



Legislation Text

File #: 18-0243, **Version:** 1

AN ORDINANCE APPROVING PETITION FOR ANNEXATION AND BRINGING PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF FOLEY (Cheryl & Jim Beverly)

Cheryl & Jim Beverly are requesting to have three (3) parcels of land to be annexed into the corporate limits of the City of Foley. The parcels of land was part of the 2018 Legislative Annexation that did not pass the Senate. The property is located on Miflin Road. Mr. & Mrs. Beverly are also requesting that the \$250 initial zoning fee be waived.

WHEREAS, on the 11th day of May, 2018, Cheryl and Jim Beverly, being the owners of all the real property hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed to and become a part of the City of Foley, and

WHEREAS, said petitions 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 heretofore 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# 05-61-02-10-0-000-004.001

Commence at the Northwest corner of Section 10, Township 8 South, Range 4 East, Baldwin County, Alabama; thence East along the North line of said Section 416.0 feet; thence South 40.0 feet to the Point of Beginning; thence continue South 247.83 feet; thence East 115.0 feet; thence North 247.83 feet; West 115.0 feet to the point of beginning.

Tax Map Parcel ID# 05-61-02-10-0-000-004.002

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; thence run 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.

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Lot 2 being part of the Northwest Quarter of the Northwest Quarter of Section 10, Township 8 South, Range 4 East, St. Stephens Meridian, starting at the Northwest corner, run thence East 531 feet; thence run South 40 feet; thence run East 115.0 feet, thence run North 247.83 feet; thence run West 115.0 feet to the Point of Beginning, being situated in Baldwin County, Alabama.

Section 3. Petitioners requested zoning as B-3 Local Business District for all parcels. 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.