

**CITY OF DAPHNE  
CITY COUNCIL MEETING AGENDA  
1705 MAIN STREET, DAPHNE, ALABAMA  
FEBRUARY 1, 2016  
6:30 P.M.**

- 1. CALL TO ORDER**
- 2. ROLL CALL**

**INVOCATION /**

**PLEDGE OF ALLEGIANCE**

- 3. APPROVE MINUTES:** Council Meeting Minutes / January 19, 2016

**PROCLAMATION:** Arbor Day

**PUBLIC HEARINGS:**

- 1.) Revisions to the Land Use and Development Ordinance / Revisions to the Olde Towne District Map**

Recommendation: Favorable

- 2.) Pre-Zone: Red Barn, LLC**

Location: South and West of Oldfield Subdivision, Phase One

Present Zoning: RA, Rural Agricultural, Baldwin County District 15  
in the extraterritorial planning jurisdiction of Daphne

Proposed Pre-Zoning: R-2, Medium Density Single Family Residential  
District; R-3, High Density Single Family Residential  
District and R-6, Garden/Patio Homes District

Recommendation: Unanimous Favorable

- 3.) Annexation: Red Barn, LLC**

Location: South and West of Oldfield Subdivision, Phase One

Recommendation: Unanimous Favorable

**4. REPORTS OF STANDING COMMITTEES:**

**B. FINANCE COMMITTEE – Fry**

**C. BUILDINGS & PROPERTY COMMITTEE - Lake**

a.) Declaring Surplus /1989 E-One Fire Truck / **Resolution 2016-05**

**D. PUBLIC SAFETY - Conaway**

Review minutes / January 19<sup>th</sup>

**E. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Scott**

**F. Review minutes / January 19<sup>th</sup>**

**G. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY – LeJeune**  
Appoint: Amy Gohres

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

**A. BOARD OF ZONING ADJUSTMENTS – Adrienne Jones**

**B. DOWNTOWN REDEVELOPMENT AUTHORITY – Conaway**  
Review minutes / December 2, 2015

Recommend Reappoint of Danya Oldham / Term – October 8, 2015 – October 7, 2019

**C. INDUSTRIAL DEVELOPMENT BOARD – Phillips**

**D. LIBRARY BOARD – Lake**

Appoint: Rhett Beyer / Term: October 1, 2015 – September 30, 2019 (*Replace Andre LePalme*)

**E. PLANNING COMMISSION – Scott**

**MOTION:** Set a Public Hearing date for March 7, 2016 and approve advertising to consider:

1.) Amending the Land Use and Development Ordinance / Jubilee Overlay / Article 39, Section 39-2 (b)  
District Requirements, Setbacks

2.) Pre-Zone / The Bills’ No. 2, LLC

Property Located: Southwest corner of the intersection of Champions  
Way and Alabama Highway 181

Pre-Zone Request: B-3, Professional Business District

Recommendation: Unanimous Favorable

**F. RECREATION BOARD / LeJeune**

**G. UTILITY BOARD – Fry**

Review minutes / December 2, 2015

**6. MAYOR’S REPORT**

**7. CITY ATTORNEY’S REPORT**

**8. DEPARTMENT HEAD’S REPORT**

**9. CITY CLERK’S REPORT**

a.) Events Permit / Loyal Order of the Fire Truck / February 7, 2016

b.) Events Permit / Prodissee Pantry Turkey Trot / October 22, 2016

**10. PUBLIC PARTICIPATION**

**11. RESOLUTIONS AND ORDINANCES:**

**RESOLUTIONS:**

a) **Resolution 2016-05**.....Declaring Certain Property Surplus & Authorize Mayor to Sell

1989 E-One Fire Truck

**ORDINANCES:**

**2<sup>ND</sup> READ**

- a) **Ordinance 2016-02**..... Appropriation of Funds: Lott Park Fence / Little Bethel Baptist Church Graveyard
- b) **Ordinance 2016-03**..... Appropriation of Funds: Recreation Equipment
- c) **Ordinance 2016-04**..... Appropriation of Funds: Sidewalk/Boardwalk Improvements

**1<sup>ST</sup> READ**

- a.) **Ordinance 2016-05**..... Amended Ordinance Removing Contingency Regarding Funds to Thomas Hospital Foundation
- b.) **Ordinance 2016-06**..... Establishing Salary for the Mayor
- c.) **Ordinance 2016-07**..... Establishing Salary for Councilmembers
- d.) **Ordinance 2016-08**..... Amending the Land Use and Development Ordinance 2011-54 Revision to Appendix I of the City of Daphne Olde Towne District
- e.) **Ordinance 2016-09**..... Pre-Zone Property Located South and West of Oldfield Subdivision, Phase One / Red Barn, LLC
- f.) **Ordinance 2016-10**..... Annexation / Red Barn, LLC / Property Located South and West of Oldfield Subdivision, Phase One
- g.) **Ordinance 2016-11**..... Repeal Ordinance and Establish the Use of Electronic Vote Counting Devices for Use in All Municipal Elections

**12. COUNCIL COMMENTS**

**13. ADJOURN**

**CITY OF DAPHNE  
CITY COUNCIL**

**ROLL CALL**

**CITY COUNCIL:**

<b>COUNCILWOMAN CONAWAY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LAKE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN FRY</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN SCOTT</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILMAN LEJEUNE</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCILWOMAN PHILLIPS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
<b>COUNCIL PRESIDENT RUDICELL</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____

**MAYOR:**

<b>MAYOR HAYGOOD</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY CLERK:**

<b>REBECCA HAYES</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**CITY ATTORNEY:**

<b>JAY ROSS</b>	<b>PRESENT</b> ____	<b>ABSENT</b> ____
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**JANUARY 19, 2016  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
DAPHNE, AL  
6:30 P.M.**

**1. CALL TO ORDER:**

There being a quorum present Council President Rudicell called the meeting to order at 6:30 p.m.

**2. ROLL CALL**

**COUNCIL MEMBERS PRESENT:** Tommie Conaway; Pat Rudicell; John Lake; Randy Fry; Ron Scott; Robin LeJeune, Angie Phillips.

Also present: Mayor Haygood; Rebecca Hayes, City Clerk; Jay Ross, City Attorney; Kevin Boucher, City Attorney; James White, Fire Chief; Kelli Kichler, Finance Director/Treasurer; Margaret Thigpen, Civic Center Director; Richard Johnson, Public Works Director; David Carpenter, Police Chief; Tonja Young, Library Director; Richard Merchant, Building Official; Vickie Hinman, HR Director; Adrienne Jones, Planning Director Charlie McDavid, Recreation Department; David Dueitt, Recreation Board; Don Ouellette, Environmental Advisory Committee; Al Guarisco, Village Point Foundation; Victoria Phelps, Beautification Committee; Tomasina Werner, Beautification Committee.

Absent: David McKelroy, Recreation Director.

**INVOCATION/PLEDGE OF ALLEGIANCE:**

Reverend Charles Jackson with Macedonia Missionary Baptist church gave the invocation.

**3. APPROVE MINUTES:**

**January 4, 2016 Council Meeting Minutes:**

There being no corrections, the minutes for the January 4, 2016 council meeting stand approved.

**January 11, 2016 Council Work Session Minutes:**

There being no corrections, the minutes for the January 11, 2016 council work session stand approved.

**PRESENTATION:** Daphne Strike Club / Mrs. Ruth Sewell

Mrs. Sewell spoke regarding the recreation facilities improvements, and encouraged more soccer fields. She encouraged council to go with Option "A". The club is disappointed that no one involved with soccer was consulted on the plans. The Strike Club offered to fund and build a maintenance building and field house at Trione to store their equipment.

**4. REPORT OF STANDING COMMITTEES:**

**A. *FINANCE COMMITTEE* – Fry**

The minutes for the January 11<sup>th</sup> meeting are in the packet.

**MOTION BY Councilman Fry to renew the city's insurance policy with John A. Robertson Insurance Agency, Inc. *Seconded by Councilman Lake.***

**MOTION CARRIED UNANIMOUSLY**

**JANUARY 19, 2016  
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**Treasurers Report / December 2015**

The Treasurer's Report as of December, 2015 Total Unrestricted Funds - \$11,232,639 and Total City Funds - \$20,248,935

- Total Unrestricted Funds - \$11,232,639
- Increase from Last Year's Unrestricted Funds - \$ 1,619,429
- Total Restricted Funds - \$ 9,016,296
- Total City Funds - \$ 20,248,935
- # of months of Unrestricted cash to cover monthly operating Expenses & Debt Service – 5.1 months compared to the previous year - 4.4 months

**Sales & Use Tax Collections / November 2015**

\$1,157,742 was collected for November 2015:

- YTD Variance over Budget - \$110,571.80
- Percent change from last year's collections + 5%

**Lodging Tax Collections / November 2015**

\$77,075 which is down \$214 from November's 2014's collections of \$77,289

- YTD Variance over Budget: \$12,212
- Percentage change YTD from last year's collections: \$7,530 + 4.7%

***B. BUILDINGS & PROPERTY COMMITTEE*** – Lake

The minutes for the January 4, 2016 meeting are in the packet. Councilman Lake mentioned the gazebos that were purchased did not include funds for the foundations, and the additional cost will be \$3,000 for the foundations, and was referred to the Finance Committee.

***C. PUBLIC SAFETY COMMITTEE*** – Conaway

The committee met today, and the committee discussed the retiring of the drug dog and replacement which will cost between \$8,000 - \$10,000. The next meeting will be February 15<sup>th</sup>.

***D. CODE ENFORCEMENT/ORDINANCE COMMITTEE*** – Scott

The committee met this afternoon, and the minutes will be in the next packet. The next meeting will be February 15<sup>th</sup> after the Public Safety meeting.

***E. PUBLIC WORKS COMMITTEE*** – LeJeune

The next meeting will be February 1<sup>st</sup> after the Buildings and Property meeting.

**5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:**

***A. Board of Zoning Adjustments*** – Adrienne Jones

The next meeting will be February 4<sup>th</sup>.

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***B. Downtown Redevelopment Authority – Conaway***

There will be a retreat on January 30<sup>th</sup> at the Hampton Inn at 9:00 a.m.

***C. Industrial Development Board – Phillips***

There will not be a meeting for January. The DISC property will be considered by the Planning Commission January 28<sup>th</sup>.

***D. Library Board – Lake***

The first history series on the Four Dominate World Powers –The Islamic State, was held on January 13<sup>th</sup> - Islamic State with 130 people attending, and tomorrow January 20<sup>th</sup> the series on Russia will be held at 10:00 a.m. and January 28<sup>th</sup> - China and February 3<sup>rd</sup> - United States.

***E. Planning Commission – Scott***

The Site Preview meeting will be 8:30 tomorrow.

***F. Utility Board – Fry***

The next meeting will be January 27<sup>th</sup> at 5:00 p.m.

**6. MAYOR'S REPORT**

Mayor Haygood reported that the Bills property is on the Planning Commission Site Preview meeting tomorrow at 8:30 p.m. There will be an Executive Session to discuss pending litigation and the purchase of real property. He also reported on the removal of six oak trees on Highway 98 south of Johnson Road saying that no one at the city was aware of activity there yesterday. Everything appears to be done right.

**7. CITY ATTORNEY REPORT:**

Mr. Ross said council needs to go into Executive Session and have Richard Johnson present to discuss pending litigation, and to also discuss the purchase of real property.

Mr. Ross asked for clarity on 2015-80 regarding the contribution of \$150,000 to the Thomas Hospital Foundation, Asking if it is the Free Standing Emergency Room or the Birth Center at Thomas Hospital.

**MOTION BY Councilman Fry to amend the September 28, 2015 special called council meeting minutes to reflect the contribution is for the Birth Center. *Seconded by Councilman Scott.***

**AYE Lake, Fry, Scott, LeJeune, Phillips, Rudicell**

**NAY NONE OPPOSED**

**ABSTAIN Conaway**

**MOTION CARRIED**

Councilman Scott asked that the language in section “a” and “b” be clarified as “b” gives the connotation that the city will be giving an extra \$120,000. He asked that this be restated to make it plain as to how much will be given.

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Mr. Ross stated that it would be best to repeal Ordinance 2015-80 and prepare a new ordinance with the wishes of the council.

**8. DEPARTMENT HEAD COMMENTS:**

**NO COMMENTS FROM DEPARTMENT HEADS**

Councilman Lake spoke regarding the cutting of the oak trees on Hwy 98 below Johnson Road, and was upset that this was done on MLK Day with the project being next to a minority district.

**Richard Johnson – Public Works Director** – spoke regarding the cutting of the trees on Hwy 98 saying that ALDOT has jurisdiction of the Hwy 98 corridor, and they submitted plans for a permit approval for removal of the live oaks planted 25 years ago. 54 live oaks will be planted to mitigate for the trees that were cut down. They had all the permits and were approved for the cutting down of the trees. The company is spending high dollars on landscaping at the entrance. The Planning Commission has authority to approve site plans, but it is ALDOT's call. He knew the plans, but failed to let the mayor and council know. You cannot dictate to contractors when they do their work.

Mayor Haygood said that he would reach out to Vince Calmetti to notify Daphne when things like this is going to happen and negotiate. He will ask for the specifics on how this was determined, and get some answers.

**9. CITY CLERK REPORT:**

a.) Events Permit / Shadow Barons Mardi Gras Parade / February 6, 2016, 2016

**MOTION BY Councilwoman Phillips to approve the Events Permit the Shadow Barons Mardi Gras Parade / February 6, 2016. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

b.) **MOTION:** To approve the Chamber of Commerce requests contained in the attached letter for the 28<sup>th</sup> Annual Jubilee Festival (*letter attached to these minutes*).

**MOTION BY Councilman Lake to approve the requests from the Chamber of Commerce for the 28<sup>th</sup> Annual Jubilee Festival. *Seconded by Councilman Scott.***

**MOTION CARRIED UNANIMOUSLY**

**JANUARY 19, 2016  
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**10. PUBLIC PARTICIPATION**

*Mr. Kevin Spriggs – Business Owner in Daphne* – spoke of being able to see business in Daphne due to the trees along Hwy 98. They are not conducive of economic development.

*Mr. David Dueitt – 104 D’Olive Boulevard* – spoke regarding the council in the past dropping the ball on a new park, and this council was going to be the same. He asked council to find the money to do all the improvements to the facilities, and he is not averse to spending \$25 million for the improvements. He asked council to be bold and to do what is right.

**11. RESOLUTIONS & ORDINANCES:**

a) **Resolution 2016-03.** . . . . .Retirement of Police K-9 Drug Dog

<p><b>Resolution 2016-03.</b> . . . . .Retirement of Police Drug Dog</p> <p><b>MOTION BY Councilwoman Conaway to <u>waive the reading</u> of Resolutions 2016-03. <i>Seconded by Councilman Fry.</i></b></p> <p style="text-align: center;"><b>MOTION CARRIED UNANIMOUSLY</b></p> <p><b>MOTION BY Councilwoman Conaway to <u>adopt</u> Resolutions 2016-03. <i>Seconded by Councilman Lake.</i></b></p> <p style="text-align: center;"><b>MOTION CARRIED UNANIMOUSLY</b></p>
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**ORDINANCES:**

a) **Ordinance 2016-01.** . . . . .Repealing and Replacing Ordinances 2007-37 and 2007-38  
Regarding the Rules and Regulations for Daphne City Parks

**1<sup>ST</sup> READ**

a) **Ordinance 2016-02.** . . . . .Appropriation of Funds: Lott Park Fence / Little Bethel Baptist Church Graveyard

b) **Ordinance 2016-03.** . . . . .Appropriation of Funds: Recreation Equipment

c) **Ordinance 2016-04.** . . . . .Appropriation of Funds: Sidewalk/Boardwalk Improvements

**JANUARY 19, 2016  
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6:30 P.M.**

**Ordinance 2016-01. . . . .** Repealing and Replacing Ordinances 2007-37 and 2007-38 Regarding Rules and Regulations for Daphne City Parks

**MOTION BY Councilman Scott to waive the reading of Ordinance 2016-01. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to adopt Ordinance 2016-01. *Seconded by Councilman Fry.***

**MOTION CARRIED UNANIMOUSLY**

**1<sup>ST</sup> READ**

- a) **Ordinance 2016-02. . . . .** Appropriation of Funds: Lott Park Fence / Little Bethel Baptist Church Graveyard
- b) **Ordinance 2016-03. . . . .** Appropriation of Funds: Recreation Equipment
- c) **Ordinance 2016-04. . . . .** Appropriation of Funds: Sidewalk/Boardwalk Improvements

**ORDINANCES 2016-02, 2016-03 AND 2016-04 WERE 1<sup>ST</sup> READ**

**12. COUNCIL COMMENTS**

**Mayor Haygood** thanked Boy Scout Troop #82 for coming out tonight. He will report on the dialogue with ALDOT regarding the trees.

**Councilman LeJeune** – reminded everyone of the special called council meeting on January 25<sup>th</sup> at 6:30 p.m. to discuss the recreation facilities.

**Councilman Scott** – said that the ribbon cutting for the Daphne Central Park had 35 people show up even though it was a rainy day. The park is used daily, and the trail is 6/10 of a mile, and the view at the top is gorgeous view. He thanked the Lake Forest Property Owners Association for working with the city. There are plans to extend the walking paths.

**Councilman Fry** – enjoyed participating in the ribbon cutting. It is an excellent facility. Council committed to finding funds to do what is needed. The impact on the residence will be in effect long after this council is gone.

**Councilman Lake** – spoke regarding directional signs on I-10 before the Daphne exit. He feels the money would be better spent this way instead of a digital sign at the KFC point.

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CITY COUNCIL MEETING  
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*Councilman Conaway* – walked the trail at Daphne Central Park. She thanked Mr. Johnson and Mrs. Jones for sharing information regarding the trees.

*Councilwoman Rudicell* – gave the agenda items for the February 8<sup>th</sup> work session – May Day Park Boat ramp, and March – Employee and retiree health insurance.

**MOTION BY Councilman Scott to go into Executive Session to discuss pending litigation and the purchase of real property. *Seconded by Councilwoman Phillips.***

**The City Attorney certified that the stated reason is appropriate according to the Open Meetings Act. The meeting will take about 30 minutes.**

**ROLL CALL VOTE**

<b>Conaway</b>	<b>Aye</b>	<b>LeJeune</b>	<b>Aye</b>
<b>Lake</b>	<b>Aye</b>	<b>Phillips</b>	<b>Aye</b>
<b>Fry</b>	<b>Aye</b>	<b>Rudicell</b>	<b>Aye</b>
<b>Scott</b>	<b>Aye</b>		

**MOTION CARRIED UNANIMOUSLY**

*Council entered into Executive Session at 7:58 p.m.*

*Council returned from Executive Session at 8:30 p.m.*

**MOTION BY Councilman Scott to authorize legal counsel to take appropriate legal action in the Fannon lawsuit including a counter lawsuit if they deem necessary. *Seconded by Councilman Lake.***

**MOTION CARRIED UNANIMOUSLY**

**MOTION BY Councilman Scott to instruct staff to engage HMR to begin the engineering work for the project involving the gully between the Fannon property, what they refer to as the Fannon property, at the end of Lovett Lane. *Seconded by Councilwoman Conaway.***

**MOTION CARRIED UNANIMOUSLY**

Councilman Scott asked Mr. Johnson and Ms. Kichler to have ordinances for the next council meeting.

**JANUARY 19, 2016  
CITY COUNCIL MEETING  
REGULAR BUSINESS MEETING  
1705 MAIN STREET  
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**13. ADJOURN:**

**MOTION BY Councilman Fry to adjourn *Seconded by Councilwoman Phillips.***

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:35 P.M.**

Respectfully submitted by,

Certification of Presiding Officer

\_\_\_\_\_  
Rebecca A. Hayes,  
City Clerk

\_\_\_\_\_  
Pat Rudicell,  
Council President

## Attachement to the January 19, 2016 Council Minutes

December 22, 2015

City of Daphne  
Dane Haygood & City Council  
Post Office Box 400  
Daphne, Alabama 36526

**Re: 28<sup>th</sup> Annual Jubilee Festival – September 24 & 25, 2016**

Dear Dane Haygood and City Council Members:

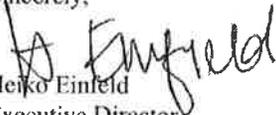
The 28<sup>th</sup> Annual Jubilee Festival is scheduled to be held September 24 & 25, 2016. As always, the continued support of the Mayor and City Council is essential. At this time the festival committee would like to request the following from the City of Daphne:

1. Permission to block Main Street from Magnolia Avenue South to Dryer Avenue. The closing of this area would still allow access by area residents and church visitors. Permission also to close Mancie Avenue between Guarisco Street and Main Street for possible food court usage. Permission to close Trione Street from Guarisco Street and Main Street for KidsArt infrastructure.
2. Permission to use Centennial Park for KidsART.
3. Permission to allow children to paint on the back fence in Centennial Park.
4. Assistance from Police and Street Department with street closings and barricades from Friday, September 23, 2016 after 5:00 p.m. until Sunday, September 25, 2016 after 6:00 p.m.
5. Coordination by the Mayor with Riviera Utilities for additional electrical power access at the City Hall entrance utility pole.
6. Permission to use City Hall as headquarters for the festival staff and volunteers.
7. Permission to place temporary banners to help promote the 28<sup>th</sup> Annual Jubilee Festival. Specifics of the banners are as follows:
  - Banners to read: *Jubilee Festival, September 24 and 25, 2016*
  - Banners to be posted 2 weeks prior to event
  - Size of Banners to be 120" x 34"
  - Locations to include:
    - Santa Rosa & Main Street
    - Jubilee Mall
    - Lawson Road
    - Highway 98 at Montrose Welcome Sign
8. Permission to place banners within the site of the festival.

Please place this request on the agenda for the next available City Council Meeting. Please contact Liz R. Thomson at the Eastern Shore Chamber of Commerce (621-8222) with the date of the meeting.

The Eastern Shore Chamber of Commerce and the Jubilee Festival Committee greatly appreciate the City's continued support of this annual event. We are looking forward to another successful event for both the Chamber and the City. The success of the Jubilee Festival is only possible with the combined effort of the City, the Chamber and the volunteers.

Sincerely,

  
Heiko Einfeld  
Executive Director

cc: City Council, Eastern Shore Chamber of Commerce Board of Directors, Jubilee Chair  
Tabitha Raus.

Office of the Mayor  
City of Daphne

**PROCLAMATION**

**ARBOR DAY**

**FEBRUARY 27, 2016**

**WHEREAS**, the City of Daphne has been recognized  
by *The National Arbor Day Foundation* as a *Tree City USA*, and

**WHEREAS**, trees reduces erosion, cuts heating and cooling costs, cleans the air,  
produces oxygen and provides habitat for wildlife, and

**WHEREAS**, trees in our City increase property values and beautify our community.

**NOW THEREFORE, THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DAPHNE** do hereby proclaim  
**February 28, 2015** as “**ARBOR DAY**” in the City of Daphne, and urges all citizens to plant trees, and to support efforts to  
protect our trees and woodlands for this and future generations.

\_\_\_\_\_  
Dane Haygood, Mayor

ATTEST:

\_\_\_\_\_  
Rebecca A. Hayes, City Clerk

**PUBLIC HEARING**  
**FEBRUARY 1, 2016**

**TO CONSIDER:**

**1.) Amending the Land Use and Development Ordinance / Revisions to Olde Towne District Map**

Recommendation: Favorable

**2.) Pre-Zone: Red Barn, LLC**

Location: South and West of Oldfield Subdivision, Phase One

Present Zoning: RA, Rural Agricultural, Baldwin County District 15 in the extraterritorial planning jurisdiction of Daphne

Proposed Pre-Zoning: R-2, Medium Density Single Family Residential District; R-3, High Density Single Family Residential District and R-6, Garden/Patio Homes District

Recommendation: Unanimous Favorable

**3.) Annexation: Red Barn, LLC**

Location: South and West of Oldfield Subdivision, Phase One

Recommendation: Unanimous Favorable

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Community Development Director

## MEMORANDUM

Subject: Proposed Amendment to the Olde Towne  
Daphne District Map

Date: December 1, 2015

At the November 19, 2015, regular meeting of the City of Daphne Planning Commission, six members were present. The motion to set forth a **favorable recommendation** carried unanimously of the above-mentioned amendment to the Olde Towne Daphne District Map.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda of Monday, December 7, to set the public hearing for Monday, January 4, 2016.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Olde Towne Daphne District Map Planning Report (Copy Attached)

# PLANNING COMMISSION



## PROPOSED AMENDMENT TO THE LAND USE & DEVELOPMENT ORDINANCE

### APPENDIX I EXHIBIT B OLDE TOWNE DISTRICT MAP

John W. West  
508 Main Street  
Daphne, Alabama 36526

10/16/15

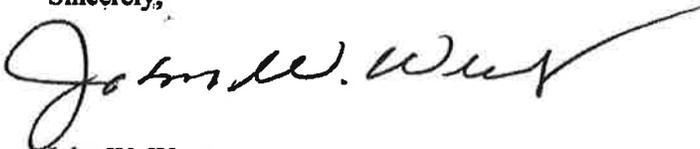
**Mrs. Adrienne D. Jones, Director**  
**City of Daphne Department of Community Development**  
**P.O. Box 400**  
**Daphne, Alabama 36526**

**RE: Proposed amendment to the Olde Towne District Map**

I, John W. West, the owner of Lots 1, 2, 3, 4 and 6, 7 and 8 of Issac Austin Properties Subdivision which are presented included in the District do hereby request to amend the Olde Towne Daphne District Map to also include the contiguous properties of Lot 5 and 9 of Issac Austin Properties Subdivision upon annexation as B-1 into the City of Daphne.

If you have any questions, please call.

Sincerely,

A handwritten signature in black ink that reads "John W. West". The signature is written in a cursive style with a long, sweeping underline.

John W. West

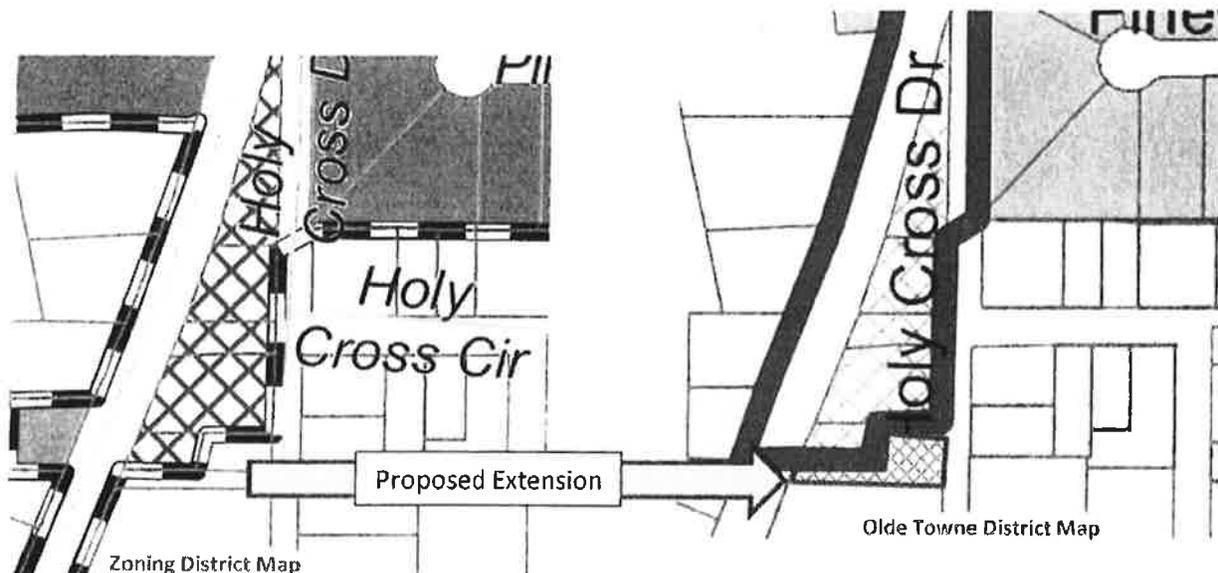
## Proposed Amendment to the Olde Towne Daphne District Map

The Olde Towne Daphne District was established by Ordinance 2002-08. The district map was adopted 2002-27 and amended by Ordinances 2003-05, 2005-12, 2008-04, 2009-66. *John West, the petitioner, requests consideration of an amendment the Olde Towne Daphne District Map to include 2 lots: Lot 5 Issac Austin subdivision and parcel known as Lot 9 of Issac Austin subdivision. This particular property was pre-zoned B-1, Local Business by City Council on November 2, 2015 as Ordinance 2015-62.\* In the same meeting, City Council approved the petition to annex the subject property into the City limits (Ordinance 2015-63\*).*

*The subject property is contiguous to the southern boundary of the Olde Towne District. It would be appropriate to amend the district map by incorporating said land therein.*

Inclusion in the Olde Towne District would be advantageous to the petitioner in that all of his real estate would be subject to the provisions of Article 14, Olde Towne Daphne District.

