expires December 3, 2018

Jamie Smith
NOTARY PUBLIC
My Commission Expires: 12/3/18



ATTACHMENT TO PETITION

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

- | | | |
|-------------------------------------|-------|-------------------------------------------|
| <input type="checkbox"/> | R-1A | Residential Single Family |
| <input type="checkbox"/> | R-1B | Residential Single Family |
| <input type="checkbox"/> | R-1C | Residential Single Family |
| <input type="checkbox"/> | R-1D | Residential Single Family |
| <input type="checkbox"/> | R-1R | Restricted Residential Single Family |
| <input type="checkbox"/> | R-2 | Residential Single Family & Duplex |
| <input type="checkbox"/> | R-3 | Residential Multi Family |
| <input type="checkbox"/> | R-4 | Residential Single Family & Duplex |
| <input type="checkbox"/> | GPH-1 | Residential Garden-Patio Homes |
| <input type="checkbox"/> | TH-1 | Residential Townhouses |
| <input type="checkbox"/> | MH-1 | Residential Mobile Home Park/Subdivision |
| <input type="checkbox"/> | OSP | Open Space/Reservation District |
| <input type="checkbox"/> | PDD | Planned Development District |
| <input type="checkbox"/> | PUD | Planned Unit Development |
| <input type="checkbox"/> | PID | Planned Industrial District |
| <input type="checkbox"/> | B-1 | Central Business District |
| <input type="checkbox"/> | B-1A | Commercial Extended Business District |
| <input type="checkbox"/> | B-2 | Commercial Neighborhood Business District |
| <input checked="" 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 _____

Number of occupants Adults _____ Race _____

Number of businesses currently located on the property being annexed _____

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

Name of business _____

Owner's Name _____

Mailing Address _____

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

☐ Yes

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

☐ No

Petitioner's Signature Date

Petitioner's Signature Date

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

☐ Yes

☐ No

WARRANTY DEED

STATE OF ALABAMA)
COUNTY OF BALDWIN)

KNOW ALL MEN BY THESE PRESENTS

That in consideration of TEN DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION to the undersigned Grantor (whether one or more), in hand paid by the Grantee herein, the receipt whereof is acknowledged I or we,

JAMES W. BEVERLY and BELINDA CHERYL BEVERLY, husband and wife,

(herein referred to as Grantor, whether one or more) grant, bargain, sell and convey unto

JIMMY BEVERLY and CHERYL BEVERLY, Trustees, or their successors in trust, under the BEVERLY LIVING TRUST, dated April 14, 2005 and any amendments thereto

(herein referred to as Grantee, whether one or more), the following described real estate, situated in Baldwin County, Alabama, to wit:

Begin at the Northwest corner of Section 10, Township 8 South, Range 4 East; run thence East 531 feet to a point; run thence South 40 feet to a point which is the Point of Beginning; run thence South 247.83 feet to a point; run thence East 115.0 feet to a point; run thence North 247.83 feet to a point; run thence West 115.0 feet to the Point of Beginning. Said land being in Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama, LESS AND EXCEPT the North 40.0 feet for a right-of-way of County Road No. 12.

THIS CONVEYANCE IS MADE SUBJECT TO all easements, setback line requirements, reservations and restrictions and any Vendors Lien(s) which are of public record in the Office of the Judge of Probate of Baldwin County, Alabama.

TO HAVE AND TO HOLD to the said Grantee(s), his, her or their successors and assigns forever.

THE GRANTOR(S) herein grant(s) full power and authority by this deed to the Trustees, and either of them, and all successor trustees to protect, conserve, sell, lease, pledge, mortgage, borrow against, encumber, convey, transfer or otherwise manage and dispose of all or any portion of the property herein described, or any interest therein, without the consent or approval of any other party and without further proof of such authority; no person or entity paying money to or delivering property to any Trustee or successor trustee shall be required to see to its application; all persons or entities relying in good faith on this deed and the powers contained herein regarding the Trustees (or successor trustees) and their powers over the property herein conveyed shall be held harmless from any resulting loss or liability from such good faith reliance.

And I (we) do for myself (ourselves) and for my (our) heirs, executors, and administrators covenant with the said GRANTEES, his, her, or their successors and assigns, that I am (we are) lawfully seized in fee simple of said premises; that they are free from all encumbrances, unless otherwise noted above; that I (we) have a good right to sell and convey the same as aforesaid; that I (we) will and my (our) heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, his, her, or their successors and assigns forever, against the lawful claims of all persons.

State of Alabama, Baldwin County
I certify this instrument was filed
and taxes collected on:
2005 May -18 1:31PM
Instrument Number 892394 Pages 2
Recording 6.88 Mortgage
Deed 74.58 Min fax 5.00
Index 1.00 DP
Archive 5.00
Adrian T. Johns, Judge of Probate

892394

PIN# 21885

2112mifh

IN WITNESS WHEREOF, I have hereunto set my hand and seal, this the 14th
day of April, 2005.

James W. Beverly
JAMES W. BEVERLY

Belinda Cheryl Beverly
BELINDA CHERYL BEVERLY

STATE OF ALABAMA)

COUNTY OF MOBILE)

I, Christina Voiles, a Notary Public in and for said County,
in said State, hereby certify that JAMES W. BEVERLY and BELINDA CHERYL BEVERLY,
whose name(s) is/are signed to the foregoing conveyance, and who is/are known to me,
acknowledged before me on this date that, being informed of the contents of the conveyance,
has/have executed the same voluntarily on the day the same bears date.

Given my hand and official seal this the 14th day of April, 2005.

