

CITY COUNCIL BUSINESS MEETING AGENDA
1705 MAIN STREET, DAPHNE, AL
APRIL 7, 2008
6:30 P.M.

- 1. CALL TO ORDER**
- 2. ROLL CALL/INVOCATION**
PLEDGE OF ALLEGIANCE

- 3. APPROVE MINUTES:** Council Meeting minutes meeting held March 17, 2008
Work Session minutes meeting held March 13, 2008

SWEARING IN: Stacey Debien

PROCLAMATION: National Telecommunicator's Week / April 13 – 19, 2008

PROCLAMATION: "Paint the Town Purple" in Support of Relay for Life

- 4. REPORT STANDING COMMITTEES:**
 - A. FINANCE COMMITTEE - Scott**
 - B. BUILDINGS & PROPERTY - Lake**
 - C. PUBLIC SAFETY - Burnam**
Review minutes meeting held March 5th
 - D. CODE ENFORCEMENT/ORDINANCE COMMITTEE - Palumbo**
 - E. PUBLIC WORKS COMMITTEE / SOLID WASTE AUTHORITY - Yelding**
Review Beautification minutes meeting held March 7th

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

- A. Board of Zoning Adjustments - Eady**
- B. Downtown Redevelopment Authority – Barnette**
- C. Industrial Development Board – Yelding**
Review minutes meeting held February 28th
- D. Library Board - Lake**
- E. Planning Commission – Barnette**
Review minutes meeting held February 28th
- F. Recreation Board - Palumbo**
Review minutes meeting held March 12th
- G. Utility Board - Scott**

6. REPORTS OF OFFICERS:

- A. Mayors Report**
 - a.) *ABC License / Teak House / 020 Restaurant Retail Liquor*
 - b.) *ABC License / AL CVS Pharmacy, LLC / 050 – Retail Beer (Off Premises Only) / 070 – Retail Table Wine (Off Premises Only) / NAME CHANGE ONLY*
 - c.) *AL League Convention Voting Delegate / May 17-20, 2008 / Birmingham*
 - d.) *Mayday Park Study: Coastal Engineering Analysis and Sand Management Plan*
 - e.) **MOTION:** *Baldwin County Economic Development Alliance Contribution / \$10,000*
 - f.) *Contract with Bayside Academy to Re-nourish the Beach at May Day Park (Handout)*
- B. City Attorney's Report**
- C. Department Head Comments**

7. PUBLIC PARTICIPATION:

8. RESOLUTIONS & ORDINANCES:

RESOLUTIONS:

- a.) Attorney General Opinion for Executive Sessions...../Resolution 2008-14

ORDINANCES:

2ND READ

- a.) Revision to Zoning Map. /Ordinance 2008-25
- b.) Establishing District Lines for the City of Daphne. /Ordinance 2008-26
- c. Establishing Voting Poll Places. /Ordinance 2008-27
- d.) Lodging Tax Appropriation. /Ordinance 2008-28

1ST READ

- e.) Establishing Salary for Municipal Judge Position. /Ordinance 2008-29
- f.) Establishing Salary for City Prosecutor. /Ordinance 2008-30

9. COUNCIL COMMENTS

10. ADJOURN

**CITY OF DAPHNE
CITY COUNCIL MEETING**

ROLL CALL

CITY COUNCIL:

CALL VOTES

COUNCILMAN YELDING

PRESENT__ ABSENT__ __

COUNCILWOMAN BARNETTE

PRESENT__ ABSENT__

COUNCILMAN LAKE

PRESENT__ ABSENT__ __

COUNCILMAN BURNAM

PRESENT__ ABSENT__ __

COUNCILMAN SCOTT

PRESENT__ ABSENT__ __

COUNCILMAN NAGER

PRESENT__ ABSENT__ __

COUNCILMAN PALUMBO

PRESENT__ ABSENT__ __

MAYOR

MAYOR SMALL

PRESENT__ ABSENT__ __

CITY CLERK:

DAVID L. COHEN

PRESENT__ ABSENT__

CITY ATTORNEY:

CITY ATTORNEY JAY ROSS

PRESENT__ ABSENT

MINUTE NOTES:

**CITY COUNCIL MEETING
MINUTES**

NOTES:

COMMITTEE RECOMMENDATIONS

**MARCH 17, 2008
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1. CALL TO ORDER

Council President Burnam called the meeting to order at 6:30 p.m.

2. ROLL CALL/INVOCATION/PLEDGE OF ALLEGIANCE

Mr. Willie Robison gave the invocation.