**Like zoning amendments, annexation petitions and preliminary plat approvals, an amendment to the Olde Towne Daphne map must be approved by an affirmative vote of six (6) members**



### SUMMARY OF DEPARTMENTAL REVIEWS/RECOMMENDATIONS

 Community Development – Recommend approval

\*Note: Zoning changes occurring between July 1<sup>st</sup> and December 31<sup>st</sup> will be reflected in a future Official zoning map amendment.

**CITY OF DAPHNE**

**ORDINANCE NO. 2016-**

**Amending the Land Use and Development Ordinance 2011-54  
Revision to Appendix I of the City of Daphne  
Olde Towne District Map**

**WHEREAS**, the Planning Commission of the City of Daphne, at their regular meeting held on November 19, 2015, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No. 2011-54 referenced in Appendix I “Exhibit B” of the Daphne Land Use & Development Ordinance; and

**WHEREAS**, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2011-54 and Ordinance No. 2003-05, 2005-12, 2008-04 and 2009-66; and

**WHEREAS**, due notice of said proposed amendments to the Olde Towne District Map has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

**WHEREAS**, a public hearing regarding the proposed Olde Towne District Map amendments was held by the City Council February 1, 2016; and

**WHEREAS**, the City Council of the City of Daphne after due consideration believe the amendment to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:**

**SECTION I. OLDE TOWNE DISTRICT MAP**

The Olde Towne District Map referenced hereto as Exhibit “A” attached to this Ordinance shall be the official boundary map for the Olde Towne District of the City of Daphne, Alabama.

**SECTION II. AMENDMENT**

Ordinances 2011-54, 2003-05, 2005-12, 2008-04 and 2009-66 and any other amendments to these Ordinances are hereby amended to the extent that the previous Olde Towne District Map referenced in Land Use Ordinance Appendix I of Exhibit “B” and any amendment thereto, conflict with the Olde Towne District Map referenced as Exhibit “A”.

**SECTION III.      REPEALER**

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION IV.      EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

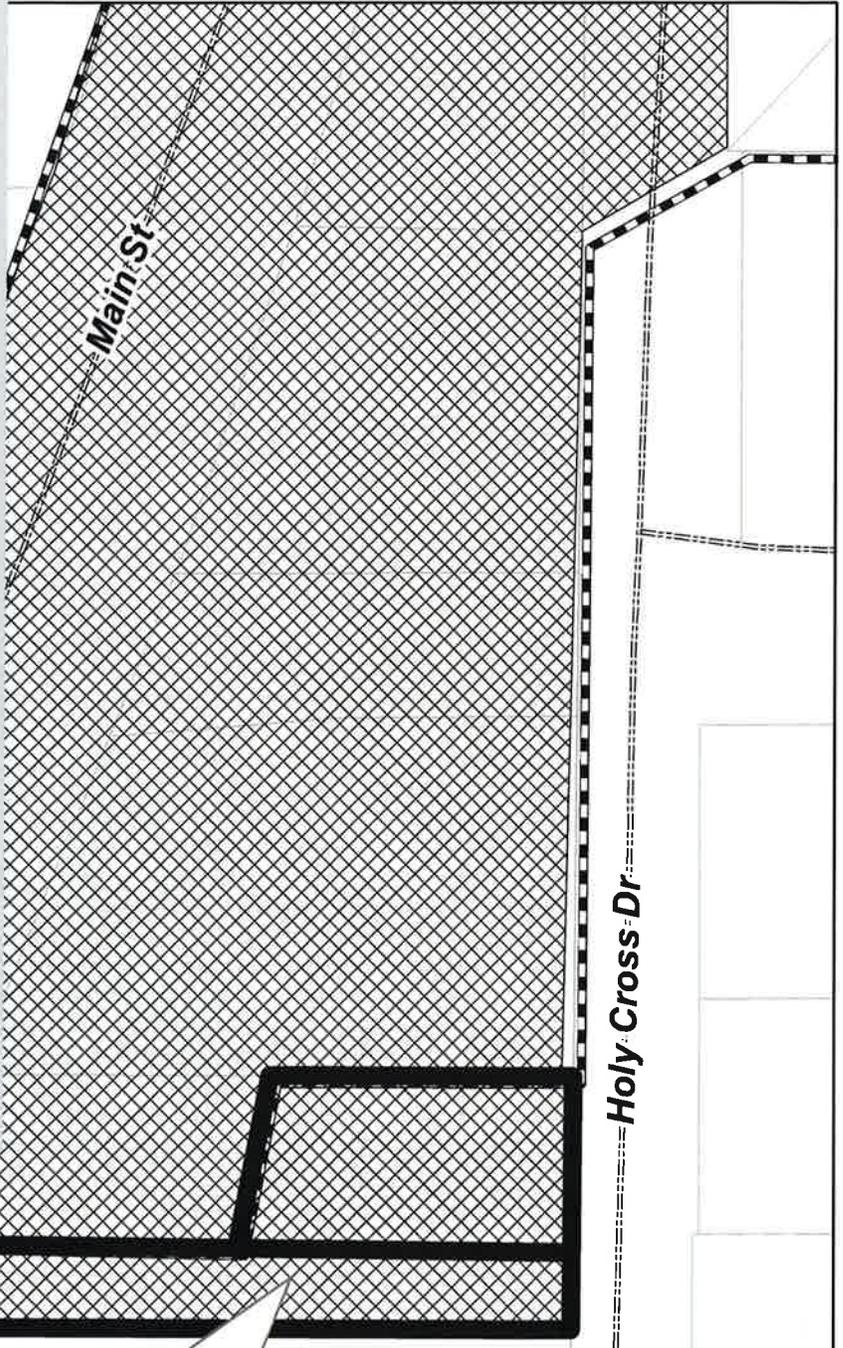
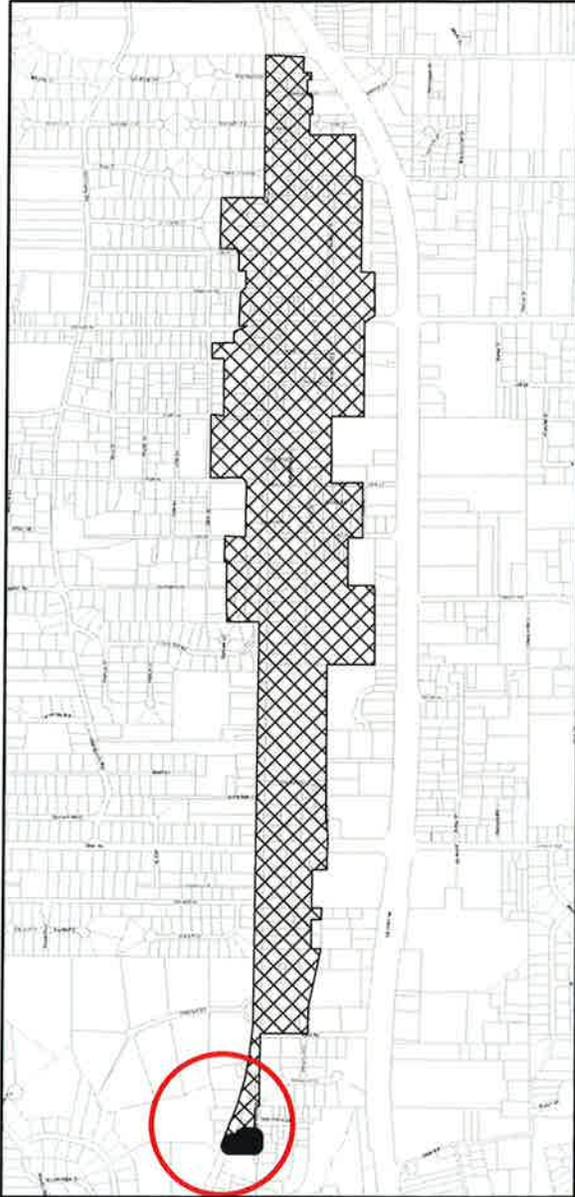
**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes**  
**City Clerk**



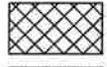
# Olde Towne Overlay

## Existing Olde Towne Overlay



**Proposed Addition to the Olde Towne Overlay District**

### Legend

-  Proposed Additional Parcels
-  Olde Towne Overlay
-  Daphne City Limits



*The Jubilee City*

The information contained in the data distributed by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied, as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 251-621-31

To: Office of the City Clerk  
From: Adrienne D. Jones, Director of Community Development  
Subject: Red Barn, L.L.C.  
Pre-Zoning Amendment  
Date: December 21, 2015

## MEMORANDUM

**PRESENT ZONING:** RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of Daphne

**PROPOSED<sup>Pre-</sup>ZONING:** R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-6 (G), Garden/Patio Homes

**LOCATION:** South and west of Oldfield Subdivision, Phase One

**RECOMMENDATION:** At the Thursday, December 17, 2015, regular meeting of the Daphne Planning Commission, seven members were present. The motion carried for an **unanimous favorable recommendation** to the City Council of a pre-zoning amendment of the subject property for Red Barn, L.L.C. as R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-6 (G), Garden/Patio Homes

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Zoning Amendment Application
2. Legal Description
3. Boundary Survey
4. Revised Master Plan
5. Adjacent property owners' list
6. Community Development Report



# REZONING OR PRE-ZONING APPLICATION

Office use only	Date Submitted <b>Nov. 17, 2015</b>
Application Number: ZA-                      or                      PZA- <b>15-07</b>	Planning Commission Public Hearing Date: <b>Dec. 17, 2015</b>

*Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.*

### SITE DATA

Site Location (Address or General Proximity to Nearest Intersection): <b>WEST SIDE OF AL HWY 181 &amp; 1.6 MILES NORTH OF AL HWY 104. ADJACENT TO OLDFIELD SUBDIVISION</b>	PPIN#(s): <b>8624, 285592, 63521</b>
Gross Site Area (acreage): <b>110.5 ACRES</b>	Requested Zoning or Pre-Zoning: <b>R-2, R-3, R-6G</b>
Current Zoning Designation(s): <b>RA - COUNTY DISTRICT 15</b>	Amended Request: Initials:                      Date:
Current Land Use: <b>FARMING</b>	Anticipated Land Use: <b>RESIDENTIAL</b>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <b>SEE ATTACHED</b>	

Specify other recently approved or pending requests related to the subject property. Circle the answer(s).  
 **Annexation**     Subdivision     Site Plan     Special Exception     Variance     Specify Other

### APPLICANT & AGENT INFORMATION

*\*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.*

Name of Current Owner: <b>RED BARN LLC</b>	
Mailing Address: <b>24311 ST HWY 181, DAPHNE, AL 36526</b>	Phone/Fax: E-mail:
Name of Authorized Agent: <b>PREBLE · RISH LLC</b>	<b>251-990-9950 (O) 251-990-9910 (E)</b>
Mailing Address: <b>9949 BELLATAVENUE, DAPHNE, AL 36526</b>	Phone/Fax: E-mail: <b>stere@preble-rish.net</b>
Name of Developer*:	Phone/Fax: E-mail:
Other:	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

Applicant's Signature:	Date <b>11-17-15</b>
Agent's Signature:	Date <b>11-17-15</b>

# EXHIBIT "A"

R-2

19.66 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 29 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 87 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 54 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 29 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS SOUTH 79 DEGREES 09 MINUTES 17 SECONDS WEST, A DISTANCE OF 188.97 FEET); THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 436.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS SOUTH 65 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.77 FEET); THENCE RUN NORTH 37 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 203.37 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.

# EXHIBIT "A"

R-3

36.10 AC.

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 68.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.46 FEET); THENCE RUN NORTH 52 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 684.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 16 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 197.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 1709.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

# EXHIBIT "A"

R-6G

## 16.35 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

## R-6G (CONT.)

### 25.74 AC

BEGINNING AT THE NORTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 21.62 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.74 ACRES, MORE OR LESS.

## R-6G (CONT.)

### 12.65 AC

COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 11 MINUTES 15 SECONDS WEST, A DISTANCE OF 32.39 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 241.99 FEET; THENCE RUN NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 00 DEGREES 42 MINUTES 50 SECONDS WEST, A DISTANCE OF 815.88 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.10 FEET, (CHORD BEARS NORTH 45 DEGREES 11 MINUTES 47 SECONDS WEST, A DISTANCE OF 35.24 FEET); THENCE RUN SOUTH 89 DEGREES 59 MINUTES 47 SECONDS WEST, A DISTANCE OF 76.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 76 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 578.84 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 131.03 FEET); THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 155.31 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 684.77 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.

27 26  
34 35

ALABAMA STATE HIGHWAY NO. 181

NORTH LINE OF SEC. 34, T28N, R22E

**R-2 - 19.66 AC.**

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLD FIELD PHASE ONE AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2398-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 180.46 FEET; THENCE RUN SOUTH 20 DEGREES 45 MINUTES 10 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 49 SECONDS EAST, A DISTANCE OF 150.09 FEET; THENCE RUN SOUTH 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 09 DEGREES 38 MINUTES 38 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 40 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 108.50 FEET; THENCE RUN NORTH 88 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 654.82 FEET; THENCE RUN NORTH 88 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 238.43 FEET; THENCE RUN SOUTH 58 DEGREES 45 MINUTES 18 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 28 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, CHORD BEARS SOUTH 05 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.75 FEET; THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 438.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, CHORD BEARS SOUTH 05 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.75 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 88 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 50.00 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 38 SECONDS EAST, A DISTANCE OF 178.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.

**108 AC.±**

**R-6G (PROPOSED)**  
16.35 AC.

**R-2 (EXIST)**  
25.14 AC

**R-4SF (EXIST)**  
21.27 AC

**R-2 (PROPOSED)**  
19.66 AC

**R-1 (EXIST)**  
17.69 AC

**R-3 (EXIST)**  
18.91 AC

**R-6G (PROPOSED)**  
25.74 AC

**R-3 (PROPOSED)**  
36.10 AC

**R-6 (PROPOSED)**  
12.65 AC

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	322.00'	191.79'	98.84'	185.97'	S79°09'17"W
C2	322.00'	141.91'	72.13'	140.77'	S65°00'51"E

**EXHIBIT "B"**  
**PROPOSED R-2**

**OLD FIELD**

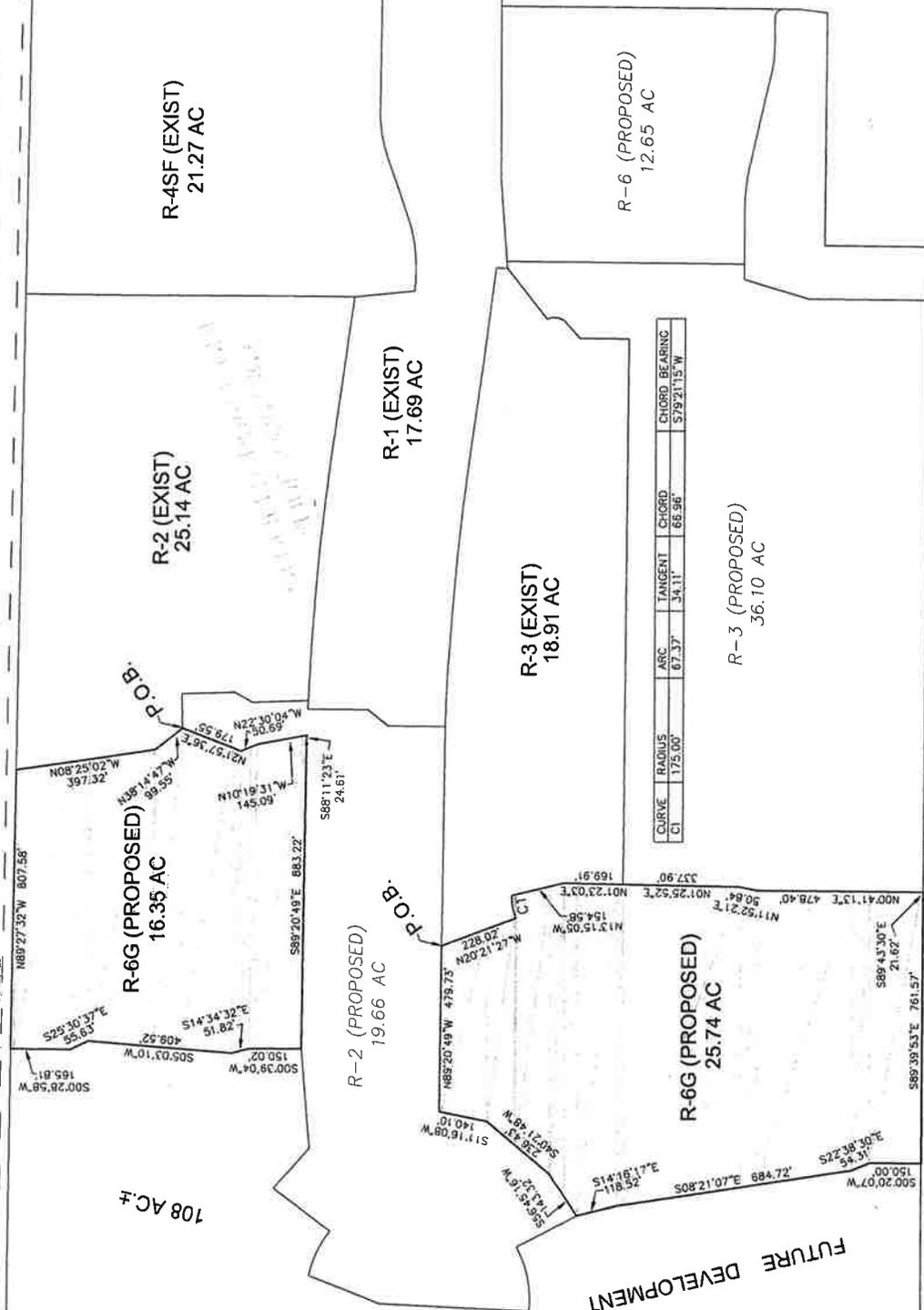
FUTURE DEVELOPMENT





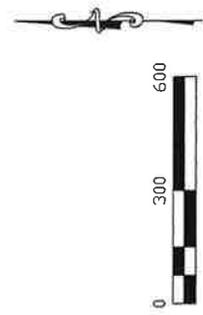
27 26  
34 35

ALABAMA STATE HIGHWAY NO. 181



**R-6G - 16.35 AC.**  
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2329-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 26 DEGREES 14 MINUTES 47 SECONDS WEST, 150.02 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 09 SECONDS WEST, 150.02 FEET; THENCE RUN NORTH 69 DEGREES 27 MINUTES 39 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 408.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 39 SECONDS EAST, A DISTANCE OF 51.62 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 16 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.89 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 176.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

**R-6G - 25.74 AC.**  
 BEGINNING AT THE NORTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2329-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 69 DEGREES 20 MINUTES 49 SECONDS WEST, 150.02 FEET; THENCE RUN SOUTH 11 DEGREES 40 MINUTES 10 SECONDS WEST, 150.02 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 238.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN SOUTH 14 DEGREES 18 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 27 DEGREES 38 MINUTES 30 SECONDS WEST, A DISTANCE OF 84.31 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 00 SECONDS EAST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 88 DEGREES 38 MINUTES 53 SECONDS EAST, A DISTANCE OF 781.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 21.62 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 03 MINUTES 01 SECONDS EAST, A DISTANCE OF 149.81 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.74 ACRES, MORE OR LESS.



**EXHIBIT "B"**  
**PROPOSED R-6G**  
**OLDFIELD**

27 26  
34 35

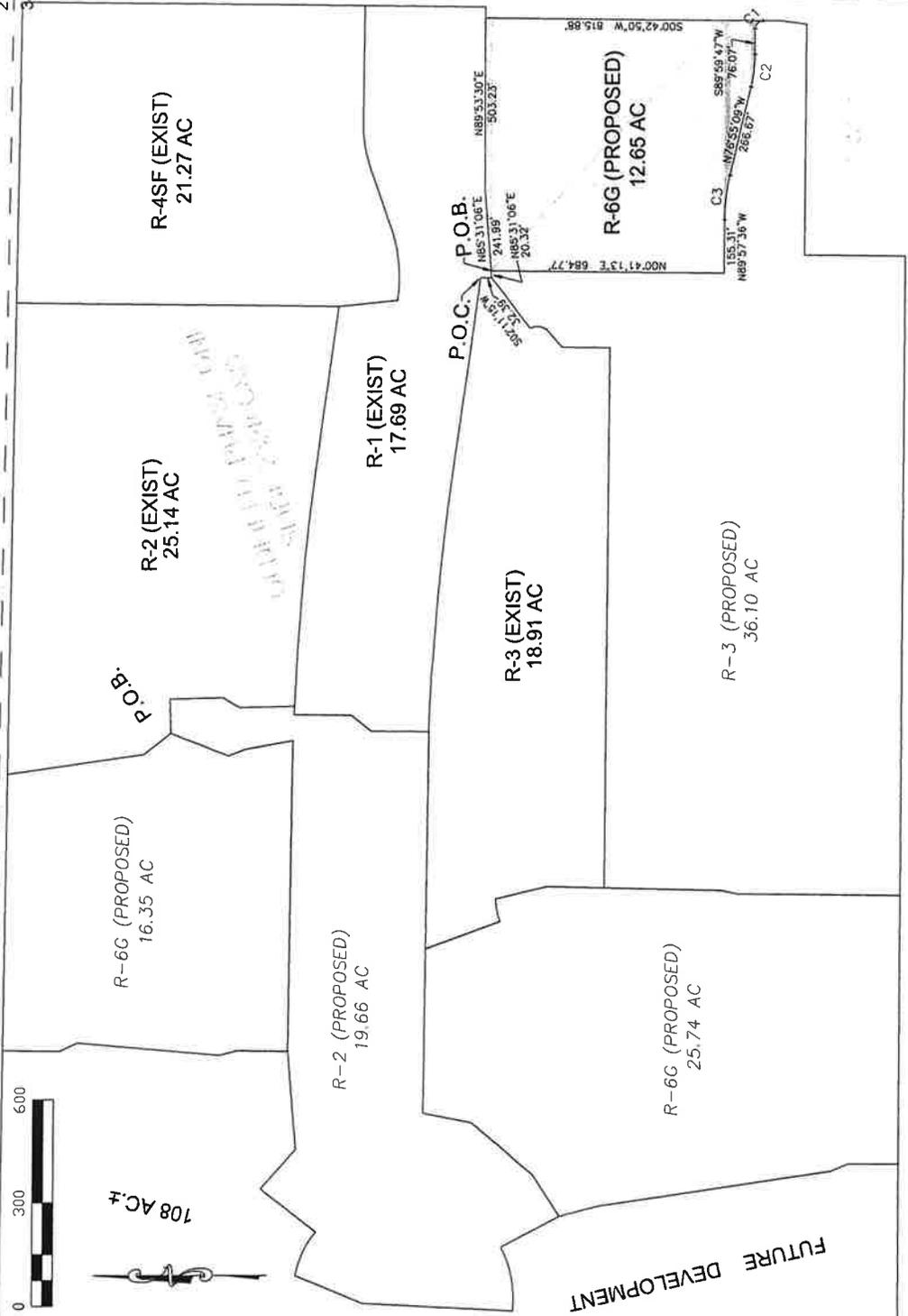
ALABAMA STATE HIGHWAY NO. 181



108 AC.±

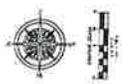
**R-6G - 12.65 AC.**

COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 17' 18" WEST, A DISTANCE OF 32.38 FEET; THENCE SOUTH 82 DEGREES 08' 04" WEST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING. THENCE RUN NORTH 85 DEGREES 31' 00" WEST, A DISTANCE OF 241.99 FEET; THENCE RUN NORTH 89 DEGREES 53' 00" WEST, A DISTANCE OF 503.23 FEET; THENCE RUN SOUTH 00 DEGREES 42' 00" WEST, A DISTANCE OF 25.00 FEET; HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 30.10 FEET, (CHORD BEARS NORTH 45 DEGREES 11' 00" WEST, A DISTANCE OF 35.24 FEET); THENCE RUN SOUTH 80 DEGREES 59' 00" WEST, A DISTANCE OF 79.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 87.00 FEET, (CHORD BEARS NORTH 83 DEGREES 27' 00" WEST, A DISTANCE OF 99.85 FEET); THENCE RUN NORTH 76 DEGREES 55' 00" WEST, A DISTANCE OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27' 00" WEST, A DISTANCE OF 131.31 FEET); THENCE RUN NORTH 89 DEGREES 57' 00" WEST, A DISTANCE OF 155.31 FEET; THENCE RUN NORTH 00 DEGREES 41' 13" WEST, A DISTANCE OF 684.77 FEET; THENCE BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.



CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	25.00'	30.10'	24.83'	35.24'	N45°11'47"W
C2	425.00'	87.00'	48.74'	98.85'	N83°27'41"W
C3	578.84'	131.31'	65.94'	131.03'	N83°27'41"W

**EXHIBIT "B"**  
**PROPOSED R-6G**  
**OLDFIELD**



# OLDFIELD MASTER PLAN

**PREBLERISH LLC**  
CONSULTING ENGINEERS & ARCHITECTS  
10000 W. 100th Street, Suite 100  
Overland Park, KS 66204  
Tel: 913.241.1100  
www.preblerish.com

DECEMBER, 2015

**OPEN SPACE SUMMARY**

Lakes	21.2 AC.
Parks	41.8 AC.
Buffers, etc.	4.8 AC.
Open Space	67.8 AC.

**Proposed Summary**

R-2	86 Units	70.4 AC.
R-3	178 Units	81.0 AC.
R-6	200 Units	81.7 AC.
Phase 2B	50 Units	5.7 AC.
<b>Total</b>	<b>465 Units</b>	<b>218.8 AC.</b>

**MASTERPLAN SUMMARY**

R-1	19 Units	17.7 AC.
R-2	130 Units	95.5 AC.
R-3	216 Units	99.9 AC.
R-4/R-6	250 Units	83.0 AC.
Phase 2B	50 Units	5.7 AC.
<b>Total</b>	<b>616 Units</b>	<b>301.8 AC.</b>

**Phase One Summary**

R-1	19 Units	17.7 AC.
R-2	44 Units	25.1 AC.
R-3	38 Units	18.9 AC.
R-4	50 Units	21.3 AC.
<b>Total</b>	<b>151 Units</b>	<b>83.0 AC.</b>

**110.50 ACRE SUMMARY**

PHASE 2A SUMMARY	PHASE 3A SUMMARY
ACREAGE 18.61 AC.	ACREAGE 17.39 AC.
100'S 30 Units	52'S 51 Units
PHASE 2B SUMMARY	PHASE 3B SUMMARY
ACREAGE 37.09 AC.	ACREAGE 37.41 AC.
52'S 33 Units	52'S 90 Units
80'S 51 Units	80'S 33 Units

NOTE: ADDITIONAL MODIFICATIONS TO THIS MASTER PLAN WILL BE MADE AS DEEMED APPROPRIATE BY THE URBAN PLANNING COMMISSION. THE MASTER PLAN IS A CONCEPTUAL DEVELOPMENT AND IS SUBJECT TO THE COMPREHENSIVE PLAN, ALL APPLICABLE CITY, COUNTY, STATE AND FEDERAL REGULATIONS.