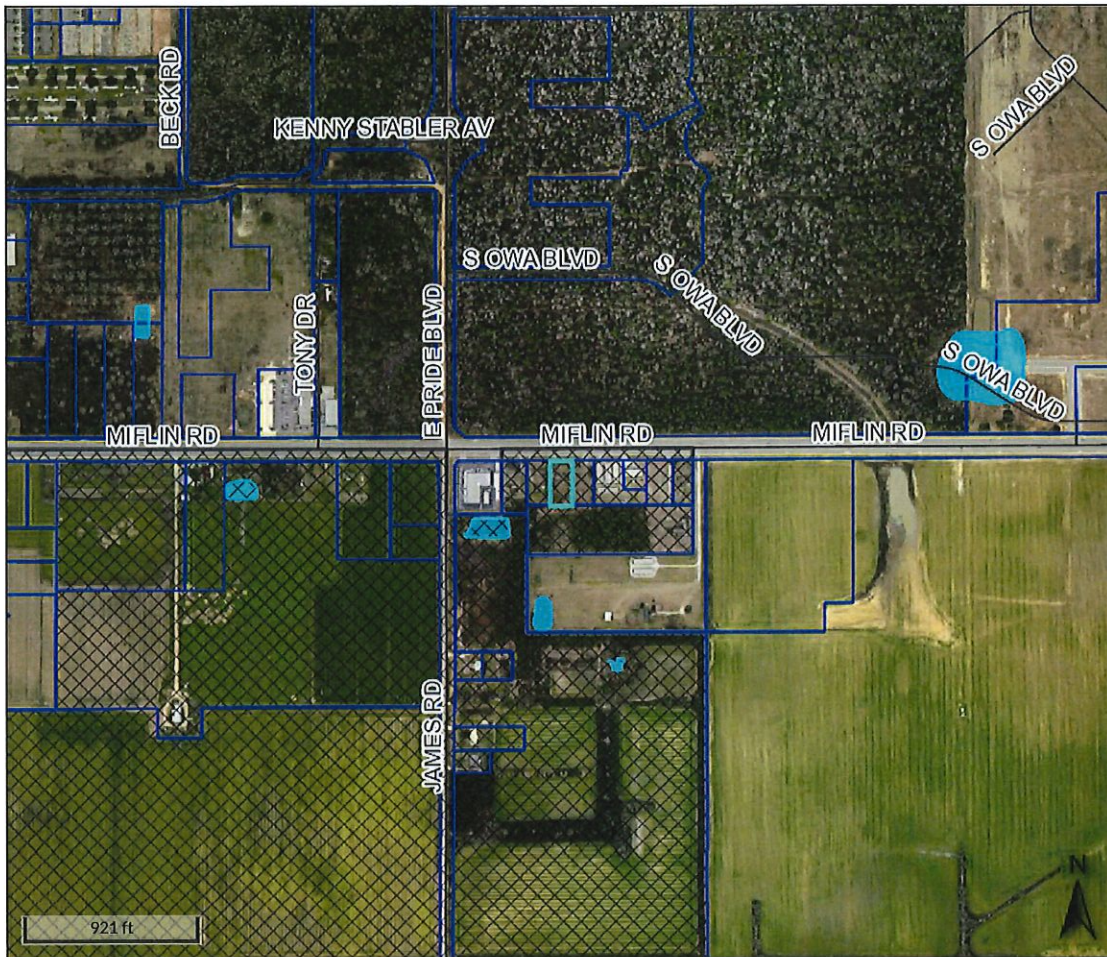
Christina Voiles
NOTARY PUBLIC
My Commission Expires 05/15/06

THE PREPARER OF THIS INSTRUMENT HAS NOT REVIEWED THE STATUS OF THE TITLE
TO THIS PROPERTY AND HAS ACTED SOLELY AS THE DRAFTER OF THIS INSTRUMENT.

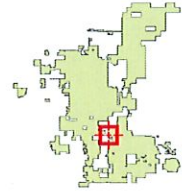
This Instrument was prepared by:
C. Gary Hicks
Ryan, Hicks, Cumpton & Cumpton, L.L.P.
1110 Montlimar Drive, Suite 510
Mobile, Alabama 36609
(251) 342-8188

Send Tax Notice to:

JIMMY BEVERLY and CHERYL BEVERLY
7395 Coopers Landing Road W.
Foley, Alabama 36535



Overview



Legend


- Centerlines
- Foley City Limits
- ▤ County Mask
- Parcels
- - Lot Lines
- Streams and Creel
- Lakes and Bays

PIN - 21885
 Par Num - 004.002
 Acreage - 0.607
 Subdivision -
 Lot -
 Street Name - MIFLIN RD
 Street Number - 21112
 Improvement - RES

Name - BEVERLY, JIMMY ETAL BEVERLY, CHERYL AS T
 Address1 - 7395 COOPERS LANDING RD W
 Address2 -
 Address3 -
 City - FOLEY
 State - AL
 Zip - 36535

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COMMUNITY DEVELOPMENT DEPARTMENT

200 NORTH ALSTON STREET

Foley, Alabama 36535

www.cityoffoley.org

(251) 952-4011

FAX (251) 971 -3442

May 10, 2018

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

RE: PreZoning Recommendation

Dear Mayor Koniar and City Council Members:

The City of Foley Planning Commission held a regular meeting on April 18, 2018 and recommended pin # 21885 be prezoned as B-3 (Local Business District).

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

Respectfully,

Melissa Ringler
Planning & Zoning Coordinator
mringler@cityoffoley.org

MAYOR: John E. Koniar

CITY ADMINISTRATOR: Michael L. Thompson

CITY CLERK: Vickey Southern

COUNCIL MEMBERS: J. Wayne Trawick; Vera Quaites; Ralph G. Hellmich; Cecil R. Blackwell; Charles Ebert III