



Legislation Details (With Text)

File #: 18-0210 **Version:** 1 **Name:** (Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY

Type: Ordinance **Status:** Adopted

File created: 4/26/2018 **In control:** City Council

On agenda: 6/4/2018 **Final action:** 6/4/2018

Title: (Second Reading) AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY

Sponsors:

Indexes:

Code sections:

Attachments: 1. Moody Annexation Petition

Date	Ver.	Action By	Action	Result
6/4/2018	1	City Council	adopted	Pass
5/7/2018	1	City Council	approved on first reading	Pass

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY

William Moody is requesting to have his parcel of land to be annexed into the corporate limits of the City of Foley. This parcel of land was part of the 2018 Legislative Annexation that did not pass the Senate. The property is located on Miflin Road. Mr. Moody is also requesting that the \$250 initial zoning fee be waived.

WHEREAS, on the 26th day of April, 2018, being the owner of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tract or parcel of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petition did contain the signatures of all the owners of the described territory and a map of said property showing its relationship to the corporate limits of the City of Foley, and

WHEREAS, the governing body did determine that it is in the public interest that said property be annexed to the City of Foley and it did further determine that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, Code of Alabama, 1975;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF FOLEY, ALABAMA, AS FOLLOWS:

Section 1. The Council of the City of Foley, Alabama, finds and declares as the legislative body of the City that it is in the best interests of the citizens of the City, and the citizens of the affected area, to bring the territory described in Section 2 of this ordinance into the City of Foley.

Section 2. The boundary lines of the City of Foley, Alabama, be, and the same are hereby altered or rearranged so as to include all of the territory heretobefore encompassed by the corporate limits of the City of Foley, Alabama, and in addition thereto the following described territory, to-wit:

Tax Map Parcel ID# 05-61-02-10-0-000-005.000

BEGINNING AT THE NORTHWEST CORNER OF THE NORTHWEST CQUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST, RUN THENCE EAST 286 FEET TO THE POINT OF BEGINNING, RUN THENCE SOUTH 325 FEET, RUN THENCE EAST 130 FEET, RUN THENCE NORTH 325 FEET, RUN THENCE WEST 130 FEET TO THE POINT OF BEGINNING.

LESS AND EXCEPT THE FOLLOWING DESCRIBED PARCEL OF PROPERTY TO WIT

COMMENCING AT NORTHWEST CORNER OF THE NORTHWEAT QUARTER OF SECTION 10, TOWNSHIP 8 SOUTH, RANGE 4 EAST IN BALDWIN COUNTY, ALABAMA, THENCE RUN NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST ALONG THE NORTH LINE OF SAID SECTION A DISTANCE OF 285 83 FEET TO A POINT ON THE SAID SECTION LINE, THENCE RUN SOUTH 00 DEGREES 14 MINUTES 19 SECONDS EAST LEAVING THE NORTH LINE OF SAID SECTION A DISTANCE OF 40 00 FEET TO A POINT ON THE PRESENT SOUTH RIGHT OF WAY OF BALDWIN COUNTY ROAD 20 SAID POINT ALSO BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN TO BE CONDEMNED, THENCE RUN NORTH 89 DEGREES 47 MINUTES 38 SECONDS EAST ALONG SAID SOUTH RIGHT-OF-WAY OF BALDWIN COUNTY ROAD 20 A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS EAST PROPERTY LINE, THENCE RUN SOUTH 00 DEGREES 14 MINUTES 19 SECONDS EAST ALONG THE GRANTORS EAST PROPERTY LINE A DISTANCE OF 20 04 FEET TO A POINT ON THE ACQUIRED RIGHT-OF-WAY LINE, THENCE RUN SOUTH 89 DEGREES 47 MINUTES 38 SECONDS WEST ALONG SAID ACQUIRED RIGHT -OF-WAY LINE A DISTANCE OF 130 00 FEET TO A POINT ON THE GRANTORS WEST PROPERTY LINE THENCE RUN NORTH 00 DEGREES 14 MINUTES 19 SECONDS WEST ALONG THE GRANTORS WEST PROPERTY LINE A DISTANCE OF 20 04 FEET TO THE POINT OF BEGINNING OF THE PROPERTY HEREIN CONDEMNED AND AS SHOWN ON THE RIGHT OF WAY MAP OF RECORD IN THE BALDWIN COUNTY HIGHWAY DEPARTMENT A COPY OF WHICH IS ALSO DEPOSITED IN THE OFFICE OF THE JUDGE OF PROBATE AS AN AID TO PERSONS AND ENTITIES INTERESTED THEREIN

Section 3. Petitioner requested zoning as B-1A Commercial Extended Business District. The pre-zoning has gone through Planning Commission and all fees associated with the annexation/zoning of the property will be waived.

Section 4. This ordinance shall be published as provided by law, and a certified copy of same, together with a certified copy of the petition of the property owners, shall be filed with the Probate Judge of Baldwin County, Alabama.

Section 5. The territory described in this ordinance shall become a part of the corporate limits of Foley, Alabama, upon publication of this ordinance as required by law.