# ADJACENT PROPERTY OWNERS TO OLDFIELD ANNEXATION AND REZONING

Pid	Owner	Address1	City	St	Zip
05-43-08-34-0-000-002.002	A&D CORTE FAMILY LIMITED PARTNERSHIP	23100 ST HWY 181	FAIRHOP	AL	36532
05-43-08-34-0-000-001.065	BAH, MOHAMED A ETAL COSGROVE, CYTHINA M	9595 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.066	BASS, ADAM ETAL BASS, ERIN	5615 WOODRIDGE ST	HUNTSVIL	AL	35802
05-43-08-34-0-000-001.104	BASSETT, MELISSA G ETAL GINGRAS, RICHA	23971 WEATHERBEE PK	DAPHNE	AL	36526
05-43-08-34-0-000-001.001	BIERSTER, THOMAS J ETAL BIERSTER, JULIA	23325 ST HWY 181	DAPHNE	AL	36526
05-43-08-34-0-000-001.146	BOWMAN, MARCUS R ETAL BOWMAN, HEATHER H	9609 CAMBERWELL DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.145	BURNS, ANTHONY ETAL BURNS, AMANDA R	9540 CUMBRIA DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.068	CORCORAN, M SUE ETAL CORCORAN, MATTHEW	9547 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.102	DUNBAR, JODI LYNNE	9547 CUMBRIA DR	DAPHNE	AL	36526
05-43-07-35-0-000-002.031	HEARTHSTONE MULTI-ASSET ENTITY D L P	24151 VENTURA BLVD	DAPHNE	AL	36526
05-43-08-27-0-000-003.000	JULIO CORTE FARM LIMITED PARTNERSHIP	24311 CO RD 27	CALABAS	CA	91302
05-43-08-34-0-000-001.067	LEE, MARJORIE M	9563 COBHAM PARK DR	DAPHNE	AL	36526
05-43-07-35-0-000-004.000	MANCI, JOSEPHA ETUX BARBARA SAWYER	307 BELROSE AVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.173	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.002	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.174	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.011	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.005	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.003	OLDFIELD PROPERTY OWNERS ASSOCIATION INC	25366 PROFIT DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.069	OWEN, AMY B	9531 COBHAM PARK DRIVE	DAPHNE	AL	36526
05-43-08-34-0-000-001.004	RED BARN L L C	24311 ST HWY 181	DAPHNE	AL	36526
05-43-08-34-0-000-002.000	RED BARN L L C	24311 ST HWY 181	DAPHNE	AL	36526
05-43-08-34-0-000-001.000	RED BARN L L C	24311 ST HWY 181	DAPHNE	AL	36526
05-43-08-34-0-000-001.070	ROGERS, CHERYL LYNNE ETAL ROGERS, RON L	9515 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.164	ROGERS, ROBERT E ETAL ROGERS, MICHELLE L	9604 CAMBERWELL DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.072	SMITH, SCOTT A ETAL SMITH, MARTHA L	9489 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.106	STOUGH, JAMES E	23911 WEATHERBEE PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.103	TOTH, KIRK	23959 WEATHERBEE PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.071	TOULSON, TRAVIS ETAL TOULSON, SARAH	9501 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.073	VARDAMAN, ROBERT M ETAL VARDAMAN, LINDA	9508 COBHAM PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.120	VIERRA, GERALD ANTHONY ETAL VIERRA, SHER	29377 OAKSTONE DR W	DAPHNE	AL	36526
05-43-08-34-0-000-001.105	WALDING, KYLE W	23981 WEATHERBEE PARK DR	DAPHNE	AL	36526
05-43-08-34-0-000-001.155	WHITE, DANIEL ENOS ETAL WHITE, CATHERINE	9920 CAMBERWELL DRIVE	DAPHNE	AL	36526

DANE HAYGOOD  
MAYOR



ADRIENNE D. JONES  
COMMUNITY DEVELOPMENT  
DIRECTOR/ZONING ADMINISTRATOR

CITY COUNCIL  
TOMMIE CONAWAY  
DISTRICT 1  
PAT RUDICELL  
DISTRICT 2  
JOHN L. LAKE  
DISTRICT 3  
RANDY FRY  
DISTRICT 4  
RON SCOTT  
DISTRICT 5  
ROBIN LEJEUNE  
DISTRICT 6  
JOE DAVIS, III  
DISTRICT 7

December 4, 2015

#### NOTICE OF PUBLIC HEARING

A petition for PRE-ZONING will be considered by the Daphne Planning Commission for Red Barn, L.L.C. containing 110.5 acres +/- located on the west side of Alabama Highway 181, one point six miles north of Alabama Highway 104, west of Oldfield Subdivision to be rezoned from RA, Rural Agricultural, Baldwin County District 15, to an R-2, Medium Density Single Family, R-3 High Density Single Family Residential, and R-6 (G), Garden/Patio Homes upon annexation into the corporate limits of the City of Daphne.

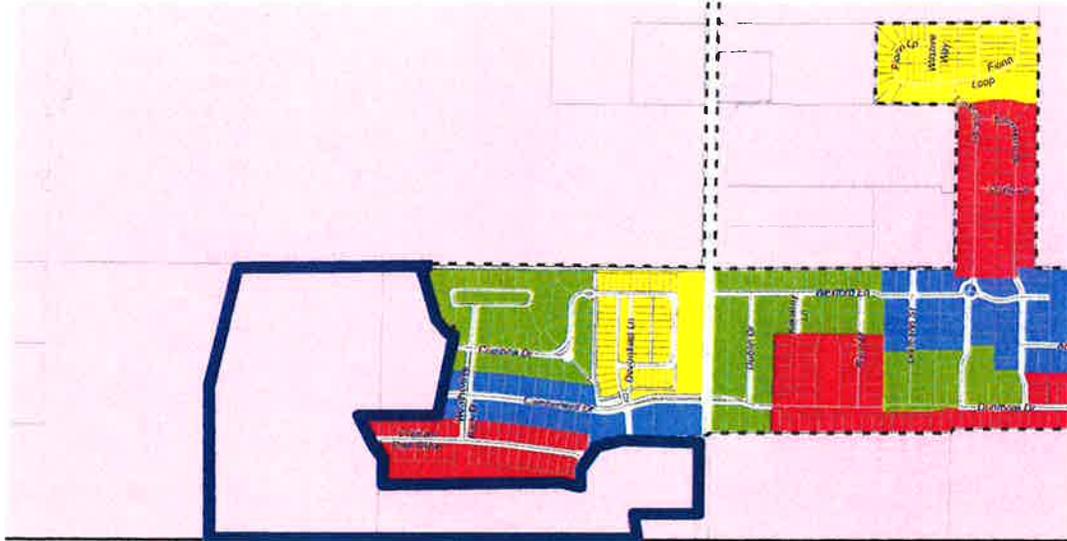
Said petition will also be considered by the Daphne City Council pursuant to Alabama Code 11-52-85. The application is available for review at City Hall in the Department of Community Development, 1705 Main Street, during regular business hours. An informal site preview meeting will be held on Wednesday, December 9, 2015 at 8:30 a.m. in the Council Chambers of City Hall. The public is invited to attend: limited participation may be allowed by the chairman.

The public hearing will be held by the Daphne Planning Commission on Thursday, December 17, 2015 at 5:00 p.m. in the Council Chambers of City Hall. You may submit your views in writing, in person, by fax or by representation.

Sincerely,  
Adrienne D. Jones  
Director of Community Development

Red Barn, L.L.C. Pre-Zoning Amendment

PLANNING COMMISSION  
PRE-ZONING REVIEW  
RED BARN, LLC



## **COMMUNITY DEVELOPMENT**

### **Rezoning Request Alabama State Road 181-Old Field Subdivision (Red Barn, LLC) 110.5 acres**

**Owner:** Red Barn, LLC

**Existing Conditions:** 110.5 acres of undeveloped land

**Existing Zoning:** RA, Rural Agricultural, Baldwin County District 15

**Proposed Zoning:** R-2, Medium Density Single Family, R-3 High Density Single Family Residential, and R-6(G), Garden/Patio Homes

**Surrounding Zonings:**

North - RA, Rural Agricultural, Baldwin County District 15

South - RA, Rural Agricultural, Baldwin County District 15

West - RA, Rural Agricultural, Baldwin County District 15

East - (Oldfield Subdivision) R-2, Medium Density Single Family, R-1, Low Density Single Family Residential and R-3 High Density Single Family Residential

**Existing Utility Service Providers:**

Water – Belforest Water

Sewer – Baldwin County Sewer

Gas – Fairhope Gas

Electric - Riviera Utilities

**Affected City Service Providers:**

Fire Protection— Station 3

Police Protection—Police Beat 1

Public Works

Baldwin County Schools—n/a

**From the 2000-2020 Comprehensive Plan** (adopted on June 26, 2003):

The Comprehensive Plan does not address land in this area. The Comprehensive Plan is in dire need for amendments.

**Related applications on December 2015 Planning Commission Agenda:**

Oldfield Master Plan Revision for 218.8 acres and Annexation Request by Red Barn, LLC. for 110.5 acres

**Staff Recommendations:**

Staff strongly recommends a revision to the **master plan to prior to December 17<sup>th</sup> regular meeting**. This recommendation is an effort to avoid confusion regarding any commitment on the City's behalf to speculatively zone the property as local business in the future. When the applicant has devised plans for commercial use, then a proposed master plan revision can be presented prior to submitting request to prezone the land and annex the property into the city, as is the case with this application for zoning.

Planning Commission approval of the zoning request and the master plan as submitted would imply that commercial zoning is appropriate and that a future request for B-1 zoning would be approved.

Zoning proposals must be consistent with the site Master Plan. Staff's favorable recommendation for zoning is contingent upon modifications to the master plan prior to December 17<sup>th</sup> regular meeting.

**Recommendation regarding R-2 zoning: favorable.**

**Recommendation regarding R-3 zoning: favorable.**

**Recommendation regarding R-6(G) zoning: favorable.**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

**Ordinance to Pre-Zone Property Located  
South and West of Oldfield Subdivision, Phase One  
Red Barn, L.L.C.**

**WHEREAS**, Red Barn, L.L.C. as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RA, Rural Agricultural District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6, (G), Garden/Patio Homes, District, City of Daphne prior to annexing into the City of Daphne; and

**WHEREAS**, said real property is South and West of Oldfield Subdivision, Phase One, and more particularly described as follows:

**Legal Description for Pre-zone:**

R-2  
19.66 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 29 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 87 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 54 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 29 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS SOUTH 79 DEGREES 09 MINUTES 17 SECONDS WEST, A DISTANCE OF 188.97 FEET); THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 436.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS SOUTH 65 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.77 FEET); THENCE RUN NORTH 37 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 203.37 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61

FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.

R-3  
36.10 AC.

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 68.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.46 FEET); THENCE RUN NORTH 52 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 684.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 16 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 197.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 1709.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

R-6G  
16.35 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

**WHEREAS**, at the regular Planning Commission meeting on December 17, 2015, the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of a pre-zoning amendment of the subject property for Red Barn, L.L. C. as R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6 (G), Garden/Patio Homes; and,

**WHEREAS**, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on February 1, 2016; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, as follows:

#### **SECTION I: ZONING**

That above described real property is hereby pre-zoned to R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6 (G),

Garden/Patio Homes, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RA, Rural Agricultural District, Baldwin County District 15.

#### **SECTION II: REPEALER.**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

#### **SECTION III: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION IV: EFFECTIVE AND EXPIRATION DATE.**

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

# EXHIBIT "A"

R-2  
19.66 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 29 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 87 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 54 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 29 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS SOUTH 79 DEGREES 09 MINUTES 17 SECONDS WEST, A DISTANCE OF 188.97 FEET); THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 436.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS SOUTH 65 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.77 FEET); THENCE RUN NORTH 37 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 203.37 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.



# EXHIBIT "A"

R-3

36.10 AC.

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 68.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.46 FEET); THENCE RUN NORTH 52 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 684.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 16 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 197.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 1709.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

27 26  
34 35

ALABAMA STATE HIGHWAY NO. 181

SECTION 10 OF SEC. 14, T15S, R1E



**R-3 - 36.10 AC**

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLD FIELD PHASE ONE, AS SHOWN ON THE PLAT OF SAID COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 59 SECONDS EAST, A DISTANCE OF 1576.79 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 48 SECONDS EAST, A DISTANCE OF 141.00 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 44.99 FEET; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.99 FEET (CHORD BEARS NORTH 101 DEGREES 13 MINUTES 52 SECONDS EAST, A DISTANCE OF 50.40 FEET); THENCE RUN NORTH 82 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 86 DEGREES 31 MINUTES 09 SECONDS EAST, A DISTANCE OF 28.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 1700.97 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 18 DEGREES 52 MINUTES 43 SECONDS WEST, A DISTANCE OF 107.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 343.04 FEET; THENCE RUN NORTH 89 DEGREES 41 MINUTES 30 SECONDS WEST, A DISTANCE OF 1700.97 FEET; THENCE RUN EAST, A DISTANCE OF 478.40 FEET; THENCE RUN EAST 50.84 FEET, THENCE RUN NORTH 01 DEGREES 21 MINUTES 13 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 21 MINUTES 13 SECONDS EAST, A DISTANCE OF 337.00 FEET, TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

108 AC.±

R-6G (PROPOSED)  
16.35 AC

P.O.B.

R-2 (EXIST)  
25.14 AC

R-4SF (EXIST)  
21.27 AC

R-2 (PROPOSED)  
19.66 AC

R-1 (EXIST)  
17.69 AC

R-3 (EXIST)  
18.91 AC

FUTURE DEVELOPMENT

P.O.B.

R-6G (PROPOSED)  
25.74 AC

R-3 (PROPOSED)  
36.10 AC

R-6 (PROPOSED)  
12.65 AC

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	50.00'	52.99'	29.22'	50.40'	N02°14'12"E

**EXHIBIT "B"**

**PROPOSED R-3**

**OLD FIELD**

# EXHIBIT "A"

R-6G

## 16.35 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

## R-6G (CONT.)

### 25.74 AC

BEGINNING AT THE NORTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 21.62 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.74 ACRES, MORE OR LESS.

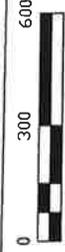
## R-6G (CONT.)

12.65 AC

COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 11 MINUTES 15 SECONDS WEST, A DISTANCE OF 32.39 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 241.99 FEET; THENCE RUN NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 00 DEGREES 42 MINUTES 50 SECONDS WEST, A DISTANCE OF 815.88 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.10 FEET, (CHORD BEARS NORTH 45 DEGREES 11 MINUTES 47 SECONDS WEST, A DISTANCE OF 35.24 FEET); THENCE RUN SOUTH 89 DEGREES 59 MINUTES 47 SECONDS WEST, A DISTANCE OF 76.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 76 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 578.84 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 131.03 FEET); THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 155.31 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 684.77 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.



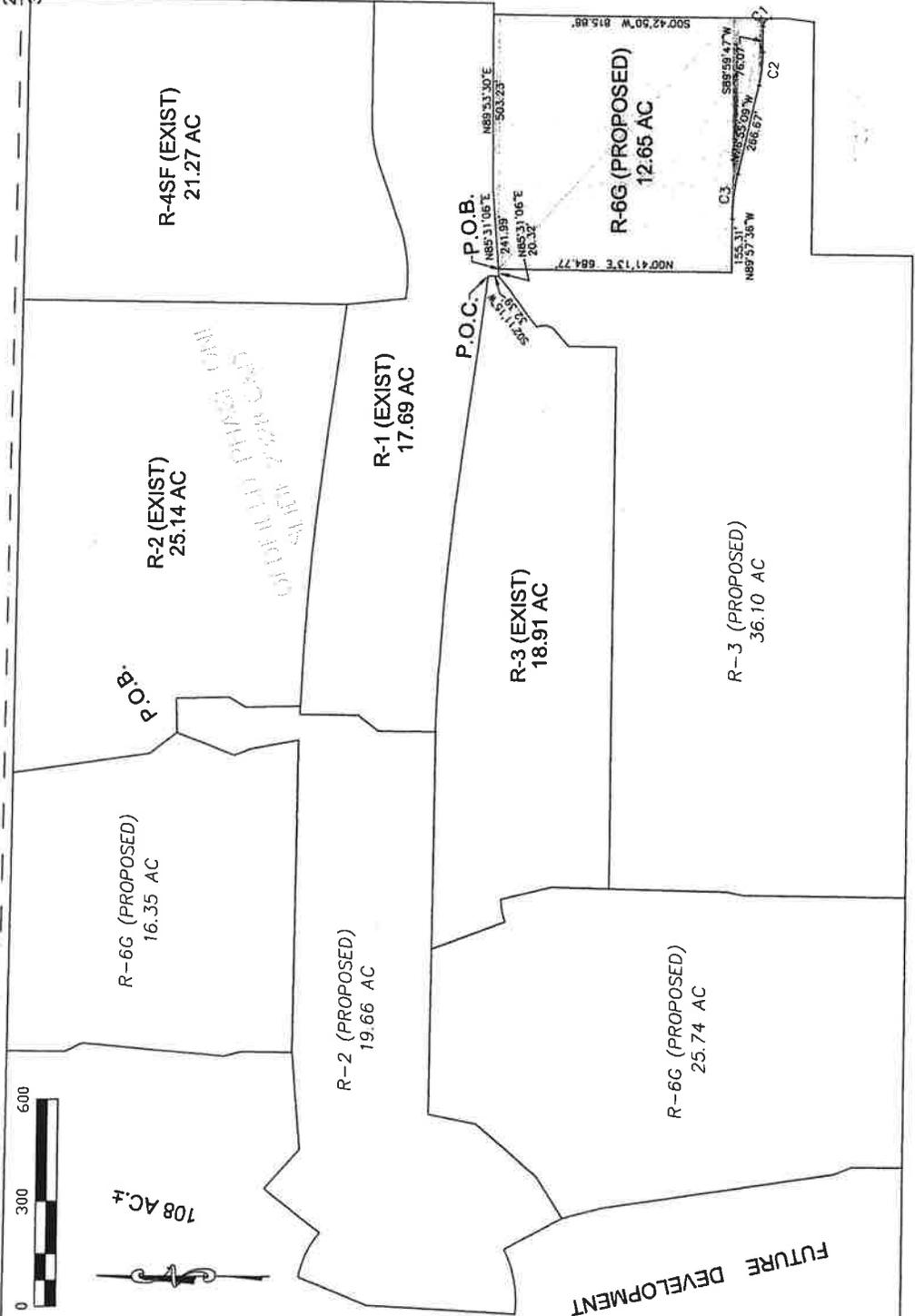


108 AC.±



**R-6G - 12.65 AC.**

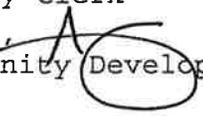
COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2329-C AND D, BALDWIN PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 18 MINUTES 18 SECONDS WEST A DISTANCE OF 32.39 FEET; THENCE RUN NORTH 88 DEGREES 00 SECONDS EAST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING.  
 THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 241.90 FEET; THENCE RUN NORTH 88 DEGREES 03 MINUTES 30 SECONDS EAST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 815.85 FEET; THENCE RUN SOUTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 39.10 FEET TO THE POINT OF BEGINNING.  
 HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.10 FEET, (CHORD BEARS NORTH 46 DEGREES 11 MINUTES 47 SECONDS WEST, A DISTANCE OF 35.24 FEET); THENCE RUN SOUTH 88 DEGREES 00 MINUTES 47 SECONDS WEST, A DISTANCE OF 76.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 426.00 FEET, AN ARC LENGTH OF 17.00 FEET, (CHORD BEARS NORTH 83 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 98.98 FEET; THENCE RUN NORTH 83 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 296.87 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 578.84 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 131.03 FEET); THENCE RUN NORTH 00 DEGREES 00 MINUTES 00 SECONDS WEST, A DISTANCE OF 165.31 FEET; THENCE RUN SOUTH 88 DEGREES 00 MINUTES 13 SECONDS EAST, A DISTANCE OF 684.77 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.



**EXHIBIT "B"**  
**PROPOSED R-6G**

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	25.00'	39.10'	24.83'	35.24'	N45°11'47"W
C2	426.00'	17.00'	97.06'	96.65'	N83°27'41"W
C3	578.84'	131.31'	65.94'	131.03'	N83°27'41"W

**OLDFIELD**

To: Office of the City Clerk  
From: Adrienne D. Jones,   
Director of Community Development  
Subject: Red Barn, L.L.C.  
Petition for Annexation  
Date: December 29, 2015

## MEMORANDUM

**PRESENT ZONING:** RA, Rural Agricultural, Baldwin County District 15, in the extraterritorial planning jurisdiction of Daphne

**PROPOSED PRE-ZONING:** R-2, Medium Density Single Family Residential, R-3, High Density Single Family Residential, and R-6 (G), Garden/Patio Homes

**LOCATION:** South and west of Oldfield Subdivision, Phase One

**RECOMMENDATION:** At the Thursday, December 17, 2015, regular meeting of the Daphne Planning Commission, seven members were present. The motion carried for an **unanimous favorable recommendation** to the City Council of the annexation of the subject property for Red Barn, L.L.C.

Attached please find the appropriate documentation and action of the Daphne Planning Commission.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda to set a public hearing.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Petition for Annexation
2. Legal Description
3. Boundary Survey
4. Revised Master Plan
5. Community Development Report

**PETITION FOR ANNEXATION OF CERTAIN PROPERTY  
INTO THE CORPORATE LIMITS OF THE MUNICIPALITY  
OF THE CITY OF DAPHNE, ALABAMA**

( \_\_\_\_\_ )

The undersigned corporation, RED BARN LLC, files this petition with the Clerk of the City of Daphne requesting the property hereafter described, commonly referred to as, OLDFIELD, to be annexed into the City of Daphne, a municipal corporation incorporated under the laws of the State of Alabama, and submits the following in support of the petition:

1. **Description of Property:** The description of the property which the petitioner requests to be annexed into the City of Daphne is described in **Exhibit "A"** attached hereto and made a part of this petition as fully set out herein (**the "Property"**).

2. **Map of Property:** Attached hereto as **Exhibit "B"** and made a part of this petition, is a map of the property showing its relationship to the corporate limits of the municipality of the City of Daphne.

3. **Owner:** The petitioner, RED BARN LLC, is the owner of the property hereby sought to be annexed into the corporate limits of the City of Daphne.

4. **Specific Conditions:** This petition is conditioned upon the adoption of an ordinance, which shall include specifically the conditions requested below upon annexing the said property into the corporate limits of the City of Daphne.

*Requested zoning, if other than R-1:* R-2, R-3, & RGG

*Any other conditions which may apply upon annexation:* \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5. Code: This Petition is filed pursuant to the provisions of Article 21, Chapter 42, Title 11, Code of Alabama, 1975, as amended.

DATED this 17 day of November, 2015

Respectfully submitted,

RED BARN LLC  
Name of Corporation

By: Julio Cortez, Jr.  
Its: \_\_\_\_\_

STATE OF ALABAMA  
COUNTY OF BALDWIN

I, Amber B. Long, the undersigned Notary Public in and for said county and state, hereby certify that Julio Cortez, Jr. whose name as owner of Red Barn LLC, an Alabama corporation, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, he/she as such officer and with full authority, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 17<sup>th</sup> day of November, 2015.

Amber B. Long  
NOTARY PUBLIC

My commission expires: 1/21/18

Corporation's Address

24311 STATE HWY. 181

DAPHNE, AL 36526

**ADDITIONAL INFORMATION**

We, the undersigned, constituting all of the owners of the described real property do hereby execute and file this written petition asking and requesting that our property be annexed into the corporate limits of the City of Daphne, Alabama, under the authority of Section 11-42-20 through 11-42-24, Code of Alabama 1975. Initials: J.C. Jr.

We further certify that said property is contiguous to the city limits of Daphne, Alabama. A map and written legal description of said property is hereto attached. Initials: J.C. Jr.

We certify that the property is a single or multiple parcels under single or multiple ownership. Circle appropriate response:

Initials: J.C. Jr.

We certify that we fully understand that upon annexation, the subject property shall be subject to all laws and codes administered by the City of Daphne, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Daphne.

Initials: J.C. Jr.

**SELECT ONE OF THE FOLLOWING OPTIONS**

Option# 1: We do hereby request pre-zoning of the subject property to the following zoning classification(s): R-2, R-3, R6G, and certify that a petition for rezoning, associated fees and documents have been submitted prior to or concurrently with this petition. Initials: J.C. Jr.

Or

Option# 2: We do hereby certify that we understand fully that upon annexation the subject property will be zoned R-1, Low Density Single Family Residential.

Initials: \_\_\_\_\_

We do hereby request that the Planning Commission and City Council give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Daphne, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this, the 17 day of November, 2015.

Legal Description Attached (Exhibit A)? YES Map or Survey Attached (Exhibit B)? YES  
Recorded Subdivision Plat OR Preliminary/Final Subdivision plat approved by Planning Commission Attached (Exhibit C)? no Acreage \_\_\_\_\_  
Subdivision Name \_\_\_\_\_ Lot Number(s) \_\_\_\_\_

**Names and Signature of ALL property owners OR principle of corporation's designee:**

Signature: Julio Cortez, Jr. Signature: \_\_\_\_\_

Printed Name: Julio Cortez, Jr. Printed Name: \_\_\_\_\_

Mailing Address: 24001 A St Hwy 181 Mailing Address: \_\_\_\_\_  
Daphne, AL, 36526

# EXHIBIT "A"

## OLDFIELD ANNEXATION

110.50 ACRES

BEGINNING AT THE NORTHWEST CORNER OF OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2328-C AND D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 04 SECONDS WEST, A DISTANCE OF 154.05 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS NORTH 79 DEGREES 09 MINUTES 17 SECONDS EAST, A DISTANCE OF 188.97 FEET); THENCE RUN SOUTH 27 DEGREES 11 MINUTES 29 SECONDS EAST, A DISTANCE OF 193.23 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 1731.60 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 16 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 197.60 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2081.95 FEET, AN ARC LENGTH OF 25.19 FEET, (CHORD BEARS SOUTH 89 DEGREES 39 MINUTES 26 SECONDS EAST, A DISTANCE OF 25.19 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 47 SECONDS EAST, A DISTANCE OF 175.01 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 131.03 FEET); THENCE RUN SOUTH 76 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT,

HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 56 SECONDS EAST, A DISTANCE OF 76.35 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.57 FEET, (CHORD BEARS SOUTH 44 DEGREES 39 MINUTES 17 SECONDS EAST, A DISTANCE OF 35.57 FEET) TO A POINT ON THE WEST MARGIN OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00 DEGREES 41 MINUTES 40 SECONDS EAST, ALONG SAID WEST MARGIN, A DISTANCE OF 816.36 FEET TO A POINT ON THE SOUTH MARGIN OF THE AFOREMENTIONED OLDFIELD PHASE ONE; THENCE RUN ALONG THE SOUTH, WEST AND EAST MARGINS OF SAID OLDFIELD PHASE ONE, THE FOLLOWING DESCRIBED COURSES:

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21.26  
21.34

Map No. 21.34, A, 12-15

20.27  
20.34



# OLDFIELD MASTER PLAN

PREBLER-RISH LLC  
CONSULTING ENGINEERS & ARCHITECTS  
1987 Main Street, Suite 200  
Baltimore, MD 21201  
DECEMBER, 2015

<b>PHASE 2A SUMMARY</b>	<b>PHASE 3A SUMMARY</b>
ACREAGE 18.61 AC.	ACREAGE 17.39 AC.
100'S 30 Units	52'S 51 Units
	80'S 2 Units
<b>PHASE 2B SUMMARY</b>	<b>PHASE 3B SUMMARY</b>
ACREAGE 17.39 AC.	ACREAGE 37.41 AC.
52'S 33 Units	52'S 90 Units
80'S 51 Units	80'S 33 Units

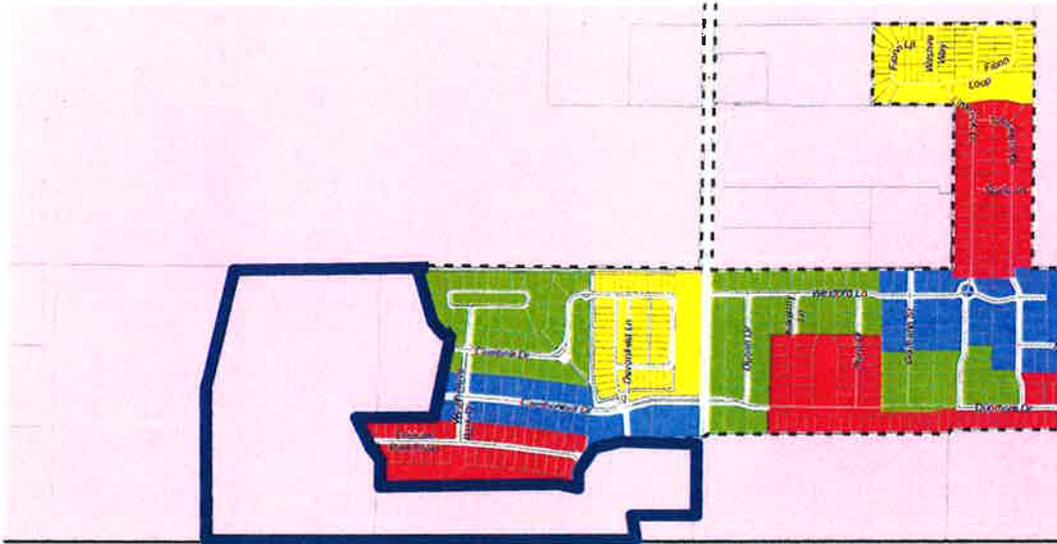
<b>Phase One Summary</b>	<b>Phase Two Summary</b>
R-1 19 Units 17.7 AC.	R-1 19 Units 17.7 AC.
R-2 44 Units 25.1 AC.	R-2 44 Units 25.1 AC.
R-3 38 Units 18.9 AC.	R-3 38 Units 18.9 AC.
R-4 50 Units 21.3 AC.	R-4 50 Units 21.3 AC.
<b>Total 151 Units 83.0 AC.</b>	

<b>MASTERPLAN SUMMARY</b>	<b>Proposed Summary</b>
R-1 19 Units 17.7 AC.	R-2 86 Units 70.4 AC.
R-2 130 Units 95.5 AC.	R-3 178 Units 81.0 AC.
R-3 216 Units 99.9 AC.	R-6 200 Units 61.7 AC.
R-4/R-6 250 Units 83.0 AC.	Future Business 5.7 AC.
<b>Total 616 Units 301.8 AC.</b>	<b>Total 465 Units 218.8 AC.</b>

<b>OPEN SPACE SUMMARY</b>
Lakes 21.2 AC.
Parks 41.8 AC.
Buffers, etc 4.8 AC.
<b>Open Space 67.8 AC.</b>

NOTE: ADDITIONAL MODIFICATIONS TO THIS MASTER PLAN WILL BE MADE AS DEEMED APPROPRIATE BY THE ENGINEER. THE MASTER PLAN IS A CONCEPTUAL DRAWING WHICH ILLUSTRATES POTENTIAL DEVELOPMENT. THE MASTER PLAN IS SUBJECT TO THE COMPREHENSIVE PLAN, ALL APPLICABLE CITY, COUNTY, STATE, AND FEDERAL REGULATIONS.

