

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2017-03**

**ORDINANCE TO ANNEX PROPERTY CONTIGUOUS  
TO THE CORPORATE LIMITS OF THE CITY OF DAPHNE**

**Southwest Intersection of County Road 13 and U.S. Highway 90  
John White-Spunner, et al**

**WHEREAS**, on the 17<sup>th</sup> day of October, 2016, John White-Spunner, Blacksher White-Spunner, Rollins Tindell, Jr., Marl Cummings, and Sean Coley being the owners of all real property, hereinafter described, did file with the City Clerk a petition asking that the said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama; and

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

**WHEREAS**, after proper publication, a public hearing was held by the City Council on January 3, 2017 concerning the petition for annexation; and

**WHEREAS**, said petition has been presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on November 17, 2016, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

**SECTION ONE: ANNEXATION**

The City Council of the City of Daphne, Alabama finds that and declares as the legislative body of the City of Daphne, Alabama that it is in the best interest of the citizens of the City of Daphne, Alabama and the citizens of the affected area, to bring the territory described in Section Two of this Ordinance into the City of Daphne, Alabama, 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, et seq., Code of Alabama, 1975; effective on publication as required by Section 11-42-21, Code of Alabama 1975, as amended.

**SECTION TWO: ZONING**

At the January 3, 2017 regularly scheduled City Council meeting Ordinance 2016-82 was adopted pre-zoning the said property as pre-zoned as B-2, General Business District, B-2(A) General Business Alternate District, GC, Golf Course District and R-7(A), Apartment District.

**SECTION THREE: DESCRIPTION OF TERRITORY**

The boundary lines of the City of Daphne, Alabama, be, and the same are hereby altered or rearranged so as to include all the territory hereto before encompassed by the corporate limits of the City of Daphne, Alabama and in addition thereto the following described property, to-wit:

BALDWIN COUNTY, ALABAMA  
TIM RUSSELL PROBATE JUDGE  
Filed/cert. 2/ 8/2017 9:39 AM  
TOTAL \$ 21.00  
5 Pages



1617013

**Legal Description for Annexation:**

## DESCRIPTION OF PARCEL "1":

COMMENCING AT A CRIMP TOP IRON FOUND AT THE SOUTHWEST CORNER OF SECTION 34, T4S-R2E, BALDWIN COUNTY, ALABAMA; THENCE RUN N 00° 26' 32" E 467.91 FEET TO A CRIMP TOP IRON; SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE RUN N 00° 43' 49" E 1644.53 FEET TO A POINT ON THE PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13; THENCE ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 00° 41' 32" E 51.96 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 12° 00' 08" E 101.98 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 00° 41' 32" E 400.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 04° 53' 32" W 101.19 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 02° 42' 02" E 204.17 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 10° 33' 06" E 102.45 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 07° 12' 02" E 203.64 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 09° 06' 56" E 408.53 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 23° 42' 49" W 129.89 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 15° 17' 57" E 43.25 FEET TO A POINT; THENCE RUN N 62° 28' 04" W 83.31 FEET TO A POINT; THENCE RUN N 46° 48' 28" W 58.87 FEET TO THE POINT OF BEGINNING. CONTAINING 107,361 SQUARE FEET OR 2.465 ACRES.

## DESCRIPTION OF PARCEL "2":

COMMENCING AT A CRIMP TOP IRON FOUND AT THE SOUTHWEST CORNER OF SECTION 34, T4S-R2E, BALDWIN COUNTY, ALABAMA; THENCE RUN N 00° 26' 32" E 467.91 FEET TO A CRIMP TOP IRON; THENCE RUN N 00° 43' 49" E 1927.82 FEET TO A POINT ON THE PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13; SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUING N 00° 43' 49" E RUN 376.61 FEET TO A POINT ON THE AFOREMENTIONED PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13; THENCE ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 17° 56' 04" E 12.21 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 00° 41' 32" E 300.00 FEET TO A POINT; THENCE CONTINUING ALONG SAID PRESENT WEST RIGHT OF WAY LINE OF BALDWIN COUNTY ROAD 13, RUN S 10° 37' 04" W 66.12 FEET TO THE POINT OF BEGINNING. CONTAINING 2681 SQUARE FEET OR 0.062 ACRE.

**SECTION FOUR: MAP OF PROPERTY**

The property hereby annexed into the City of Daphne, Alabama is set forth and described in Exhibit "A" and attached hereto a map of the property (*Exhibit "B"*) showing its relationship to the corporate limits of the municipality of the City of Daphne and made a part of this ordinance.

