

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2017-38**

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

**On the East Side of Pollard Road, north of Creekside Subdivision
S. Hickory, Inc.**

WHEREAS, on the 14th day of February, 2017, being the owner 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 May 15, 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 March 23, 2017, 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 June 5, 2017 regularly scheduled City Council meeting Ordinance 2017-__ was adopted pre-zoning the said property as R-3, High Density Single Family Residential 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:

Legal Description for Annexation:

BEGINNING AT A CONCRETE MONUMENT FOUND (3" DIAMETER) MARKING THE NORTH EAST CORNER OF LOT 68, STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE 2152-F IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE SOUTH WEST CORNER OF LOT 36, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL., ALSO BEING THE COMMON NORTHERN CORNER FOR LOTS 33 AND 34, FRENCH SETTLEMENT, PHASE 1B AS RECORDED ON SLIDE 2366-E AND 2366-F IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG THE NORTH LINE OF STRATFORD GLENN PHASE 3 AS RECORDED ON SLIDE

2152-F, THE NORTH LINE OF CREEKSIDE UNIT 2 AS RECORDED ON SLIDE 1779-A, THE NORTH LINE OF BROOKSIDE PATIO HOMES AS RECORDED ON SLIDE 2189-F, ALL BEING RECORDED IN THE PROBATE RECORDS BALDWIN COUNTY, AL., RUN NORTH 89° 38' 35" WEST FOR 2,613.31 FEET TO A 1/2" (#4) REBAR FOUND AT THE NORTH WEST CORNER OF LOT 16 OF SAID BROOKSIDE PATIO HOMES; THENCE ALONG THE EAST RIGHT OF WAY (80') LINE OF POLLARD ROAD RUN NORTH 00° 09' 19" EAST FOR 1,327.66 FEET TO A CAPPED REBAR (CA-0604-LS) THAT LIES 48.66' SOUTHERLY FROM THE SOUTH WEST CORNER LOT 3, THE PRESERVE AT TIAWASSEE RECORDED ON SLIDE 2526-C IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE LEAVING SAID EAST RIGHT OF WAY, RUN SOUTH 89° 38' 52" EAST FOR 2,617.52 FEET TO A 3/4" IRON PIPE FOUND MARKING THE NORTH WEST CORNER OF LOT 46, THE RETREAT AT TIAWASSEE RECORDED ON SLIDE 2545-B IN PROBATE RECORDS BALDWIN COUNTY, AL.; THENCE ALONG WEST LINE OF SAID RETREAT AT TIAWASSEE, RUN SOUTH 00° 20' 08" WEST FOR 1,327.87 FEET TO THE POINT OF BEGINNING AND CONTAINING 79.72 ACRES MORE OR LESS AND LYING IN SECTION 9, TOWNSHIP 5 SOUTH, RANGE 2 EAST, ST. STEPHENS MERIDIAN IN BALDWIN COUNTY, ALABAMA.

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.

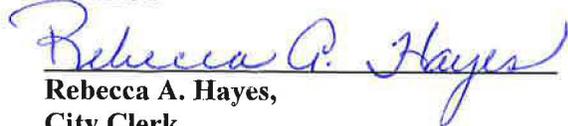
SECTION FIVE: PUBLICATION

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 5TH DAY OF JUNE, 2017.



 Dane Haygood,
 Mayor

ATTEST


 Rebecca A. Hayes,
 City Clerk

EXHIBIT "A"

S. HICKORY, INC.

PRE-ZONING AND ANNEXATION

**NORTH POLLARD ROAD
DAPHNE, BALDWIN COUNTY, ALABAMA**

**LEGAL DESCRIPTION OF PROPERTY TO BE PRE-ZONED AS R3 AND ANNEXED TO
THE CITY OF DAPHNE:**

BEING MORE PARTICULARLY DESCRIBED AS:

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