PLANNING COMMISSION  
ANNEXATION REVIEW  
RED BARN, LLC



**COMMUNITY DEVELOPMENT  
ANNEXATION REQUEST**

**Annexation of Red Barn, LLC, Properties  
110.5 acres  
Highway 181, South & West of Oldfield Subdivision**

**EXCERPT FROM ARTICLE 23-1 PROCEDURE [FOR ANNEXATION REQUESTS]**

The application shall be reviewed by the Planning Commission at its next regular meeting and said Commission shall have thirty (30) calendar days from said regular meeting within which to submit a recommendation to the City Council. If the Commission fails to submit a recommendation to the City Council within the thirty (30) calendar day period, it shall be deemed to have approved the proposed amendment...Before enacting any amendment to this Ordinance, a public hearing thereon shall be held by the City Council with proper notice as required by law. Said public hearing shall be held at the earliest possible time to consider the proposed annexation, and the Council shall take action on said proposed annexation within forty-five (45) calendar days from the date of the public hearing except in the case where the tentative action is not in accordance with the Planning Commission's certified recommendation.

**23-2 PROCEDURE FOR ZONING NEWLY ANNEXED LAND**

Any land annexed to the City of Daphne hereafter shall be classified as an R-1, Low Density Single Family Residential District unless otherwise recommended by the Planning Commission through the zoning amendment procedure provided in *Article 22-1, Zoning Amendment Procedures*. In such case, City Council may consider, after due process of publication and hearing as required by law, specific applications to zone newly annexed land into one or more existing or proposed new zoning classifications recommended by the Planning Commission.

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**REQUEST**

The applicant has submitted a petition to annex 110.5 acres of land into the corporate limits of Daphne. Additionally, the applicant has requested to pre-zone (see Code 11-52-85 attached) the site which is currently RA, Rural Agricultural, Baldwin County District 15 to R-2, Medium Density Single Family, R-3 High Density Single Family Residential, and R-6(G), Garden/Patio Homes.

**RECOMMENDATION**

The Comprehensive Plan encourages expansion and annexation of land contiguous to the existing corporate limits. Red Barn, LLC owns 218.8 acres of land and proposes to annex 110.5 acres. The remaining 108.3 acres owned by Red Barn, LLC is not included and is not being considered for annexation. Staff recommends annexing the subject property and requesting that Council engage in discussions with the property owner regarding the viability and timing of future annexation of their land along County Road 13).

# Code of Alabama Section 11-52-85

## PRE-ZONING TERRITORY PROPOSED FOR ANNEXATION

Section 11-52-85 of the Code of Alabama allows “pre-zoning of property.” In this case, both requests have been submitted concurrently and are moving on the same path. The Planning Commission will make a recommendation to Council for zoning and also make a recommendation for annexation.

### Code of Alabama Section 11-52-85

**Pre-zoning of territory proposed for annexation by municipality. (*Highlights by staff*)**

(a) A municipality which exercises its authority to zone territory within its corporate limits may pre-zone territory proposed for annexation into the corporate limits of the municipality prior to the effective date of the annexation by complying with this article. If all the requirements, including all notice and public hearing requirements, of this article are met, **the zoning shall become effective upon the date the territory is annexed into the corporate limits, or upon the date the zoning process is completed, whichever is later.**

(b) A municipality which exercises its authority to zone territory within its corporate limits shall pre-zone territory as provided in subsection (a) and issue a statement of zoning classification to an affected property owner if the individual property owner residing in the area to be annexed requests in writing that a zoning determination be made pursuant to this section prior to being annexed.

(c) Any pre-zoning established by a municipality pursuant to this section for territory proposed for annexation shall be null and void as to any portion of the territory that is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law.

(d) Nothing contained in this section shall allow a municipality to zone territory outside the corporate limits of the municipality that is not in the process of being annexed into the corporate limits of a municipality as provided by law.

(e) Section 6-5-127 shall be applicable to any property pre-zoned pursuant to this section.

*(Act 2009-629, p. 1926, §1.)*

**CITY OF DAPHNE, ALABAMA  
ORDINANCE 2016-**

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

**South and West of Oldfield Subdivision, Phase One  
Red Barn, L.L.C.**

**WHEREAS**, on the 17<sup>th</sup> day of November, 2015, 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 February 1, 2016 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 December 17, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

**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: 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 THE NORTHWEST CORNER OF OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2328-C AND D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04

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**SECTION THREE: 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 FOUR: 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

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**Dane Haygood,**  
**Mayor**

**ATTEST:**

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**Rebecca A. Hayes,**  
**City Clerk**

# EXHIBIT "A"

## OLDFIELD ANNEXATION

110.50 ACRES

BEGINNING AT THE NORTHWEST CORNER OF OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2328-C AND D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 04 SECONDS WEST, A DISTANCE OF 154.05 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS NORTH 79 DEGREES 09 MINUTES 17 SECONDS EAST, A DISTANCE OF 188.97 FEET); THENCE RUN SOUTH 27 DEGREES 11 MINUTES 29 SECONDS EAST, A DISTANCE OF 193.23 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 1731.60 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 16 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 197.60 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2081.95 FEET, AN ARC LENGTH OF 25.19 FEET, (CHORD BEARS SOUTH 89 DEGREES 39 MINUTES 26 SECONDS EAST, A DISTANCE OF 25.19 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 47 SECONDS EAST, A DISTANCE OF 175.01 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 131.03 FEET); THENCE RUN SOUTH 76 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT,

HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 56 SECONDS EAST, A DISTANCE OF 76.35 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.57 FEET, (CHORD BEARS SOUTH 44 DEGREES 39 MINUTES 17 SECONDS EAST, A DISTANCE OF 35.57 FEET) TO A POINT ON THE WEST MARGIN OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00 DEGREES 41 MINUTES 40 SECONDS EAST, ALONG SAID WEST MARGIN, A DISTANCE OF 816.36 FEET TO A POINT ON THE SOUTH MARGIN OF THE AFOREMENTIONED OLDFIELD PHASE ONE; THENCE RUN ALONG THE SOUTH, WEST AND EAST MARGINS OF SAID OLDFIELD PHASE ONE, THE FOLLOWING DESCRIBED COURSES:

THENCE RUN SOUTH 89 DEGREES 53 MINUTES 30 SECONDS WEST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 85 DEGREES 31 MINUTES 06 SECONDS WEST, A DISTANCE OF 262.31 FEET; THENCE RUN SOUTH 52 DEGREES 12 MINUTES 45 SECONDS WEST, A DISTANCE OF 185.14 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS SOUTH 05 DEGREES 14 MINUTES 12 SECONDS WEST, A DISTANCE OF 50.46 FEET); THENCE RUN SOUTH 48 DEGREES 24 MINUTES 59 SECONDS WEST, A DISTANCE OF 68.81 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 46 SECONDS WEST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 58 SECONDS WEST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 38 DEGREES 38 MINUTES 09 SECONDS EAST, A DISTANCE OF 74.94 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 54 SECONDS EAST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 87 DEGREES 15 MINUTES 05 SECONDS EAST, A DISTANCE OF 24.80 FEET; THENCE RUN NORTH 01 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 29 DEGREES 45 MINUTES 31 SECONDS EAST, A DISTANCE OF 58.39 FEET; THENCE RUN NORTH 01 DEGREES 21 MINUTES 22 SECONDS WEST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 88 DEGREES 22 MINUTES 28 SECONDS WEST, A DISTANCE OF 100.04 FEET; THENCE RUN NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.64 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 110.50 ACRES, MORE OR LESS, AND LIES IN THE NORTH HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



## Public Safety Committee

*Tuesday, January 20, 2016*

Councilman Pat Rudicell  
Councilman Randy Fry  
Councilman Robin LeJeune  
Councilman Ron Scott  
Fire Chief James White  
Public Works Director, Richard Johnson

Police Chief David Carpenter  
Captain Scott Taylor  
Tracy Bishop - Secretary  
Councilwoman Tommie Conaway  
Councilman John Lake  
Councilwoman Angela Phillips

### **Committee Members Attending:**

Councilman Pat Rudicell, Councilman Robin LeJeune, Councilwoman Tommie Conaway, Councilman Randy Fry, Councilman John Lake, Councilwoman Angela Phillips, Chief David Carpenter, Lt. Brian Gulsby, Chief James White, Kenny Hanak, Code Enforcement Officer Matt Creel, Public Works Director Richard Johnson

### **CALL TO ORDER**

Councilwoman Conaway **convened** the meeting at 4:30 p.m.

### **PUBLIC PARTICIPATION – None**

### **APPROVAL OF MINUTES FROM PREVIOUS MEETING**

Minutes from December 2015 were adopted. Motion was made and passed.

### **POLICE DEPARTMENT**

- A. New Business** – Chief went over the stats. Chief advised that Lt. Kenny Hempfleng is in Quantico, Virginia attending the FBI National Academy for 10 weeks. He is busy getting acclimated and will be home soon. Chief stated that the new Code Enforcement Officer is doing well. The Tahoes will be in late March or early April. The mayor is looking to outsource the equipment installation. We'd rather the city garage do the installations. Hurricane Electronics gave us a price of \$1,570 per vehicle to outfit versus the city garage installing the equipment for \$900-\$1,000. Councilwoman Phillips asked if the PD was looking for the city to fund the purchase of a new canine. Chief advised no that the dog would be bought with donations, Pennies for Puppies, etc., not the city. He also advised that a local bar is having a fund raising also. Councilman Lake complimented the Chief on how his officers handled themselves regarding a tree issue on Monday, January 18, 2016.

Rudicell asked who was filling in for Hempfleng while he is at the National Academy. Chief stated Captain Beedy and the Sergeants are taking care of Hempflengs work load.

### **FIRE DEPARTMENT**

- A: New Business** – Chief went over his stats. He handed out an updated stat list to add to the packet. Councilman Rudicell is going to set up a meeting to meet with Mr. Corte. Himself, Chief White, and the Mayor will meet with Mr. Corte about a land donation for a purclis safety building and he will let the council know when it is if they want to attend.

Chief White is waiting on the mayor to finish up some paperwork to get started on Station 2.

**Old Business –**

**OTHER BUSINESS:**

**ADJOURN**

There being no further business to discuss, Councilwoman Conaway made a motion to adjourn the meeting at 4:45 p.m. Councilman LeJeune seconded. The next meeting will be Monday, February 15, 2016 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "Amy Bishop". The signature is written in a cursive style with a large initial "A".

Daphne Public Safety Committee



**CITY OF DAPHNE**  
**FIRE DEPARTMENT MONTHLY REPORT**  
**Report Period November 2015**

	Current:	FY to Date:
<b>Suppression:</b>		
<b>1-Fire/Explosion:</b>	-	-
10-Fire, Other	0	6
11-Structure Fire/Commercial	0	7
11-Structure Fire/Residential	1	21
12-Fire in Mobile Property used as fixed structure	0	4
13-Mobile Property (vehicle) Fire	0	5
14-Natural Vegetation Fire	0	9
15-Outside Rubbish Fire	0	7
16-Special Outside Fire	0	2
17-Cultivated Vegetable Crop Fire	0	0
<b>2-Overpressure Rupture:</b>	0	0
<b>3-Rescue Call and Emergency Medical Service Incidents:</b>	159	1882
<b>4-Hazardous Conditions (No fire):</b>	5	33
<b>5-Service Call:</b>	18	137
<b>6-Good Intent Call:</b>	17	245
<b>7-False Alarm &amp; False Call:</b>	22	245
<b>8-Severe Weather &amp; Natural Disaster:</b>	0	2
<b>9-Other Situation:</b>	1	4
<b>Total Emergency Calls:</b>	222	2531
<b>Monthly Total Calls:</b>	223	2406
<b>Highest:</b>		
	16:00	16:00
<b>Lowest:</b>		
	<1:00	<1:00
<b>Average (Minutes/Seconds) :</b>		
	4:36	4:36
<b>Training Hours</b>		
	456.75	5108.95
<b>Property Loss - \$</b>		
	\$10,200.000	\$1,665,501.00
<b>Fire Personnel Injuries by Fire/Civilian Injuries by Fire</b>		
	0	0
<b>Advance Life Support Rescues</b>		
	130	1678
<b>Number of Patients Treated</b>		
	151	1997
<b>Child Passenger Safety Seat Inspections/Installations</b>		
	12	155
<b>Pre-Plans</b>		
	35	514
<b>Classes</b>		
	29	201
<b>Persons Attending</b>		
	379	2068
<b>Plan Reviews</b>		
	1	19
<b>Final/Certificate of Occupancy</b>		
	0	8
<b>General/Annual Inspections</b>		
	36	938
<b>General/Re-Inspections (Violation Follow-up - Annual)</b>		
	34	318
<b>Business Licenses</b>		
	0	54
<b>All Other/Misc. Activities</b>		
	8	34
<b>Total Activities:</b>	79	1292

Authorized by:

*James White*

# **CODE ENFORCMENT/ORDINANCE COMMITTEE**

*Wednesday, January 19, 2016  
City Hall Executive Conference Room  
1705 Main Street  
Daphne, AL  
5:30 P.M.*

*Councilman Ron Scott, Chairman  
Councilman Randy Fry  
Councilman Pat Rudicell  
Councilwoman Tommie Conway*

*Councilwoman Angie Phillips  
Councilman John Lake  
Councilman Robin LeJeune*

## **I. CALL TO ORDER/ROLL CALL**

The chairman declared a quorum was present and called the meeting to order at 5:20 p.m.

**Members Present:** Ron Scott; Pat Rudicell; Randy Fry; Robin LeJeune; Tommie Conaway; John Lake; Angie Phillips.

**Also Present:** Rebecca Hayes, City Clerk / recording secretary; Jay Ross, City Attorney (*arrived at 6:00 p.m.*); Kevin Boucher, City Attorney; Richard Johnson, Public Works Director; Matt Creel, Code Enforcement Officer; Lt. Brian Gulsby, Police Department; Kelli Kichler, Finance Director; Vickie Hinman, HR Director; David Carpenter, Police Chief; James White, Fire Chief; Battalion Chief Andy Ray, Fire Department; Chip Martin, Fire Marshal; Victoria Phelps; Tom Walker.

## **II. APPROVE MINUTES / December 21 2015**

There being no corrections the December 21, 2015 minutes stand approved as written.

## **III. PUBLIC PARTICIPATION**

Mr. Chris Baker spoke regarding property he owned on Magnolia Avenue and his plans to build multi-family cottages for handicapped people. He thought that the Multi-families in Single Family District was dealing with projects like his, but Councilman Scott told him that the subject the committee was dealing with was where multiple families were dwelling in a house meant for single families, and that the Planning Department could help him with his project.

## **IV. ORDINANCE REVIEW/DISCUSSION**

### **a.) Discuss: Appointing and Reappointing Committee and Board Members**

The committee discussed the proposed ordinance and requested the following:

1. Ask Kevin to look to see about having seven (7) members on committees where council does not make up the committee or board
2. Have a representative from the seven (7) districts, and if there is no one volunteering from one district someone from another district can be appointed to represent that district
3. Cleanup the Recreation Board terms / Members should be appointed for five (5) years
4. Twice a year present to the committee lists of committees and boards with terms for review
5. Reappoint those committee and board members whose terms have expired

The proposed ordinance will come back to the February meeting.

**b.) Discuss: Right-of-Way Ordinance**

Richard Johnson asked that discussion of this ordinance be postponed until February since B.J. is not here, because he is the one that is handling the permitting and so forth for this ordinance.

**c.) Discuss: Revision to the Speed Limit Ordinances**

The committee discussed the proposed revisions and made the following amendments:

1. Omit sections 3, 4, and 16
2. Clarified the boundaries for the 25 mph limit on Main Street / From Santa Rosa to Johnson Road  
Chief Carpenter said that because of the parks that are on Main Street between the schools he is in favor of the 25 mph

The proposed ordinance will come back to the February meeting.

**d.) Discuss Amendments to Revised Take Home Vehicle Policy / Kevin Boucher**

The committee discussed the proposed ordinance and made the following amendments:

1. Take home vehicles if task specific at the discretion of Department Heads
2. Take home vehicles only applies to Public Works, Police Department and Fire Department
3. Clarification from insurance company regarding non-city employees riding in city vehicles

The proposed ordinance will come back to the February meeting.

*The discussion on Taxi Service in the City of Daphne, Multi-families dwelling in Single Family Homes and Voting Places was postponed to the February meeting.*

**V. OTHER BUSINESS**

No other business to discuss.

**VI. NEXT MEETING / February 15, 2016**

**VII. ADJOURN**

**MOTION BY Councilman LeJeune to adjourn. Seconded by Councilwoman Phillips.**

**MOTION CARRIED UNANIMOUSLY**

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING ADJOURNED AT 6:25 P.M.**

# **NOMINATION FOR THE ENVIRONMENTAL ADVISORY COMMITTEE**

## **DISTRICT #1**

### **Amy Gohres**

906 Bonita Ave, Daphne 36526  
251-281-6356

Amy Gohres earned a Bachelor of Science in environmental engineering from LSU and a Master of Science in environmental engineering and science from Clemson University. Before returning home to the Gulf Coast, Amy worked for The Home Depot Corporate Office, with responsibilities for developing and managing company-wide environmental initiatives. While in that role, she conceptualized and implemented the first compact fluorescent light-bulb (CFL) recycling program by a U.S. retailer.

Since residing in Daphne, Amy has worked regionally with the five Gulf Coast National Estuarine Research Reserves - including Weeks Bay Reserve in Fairhope - to educate decision-makers on pivotal coastal management issues. She worked as a Natural Resource Planner with Alabama Department of Conservation and Natural Resources, State Lands Division, Coastal Section. In 2014, Amy started her own business providing environmental consultant and project management services. She resides near Olde Towne Daphne with her husband John and three year old daughter Lily.

**DOWNTOWN REDEVELOPMENT AUTHORITY**  
**1705 MAIN STREET, DAPHNE, AL**  
**December 2, 2015**

**COMMITTEE MINUTES**

**Members Present:**

Chairman Casey Zito, Ken Balme, Debbie Strahley, Dayna Oldham, Doug Bailey. Dorothy Morrison (Arrived 5:34pm), Patricia Vanderpool (Arrived 5:45pm)

**Also Present:** Councilwoman Tommy Conaway, Mayor Haygood, Councilman John Lake, Irvine Starke, Sarah Toulson

Members of Little Bethel Baptist Church: Earnestine McBride, Mellerene McDonald, Shirley Heard, Catherine Briner, Rev. Donald Parker, Walter Heard, Douglas Barrow, Cynthia Triplett, Carlos Ray

***Chairman Casey Zito called the meeting to order at 5:31 p.m.***

**1. Public Participation**

Rev Donald Parker of Little Bethel Baptist Church presented the Authority with a mini grant application for refurbishing the cemetery. It is in grave need of maintenance, including extensive tree removals, some of which the roots are growing into the graves. They are also looking at a fence for the property. Authority discussed options including looking into the type of trees that need removal and additional grant monies, including historic preservation grants (AL Historic Commission, Baldwin County Historic Commission). Authority mentioned looking at the City to assist in grant writing for the Church if possible. Members of the Authority were meeting with the Church at the cemetery to look at condition and discuss further.

**2. Approval of Minutes**

**Motion by Dorothy Morrison** to approve the minutes from the October 28, 2015 meeting as written. **Second by Doug Bailey.**

**Motion Carried Unanimously**

**3. Treasurer's Report**

Doug Bailey reviewed the Treasurer's report, stating the balance for DRA funds currently stand at \$181,625.19.

**Motion by Dorothy Morrison** to accept the December 2, 2015 Treasurer's Report with a balance of \$181,625.19. **Seconded by Debbie Strahley.**

**Motion Carried Unanimously**

**4. Website Design – Sarah Toulson**

Ms. Toulson spoke with the Authority regarding their desires for the DRA's website including website design and content, and logo design. She will send a proposal to be approved by Authority in January's meeting.

**5. Terms of Members**

It was discussed that Danya Oldham needs to be reappointed by the Authority.

**Motion by Dorothy Morrison** to reappoint Danya Oldham on the Downtown Redevelopment Authority for a term of 4 years. **Second by Patricia Vanderpool.**

**Motion Carried Unanimously**

Chairman Zito mentioned if anyone was interested in the Chairman position it may be time for new leadership. In addition, Authority needs to get more people involved in the DRA.

**7. Other Business Deemed Necessary**

Mr. Irvine mentioned how the Authority needs to extend Olde Towne District to the Village Overlay district. The Authority discussed the need to create a strategic plan, goals, for 2016. They set a Strategic Planning meeting for Saturday, January 30<sup>th</sup> at 9am.

Dorothy Morrison requested the Authority authorize her purchasing lights for the downtown planter boxes.

**Motion by Danya Oldem** to approve \$150 for purchase of lights for the planter boxes downtown. **Second by Doug Bailey.**

**Motion Carried Unanimously**

***With no other business to consider, the meeting was adjourned at 7:25 p.m.***

***Next Meeting: January 27<sup>th</sup>, 2016 at 5:30pm***

## Rebecca A. Hayes

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**From:** Tonja Young  
**Sent:** Wednesday, January 13, 2016 3:21 PM  
**To:** Rebecca A. Hayes; citycouncil  
**Cc:** MJAMES792@aol.com  
**Subject:** Approval of New Library Board Member  
**Attachments:** scan BIO Rhett Beyer pg 10001.pdf; scan BIO Rhett Beyer pg 20001.pdf; scan BIO Rhett Beyer pg 30001.pdf

The Library Board has nominated and approved a new board member pending approval by the City Council. His name is Rhett Beyer and I am attaching his bio information. He has worked on a library board in the past and contacted Dr. Morris, our Board Chair, about the possibility of serving on the Daphne Public Library Board.

I have not met Mr. Beyer yet, but he sounds like a good candidate. If you have any questions, please call or email me.

Can this be on the agenda next week for Council vote?

Thank you!

Tonja



**Tonja Young**  
**Library Director**  
tyoung@daphneal.com  
City of Daphne, Alabama - "The Jubilee City"  
Phone: 251-621-2818 Web: www.daphneal.com

## LIBRARY BOARD NOMINATION

### R H E T T B E Y E R

8657 ROSEDOWN LANE DAPHNE, AL 36526

(251) 222-5669 • RHETTBEYER@GMAIL.COM

## SUMMARY OF QUALIFICATIONS

Results oriented leader with a successful professional track record that includes operational management, safety management and multi unit human resources.

## CORE COMPETENCIES

- Operations Management
- Change Management
- Training and Development
- Recruiting
- Retail Management
- Talent Management
- Employee Relations
- Performance Management
- Succession Planning
- Production Supervision
- Team Building
- Strategic Initiative Development
- HACCP/USDA/GMP Compliance
- Multi Unit Leadership

## PROFESSIONAL EXPERIENCE

ADVANCE AUTO PARTS, INC

2009 to Present

### Regional Human Resources Manager, Daphne, AL □ Aug 2009 to Present

Lead, direct and manage Team Member Relations for 3,400 Team Members plus leadership in two regions across six states.

- Responsibilities:
  - Employee relations for 3,400 employees plus various leadership roles
  - Manage company initiatives including roll out and implementation
  - Support 2 Regional Vice President, 24 District Leaders, a sales force of 30 professional salespersons and over 300 stores in human resources function
  - Multi unit HR generalist focus with employee relations, recruiting, succession planning, talent management, strategic initiative development and implementation and training focus
- Accomplishments:
  - Developed and implemented leadership development classes: coaching skills, interview skills and financial acumen development
  - Received HR Leadership award in 2010 for developing spring staffing plan for multiple regions
  - Covered additional regions multiple times (additional 140-190 stores plus Regional Vice President and District Leaders)
  - Developed and implement employee relations initiative with end result in improvement in reduced EEO charges
  - Assisted with on boarding and ongoing of 5 new Regional Human Resources Managers
  - Recognized in 2013 for group project to improve manager assessments used to select general managers
  - Developed and implemented talent development process and rolled out to 180 stores in 2014
  - Improved multiple metrics: complaint time to completion reduction, time to fill reduction, number of leadership openings reduction, and wage management
  - Weekly communication of key initiatives and opportunities to stores and leadership across areas of responsibility
  - Volunteered for newly founded region in 2015 with 9 or 11 District Managers having less than 1 year of experience and the RVP brand new to role
  - Developed and rolled out new onboarding, orientation, and bench development process in 2015

- Learned store operations management and acted as opening and closing MOD (manager on duty) on as needed basis
- Accomplishments:
  - Chosen to sit on leadership council and influence HR policy for Home Depot
  - Chosen for stretch assignments to assist with recruiting and training for six new Home Depot stores from sitting in trailer recruiting up to opening day and training of new associates
  - Chosen to visit two separate markets and manage union avoidance efforts across multiple stores
  - Mentored five new Store Human Resources Managers through on boarding and assimilation process
  - Successfully managed human resources process to drive positive results in safety, training, affirmative action compliance, staffing, employee relations and turnover reduction

**TRIANGLE PLASTICS, INC. (TPI)**

2000 to 2002

**Human Resources Manager/Safety Manager, Oelwein/Winthrop, IA □ May 2000 to Feb 2002**

Directed human resources and safety function for manufacturing and warehouse facility in thermoformed plastics industry.