**SECTION FIVE: PUBLICATION**

This Ordinance shall be published as required by Section 11-42-21 Code of Alabama 1975, as amended, and the property described herein shall be annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama as required by Section 11-42-21, Code of Alabama 1975, as amended.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE 17<sup>TH</sup> DAY OF JANUARY, 2017.**



**Dane Haygood,  
Mayor**

**ATTEST**



**Rebecca A. Hayes,  
City Clerk**

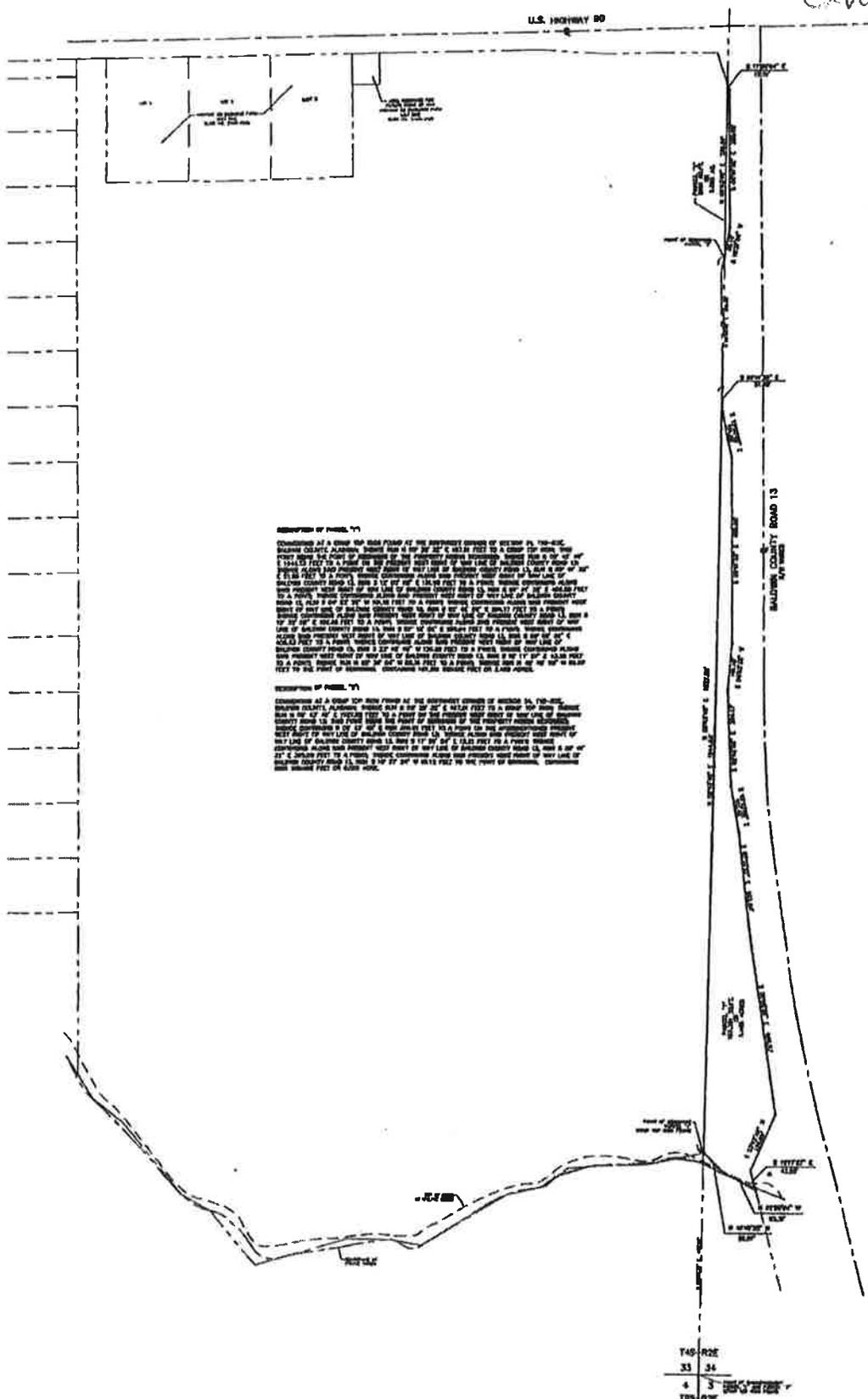
Exhibit A

DESCRIPTION OF PARCEL "1":

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DESCRIPTION OF PARCEL "2":

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**DESCRIPTION OF PARCEL 'A'**

Commencing at a corner iron pipe found at the southwest corner of Section 34, T4S-R2E, Mobile County, Alabama, bearing S 89° 20' 00\"/>

**DESCRIPTION OF PARCEL 'B'**

Commencing at a corner iron pipe found at the southwest corner of Section 34, T4S-R2E, Mobile County, Alabama, bearing S 89° 20' 00\"/>

T4S-R2E  
33 34  
4 3  
1895 1928

<p>REVISION</p>	<p><b>McCrary Williams</b> INCORPORATED Engineers Surveyors</p> <p>2207 INTERNATIONAL BLVD., SUITE 8 MOBILE, ALABAMA 36688 PHONE (205) 476-4700 FAX (205) 476-0701 EMAIL mcs@mcsw.com</p>	<p>SKETCH OF PROPERTY IN SECTION 34, T4S-R2E AT THE SOUTHWEST CORNER OF HIGHWAY 90 &amp; COUNTY ROAD 13 SECTIONS 33 &amp; 34, T4S-R2E, MOBILE COUNTY, ALABAMA</p> <p>DATE: 1-1-07 BY: [Signature] CHECKED BY: [Signature] SCALE: AS SHOWN SHEET 1 OF 1</p>
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