COUNCIL MEMBERS PRESENT: Bailey Yelding; Cathy Barnette; John Lake arrived at 6:38 p.m.; Greg Burnam; Ron Scott arrived at 6:38 p.m.; Eric Nager; August Palumbo.

Also present: Mayor Fred Small; David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Kim Briley, Finance Director; David McKelroy, Recreation Director; Tonja Young, Library Director; Sharon Cureton, Human Resource Director; James White, Fire Chief; Richard Merchant, Building Official; Bill Eady, Planning Department Director; Melvin McCarley, Interim Public Works Director; Captain Scott Taylor, Police Dept.; Jane Robbins, Mayor's Assistant; Jennifer McCord, Civic Center; Rob McElroy, Utility Director; Willie Robison, BZA; Al Guarisco, Village Point; Mr. Ron Allen, Library Board; Anne Talton, Beautification Committee; Selena Vaughn, Beautification Committee.

Absent: David Carpenter, Police Chief; Sandra Morse, Civic Center Director;

3. APPROVE MINUTES:

MOTION BY Councilwoman Barnette to adopt the Council meeting minutes meeting held March 3, 2008. *Seconded by Councilman Yelding.*

AYE Yelding, Barnette, Lake, Palumbo, Burnam **NAY** NONE OPPOSED

MOTION CARRIED

PRESENTATION: Present Award from Arbor Day Foundation: 20th Year as a "Tree City" / Beautification Committee

Mrs. Anne Talton from the Beautification Committee presented a flag and plaque to the Mayor recognizing the accomplishment of being a "Tree City" for the last 20 years.

PUBLIC HEARING: Revision to the Zoning Map

Mr. Eady stated that these are the additions from July 1, 2007 to January 1, 2008.

NOTE: *Councilman Lake and Councilman Scott arrived at 6:38 p.m.*

Council President Burnam opened the Public Hearing at 6:38 p.m.

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No one spoke for or against the proposed revision to the zoning map.

Council President Burnam closed the Public Hearing at 6:39 p.m.

4. REPORT OF STANDING COMMITTEES:

A. FINANCE COMMITTEE / Scott

The committee met last Monday and the minutes are in the packet.

Treasurers Report / February 29, 2008

MOTION BY Councilman Scott to accept the Treasurers Report with an ending February 29, 2008 with a balance of \$23,597,999.06. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Sales & Use Tax Collections / January 31, 2008

\$822,020 was collected for January, and that is approximately \$102,000 less than budgeted. Year to date collections are \$275,341 under budget.

Lodging Tax Collections

\$45,607.80 was collected for February, and that is \$14,000 higher than the previous month. There are two new hotels that are under construction.

MOTION: Approve SARPC 1st half pro-rata payment of \$6,429

MOTION GBY Councilman Scott to approve the payment to SARPC the 1st half pro-rata payment in the amount of \$6,429. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. BUILDINGS AND PROPERTY COMMITTEE – Lake

No report.

C. PUBLIC SAFETY COMMITTEE – Burnam

No report.

D. CODE ENFORCEMENT/ORDINANCE COMMITTEE – Palumbo

No report.

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E. PUBLIC WORKS COMMITTEE/SOLID WASTE AUTHORITY – Yelding
The next meeting will be March 28th at 8:00 a.m.

5. REPORTS OF SPECIAL BOARDS & COMMISSIONS:

A. Board of Zoning Adjustments – Eady

The board met on March 6th with one appeal, a setback encroachment which was approved.

B. Downtown Redevelopment Authority – Barnette

The Authority will not meet in March. The next meeting will be the 2nd Monday in April.

C. Industrial Development Board – Yelding

No report. The next meeting will be at the Robertsdale Coliseum for a presentation by the Baldwin County Economic Development Alliance.

D. Library Board – Lake

No report.

E. Planning Commission – Barnette

The Site Review meeting will be Wednesday, March 19th at 8:00 a.m. in the Council Chambers with a Special Planning Commission meeting after Site Review.

MOTION BY Councilwoman Barnette to set a Public Hearing date for April 21, 2008 to consider an ordinance annexing property located on Whispering Pines Road / Holy Trinity Lutheran Church / Requested zoning R-3, High Density Single Family Residential District. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

The Planning Commission meeting will be next Thursday, March 27th at 6:00 p.m. in the Council Chambers.

F. Recreation Board – Palumbo

The committee met March 12th, and the minutes are not in the packet. Councilman Palumbo reported that the engineer gave an updated report on the Recreation facility. The next meeting will be Wednesday, April 9th at the Recreation Center.