- Responsibilities:
  - Managed compliance with union contract including labor dispute process and interpretation of contract to meet business objectives
  - Trainer for orientation and safety classes to support on boarding and safe work practices
  - Involved in ISO 9001 steering committee for human resources compliance and recertification process
  - Participated as scribe in union negotiations
  - Oversaw company transition of conversion of Oelwein, IA facility from a manufacturing facility to a warehouse facility and transition of workforce to Winthrop, IA
  - Recruited manufacturing workforce to support three shift union facility in Winthrop, IA and warehouse facility in Oelwein, IA
- Accomplishments:
  - Recognized as employee advocate in driving improvement in employee relations issues between union and management team

**EDUCATION**

**MBA, Human Resources**

Minnesota School of Business, St. Louis Park, MN

**Bachelor of Science, Business Administration**

University of Phoenix, Phoenix, AZ

**A. A. Liberal Arts**

Kirkwood Community College, Cedar Rapids, IA

**PROFESSIONAL TRAINING**

- Leadership Architect ® 101 Certification August 2008
- W-Z Interviewing for Title VII Infractions July 2013

**PROFESSIONAL ASSOCIATIONS**

Society of Human Resources Management – Member – 2007 to Present  
 Member Board of Directors Local SHRM Chapter Cedar Falls, IA – 2008 to 2009  
 SHRM Grant Reviewer 2010 – 2012

## SOUTHERN NEW HAMPSHIRE UNIVERSITY

2014 to Present

### **Adjunct Online Instructor** □ **Jan 2014 to Present**

Adjunct Instructor for eight-week online college courses:

- OL-125: Human Relations in Administration - Guide 27 students through eight week course of reading, self assessments and development of a final action plan to guide student through college career
- OL – 421 Strategic Management & Policy – Chosen to lead capstone course for graduating seniors that simulates a business environment

## VIKING PUMP, INC

2007 to 2009

### **Human Resources Manager, Cedar Falls, IA** □ **Sep 2007 to Aug 2009**

Corporate Human Resources Manager supporting engineering, sales, marketing, production management, senior leadership, and human resources personnel

- Responsibilities:
  - Oversight of annual benefits enrollment processes
  - Researched wage and comp data to update salary structure for engineering, marketing, manufacturing and sales departments
  - Strong business partner with track record of building relationships that drive results
  - Managed activities calendar for company
  - Employee relations for functional departments: marketing, sales, engineering, accounting, administrative support and various other departments
- Accomplishments:
  - Developed and implement FIFO process to handle large volume of applicants
  - Successfully decreased key position average time to fill of > 100 days to average of less than 60 days
  - Centralized interviewing process with structured interview guides and simplified processes
  - Enhanced on boarding process for new employees to incorporate into unique company culture

## HOME DEPOT

2002 to 2007

### **Regional Human Resources Manager, Brooklyn Park, MN** □ **Jul 2006 to Sep 2007**

Directed and supported a team of 2 District Managers, 17 Human Resources Managers, and 2,500 associates in two districts

- Responsibilities:
  - Multi unit HR Generalist with strong employee relations and metrics achievement focus
  - Managed leadership assessment process
  - Taught supervisory and management development courses to leaders ranging from Department Supervisors to District Managers
  - Managed company initiatives to drive improvements in turnover, wage controls, and learning
- Accomplishments:
  - Certified Instructor through basic and advanced instructor certification classes
  - Recognized with a values award for handling of tragic injury of a Store Manager in 2007
  - Managed associate complaint process to a reduction in response time to complaints of less than one week
  - Improved multiple metrics on multi unit level: time to fill, complaint time reduction, wage management, and etc.

### **Human Resources Manager, Waterloo, IA** □ **Feb 2002 to Jul 2006**

Store Human Resources Manager responsible supporting a team of 125 associates and management

- Responsibilities:
  - Taught supervisory and management development courses to leaders ranging from Department Supervisors to Store Managers
  - Managed staffing, wage controls, employee relationship, training, and scheduling management

**SET PUBLIC HEARING DATE FOR**

**MARCH 7, 2016**

**TO CONSIDER:**

- 1.) **Amending the Land Use and Development Ordinance / Article 39, Section 39-2 (b) Amending the Land Use and Development Ordinance / Jubilee Overlay District Requirements, Setbacks**
  
- 2.) **Pre-Zone / The Bills' No. 2, LLC /**  
**Property Located: Southwest corner of the intersection of Champions Way and Alabama Highway 181**  
  
**Pre-Zone Request: B-3, Professional Business District**  
  
**Recommendation: Unanimous Favorable**

# MEMORANDUM

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: Proposed Amendment to Ordinance 2011-54, Land Use and Development Ordinance, Article 39, Jubilee Overlay, Section 39-2, b, District Requirements, Setbacks  
Date: January 29, 2016

At the City of Daphne Planning Commission regular meeting of January 28, 2016, seven members were present. The motion carried for a **unanimous favorable recommendation** of the above-mentioned revision to the Land Use and Development Ordinance.

Upon receipt of said documentation, please prepare an ordinance for placement on the City Council agenda of Monday, February 1, 2016 to set the public hearing.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Community Development Report

**Proposed Amendment to Article 39, Jubilee Retail Overlay, Section 39-2 District Requirements (b) Setbacks.**

The purpose of the amendment is to specify the point from which the front yard setback will be measured.

Annotations have been added to the Minimum Zoning District Setback Requirements Table as follows:

- U.S., State or County Roads<sup>e</sup> Front<sup>d</sup> Yard setback and a notes **d.** and **e.** have been added to the Table Notes.

**MINIMUM ZONING DISTRICT SETBACK REQUIREMENTS**

Zoning District	Front <sup>d</sup> Yard (ft)			Rear Yard	Side Yard	Corner Lot <sup>c</sup> Side Yard (ft)	
	Arterial & Collector Streets	Local Streets & Service Roads	U.S., State or County Roads <sup>e</sup>			Arterial & Collector Streets	Local Streets & Service Roads
B-2	30	20	100	a, b	a, b	30	25
B-3	30	20	100	a, b	a, b	30	25

**Table Notes:**

a. None, except it will be five (5) feet where abutting an alley, or where abutting a residential district it shall be at least thirty (30) feet.

b. Where a public or semi-public use abuts any part of a single family residential district, a buffer zone ten (10) feet wide shall be required. Where a commercial district abuts any part of a residential district a buffer zone of twenty (20) feet shall be required. Said buffer zone shall be designed in compliance with the provisions established in Section 19-10.

c. Lot Orientation: On corner lots the front yard shall be considered as parallel to the street upon which the lot has its least dimension.

d. The front setback for property that does not front U.S. Highway 90 shall be a minimum of fifty (50) feet as measured from the front property line

e. Where abutting US Highway 90, the front setback shall be measured from the centerline of the U.S. Highway 90 R.O.W.

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE NO. 2016-**

**Ordinance to Amend the City of Daphne  
Land Use and Development Ordinance 2011-54**

**Article 39, Jubilee Overlay Section 39-2 (b) District Requirements, Setbacks**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at its regular meeting held on January 28, 2016, considered amendments to the City of Daphne Land Use and Development Ordinance No. 2011-54; and,

**WHEREAS**, the Planning Commission considered an amendment to Article 39, Jubilee Overlay to add and include an amendment to Section 39-2 (b); annotations added to the Minimum Zoning District Setback Table: U.S. State or County Roads<sup>e</sup>, Front<sup>d</sup> yard setback and notes (d) and (e) have been added to the Table Notes: (d) The front setback for property that does not front U.S. Highway 90 shall be a minimum of fifty (50) feet as measured from the front property line; (e) Where abutting U.S. Highway 90, the front setback shall be measured from the centerline of the U.S. Highway 90 R.O.W.; and after such consideration the Planning Commission set forth a unanimous favorable recommendation to the City Council of the City of Daphne for the addition of said 39-2 to Article 39 of the Land Use and Development Ordinance; and,

**WHEREAS**, due notice of said proposed amendments has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on March 7, 2016; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission, deemed that said amendments to the City of Daphne Land Use Ordinance are proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:**

**SECTION I. AMENDMENTS**

Article 39, Jubilee Overlay shall be and is hereby amended to include the following:

Section 32 (b)

Annotations added to the Minimum Zoning District Setback Table: U.S. State or County Roads<sup>e</sup>, Front<sup>d</sup> yard setback and notes (d) and (e) have been added to the Table Notes:

(d) The front setback for property that does not front U.S. Highway 90 shall be a minimum of fifty (50) feet as measured from the front property line;

(e) Where abutting U.S. Highway 90, the front setback shall be measured from the centerline of the U.S. Highway 90 R.O.W.

**SECTION II: REPEALER.**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

**SECTION III: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION IV: EFFECTIVE DATE.**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of the City of Daphne and after publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

**THE CITY OF DAPHNE,  
AN ALABAMA MUNICIPAL CORPORATION**

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes,  
City Clerk**

PLEASE Publish in the Bulletin Legal Section on February 10, 2016

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on March 7, 2016 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring amendments to the Land Use and Development Ordinance as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

**Ordinance to Amend the City of Daphne  
Land Use and Development Ordinance 2011-54  
Article 39, Jubilee Overlay Section 39-2 (b) District Requirements, Setbacks**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at its regular meeting held on January 28, 2016, considered amendments to the City of Daphne Land Use and Development Ordinance No. 2011-54; and,

**WHEREAS**, the Planning Commission considered an amendment to Article 39, Jubilee Overlay to add and include an amendment to Section 39-2; annotations added to the Minimum Zoning District Setback Table: U.S. State or County Roads<sup>c</sup>, Front<sup>d</sup> yard setback and notes (d) and (e) have been added to the Table Notes: (d) The front setback for property that does not front U.S. Highway 90 shall be a minimum of fifty (50) feet as measured from the front property line; (e) Where abutting U.S. Highway 90, the front setback shall be measured from the centerline of the U.S. Highway 90 R.O.W.; and after such consideration the Planning Commission set forth a unanimous favorable recommendation to the City Council of the City of Daphne for the addition of said 39-2 to Article 39 of the Land Use and Development Ordinance; and,

**WHEREAS**, due notice of said proposed amendments has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on March

PLEASE Publish in the Bulletin Legal Section on February 17, 2016

SECOND NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given on February 10, 2016, that the City Council of the City of Daphne will hold a Public Hearing on March 7, 2016 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring amendments to the Land Use and Development Ordinance as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

**Ordinance to Amend the City of Daphne  
Land Use and Development Ordinance 2011-54**

**Article 39, Jubilee Overlay, Section 39-2 (b) District Requirements, Setbacks**

**WHEREAS**, the Planning Commission of the City of Daphne, Alabama at its regular meeting held on January 28, 2016, considered amendments to the City of Daphne Land Use and Development Ordinance No. 2011-54; and,

**WHEREAS**, the Planning Commission considered an amendment to Article 39, Jubilee Overlay to add and include an amendment to Section 39-2; annotations added to the Minimum Zoning District Setback Table: U.S. State or County Roads<sup>e</sup>, Front<sup>d</sup> yard setback and notes (d) and (e) have been added to the Table Notes: (d) The front setback for property that does not front U.S. Highway 90 shall be a minimum of fifty (50) feet as measured from the front property line; (e) Where abutting U.S. Highway 90, the front setback shall be measured from the centerline of the U.S. Highway 90 R.O.W.; and after such consideration the Planning Commission set forth a unanimous favorable recommendation to the City Council of the City of Daphne for the addition of said 39-2 to Article 39 of the Land Use and Development Ordinance; and,

**WHEREAS**, due notice of said proposed amendments has been provided

To: Office of the City Clerk  
From: Adrienne D. Jones,  
Director of Community Development  
Subject: The Bills' No. 2, L.L.C.  
Pre-Zoning Recommendation  
Date: January 29, 2016

## MEMORANDUM

**PRESENT ZONING:** RSF-1, Single Family Residential  
District, Baldwin County District 15

**PROPOSED PRE-ZONING:** B-3, Professional Business, City of  
Daphne

**LOCATION:** Southwest corner of the intersection of  
Champions Way and Alabama Highway 181

**RECOMMENDATION:** At the Thursday, January 28, 2016, regular  
meeting of the Daphne Planning Commission,  
seven members were present and the motion to  
set forth a favorable recommendation was made  
and carried unanimously.

Attached please find documentation from the Office of  
Community Development.

Thank you,  
ADJ/jv

cc: file

attachment(s)

1. Zoning Application
2. Map of Property
3. Legal Description
4. Adjacent property owners' list
5. Community Development Report

# REZONING OR PRE-ZONING APPLICATION

Office use only	Date Submitted 12/21/15
Application Number: ZA-                      or                      PZA-16-01	Planning Commission Public Hearing Date: 01/21/15

*Legibly print or type responses below. Indicate N/A or an "X" where item is not applicable.*

**SITE DATA**

Site Location (Address or General Proximity to Nearest Intersection): <b>Southwest corner of the intersection of Champions Way and Highway 181</b>	PPIN#(s): <b>062439</b>
Gross Site Area (acreage): <b>76 ac (per BC Rev. Comm.)</b>	Requested Zoning or Pre-Zoning: <b>B-3 (Professional Office)</b>
Current Zoning Designation(s): <b>Baldwin County District 15, RSF-1 Single Family District</b>	Amended Request: Initials:                      Date:
Current Land Use: <b>Undeveloped</b>	Anticipated Land Use: <b>Professional Offices</b>
Provide Legal Description (if necessary attach separate page entitled "Legal Description for [Name of Applicant]": <b>Per deed-N 1/2 of SE 1/4 of Sec 3, T5S, R2E &amp; W 1/2 of NW 1/4 of SW 1/4 of Sec 2, T5S, R2E, Baldwin County, Alabama</b>	

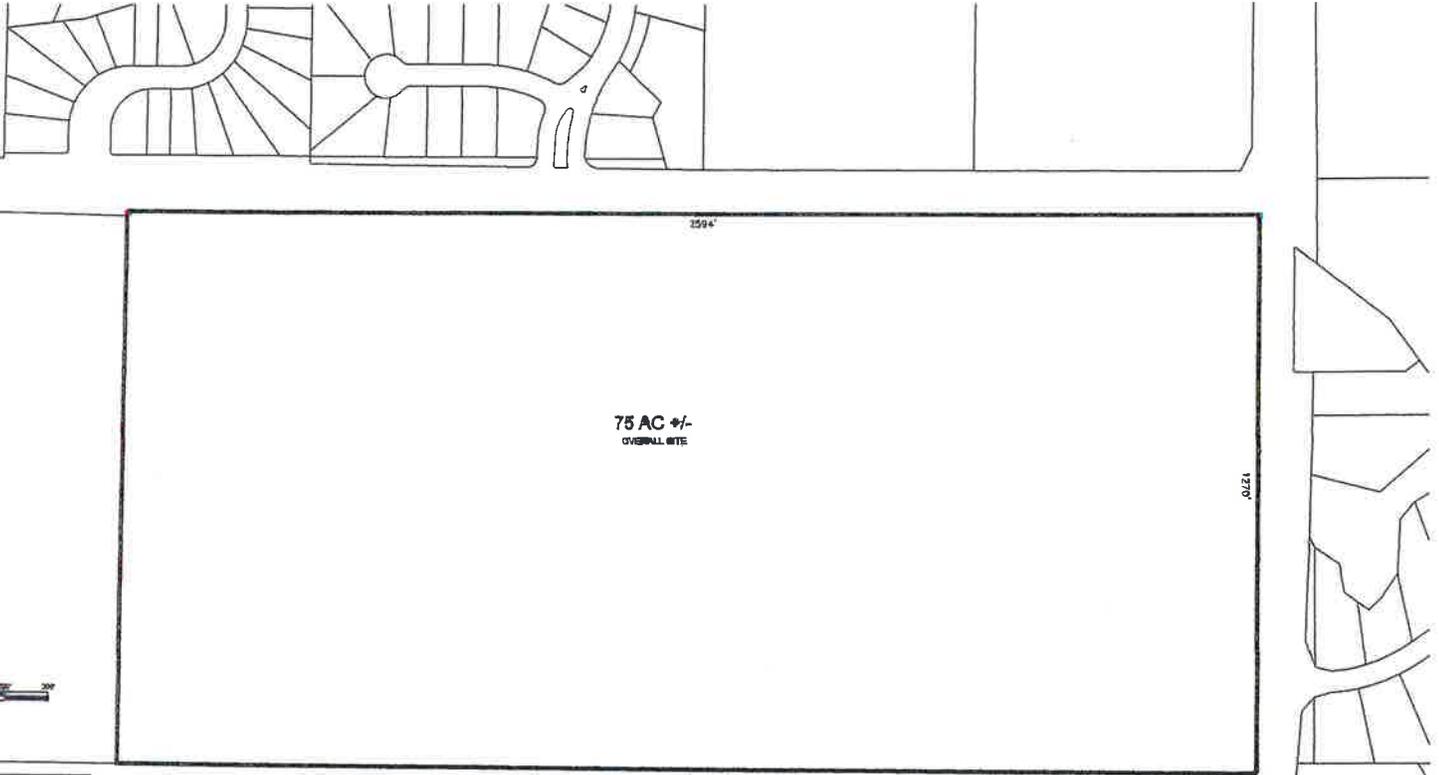
Specify other recently approved or pending requests related to the subject property. Circle the answer(s).  
 **Annexation**     Subdivision     Site Plan     Special Exception     Variance     Specify Other

**APPLICANT & AGENT INFORMATION**

<i>*If an LLC or LLP or Corporation, provide name and signature of Registered Member or Agent and provide a copy of Articles of Incorporation.</i>	
Name of Current Owner: <i>The Bills' No. 2, LLC</i> Manager: <i>Michael Bill</i>	
Mailing Address: <i>P.O. Box 1659 Robertsdale, AL 36567</i>	Phone/Fax: E-mail:
Name of Authorized Agent: <i>City of Daphne Industrial Development Board Member or Rep. of the City of Daphne</i>	
Mailing Address: <i>PO Box 400</i>	Phone/Fax: E-mail:
Name of Developer*: <i>City of Daphne Industrial Development Board</i>	Phone/Fax: E-mail:
Other:	Phone/Fax: E-mail:

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge. I hereby agree to allow the City of Daphne to post a sign on the subject property notifying the general public of this request.

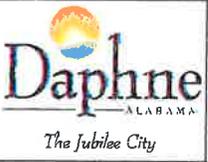
Applicant's Signature	Date
Agent's Signature: <i>Joni Fassbender</i>	Date <i>12-21-15</i>



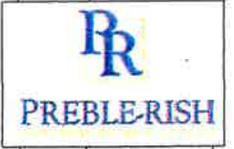
75 AC +/-  
OVERALL SITE

2594'

1270'



# COMMERCIAL & TECHNOLOGY COMPLEX





OFFICE DEVELOPMENT	
PHASE 1	OFFICE
PHASE 2	OFFICES
PHASE 3 OPTION A	OFFICES
PHASE 3 OPTION B	OFFICES
<b>B-3 Max Ht = 4 stories, 50ft</b>	
<b>TOTAL GROSS BUILDING AREA 441,000 SF</b>	

**DAPHNE INNOVATION & SCIENCE COMPLEX**  
**PRELIMINARY MASTER PLANNING STUDY**  
**JANUARY 27, 2018**



**EXHIBIT A**

**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

**PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:**

**THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.**

**THE BILLS' NO. 2, LLC PRE-ZONING ADJACENT PROPERTY OWNERS LIST**

BALDWIN COUNTY BOARD OF  
EDUCATION  
1600 HAND AVE N  
DAPHNE, AL 36507

GAVIN, MARY ALICE  
11876 JERICHO DR  
DAPHNE, AL 36526

THE BILLS' NO.2 L L C  
P O BOX 1659  
ROBERTSDALE, AL 36567

ROLISON, KEN ETAL ROLISON,  
ENNIFER COME  
8601 ST HWY 181  
DAPHNE, AL 36526

CANTERBURY PLACE  
HOMEOWNERS ASSOCIATION  
P O BOX 748  
DAPHNE, AL 36526

MALBIS PLANTATION INC  
29470 ST HWY 181  
DAPHNE, AL 36526

AUCIER, K SCOTT  
720 CHURCHBELL DRIVE  
MOBILE, AL 36695

NEYHART, CHRISTOPHER T  
11876 JERICHO DR  
DAPHNE, AL 36526

COMETTI FAMILY PROPERTIES  
L L C  
P O BOX 156  
GRANT, AL 35747

WOODLANDS AT MALBIS  
PROPERTY OWNERS ASSO  
CATION KEN SCHULTZ  
311 ROSEWOOD LN  
DAPHNE, AL 36526

M & S DEVELOPMENT L L C  
10155 ROSEWOOD LANE  
DAPHNE, AL 36526

MCCOLLUM, ERNEST R ETAL  
MCCOLLUM, CHRIST  
9576 CANTERBURY CT  
DAPHNE, AL 36526

ARX, DAVID JAMES ETAL  
ARX, CATHIE LA R  
1 BRADBURY CIR S  
DAPHNE, AL 36526

TURNERY, MATTHEW A ETAL  
JONES, BROOKE L  
29251 CANTERBURY RD  
DAPHNE, AL 36526

CRUTCHFIELD HOLDINGS L L C  
10155 ROSEWOOD LANE  
DAPHNE, AL 36526

WEIS, LYNN O  
283 CANTERBURY RD  
DAPHNE, AL 36526

WEIS, GEORGE F ETAL WEIS,  
GWEN F  
29259 CANTERBURY RD  
DAPHNE, AL 36526

PLANNING COMMISSION  
PRE-ZONING PETITION REVIEW



THE BILLS NO. 2, LLC



## **COMMUNITY DEVELOPMENT**

### **Pre-zoning Request**

**Southwest Corner of the Intersection of Champions Way and Alabama State Highway 181  
(The Bills' No. 2, LLC)**

**76 acres+/-**

**Owner:** The Bills' No. 2, LLC

**Existing Conditions:** 76 acres+/- of undeveloped land

**Existing Zoning:** RSF-1 Single Family District in Baldwin County District 15

**Proposed Zoning:** B-3, Professional Business District

#### **Surrounding Zonings/Uses:**

**North** - Canterbury Place Subdivision, zoned R-4 and R-3, High Density Single Family Residential, and RSF-1 Single Family District in Baldwin County District 15 (ETJ)

**South** - undeveloped land zoned RSF-1 Single Family District in Baldwin County District 15 (ETJ)

**Southeast** – undeveloped land zoned B-2, Neighborhood Business District, in Baldwin County District 15 (ETJ)

**East** - The Woodlands at Malbis residential subdivision, zoned RSF-2, Single Family Residential Baldwin County District 15 (ETJ)

**West** - Daphne High School (zoned R-3, High Density Single Family Residential)

#### **Existing Utility Service Providers:**

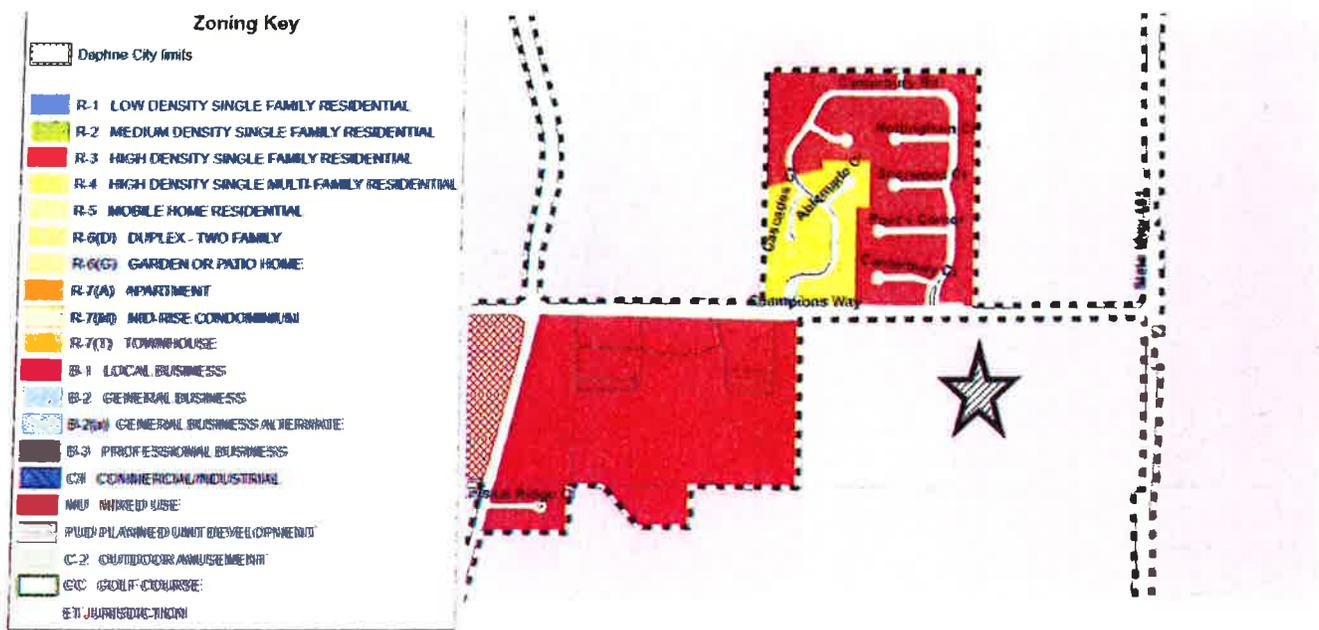
Water – Belforest Water      Sewer – Daphne Utilities

Gas – Daphne Utilities      Electric – Riviera Utilities

#### **Affected City Service Providers:**

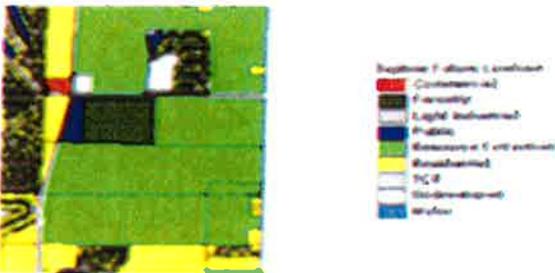
Fire Protection-Station 3      Police Protection-Police Beat 3

Public Works      Baldwin County Schools—n/a



**FROM THE 2000-2020 COMPREHENSIVE PLAN (adopted on June 26, 2003):**  
**Comprehensive Plan**

The Comprehensive Plan designates this area as resource extraction. Comprehensive Plan amendment is long overdue.



**Related applications on January 2016 Planning Commission Agenda:** 76 acres+/-  
 Annexation Request by The Bills' No. 2, LLC. (Acreage subject to change).

**Staff Recommendation:** Approval of B-3, Professional Business Zoning

*Adjoining property owner notices have been distributed, a zoning notification sign has been posted, and the notice for a public hearing for this petition has been properly advertised in the Courier in accordance with applicable sections of the Code of Alabama.*

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

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**Ordinance to Pre-Zone Property Located  
At the Southwest Corner of the Intersection of Champions Way and Alabama Highway 181  
The Bills' No. 2**

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**WHEREAS**, The Bills' No. 2 as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-1, Single Family District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as B-3, Professional Business District, prior to annexing into the City of Daphne; and

**WHEREAS**, said real property is Southwest of Holy Cross Circle and Holy Cross Drive, and more particularly described as follows:

**Legal Description for Pre-zone:**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:  
THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3,  
TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND  
THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST  
QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN  
COUNTY ALABAMA

**WHEREAS**, at the regular Planning Commission meeting on January 28, 2016 the Commission considered said request and set forth a unanimous favorable recommendation; and,

**WHEREAS**, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on March 7, 2016; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, as follows:

**SECTION I: ZONING**

That above described real property is hereby pre-zoned to B-3, Professional Business District, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in

Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RSF-4, Two Family District, Baldwin County District 16.

**SECTION II: REPEALER.**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

**SECTION III: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION IV: EFFECTIVE AND EXPIRATION DATE.**

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS            day of            , 2016.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

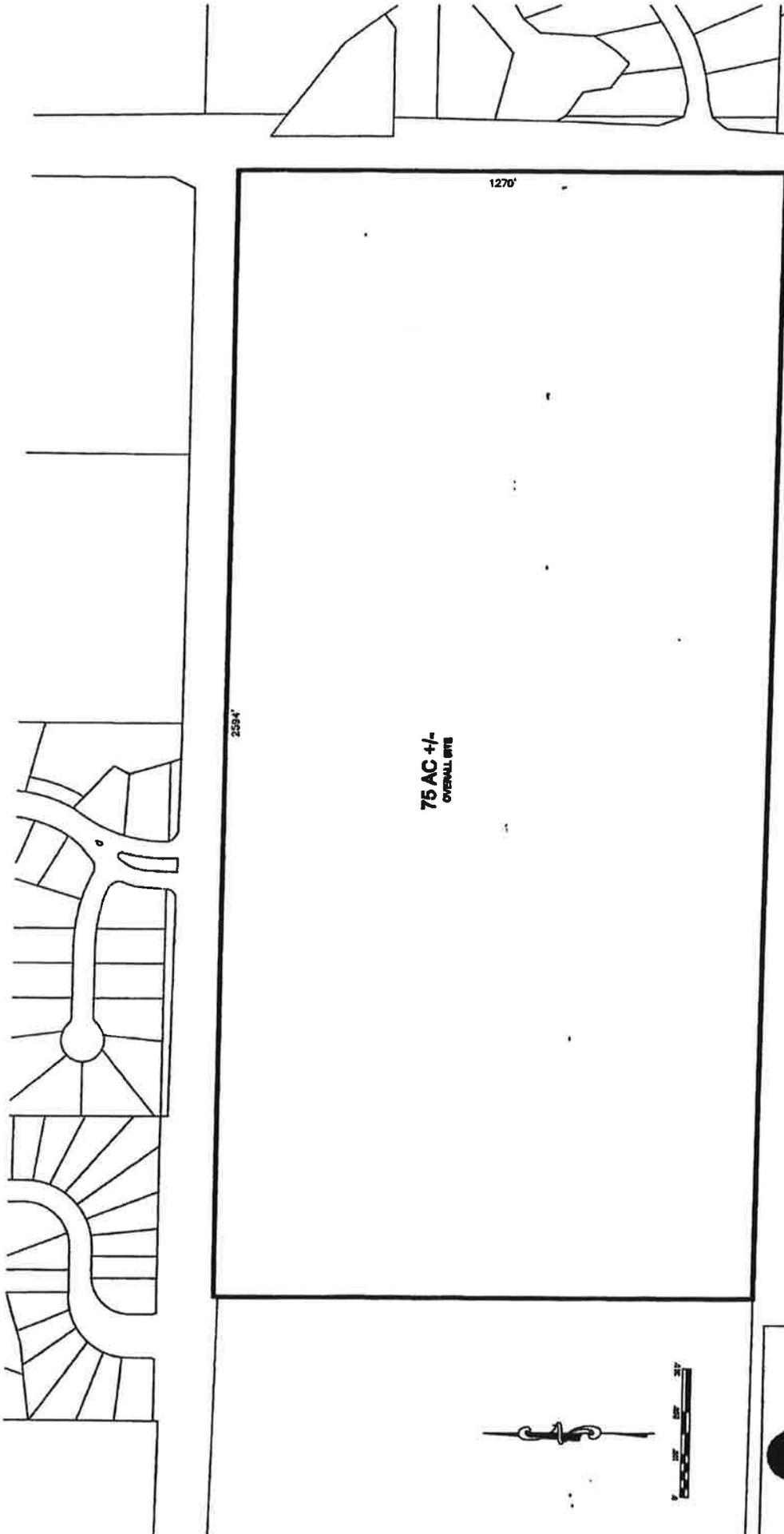
\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

**EXHIBIT A**

**THE BILLS' NO. 2, LLC PRE-ZONING & ANNEXATION PETITIONS**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA, AND THE WEST HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 2, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY ALABAMA.



# COMMERCIAL & TECHNOLOGY COMPLEX



PLEASE Publish in the Bulletin Legal Section on Friday,  
February 10, 2016

FIRST NOTICE OF PUBLIC HEARING

Notice is hereby given the first time that the City Council of the City of Daphne will hold a Public Hearing on March 7, 2016 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property as B-3, Professional Business District, City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

**Ordinance to Pre-Zone Property Located  
At the Southwest Corner of the Intersection of Champions Way and Alabama  
Highway 181  
The Bills' No. 2**

**WHEREAS,** The Bills' No. 2 as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-1, Single Family District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as B-3, Professional Business District, prior to annexing into the City of Daphne; and

**WHEREAS,** said real property is Southwest of the intersection of Champions Way and Highway 181, and more particularly described as follows:

**Legal Description for Pre-zone:**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE  
RECORDS:  
THE NORTH HALF OF THE SOUTHEAST QUARTER OF SECTION 3,

PLEASE Publish in the Bulletin Legal Section on Friday,  
February 17, 2016

Second NOTICE OF PUBLIC HEARING

Notice is hereby given the second time, the first notice was given February 10, 2016 that the City Council of the City of Daphne will hold a Public Hearing on March 7, 2016 at 6:30 pm in the Council Chambers at City Hall, 1705 Main Street, Daphne, Alabama. The public is welcome to attend and offer comments opposing or favoring a proposed Ordinance pre-zoning certain property as B-3, Professional Business District, City of Daphne as presented below. Any person with an American's with Disabilities Act disability must contact the City Clerk's office ten days prior to the Public Hearing, in order for accommodations to be made.

Rebecca A. Hayes, City Clerk, MMC

**PROPOSED ORDINANCE:**

**CITY OF DAPHNE, ALABAMA  
ORDINANCE NO. 2016-**

**Ordinance to Pre-Zone Property Located  
At the Southwest Corner of the Intersection of Champions Way and Alabama  
Highway 181  
The Bills' No. 2**

**WHEREAS,** The Bills' No. 2 as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RSF-1, Single Family District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as B-3, Professional Business District, prior to annexing into the City of Daphne; and

**WHEREAS,** said real property is Southwest of the intersection of Champions Way and Highway 181, and more particularly described as follows:

**Legal Description for Pre-zone:**

PER INSTRUMENT #639914 OF BALDWIN COUNTY PROBATE RECORDS:

Accepted by:

*VICE*  
Chairman, Daphne Utilities



**DAPHNE  
UTILITIES**

# **APPROVED MINUTES**

## **Utilities Board Meeting**

**City of Daphne Council Chambers ♦ December (November) 2, 2015 ♦ 5:00 p.m.**

### **I. Call to Order**

The regular November 2015 Board meeting for the Utilities Board of the City of Daphne was held on December 2, 2015 at 5:00 p.m. and called to order by Chairman Robert Segalla, proceeded by the Roll Call:

### **II. Roll Call**

**Members Present:** Robert Segalla, Chairman  
Randy Fry, Vice Chairman  
Billy Mayhand, Secretary/Treasurer  
Selena Vaughn  
Dane Haygood, Mayor

**Others Absent:**

**Others Present:** Jerry Speegle – Board Attorney  
Danny Lyndall – General Manager  
Van Baggett – Operations Manager  
Drew Klumpp – Administrative Services Manager  
Teresa Logiotatos – Finance Manager  
Lori May-Wilson – Executive Assistant  
Melinda Immel – Volkert & Associates  
Ray Moore – HMR  
Robbie Strom – HMR

**Others Absent:**

### **III. Pledge of Allegiance**

The Chairman led the Board and meeting attendees in the Pledge of Allegiance.

The Chairman gave recognition to the military veterans, those working with the Utility as well as the families of military veterans.

### **IV. Approval of Minutes**

#### **A. Utilities Board Minutes from October 28, 2015:**

The Chairman inquired if there were any corrections recommended for the submitted Minutes for the October 28, 2015 Utilities Board meeting.

**MOTION BY Billy Mayhand to approve the submitted Minutes for October 28, 2015; Seconded by Selena Vaughn.**

**AYE: FRY, HAYGOOD, MAYHAND, SEGALLA, VAUGHN**

**NAY:**

**ABSENT:**

**ABSTAIN:**

**MOTION CARRIED**

V. OLD BUSINESS – No old business.

VI. NEW BUSINESS –

**A. Recommendation for Award: 2015/2016 Annual Contract for Point Repairs (BOARD ACTION: Motion)**

Danny Lyndall explained that this year-long, amount-capped contract for several lines within the Daphne Utilities system had been investigated for crucial repair. Melinda Immel with Volkert further added that they are familiar with the low bidder, and additionally answered questions from the Board relating to sewer lines.

**B. Recommendation for Award: Douglas Road Booster Pump Station (BOARD ACTION: Motion)**

Danny Lyndall clarified when the project was initially published for bids, the tank was advertised for bid first, then a package project for all the piping, the booster station and the site work was advertised. He stated that the booster pump bids came in unexpectedly higher and was removed from the advertisement for bid package and it was advertised for bids a second time whereby the results came back at an approximate savings of \$200,000. Robbie Strom with HMR detailed the bid process on this project and recommended the low bidder (Patterson Pump Company-Eshelman- for \$238,560.00).

*MOTION BY Selena Vaughn to Approve the Recommendation for Award for the Douglas Road Booster Pump Station project to Patterson Pump Company(Eshelman)for \$238,560.00; Seconded by Billy Mayhand.*

Vice-Chairman Randy Fry asked how much was budgeted for this project; Danny Lyndall explained the amount budgeted for the total project is \$1.6 million for the tank and all the associated work, advising that separating the bid in this manner put the project between \$1.4 and \$1.5 million and coming in under anticipated budget. Mayor Haygood asked for an opinion as to why separating the project resulted in the cost savings; Robbie Strom advised that the project was the same except that the specs were simplified.

*MOTION BY Selena Vaughn to Approve the Recommendation for Award for the Douglas Road Booster Pump Station project to Patterson Pump Company(Eshelman)for \$238,560.00; Seconded by Billy Mayhand.*

AYE: Fry, Haygood, Mayhand, Segalla, Vaughn

NAY:

ABSENT:

ABSTAIN:

**MOTION CARRIED**

*MOTION BY Randy Fry to Approve the Recommendation for Award for the 2015/2016 Annual Contract for Point Repairs to W.R. Mitchell, Contractor, Inc. for \$350,569.00; Seconded by Billy Mayhand.*

Melinda Immel answered price comparison questions relating to the project.

*MOTION BY Randy Fry to Approve the Recommendation for Award for the 2015/2016 Annual Contract for Point Repairs to W.R. Mitchell, Contractor, Inc. for \$350,569.00; Seconded by Billy Mayhand.*

AYE: Fry, Haygood, Mayhand, Segalla, Vaughn

NAY:

ABSENT:

ABSTAIN:

**MOTION CARRIED**

**VII. BOARD ATTORNEY’S REPORT**

Mr. Speegle advised the Board of the need for Executive Session certifying proper topics as character reputation, performance of an employee, pending litigation and update on the EEOC claims which are confidential, as well as another dispute that may turn into a litigation matter. He estimated 30 to 45 minutes for Executive Session.

**VIII. FINANCIAL REPORT**

Teresa Logiotatos pointed out and explained the temporary change in the graph images; she discussed the irrigation revenue graph, explained the increase expense for Blue Cross & Blue Shield of Alabama, reviewed abnormal or uncommonly large checks, and answered questions from the Board.

**IX. GENERAL MANAGER’S REPORT**

**A. GM Report**

Danny Lyndall had nothing further to add to his report but answered questions from the Board, particularly regarding Algae Systems. He reminded the Board that there will not be a board meeting in December but will combine financials for the January board books.

**B. Operations Report**

Van Baggett reviewed his report for the Board highlighting the Douglas Road water tank project

**C. Engineering & Consulting Reports**

Ray Moore from HMR updated the Board on the Sixth Street Project and elaborated on the Douglas Road project.

Melinda Immel from Volkert had nothing further to add to her report.

Daphne Utilities’ customer Daniel Dyas expressed condolences for the recent tragedy of retired employee Andrew Bolar.

**X. BOARD ACTION –** Previously addressed under “New Business”.

**XI. PUBLIC PARTICIPATION –** None.

**XII. BOARD COMMENTS –** Selena Vaughn expressed her approval with the board book and newsletter; Mayor Haygood invited everyone for the Daphne Tree Lighting and commented optimistically for the future funding of the unsewered areas of Daphne and wished everyone a Merry Christmas; Randy Fry expressed his appreciation to those who have served and are currently serving our country and wished everyone a fun and careful holiday; Billy Mayhand wished everyone a safe holiday and spend time with family if possible; Chairman Segalla also wished everyone a safe and happy holiday.

**XIII. Executive Session**

The Board adjourned to Executive Session at 5:32 pm.

***MOTION BY Billy Mayhand to adjourn to Executive Session; Seconded by Randy Fry.***

**AYE:** *Fry, Haygood, Mayhand, Segalla, Vaughn*

**NAY:**

**ABSENT:**

**ABSTAIN:**

**MOTION CARRIED**

The Board reconvened from Executive Session at 6:34 pm.

***MOTION BY Mayor Dane Haygood to Approve the discussed Evaluation and Performance Increase of 3% and a 2% one-time bonus effective the first pay-period of January 1, 2016; Seconded by Billy Mayhand.***

**AYE:** *Fry, Haygood, Mayhand, Segalla, Vaughn*

**NAY:**

**ABSENT:**

**ABSTAIN:**

**MOTION CARRIED**

#### **XIV. ADJOURNMENT**

***MOTION BY Billy Mayhand to adjourn.***

**AYE:** *Fry, Haygood, Mayhand, Segalla, Vaughn*

**NAY:**

**ABSENT:**

**ABSTAIN:**

**MOTION CARRIED**

The meeting adjourned at 6:36pm.

Preceding minutes submitted to the Daphne Utilities Board by:



Lori Wilson, Executive Assistant, Daphne Utilities



# City of Daphne Event Permit Application

Date of Application: January 22, 2016 Permit Requested:  Event/Fundraiser  Parade/Run  Band

### Contact Information

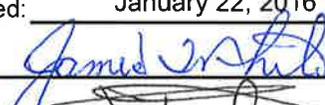
Organization Name: Loyal Order of the Fire Truck  
Contact Name: Rebecca Hayes E-mail Address: cityclerk@daphneal.com  
Address: 1705 Main Street Daphne, AL 36526  
Street / P.O. Box City/State/Zip Code  
Primary Phone Number: 621-9000 Secondary: 370-0762

### Event Information

Event Name: Mardi Gras Parade Event Date: February 7, 2016  
Event Location: Assemble at May Day Park # Participants/Vehicles: 150  
Start Time: 2:29 pm Stop Time: 4:00 pm Assembly Time: 12:00 pm  
Parades/Runs Only  
Special Requests: Parade route begins at May Day Park then proceeds south on Captain O'Neal to Maxwell Ave., then north on Main St. to Santa Rosa Ave, then proceed south on Old County to College Ave.  
Road Closures Requested:  Yes  No

### Special Instructions

### Approval: Internal Use Only

Date Routed: January 22, 2016  
Fire Dept:   
Police Dept:   
Public Works:   
Parks & Recreation: N/A  
Only required if event interrupts traffic near Daphne parks

#### **For Special Event/Band Permits:**

Council Member: \_\_\_\_\_  
District # Signature

#### **For Parade/Run Permits & Use of City Grounds:**

City Council: February 1, 2016  
Date of Approval

#### **Parade/Run Permits ONLY**

Fee Paid: \$ \_\_\_\_\_  N/A  Waived  
 Insurance Filed  N/A  
Route Selection:  1  2  3  4



# City of Daphne Event Permit Application

Date of Application: January 19, 2016 Permit Requested:  Event/Fundraiser  Parade/Run  Band

### Contact Information

Organization Name: Prodisee Pantry, Inc.  
Contact Name: Deann Servos E-mail Address: director@prodiseepantry.org  
Address: 9315 Spanish Fort Blvd P.O. Box 7403 Spanish Fort, AL 36577  
Primary Phone Number: 626-1720 Secondary: 610-1174

### Event Information

Event Name: Prodisee Pantry Turkey Trot Event Date: October 22, 2016  
Event Location: City Hall # Participants/Vehicles: 1,000  
Start Time: 8:00 am Stop Time: 11:00 am Assembly Time: 7:00 am  
Special Requests: Hang signs for two weeks before event on city lattice signs  
Road Closures Requested:  Yes  No

### Special Instructions

### Approval: Internal Use Only

Date Routed: January 22, 2016  
Fire Dept: [Signature]  
Police Dept: [Signature]  
Public Works: [Signature]  
Parks & Recreation: N/A

#### **For Special Event/Band Permits:**

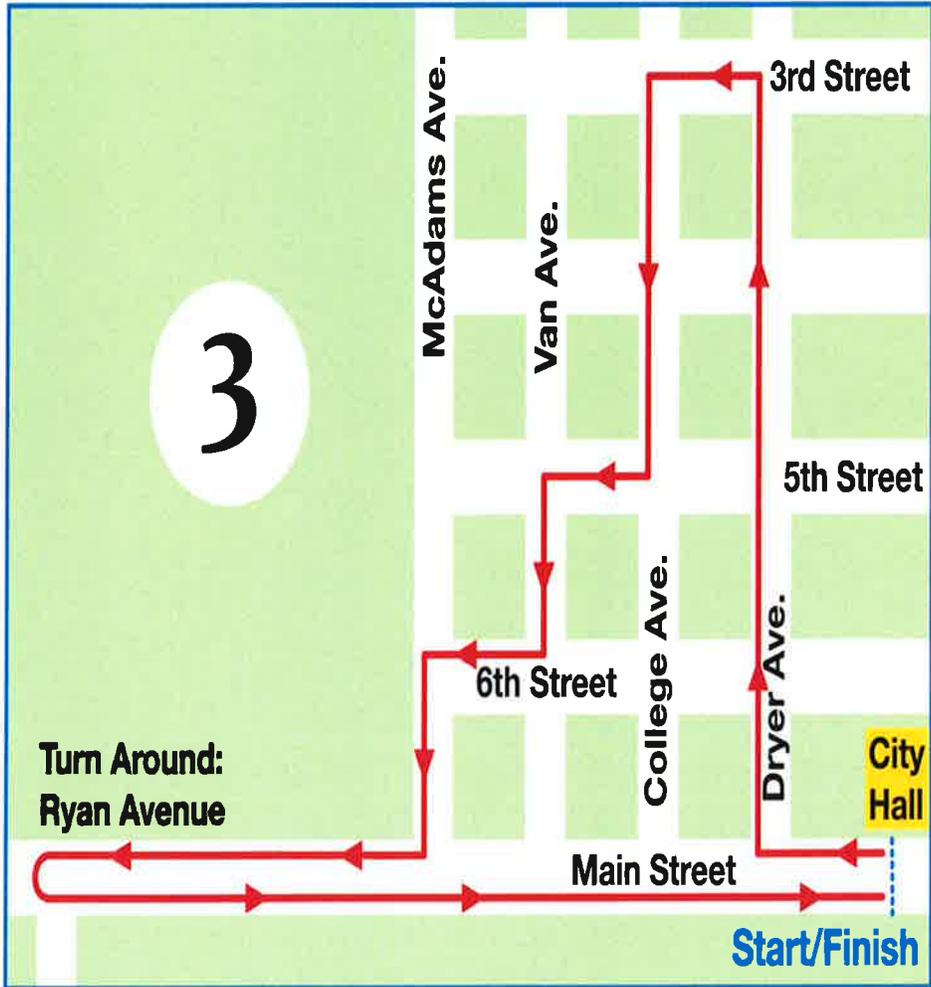
Council Member: \_\_\_\_\_  
District # Signature

#### **For Parade/Run Permits & Use of City Grounds:**

City Council: 2-01-2016  
Date of Approval

#### **Parade/Run Permits ONLY**

Fee Paid: \$ \_\_\_\_\_  N/A  Waived  
 Insurance Filed  N/A  
Route Selection:  1  2  3  4



## RESOLUTION 2016 - 05

### A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION FOR SALE TO THE CITY OF PRICHARD

**WHEREAS**, the City of Daphne has determined that a 1989 Ford D80 Fire Truck is no longer required for public or municipal purposes; and

**WHEREAS**, such Fire Truck has been replaced with a newer Fire Truck and is no longer used by the City; and

**WHEREAS**, the City of Prichard provides a certain quality of life services to their citizens.

**WHEREAS**, the City of Daphne supports the efforts of other municipalities; and

**WHEREAS**, the City of Daphne has determined that the City of Prichard can utilize this Fire Truck; and

**WHEREAS**, this Fire Truck is recommended for disposal;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that

1- The following property is hereby declared to be surplus property  
and

2- The Mayor is authorized to sell the 1989 Ford D80 Fire Truck listed below to City of Prichard for \$4,500:

DEPT	EQ/VEH#	DESCRIPTION	VIN
Fire	189 / 823	1989 FORD D80 PU C8000 E-ONE	1FDYD80U8KVA12858

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2016 – 02**

**APPROPRIATION FOR: FENCE AT LOTT PARK: BETWEEN LOTT PARK  
AND LITTLE BETHEL BAPTIST CHURCH GRAVEYARD PROPERTY**

**WHEREAS**, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

**WHEREAS**, Ordinance 2012-48 sets forth an allocation of Lodging Tax proceeds that may be used for certain recreational grounds capital improvements; and

**WHEREAS**, the Lott Park fencing project meets such recreational grounds capital criteria; and

**WHEREAS**, the fence is needed for safety purposes to restrict park activities from entering the Little Bethel Baptist Church graveyard property:

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2016 Budget is hereby amended to include an appropriation from the Lodging Tax Fund for installation of a fence on the Lott Park property adjacent to the Little Bethel Baptist Church graveyard property in the amount of \$16,800.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this \_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**Attest:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2016 - 03**

**Recreation Equipment : Amend Budget from Lodging Tax Appropriation to General Fund Appropriation**

**WHEREAS**, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

**WHEREAS**, recreation equipment in the amount of \$57,500 was included in the Lodging Tax FY2016 Budget to purchase the following equipment; and

**WHEREAS**, the current Lodging Tax Ordinance (*Ord 2014-06*) does not allow this type equipment purchased without further Council approval, and

**WHEREAS**, the recreation equipment purchase can be funded from the General Fund.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that funds in the amount of \$57,500 from the General Fund are hereby appropriated and made a part of the Fiscal Year 2016 budget for the Recreation equipment:

- Drag Machine-\$18,000
- John Deere Gator Utility Vehicle-\$7,500
- Chemical Sprayer-\$20,000
- John Deere 72" Z-Trak Mower-\$12,000

**APPROVED AND ADOPTED** by the Mayor and City Council of the City of Daphne, Alabama, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
**Dane Haygood, Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**

**ORDINANCE 2016-04**

**Sidewalk/Boardwalk Improvements: Lake Forest – Ridgewood Drive:  
North- Plaza Circle to Worchester Drive & South- Montclair Loop to Dunbar Loop**

**WHEREAS**, Ordinance 2015-55 approved adopted the Fiscal Year 2016 Budget on October 5, 2015; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2016 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2016 budget; and

**WHEREAS**, certain sidewalk installations are needed for safe passage along City streets including the following locations in **Lake Forest on Ridgewood Drive:**

- **North- Plaza Circle to Worchester Drive (3,200 LF)**
- **South- Montclair Loop to Dunbar Loop (2,800 LF)**

**WHEREAS**, surplus sale monies from FY2016 Surplus Sales will be available for funding such Sidewalk/Boardwalk projects.

**NOW, THEREFORE, BE IT ORDAINED** by the City Council of the City of Daphne, Alabama, that funds in the amount of \$82,000 from the General Fund Surplus Sale revenues are hereby appropriated and made a part of the Fiscal Year 2016 budget for Sidewalk/Boardwalk Improvements in Lake Forest on Ridgewood Drive: North-Plaza Circle to Worchester Drive & South- Montclair Loop to Dunbar Loop.

**APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

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**Dane Haygood, Mayor**

**ATTEST:**

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**Rebecca A. Hayes, City Clerk**

**ORDINANCE NO. 2016-05**

**AN AMENDED ORDINANCE REMOVING CONTINGENCY REGARDING FUNDS TO THOMAS HOSPITAL FOUNDATION**

**WHEREAS**, Ordinance 2015-55 approved and adopted the Fiscal Year 2016 Budget on October 5, 2015; and

**WHEREAS**, subsequent to the adoption of the Fiscal Year 2016 Budget, the City Council has determined that certain appropriations amended are required and should be approved and made part of the Fiscal Year 2016 budget; and

**WHEREAS**, a policy has been established by the City Council in Ordinances 2015-16 and 2015-45 that all outside entities, providing public benefit, but not direct financial benefit to the City, that request funding from the City adhere to the tenets of appropriations for Community Grant Programs; and

**WHEREAS**, the City Council by Amendment 102 of the Fiscal Year 2016 Budget, made certain provisions for the payment of \$150,000.00, payable at the rate of \$30,000.00 each fiscal year to the Thomas Hospital Foundation for the establishment of a birthing center at Thomas Hospital's current location in Fairhope, Alabama; and

**WHEREAS**, said Amendment 102 was passed by the City Council with an expressed contingency requiring that the funding for the birthing center would be approved contingent upon Thomas Hospital annexing certain property within the City of Daphne for the development of an emergency free standing department; and

**WHEREAS**, the City Council has considered this appropriation to be an exception to the terms and conditions of the City's Community Grants Program's Ordinance based on extraordinary circumstances shown; and

**WHEREAS**, Ordinance 2015-80 was approved by the City of Daphne on the 4<sup>th</sup> day of January, 2015, which did not accurately reflect the intentions of the City Council; and

**WHEREAS**, THE City Council now desires to remove the contingency related to the funding to Thomas Hospital Foundation birthing center and to express the current intent of the City Council;

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, as follows:

- a) That funds be and are hereby appropriated to Thomas Hospital Foundation in the amount of \$150,000.00 payable at the rate of \$30,000.00 per year with the initial \$30,000.00 payment to be made a part of the Fiscal Year 2016 Budget with the remaining sum of \$120,000.00 to be paid to the Thomas Hospital Foundation at the rate of \$30,000.00 for each fiscal year thereafter commencing with fiscal year

2017 budget, but subject to funding to be pre-approved by the City Council each fiscal year hereafter.

- b) That the contingency of annexation of certain parcels of real property as originally established as a condition to Amendment 102 of Fiscal Year 2016 Budget be and is hereby removed.

**REPEALER.** That Ordinance 2015-80 be and is expressly repealed.

**EFFECTIVE DATE.** This Ordinance shall be effective and operative upon execution of this Ordinance by publication by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this the \_\_\_\_ day of \_\_\_\_\_, 2015.**

\_\_\_\_\_  
**Dane Haygood**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes**  
**City Clerk**

**CITY OF DAPHNE**

**ORDINANCE NO. 2016-06**

**ESTABLISHING  
THE SALARY OF THE MAYOR**

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

**SECTION ONE:**

That the salary of the Mayor of the City of Daphne commencing the first Monday in November, 2016 shall be and the same is hereby fixed at Seventy-Five Thousand Dollars (\$75,000.00) annually, to be paid on the same pay cycle as city employees.

**SECTION TWO:**

That as additional compensation, the Mayor shall be entitled to reimbursement for use of his/her personal vehicle at the rate of reimbursement according to the current Internal Revenue rate.

**SECTION THREE:**

That the Mayor shall be entitled to all health care benefits, which may be provided for full-time employees of the City of Daphne, and to a cell phone and iPad.

**SECTION FOUR:**

That Ordinance 2008-17 and any other ordinance setting forth the salary of the Mayor is hereby repealed to the extent that the provisions of such Ordinance conflict with the provisions hereof.

**SECTION FIVE:**

That this Ordinance shall become effective upon adoption and publication as required by law, and shall continue in force and effect until repealed by action of the Council.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA** on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

# CITY OF DAPHNE

## ORDINANCE NO. 2016-07

### AN ORDINANCE TO ESTABLISH THE SALARY OF THE CITY COUNCIL MEMBERS

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

**SECTION ONE:**

That the salary of the City Council President of the City of Daphne commencing the first Monday in November, 2016 shall be and the same is hereby fixed at \$17,000 annually to be paid on the same pay cycle as city employees.

**SECTION TWO:**

That the salary of the City Council Vice-President of the City of Daphne, commencing the first Monday in November, 2016, shall be and the same in hereby fixed at \$14,200 annually to be paid on the same pay cycle as city employees.

**SECTION THREE:**

That the salary of the City Council Members of the City of Daphne, commencing the first Monday in November, 2016 shall be and the same is hereby fixed at \$13,000 annually to be paid on the same pay cycle as city employees.

**SECTION FOUR:**

That the City Council Members shall be entitled to a cell phone, iPad and/or laptop computer. Council Members shall also be entitled to purchase city health insurance at the city's cost to be deducted from their council pay.

**SECTION FIVE:**

That Ordinance 2008-16 and any other ordinance setting forth the salary of the City Council Members is hereby repealed to the extent that the provisions of such Ordinance conflict with the provisions hereof.

**SECTION SIX:**

That this Ordinance shall become effective upon adoption and publication as required by law, and shall continue in force and effect until repealed by action of the Council.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**  
on this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Dane Haygood, Mayor

ATTEST:

\_\_\_\_\_  
Rebecca A. Hayes, City Clerk

**CITY OF DAPHNE**

**ORDINANCE NO. 2016-08**

**Amending the Land Use and Development Ordinance 2011-54  
Revision to Appendix I of the City of Daphne  
Olde Towne District Map**

**WHEREAS**, the Planning Commission of the City of Daphne, at their regular meeting held on November 19, 2015, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No. 2011-54 referenced in Appendix I “Exhibit B” of the Daphne Land Use & Development Ordinance; and

**WHEREAS**, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2011-54 and Ordinance No. 2003-05, 2005-12, 2008-04 and 2009-66; and

**WHEREAS**, due notice of said proposed amendments to the Olde Towne District Map has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

**WHEREAS**, a public hearing regarding the proposed Olde Towne District Map amendments was held by the City Council February 1, 2016; and

**WHEREAS**, the City Council of the City of Daphne after due consideration believe the amendment to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:**

**SECTION I. OLDE TOWNE DISTRICT MAP**

The Olde Towne District Map referenced hereto as Exhibit “A” attached to this Ordinance shall be the official boundary map for the Olde Towne District of the City of Daphne, Alabama.

**SECTION II. AMENDMENT**

Ordinances 2011-54, 2003-05, 2005-12, 2008-04 and 2009-66 and any other amendments to these Ordinances are hereby amended to the extent that the previous Olde Towne District Map referenced in Land Use Ordinance Appendix I of Exhibit “B” and any amendment thereto, conflict with the Olde Towne District Map referenced as Exhibit “A”.

**SECTION III.      REPEALER**

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION IV.      EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2016.**

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes  
City Clerk**

**CITY OF DAPHNE**

**ORDINANCE NO. 2016-08**

**Amending the Land Use and Development Ordinance 2011-54  
Revision to Appendix I of the City of Daphne  
Olde Towne District Map**

**WHEREAS**, the Planning Commission of the City of Daphne, at their regular meeting held on November 19, 2015, favorably recommended certain amendments to the Olde Towne District Map approved and adopted by Ordinance No. 2011-54 referenced in Appendix I “Exhibit B” of the Daphne Land Use & Development Ordinance; and

**WHEREAS**, said amendments are necessary due to various rezoning and annexation requests, which have been approved since the adoption of Ordinance No. 2011-54 and Ordinance No. 2003-05, 2005-12, 2008-04 and 2009-66; and

**WHEREAS**, due notice of said proposed amendments to the Olde Towne District Map has been provided to the public as required by law through publication and open display at the City of Daphne Public Library and City Hall; and

**WHEREAS**, a public hearing regarding the proposed Olde Towne District Map amendments was held by the City Council February 1, 2016; and

**WHEREAS**, the City Council of the City of Daphne after due consideration believe the amendment to said Olde Towne District Map as requested by the Planning Commission are proper and in the best interest of the City.

**NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, as follows:**

**SECTION I. OLDE TOWNE DISTRICT MAP**

The Olde Towne District Map referenced hereto as Exhibit “A” attached to this Ordinance shall be the official boundary map for the Olde Towne District of the City of Daphne, Alabama.

**SECTION II. AMENDMENT**

Ordinances 2011-54, 2003-05, 2005-12, 2008-04 and 2009-66 and any other amendments to these Ordinances are hereby amended to the extent that the previous Olde Towne District Map referenced in Land Use Ordinance Appendix I of Exhibit “B” and any amendment thereto, conflict with the Olde Towne District Map referenced as Exhibit “A”.

**SECTION III.      REPEALER**

Any Ordinance(s) or parts of Ordinance(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

**SECTION IV.      EFFECTIVE DATE**

This Ordinance shall take effect and be in force from and after the date of its approval by the City Council of Daphne and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, ON THE \_\_\_\_\_ DAY \_\_\_\_\_, 2016.**

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**Dane Haygood,  
Mayor**

**ATTEST:**

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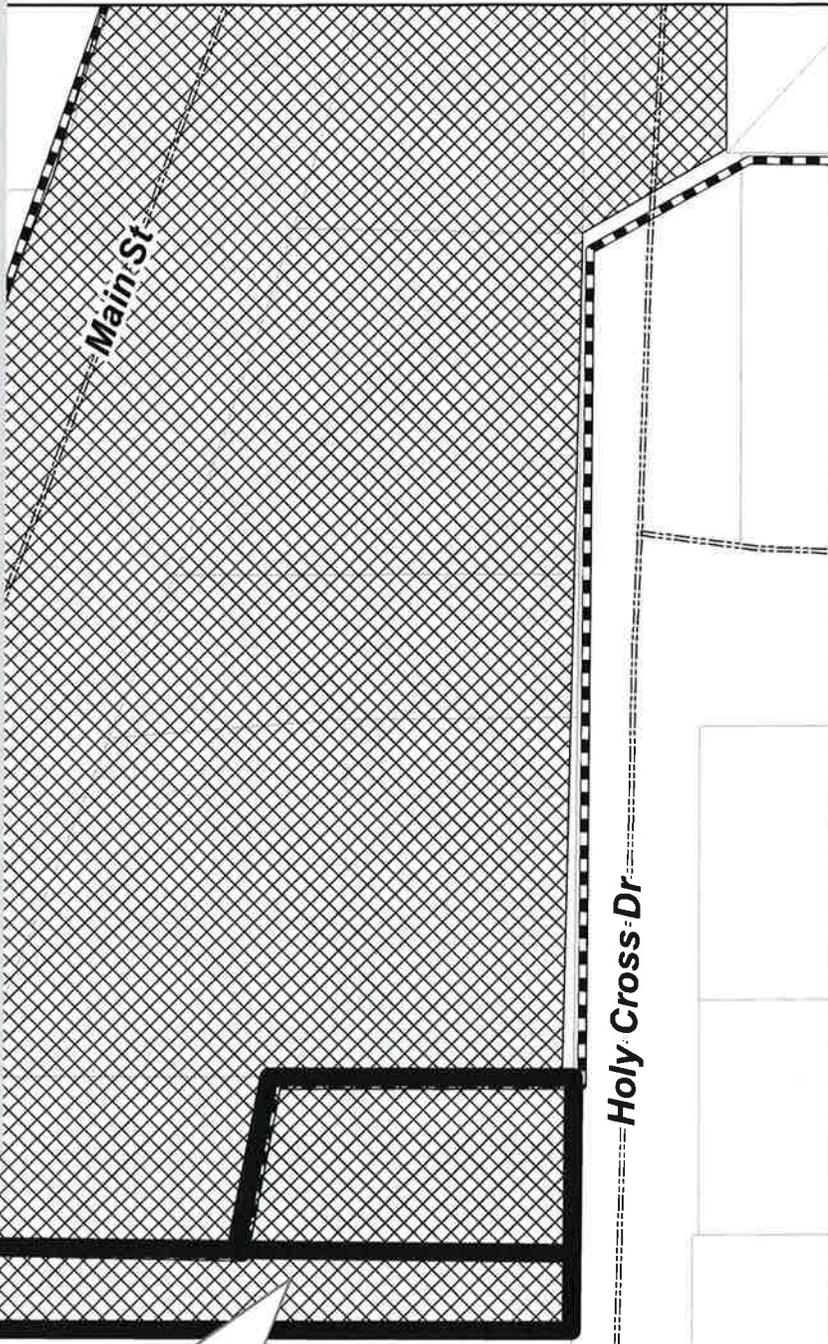
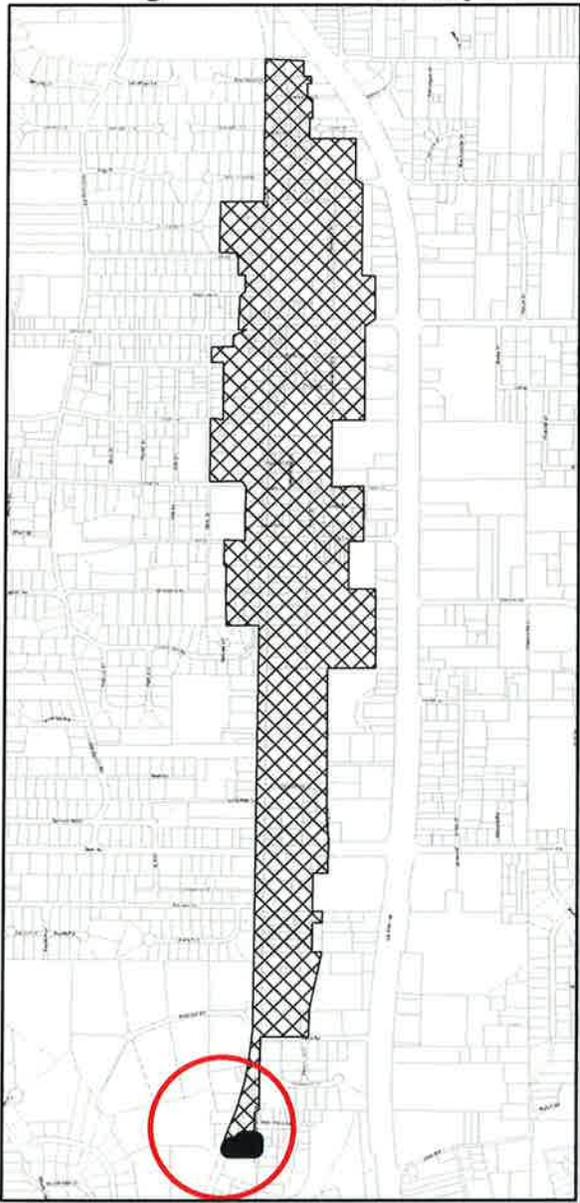
**Rebecca A. Hayes  
City Clerk**

# Olde Towne Overlay

N



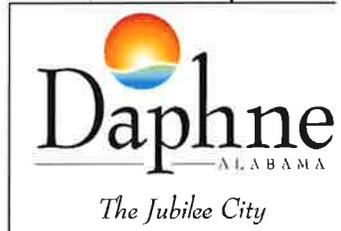
## Existing Olde Towne Overlay



**Addition to the Olde Towne Overlay District**

### Legend

-  Additional Parcels
-  Olde Towne Overlay
-  Daphne City Limits



The information contained in the data disseminated by the City of Daphne is derived from a variety of public and private sources considered to be dependable, but the accuracy, completeness and currency thereof are not guaranteed. The City of Daphne makes no warranties, expressed or implied as to the accuracy, completeness, currency, reliability, or suitability for any particular purpose of the information or data contained in or generated from the City Geographic Information System. Additionally, the City of Daphne or any agent, servant, or employee thereof assume no liability associated with the use of the data, and assume no responsibility to maintain it in any manner or form. Any questions regarding zoning or any data should be directed to the City of Daphne Planning Department. Tel. # 251-621-31

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE NO. 2016-09**

**Ordinance to Pre-Zone Property Located  
South and West of Oldfield Subdivision, Phase One  
Red Barn, L.L.C.**

**WHEREAS**, Red Barn, L.L.C. as the owner of certain real property located within the unincorporated area of Baldwin County, Alabama, has requested that said property that is currently under County zoning as RA, Rural Agricultural District, Baldwin County District 15, in the extraterritorial planning jurisdiction of the City of Daphne, to be pre-zoned as R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6, (G), Garden/Patio Homes, District, City of Daphne prior to annexing into the City of Daphne; and

**WHEREAS**, said real property is South and West of Oldfield Subdivision, Phase One, and more particularly described as follows:

**Legal Description for Pre-zone:**

R-2  
19.66 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 29 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 87 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 54 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 29 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS SOUTH 79 DEGREES 09 MINUTES 17 SECONDS WEST, A DISTANCE OF 188.97 FEET); THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 436.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS SOUTH 65 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.77 FEET); THENCE RUN NORTH 37 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 203.37 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61

FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04

SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.

R-3  
36.10 AC.

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 68.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.46 FEET); THENCE RUN NORTH 52 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 684.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 16 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 197.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 1709.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

R-6G  
16.35 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

**WHEREAS**, at the regular Planning Commission meeting on December 17, 2015, the Commission considered said request and set forth a unanimous favorable recommendation to the City Council of a pre-zoning amendment of the subject property for Red Barn, L.L. C. as R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6 (G), Garden/Patio Homes; and,

**WHEREAS**, due notice of said proposed pre-zoning has been provided to the public as required by law through publication and open display at the Daphne Public Library and City Hall, a public hearing was held before the City Council on February 1, 2016; and,

**WHEREAS**, the City Council of the City of Daphne after due consideration and upon consideration of the notes of the Planning Commission, deemed that said application for pre-zoning of the above described real property is proper and in the best interest of the health, safety and welfare of the citizens of the City of Daphne, Alabama; and

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, as follows:

#### **SECTION I: ZONING**

That above described real property is hereby pre-zoned to R-2, Medium Density Single Family Residential District, R-3, High Density Single Family Residential District and R-6 (G),

Garden/Patio Homes, City of Daphne. Upon annexation of the property prior to the expiration of the pre-zoning as set forth in Section IV, the property shall be assigned the zoning district in accordance with the pre-zoning and the zoning ordinance and zoning map be amended to reflect the said zoning. Should annexation not occur prior to the expiration of this pre-zoning as set forth in Section IV, this pre-zoning shall have no effect and the designation of a zoning district for the property shall be set forth in the annexation ordinance.

Until such time as the property is annexed to the City of Daphne, the property shall remain in the unincorporated area of Baldwin County and zoned in accordance with the Baldwin County Commission's zoning plan. The County's zoning for the property at the time the request for pre-zoning was submitted was RA, Rural Agricultural District, Baldwin County District 15.

#### **SECTION II: REPEALER.**

All other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

#### **SECTION III: SEVERABILITY.**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence, or part thereof shall be held unconstitutional or invalid, such decision shall not affect or impair the remainder of said Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence, and part thereof separately and independently of each other.

**SECTION IV: EFFECTIVE AND EXPIRATION DATE.**

This Ordinance, and in particular the pre-zoning shall take effect after the date of its approval by the City Council of the City of Daphne and publication as required by law. Pursuant to Code of Alabama (1975) Section 11-52-85, the zoning of the property, shall become effective upon the date the territory is annexed into the corporate limits. If any portion of the territory is not annexed into the corporate limits within 180 days of the initiation of annexation proceedings as provided by law then this pre-zoning shall be null and void. Should the pre-zoning become null and void, the applicant may reapply for pre-zoning at any time as long as an annexation petition is pending.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS \_\_\_\_\_ day of \_\_\_\_\_, 2016.**

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**Dane Haygood,  
Mayor**

**ATTEST:**

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**Rebecca A. Hayes,  
City Clerk**

# EXHIBIT "A"

R-2

19.66 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE RUN NORTH 88 DEGREES 22 MINUTES 28 SECONDS EAST, A DISTANCE OF 100.12 FEET; THENCE RUN SOUTH 01 DEGREES 21 MINUTES 22 SECONDS EAST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 29 DEGREES 45 MINUTES 31 SECONDS WEST, A DISTANCE OF 58.39 FEET; THENCE RUN SOUTH 01 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 87 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 24.80 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 54 SECONDS WEST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 38 DEGREES 38 MINUTES 09 SECONDS WEST, A DISTANCE OF 74.94 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 47 SECONDS WEST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN NORTH 27 DEGREES 11 MINUTES 29 SECONDS WEST, A DISTANCE OF 193.23 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS SOUTH 79 DEGREES 09 MINUTES 17 SECONDS WEST, A DISTANCE OF 188.97 FEET); THENCE RUN NORTH 03 DEGREES 00 MINUTES 58 SECONDS EAST, A DISTANCE OF 436.03 FEET; THENCE RUN NORTH 22 DEGREES 05 MINUTES 33 SECONDS EAST, A DISTANCE OF 215.00 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS SOUTH 65 DEGREES 00 MINUTES 51 SECONDS EAST, A DISTANCE OF 140.77 FEET); THENCE RUN NORTH 37 DEGREES 36 MINUTES 42 SECONDS EAST, A DISTANCE OF 203.37 FEET; THENCE RUN SOUTH 48 DEGREES 09 MINUTES 04 SECONDS EAST, A DISTANCE OF 154.05 FEET; THENCE RUN NORTH 85 DEGREES 09 MINUTES 13 SECONDS EAST, A DISTANCE OF 287.00 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.47 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 19.66 ACRES, MORE OR LESS.

# EXHIBIT "A"

R-3

36.10 AC.

BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 89 DEGREES 40 MINUTES 58 SECONDS EAST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 46 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 68.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 50.46 FEET); THENCE RUN NORTH 52 DEGREES 12 MINUTES 45 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 684.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 16 DEGREES 52 MINUTES 53 SECONDS WEST, A DISTANCE OF 197.60 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 56 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 43 MINUTES 30 SECONDS WEST, A DISTANCE OF 1709.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.

# EXHIBIT "A"

R-6G

16.35 AC.

BEGINNING AT THE SOUTHWEST CORNER OF LOT 91, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 883.22 FEET; THENCE RUN SOUTH 88 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 24.61 FEET; THENCE RUN NORTH 10 DEGREES 19 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.69 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 36 SECONDS EAST, A DISTANCE OF 179.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

## R-6G (CONT.)

### 25.74 AC

BEGINNING AT THE NORTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 89 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 479.73 FEET; THENCE RUN SOUTH 11 DEGREES 16 MINUTES 08 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 236.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 21.62 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN NORTH 01 DEGREES 25 MINUTES 52 SECONDS EAST, A DISTANCE OF 337.90 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.74 ACRES, MORE OR LESS.

## R-6G (CONT.)

### 12.65 AC

COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 11 MINUTES 15 SECONDS WEST, A DISTANCE OF 32.39 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING.

THENCE RUN NORTH 85 DEGREES 31 MINUTES 06 SECONDS EAST, A DISTANCE OF 241.99 FEET; THENCE RUN NORTH 89 DEGREES 53 MINUTES 30 SECONDS EAST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 00 DEGREES 42 MINUTES 50 SECONDS WEST, A DISTANCE OF 815.88 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.10 FEET, (CHORD BEARS NORTH 45 DEGREES 11 MINUTES 47 SECONDS WEST, A DISTANCE OF 35.24 FEET); THENCE RUN SOUTH 89 DEGREES 59 MINUTES 47 SECONDS WEST, A DISTANCE OF 76.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 76 DEGREES 55 MINUTES 09 SECONDS WEST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 578.84 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27 MINUTES 41 SECONDS WEST, A DISTANCE OF 131.03 FEET); THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 155.31 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 684.77 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.



27 26  
34 35

ALABAMA STATE HIGHWAY NO. 181

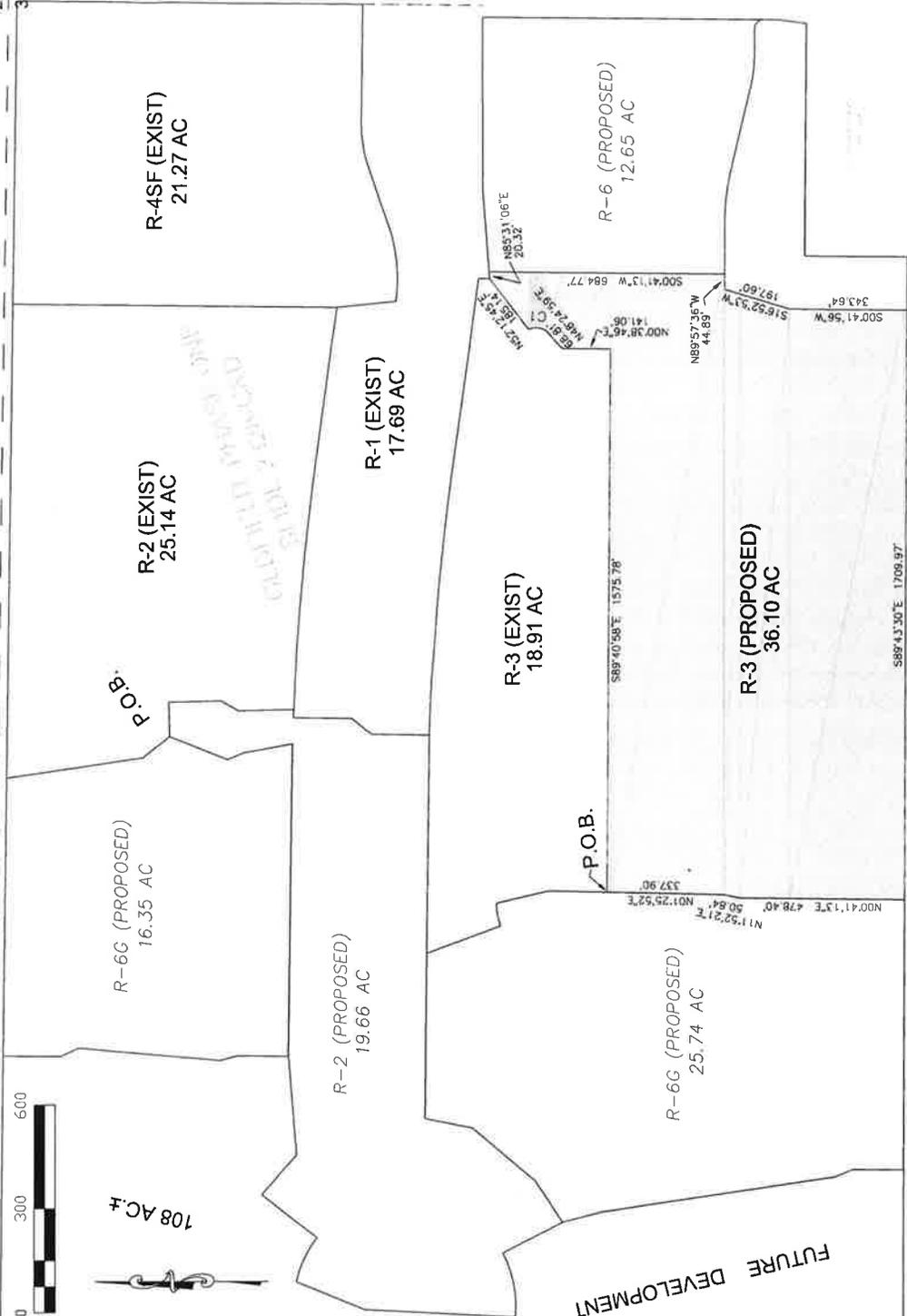
ASSTY. MAP OF SEC. 34, T15S, R10E



108 AC.F.

**R-3 - 36.10 AC.**

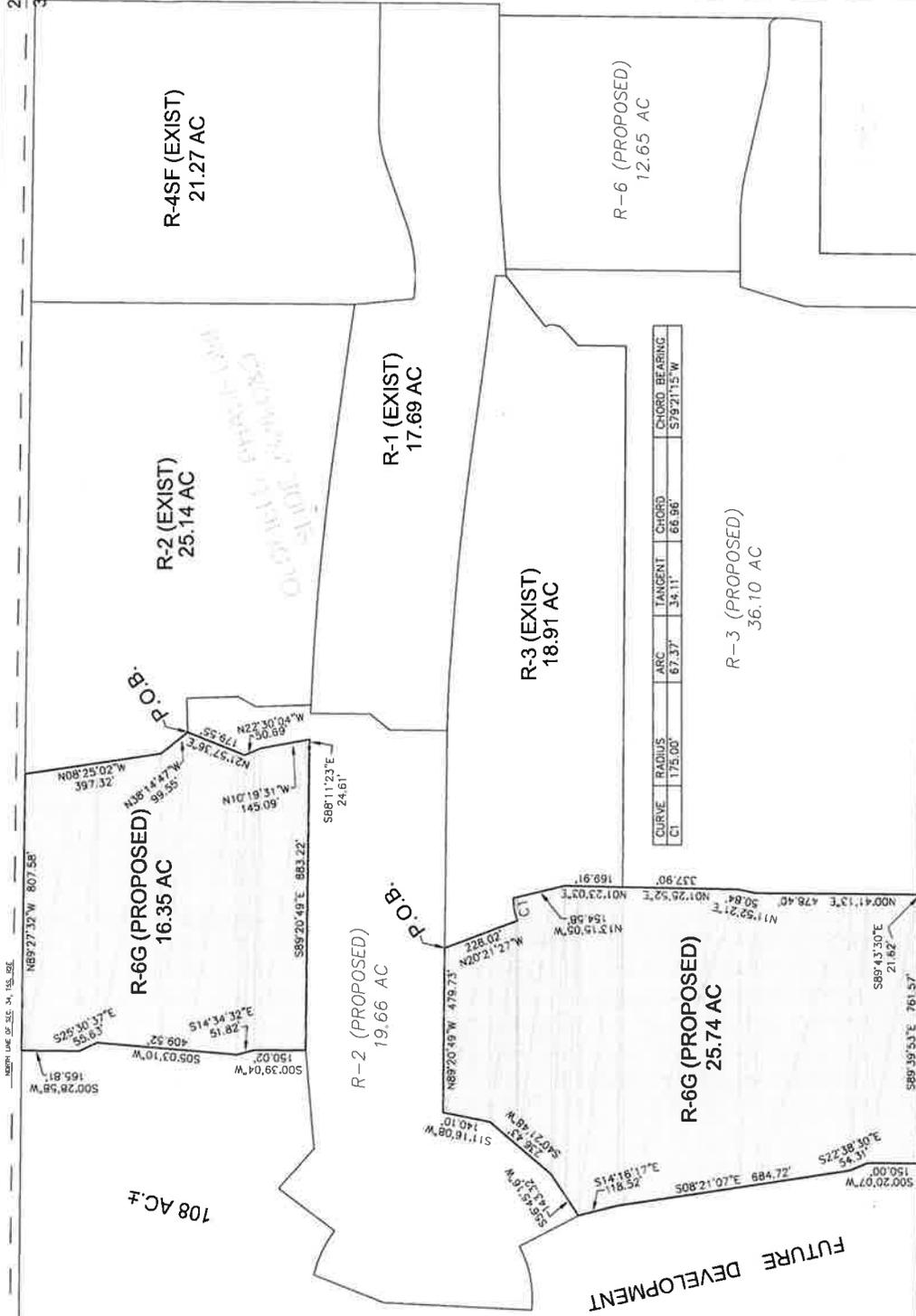
BEGINNING AT THE SOUTHWEST CORNER OF COMMON AREA 10, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2538-C AND D, BALDWIN COUNTY, ALABAMA, AND PROCEEDING AS FOLLOWS: A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 40 SECONDS EAST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 48 DEGREES 24 MINUTES 59 SECONDS EAST, A DISTANCE OF 88.81 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.80 FEET; CHORD BEARS NORTH 05 DEGREES 14 MINUTES 12 SECONDS EAST, A DISTANCE OF 102.00 FEET; THENCE RUN NORTH 43 DEGREES 13 MINUTES 30 SECONDS EAST, A DISTANCE OF 185.14 FEET; THENCE RUN NORTH 85 DEGREES 31 MINUTES 09 SECONDS EAST, A DISTANCE OF 20.32 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS WEST, A DISTANCE OF 694.77 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 44.89 FEET; THENCE RUN SOUTH 10 DEGREES 10 SECONDS WEST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 89 DEGREES 57 MINUTES 36 SECONDS WEST, A DISTANCE OF 1708.97 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 478.40 FEET; THENCE RUN NORTH 11 DEGREES 52 MINUTES 21 SECONDS EAST, A DISTANCE OF 50.84 FEET; THENCE RUN SOUTH 00 DEGREES 41 MINUTES 13 SECONDS EAST, A DISTANCE OF 337.90 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 36.10 ACRES, MORE OR LESS.



CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	50.00'	52.80'	29.22'	50.46'	N0514.12 E

**EXHIBIT "B"**  
**PROPOSED R-3**

**OLDFIELD**



108 AC. F.

**R-6G - 16.35 AC.**  
 BEGINNING AT THE SOUTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.55 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET; THENCE RUN NORTH 86 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN NORTH 86 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.03 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 39 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 86 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 86 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN NORTH 10 DEGREES 10 MINUTES 31 SECONDS WEST, A DISTANCE OF 145.09 FEET; THENCE RUN NORTH 22 DEGREES 30 MINUTES 04 SECONDS WEST, A DISTANCE OF 50.89 FEET; THENCE RUN NORTH 21 DEGREES 57 MINUTES 38 SECONDS EAST, A DISTANCE OF 170.55 FEET; TO THE POINT OF BEGINNING. TRACT CONTAINS 16.35 ACRES, MORE OR LESS.

**R-6G - 25.74 AC.**  
 BEGINNING AT THE NORTHWEST CORNER OF LOT 59, OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE NORTH 86 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 11 DEGREES 48 MINUTES 10 SECONDS WEST, A DISTANCE OF 140.10 FEET; THENCE RUN SOUTH 40 DEGREES 21 MINUTES 48 SECONDS WEST, A DISTANCE OF 230.43 FEET; THENCE RUN SOUTH 56 DEGREES 45 MINUTES 16 SECONDS WEST, A DISTANCE OF 143.32 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 06 DEGREES 07 SECONDS EAST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 86 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 06 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 25.74 ACRES, MORE OR LESS.

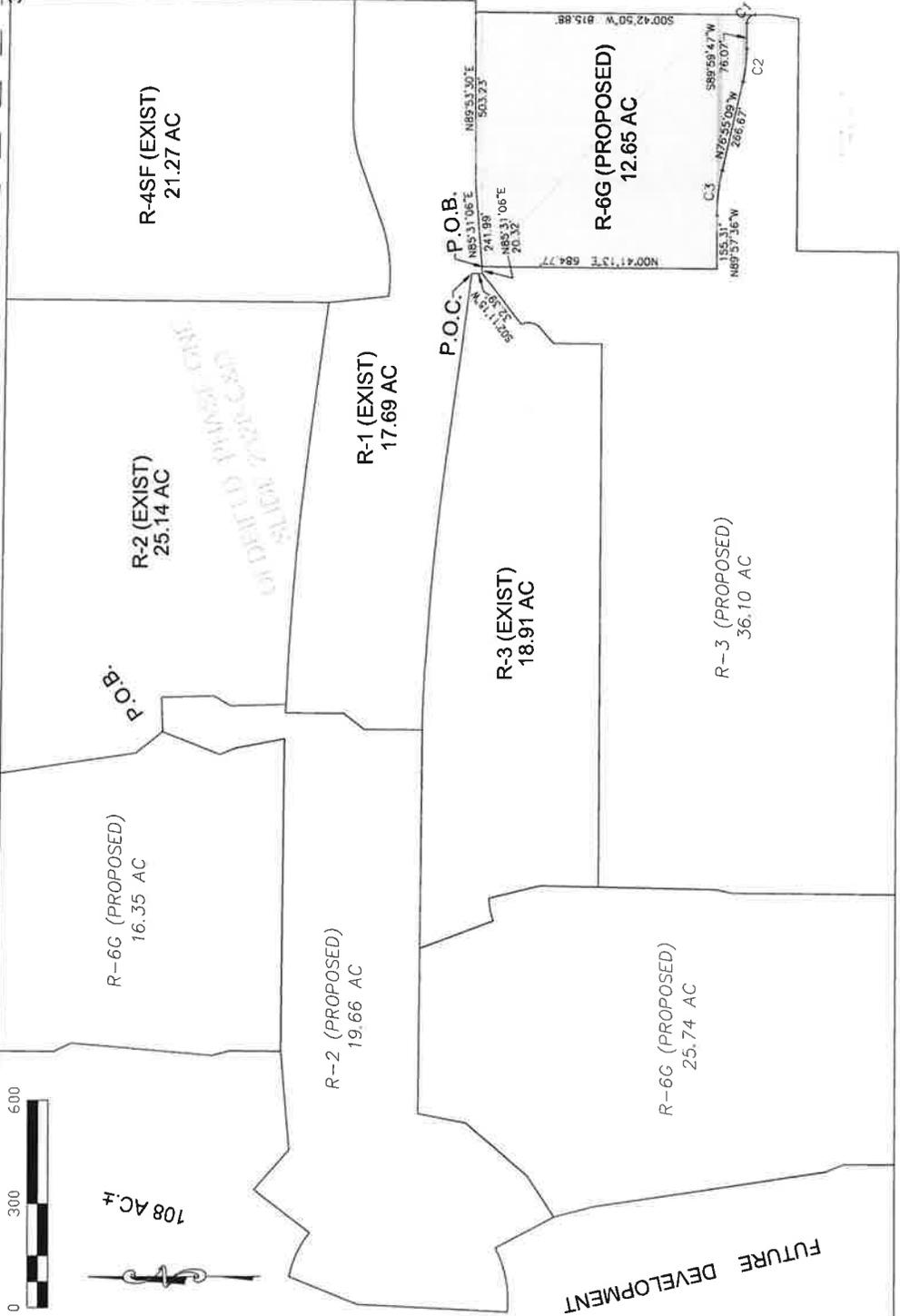
**EXHIBIT "B"**  
**PROPOSED R-6G**  
**OLDFIELD**



108 AC ±

**R-6G - 12.65 AC.**

COMMENCE AT THE SOUTHEAST CORNER OF LOT 142, OLD FIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2328-C AND D, BALDWIN COUNTY PROBATE RECORDS AND RUN THENCE SOUTH 02 DEGREES 16' SOUTH 88 DEGREES 02' WEST, A DISTANCE OF 33.39 FEET; THENCE RUN SOUTH 88 DEGREES 02' WEST, A DISTANCE OF 20.32 FEET TO THE POINT OF BEGINNING. THENCE RUN NORTH 86 DEGREES 31' MINUTES 00" SECONDS EAST, A DISTANCE OF 241.99 FEET; THENCE RUN NORTH 86 DEGREES 53' MINUTES 30" SECONDS EAST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 00 DEGREES 42' MINUTES 50" SECONDS WEST, A DISTANCE OF 149.67 FEET; THENCE RUN SOUTH 00 DEGREES 42' MINUTES 50" SECONDS WEST, A DISTANCE OF 39.10 FEET; CHORD BEARS NORTH 45 DEGREES 11' MINUTES 47" SECONDS WEST, A DISTANCE OF 55.24 FEET; THENCE RUN SOUTH 89 DEGREES 59' MINUTES 47" SECONDS WEST, A DISTANCE OF 79.07 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.00 FEET, (CHORD BEARS NORTH 83 DEGREES 27' MINUTES 41" SECONDS WEST, A DISTANCE OF 266.97 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 578.84 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS NORTH 83 DEGREES 27' MINUTES 41" SECONDS WEST, A DISTANCE OF 131.03 FEET; THENCE RUN NORTH 89 DEGREES 57' MINUTES 00" SECONDS WEST, A DISTANCE OF 155.31 FEET; THENCE RUN NORTH 00 DEGREES 41' MINUTES 00" SECONDS WEST, A DISTANCE OF 155.31 FEET; THENCE ALONG A CURVE OF 155.31 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 12.65 ACRES, MORE OR LESS.



**EXHIBIT "B"**  
**PROPOSED R-6G**

CURVE	RADIUS	ARC	TANGENT	CHORD	CHORD BEARING
C1	25.00'	39.10'	24.83'	35.24'	N45°11'47"W
C2	475.00'	97.00'	48.74'	96.85'	N83°27'41"W
C3	578.84'	131.31'	65.94'	131.03'	N83°27'41"W

**OLD FIELD**

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE 2016-10**

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

**South and West of Oldfield Subdivision, Phase One  
Red Barn, L.L.C.**

**WHEREAS**, on the 17<sup>th</sup> day of November, 2015, 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 February 1, 2016 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 December 17, 2015, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation and said property; and

**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: 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 THE NORTHWEST CORNER OF OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2328-C AND D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04

SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 04 SECONDS WEST, A DISTANCE OF 154.05 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS NORTH 79 DEGREES 09 MINUTES 17 SECONDS EAST, A DISTANCE OF 188.97 FEET); THENCE RUN SOUTH 27 DEGREES 11 MINUTES 29 SECONDS EAST, A DISTANCE OF 193.23 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 1731.60 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 16 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 197.60 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2081.95 FEET, AN ARC LENGTH OF 25.19 FEET, (CHORD BEARS SOUTH 89 DEGREES 39 MINUTES 26 SECONDS EAST, A DISTANCE OF 25.19 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 47 SECONDS EAST, A DISTANCE OF 175.01 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 131.03 FEET); THENCE RUN SOUTH 76 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 56 SECONDS EAST, A DISTANCE OF 76.35 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.57 FEET, (CHORD BEARS SOUTH 44 DEGREES 39 MINUTES 17 SECONDS EAST, A DISTANCE OF 35.57 FEET) TO A POINT ON THE WEST MARGIN OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00 DEGREES 41 MINUTES 40 SECONDS EAST, ALONG SAID WEST MARGIN, A DISTANCE OF 816.36 FEET TO A POINT ON THE SOUTH MARGIN OF THE AFOREMENTIONED OLDFIELD PHASE ONE; THENCE RUN ALONG THE SOUTH, WEST AND EAST MARGINS OF SAID OLDFIELD PHASE ONE, THE FOLLOWING DESCRIBED COURSES:  
THENCE RUN SOUTH 89 DEGREES 53 MINUTES 30 SECONDS WEST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 85 DEGREES 31 MINUTES 06 SECONDS WEST, A DISTANCE OF 262.31 FEET; THENCE RUN SOUTH 52 DEGREES 12 MINUTES 45 SECONDS WEST, A DISTANCE OF 185.14 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS SOUTH 05 DEGREES 14 MINUTES 12 SECONDS WEST, A DISTANCE OF 50.46 FEET); THENCE RUN SOUTH 48 DEGREES 24 MINUTES 59 SECONDS WEST, A DISTANCE OF 68.81 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 46 SECONDS WEST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 58 SECONDS WEST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A

DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 38 DEGREES 38 MINUTES 09 SECONDS EAST, A DISTANCE OF 74.94 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 54 SECONDS EAST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 87 DEGREES 15 MINUTES 05 SECONDS EAST, A DISTANCE OF 24.80 FEET; THENCE RUN NORTH 01 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 29 DEGREES 45 MINUTES 31 SECONDS EAST, A DISTANCE OF 58.39 FEET; THENCE RUN NORTH 01 DEGREES 21 MINUTES 22 SECONDS WEST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 88 DEGREES 22 MINUTES 28 SECONDS WEST, A DISTANCE OF 100.04 FEET; THENCE RUN NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.64 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 110.50 ACRES, MORE OR LESS, AND LIES IN THE NORTH HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

**SECTION THREE: 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 FOUR: 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 \_\_\_\_\_ DAY OF \_\_\_\_\_, 2016.**

\_\_\_\_\_  
**Dane Haygood,**  
**Mayor**

**ATTEST:**

\_\_\_\_\_  
**Rebecca A. Hayes,**  
**City Clerk**

# EXHIBIT "A"

## OLDFIELD ANNEXATION

110.50 ACRES

BEGINNING AT THE NORTHWEST CORNER OF OLDFIELD PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2328-C AND D, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE NORTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF 807.58 FEET; THENCE RUN SOUTH 00 DEGREES 28 MINUTES 58 SECONDS WEST, A DISTANCE OF 165.81 FEET; THENCE RUN SOUTH 25 DEGREES 30 MINUTES 37 SECONDS EAST, A DISTANCE OF 55.63 FEET; THENCE RUN SOUTH 05 DEGREES 03 MINUTES 10 SECONDS WEST, A DISTANCE OF 409.52 FEET; THENCE RUN SOUTH 14 DEGREES 34 MINUTES 32 SECONDS EAST, A DISTANCE OF 51.82 FEET; THENCE RUN SOUTH 00 DEGREES 39 MINUTES 04 SECONDS WEST, A DISTANCE OF 150.02 FEET; THENCE RUN SOUTH 85 DEGREES 09 MINUTES 13 SECONDS WEST, A DISTANCE OF 287.00 FEET; THENCE RUN NORTH 48 DEGREES 09 MINUTES 04 SECONDS WEST, A DISTANCE OF 154.05 FEET; THENCE RUN SOUTH 37 DEGREES 36 MINUTES 42 SECONDS WEST, A DISTANCE OF 203.37 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 141.91 FEET, (CHORD BEARS NORTH 65 DEGREES 00 MINUTES 51 SECONDS WEST, A DISTANCE OF 140.77 FEET); THENCE RUN SOUTH 22 DEGREES 05 MINUTES 33 SECONDS WEST, A DISTANCE OF 215.00 FEET; THENCE RUN SOUTH 03 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 436.03 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 322.00 FEET, AN ARC LENGTH OF 191.79 FEET, (CHORD BEARS NORTH 79 DEGREES 09 MINUTES 17 SECONDS EAST, A DISTANCE OF 188.97 FEET); THENCE RUN SOUTH 27 DEGREES 11 MINUTES 29 SECONDS EAST, A DISTANCE OF 193.23 FEET; THENCE RUN SOUTH 14 DEGREES 16 MINUTES 17 SECONDS EAST, A DISTANCE OF 118.52 FEET; THENCE RUN SOUTH 08 DEGREES 21 MINUTES 07 SECONDS EAST, A DISTANCE OF 684.72 FEET; THENCE RUN SOUTH 22 DEGREES 38 MINUTES 30 SECONDS EAST, A DISTANCE OF 54.31 FEET; THENCE RUN SOUTH 00 DEGREES 20 MINUTES 07 SECONDS WEST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 89 DEGREES 39 MINUTES 53 SECONDS EAST, A DISTANCE OF 761.57 FEET; THENCE RUN SOUTH 89 DEGREES 43 MINUTES 30 SECONDS EAST, A DISTANCE OF 1731.60 FEET; THENCE RUN NORTH 00 DEGREES 41 MINUTES 56 SECONDS EAST, A DISTANCE OF 343.64 FEET; THENCE RUN NORTH 16 DEGREES 52 MINUTES 53 SECONDS EAST, A DISTANCE OF 197.60 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 2081.95 FEET, AN ARC LENGTH OF 25.19 FEET, (CHORD BEARS SOUTH 89 DEGREES 39 MINUTES 26 SECONDS EAST, A DISTANCE OF 25.19 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 47 SECONDS EAST, A DISTANCE OF 175.01 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 575.00 FEET, AN ARC LENGTH OF 131.31 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 131.03 FEET); THENCE RUN SOUTH 76 DEGREES 55 MINUTES 09 SECONDS EAST, A DISTANCE OF 266.67 FEET; THENCE ALONG A CURVE TO THE LEFT,

HAVING A RADIUS OF 425.00 FEET, AN ARC LENGTH OF 97.06 FEET, (CHORD BEARS SOUTH 83 DEGREES 27 MINUTES 41 SECONDS EAST, A DISTANCE OF 96.85 FEET); THENCE RUN NORTH 89 DEGREES 59 MINUTES 56 SECONDS EAST, A DISTANCE OF 76.35 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.57 FEET, (CHORD BEARS SOUTH 44 DEGREES 39 MINUTES 17 SECONDS EAST, A DISTANCE OF 35.57 FEET) TO A POINT ON THE WEST MARGIN OF ALABAMA HIGHWAY 181; THENCE RUN NORTH 00 DEGREES 41 MINUTES 40 SECONDS EAST, ALONG SAID WEST MARGIN, A DISTANCE OF 816.36 FEET TO A POINT ON THE SOUTH MARGIN OF THE AFOREMENTIONED OLDFIELD PHASE ONE; THENCE RUN ALONG THE SOUTH, WEST AND EAST MARGINS OF SAID OLDFIELD PHASE ONE, THE FOLLOWING DESCRIBED COURSES:

THENCE RUN SOUTH 89 DEGREES 53 MINUTES 30 SECONDS WEST, A DISTANCE OF 503.24 FEET; THENCE RUN SOUTH 85 DEGREES 31 MINUTES 06 SECONDS WEST, A DISTANCE OF 262.31 FEET; THENCE RUN SOUTH 52 DEGREES 12 MINUTES 45 SECONDS WEST, A DISTANCE OF 185.14 FEET; THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 52.89 FEET, (CHORD BEARS SOUTH 05 DEGREES 14 MINUTES 12 SECONDS WEST, A DISTANCE OF 50.46 FEET); THENCE RUN SOUTH 48 DEGREES 24 MINUTES 59 SECONDS WEST, A DISTANCE OF 68.81 FEET; THENCE RUN SOUTH 00 DEGREES 38 MINUTES 46 SECONDS WEST, A DISTANCE OF 141.06 FEET; THENCE RUN NORTH 89 DEGREES 40 MINUTES 58 SECONDS WEST, A DISTANCE OF 1575.78 FEET; THENCE RUN NORTH 01 DEGREES 23 MINUTES 03 SECONDS EAST, A DISTANCE OF 169.91 FEET; THENCE RUN NORTH 13 DEGREES 15 MINUTES 05 SECONDS WEST, A DISTANCE OF 154.58 FEET; THENCE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 175.00 FEET, AN ARC LENGTH OF 67.37 FEET, (CHORD BEARS SOUTH 79 DEGREES 21 MINUTES 15 SECONDS WEST, A DISTANCE OF 66.96 FEET); THENCE RUN NORTH 20 DEGREES 21 MINUTES 27 SECONDS WEST, A DISTANCE OF 228.02 FEET; THENCE RUN SOUTH 89 DEGREES 20 MINUTES 49 SECONDS EAST, A DISTANCE OF 634.82 FEET; THENCE RUN NORTH 00 DEGREES 39 MINUTES 47 SECONDS EAST, A DISTANCE OF 168.50 FEET; THENCE RUN NORTH 38 DEGREES 38 MINUTES 09 SECONDS EAST, A DISTANCE OF 74.94 FEET; THENCE RUN NORTH 00 DEGREES 38 MINUTES 54 SECONDS EAST, A DISTANCE OF 170.42 FEET; THENCE RUN SOUTH 87 DEGREES 15 MINUTES 05 SECONDS EAST, A DISTANCE OF 24.80 FEET; THENCE RUN NORTH 01 DEGREES 20 MINUTES 49 SECONDS WEST, A DISTANCE OF 161.38 FEET; THENCE RUN NORTH 29 DEGREES 45 MINUTES 31 SECONDS EAST, A DISTANCE OF 58.39 FEET; THENCE RUN NORTH 01 DEGREES 21 MINUTES 22 SECONDS WEST, A DISTANCE OF 150.46 FEET; THENCE RUN SOUTH 88 DEGREES 22 MINUTES 28 SECONDS WEST, A DISTANCE OF 100.04 FEET; THENCE RUN NORTH 38 DEGREES 14 MINUTES 47 SECONDS WEST, A DISTANCE OF 99.64 FEET; THENCE RUN NORTH 08 DEGREES 25 MINUTES 02 SECONDS WEST, A DISTANCE OF 397.32 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 110.50 ACRES, MORE OR LESS, AND LIES IN THE NORTH HALF OF SECTION 34, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.



**CITY OF DAPHNE**

**ORDINANCE 2016-11**

**AN ORDINANCE TO REPEAL ORDINANCE  
AND TO ESTABLISH THE USE  
OF ELECTRONIC VOTE COUNTING DEVICES FOR USE IN ALL MUNICIPAL  
ELECTIONS**

**WHEREAS**, Chapter 7 of Title 17 of the Alabama Code of 1975, and the regulations adopted pursuant thereto by the Alabama Electronic Voting Committee, provide for the use of Electronic Vote Counting Systems; and

**WHEREAS**, Section 17-7-21 of the Code of Alabama 1975 provides that a municipality may, in its discretion, by adoption of an appropriate ordinance, authorize, adopt, and direct the use of electronic vote counting systems for use in all elections held in such municipality; and

**WHEREAS**, any Ordinance which is in conflict with this Ordinance, is hereby repealed.

**NOW, THEREFORE BE IT ORDAINED** by the City Council of the City of Daphne, Alabama that for all elections held subsequent to the passage of this ordinance, that Baldwin County supplies the City of Daphne with voting devices and that the City of Daphne adopts the DS200 Electronic Vote Counting System that the County will use or any subsequent model device, which complies with Section 17-7-21 of the Code of Alabama and also adopts the AutoMARK Voter 87000 System that the County will use or any subsequent model device, which complies with Section 17-2-4 of the Code of Alabama; and any regulations adopted pursuant thereto, is hereby authorized for the reporting, counting, and tabulating of any and all election results.

**BE IT FURTHER ORDAINED**, that the Mayor of the City of Daphne is hereby directed to file a copy of this ordinance with the Secretary of State as provided in Section 17-7-21 of the Code of Alabama 1975.

**APPROVED AND ADOPTED** this the \_\_\_\_ day of \_\_\_\_\_, 2016.

\_\_\_\_\_  
Dane Haygood, Mayor

**ATTEST:**

\_\_\_\_\_  
Rebecca A. Hayes,  
City Clerk

**ADOPTED ORDINANCES AND RESOLUTIONS**  
**FROM THE**  
**JANUARY 19, 2016 AND JANUARY 25, 2016**  
**COUNCIL MEETINGS**

## RESOLUTION 2016 - 03

### A RESOLUTION DECLARING CERTAIN PERSONAL PROPERTY SURPLUS AND AUTHORIZING DISPOSITION

**WHEREAS**, the Police Department of the City of Daphne has determined that DJ, Police Drug Canine, is ready for retirement and therefore no longer required for public or municipal purposes; and

**WHEREAS**, DJ has been a Police Canine for 7 years; and

**WHEREAS**, DJ has been requested to be adopted by his handler, Patrol Officer Jeff Sulzmann.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and City Council of the City of Daphne that:

- 1- The Police Drug Canine, DJ, is hereby retired and declared no longer required for public or municipal purposes; and
- 2- In consideration of \$ 1.00 the Mayor is hereby authorized to direct the transfer of DJ to Jeff Sulzmann.

**ADOPTED AND APPROVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA**, this 19<sup>th</sup> day of January, 2016

  
**Dane Haygood, Mayor**

**ATTEST:**

  
**Rebecca A. Hayes, City Clerk**

**CITY OF DAPHNE, ALABAMA**

**ORDINANCE NUMBER 2016-01**

**AN ORDINANCE REPEALING AND REPLACING ORDINANCES 2007-37 and 2007-38 OF  
THE CITY OF DAPHNE, ALABAMA  
REGARDING THE RULES AND REGULATIONS FOR DAPHNE CITY PARKS**

**WHEREAS**, Chapter 15, Section 15-10 of the City of Daphne Municipal Code establishes rules and regulations relating to the operation and usage of Daphne City Parks; and

**WHEREAS**, Ordinance 2007-37 and 2007-38 promulgate the rules and regulations for the City of Daphne Parks; and

**WHEREAS**, the City of Daphne has undertaken a comprehensive review of the rules and regulations governing City parks with the intent of revising any and all provisions to improve the health, safety, and enjoyment of park patrons;

**WHEREAS**, the City of Daphne has determined that it is in the best interests of its citizens to revise, combine and update certain provisions relating to the use of park areas or facilities as such relates to motorized vehicles, pets and commercial watercraft; and

**WHEREAS**, the City of Daphne desires to amend Chapter 15, Section 15-10 to better serve and protect its citizens and ensure proper operation and usage of City parks.

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

Chapter 15, Section 15-10 of the City of Daphne Municipal Code is hereby amended to read and Ordinances 2007-37 and 2007-38 is hereby repealed and replaced with the following:

**SECTION 1: DAPHNE CITY PARK RULES AND REGULATIONS**

**General Park Rules**

1. City parks will open at sunrise and close at sunset, with the exception of parks which have lighting specifically designed for night activities and not merely parking.
2. No alcoholic beverages are allowed in any parks.
3. No person shall possess a weapon or discharge any weapon or explosive in a park or into a park from beyond the park boundaries to the maximum extent allowable by law.
4. No person shall deposit, drop or abandon garbage, rubbish, waste or any other kind of litter in or upon any waters or land within a park.
5. It shall be unlawful for any person to bring into, use or discard any glass beverage container, including any soft drink, beer, water bottles, drinking glasses or drinking cups made of glass and any and all similar beverage containers in any park.

6. Fires are allowed in cooking grills in designated areas only, Open “camp” fires are prohibited, unless permitted in writing by the Daphne Fire Department.
7. No person shall distribute or disseminate leaflets, pamphlets or other printed material or use any mechanical device in a park for soliciting or advertising, except upon prior written consent of the City. No person shall carry on or conduct any business or service within a park without the prior written approval of the City.
8. All camping activities shall be confined to designated areas in a park.
9. Hitting golf balls at any City park is strictly prohibited.
10. No person shall launch, land or leave unattended any boat, canoe, raft or other watercraft upon any water, bay, lagoon, lake or pond within a park except at locations and times designated for that purpose. No person shall operate any watercraft in a designated swimming area or other prohibited area or in violation of Alabama State Law.
11. No person shall use any marine areas or marine facilities, including, but not limited to, boat launches, docks, piers, wharfs, landings, moorings, floats, or shorelines within the limits of a park for commercial purposes or for commercial watercraft. For purposes of this section, “commercial watercraft” shall mean and include any and all boats, houseboats, motorboats, yachts, cruisers, inflatables, barges, vessels, canoes, rafts, jet skis, wet bikes and/or any other watercraft that is self-propelled or designed to be propelled by the use of internal combustion engines or electric motors.
12. No person shall wade or swim within a park except at beaches designated for that purpose and then only between sunrise and sunset or at such hours as may be designated by the City.
13. No person shall fish in a park in violation of Alabama State Law or in any area designated as “no fishing”.
14. No person shall operate a bicycle except on designated bikeways and roadways in a park.
15. No person shall operate any motorized vehicle within a park except on roadways, parking areas, or other designated locations. The speed limit shall be 15 MPH within the parks. For purposes of this rule, “motorized vehicle” shall mean and include any and all automobiles, motorcycles, mobile trailers, trucks, truck tractors, semitrailers, trailers and/or any other device that is self-propelled or drawn in, upon, or by which any person or property is or may be transported or drawn upon any trail, path, road, or highway.
16. No person shall intentionally kill, trap, hunt, pursue or in any manner disturb or cause to be disturbed any species of wildlife within a park, except that fishing will be permitted in designated areas.
17. No person shall remove, leave or deposit any animal, living or dead, from a park, and any animal so taken or left will be considered contraband and subject to seizure and confiscation.

18. No person shall intentionally feed any species of wildlife within a park.
19. No person shall bring a dog, cat or other pet into a park unless caged or kept on a leash not more than six feet in length. All dogs must be under the control and within sight of owners/custodians at all times. All owners/custodians are legally and financially responsible for their dog's behavior. All users of the Park do so at their own risk and assume all liability.
20. It shall be unlawful for any person to allow any dog, cat or other pet under his or her ownership, care, custody or control to defecate in a park without removing the defecation to a proper trash receptacle.
21. No person shall allow any dog, cat or other pet under his or her ownership, care, custody or control to disturb, annoy or harass any patrons of the park, wildlife, or other pets.
22. No person shall tether any animal to a tree or other plant. No person shall bring a dog, cat, or other pet into a park designated as an unauthorized area (playgrounds, athletic event parks).

**Dog Park Rules** – In addition to the Rules stated above, the following rules also apply within the confines of the Dog Park.

1. There is a limit of three (3) dogs per person. Owners/custodians must carry a leash for each dog and dogs may not be left unattended.
2. All dogs must be on a leash until inside the Park and upon leaving the Park.
3. There will absolutely be no female dogs in heat allowed inside the Park.
4. Each owner/custodian is responsible for cleaning up and properly disposing of dog excrement.
5. A dog must be removed from the Park at the first sign of aggression.
6. All dogs must wear a collar displaying current vaccination tags and current registration.
7. No collars that are visibly studded are permitted.
8. All children must be supervised and accompanied by an adult at all times. Children must not play in the Dog Park. The Daphne Dog Park is designed expressly for the recreation of dogs and the City of Daphne is not responsible for injuries to children.
9. No dogs under the age of four (4) months are allowed in the Park.
10. No food - human or pet - shall be allowed inside the Park.

11. All owners/custodians must stop their dog(s) from digging and shall fill any holes made by their dog(s).

12. The small dog area is reserved for dogs up to twenty-five (25) pounds. Small dogs are allowed in the large dog area, but no large dogs shall be allowed in the small dog area.

**SECTION II: SEVERABILITY**

The provisions of this Ordinance are severable. If any provision, section, paragraph, sentence or part thereof shall be held to be unconstitutional or invalid, such decision shall not affect or impair the remainder of this Ordinance, it being the legislative intent to ordain and enact each provision, section, paragraph, sentence and part thereof separately and independently of each other.

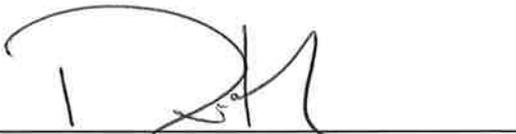
**SECTION III: REPEALER**

Ordinances 2007-37 and 2007-38 and all other City Ordinances or parts thereof in conflict with the provisions of this Ordinance, in so far as they conflict, are hereby repealed.

**SECTION IV: EFFECTIVE DATE**

This Ordinance shall become effective immediately and be in full force after final passage and publication as required by law.

**ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE 19<sup>TH</sup> DAY OF JANUARY, 2016.**

  
\_\_\_\_\_  
Dane Haygood, Mayor

ATTEST:  
  
Rebecca A. Hayes, City Clerk

**RESOLUTION 2016-04**

**DAPHNE RECREATIONAL FACILITIES: PARK SELECTION**

**WHEREAS**, the Daphne City Council has decided there should be improvements made to the recreational facilities in the City of Daphne; and

**WHEREAS**, the process of determining what improvements should be constructed and where said improvements should be located is complicated and should involve as much public participation as reasonable; and

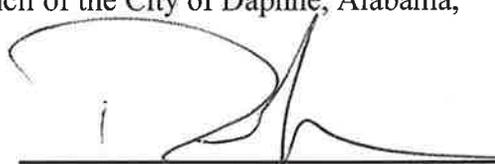
**WHEREAS**, the location of any improvements should be determined by the City Council prior to any other decisions impacting Daphne's recreational facilities; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Daphne, Alabama, that one of the options set forth below is the stated intention of the City specifically that:

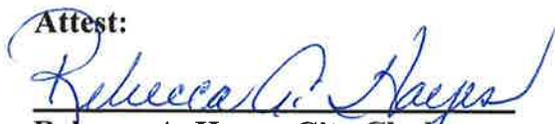
**(Selected by Council)** the City hereby will proceed with recreational improvements at Trione Sports Complex, Lott Park, Park Drive Park; or

\_\_\_\_\_ the City hereby will proceed with recreational improvements at Trione Sports Complex and Lott Park.

**APPROVED AND ADOPTED** by the City Council of the City of Daphne, Alabama, this 25<sup>th</sup> day of January, 2016.

  
\_\_\_\_\_  
**Dane Haygood, Mayor**

**Attest:**

  
\_\_\_\_\_  
**Rebecca A. Hayes, City Clerk**