G. Utility Board – Scott

The next meeting will be the last Wednesday of the month.

Mr. Rob McElroy, Utility Director, stated that the AP came out with an article about water quality, but he wanted the citizens of Daphne to know that Daphne drinking water quality is very good. He warned the

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citizens regarding salesmen selling water filters, and scaring the older people into buying these filters. He said these folks come through about every 12-13 months.

6. REPORTS OF THE OFFICERS:

A. *Mayor's Report*

a.) *Parade Permit/ Bayside Medical Missions / 5K & Fun Run / September 27, 2008*

MOTION BY Councilman Scott to approve the Parade Permit for Bayside Medical Missions / 5K & Fun Run / September 27, 2008. *Seconded by Councilwoman Barnette.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

b.) *Invasive Species Control Grant*

MOTION BY Councilwoman Barnette to approve application for the Invasive Species Control Grant. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

B. *City Attorney's Report*

Mr. Ross stated that he would like Council to go into Executive Session at the end of the meeting to discuss possible legal action toward the city.

C. *Department Head Comments*

James White - Fire Chief – reported that they were notified that State Farm awarded the Fire Department with \$1,500 to aid residents with installing smoke detectors.

Mr. Bill Eady – Planning Department Director - stated that on March 11th Council received an e-mail regarding a meeting with ALDOT on March 26th at 6:00 p.m. to discuss the SR 181 Management Plan. He stated that ALDOT wants their comments on the plan, and that he needs to know how many of the Council plans to attend.

7. PUBLIC PARTICIPATION

Mr. Michael Delaney – Attorney for Baldwin County Sewer Service. – spoke regarding information brought forth at the work session last Thursday, and asked for direction from Council on providing service to the customer and to try to get matter resolved with city.

8. RESOLUTIONS, ORDINANCES, ORDERS AND OTHER BUSINESS

RESOLUTIONS

- a.) Prepaid Travel / Dewayne Stephens / Leah Henry. /Resolution 2008-09
- b.) Bid Award: Hydro Mower / M & I Equipment & Engine. /Resolution 2008-10
- c.) Bid Award: Digital In-Car Video System / Kustom Signals. /Resolution 2008-11
- d.) Bid Award: Athletic Field Marking Paint. /Resolution 2008-12
- e.) Declaring Certain Personal Property Surplus and
Authorize Disposition. /Resolution 2008-13

MOTION BY Councilwoman Barnette to waive the reading of Resolution 2008-09. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Resolution 2008-09. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to waive the reading of Resolution 2008-10. *Seconded by Councilman Scott.*

MOTION BY Councilman Palumbo to amend the motion to also include waiving the reading of Resolutions 2008-11 and 2008-12. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Resolution 2008-10, 2008-11 and 2008-12. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to waive the reading of Resolution 2008-13. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Resolution 2008-13. *Seconded by Councilman Lake.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

ORDINANCES:

2ND READ

a.) Appropriating Funds: Mobile NEP/Ordinance 2008-24

1ST READ

b.) Revision to Zoning Map...../Ordinance 2008-25

c.) Establishing District Lines for the City of Daphne...../Ordinance 2008-26

d.) Establishing Voting Poll Places...../Ordinance 2008-27

e.) Lodging Tax Appropriation...../Ordinance 2008-28

MOTION BY Councilwoman Barnette to waive the reading of Ordinance 2008-24 in the amount of \$5,000. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilwoman Barnette to adopt Ordinance 2008-24 in the amount of \$5,000. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

9. COUNCIL COMMENTS

Councilwoman Barnette stated: Welcome back Mr. Eady, and I hope you are feeling better. Your color looks good so you must be doing well, so it is good to see you back. The other thing is we still need to hire our firefighters. I know when the proposed ordinance that they have to discuss we only have three, and we continue to need six. Just so the Council knows, I spoke to the State Fire Marshal today, and he said that two men on a truck is a moving van or an ambulance it is not a fire engine, so we are not off the hook. We need to move forward. Three does not get us where we need to be by any means. If you think that I am making all this up I encourage you guys to do your own research, if you think that my facts are not valid, to find the facts because they are real. With that, the Recreation Department always gets great kudos on the Easter Egg Hunt. I know that the community enjoys it. I missed it this year, but it is always a tremendous event, and I heard positive, positive feed back again this year. Thank ya'll for that.

Councilman Lake stated: The voting places, he has continually said this, multiple locations as done in the past is the best way to do it. Each Council District having a site. Right now we are having District 3, 4 and 5 all voting in the Civic Center. I thought I mentioned that I wanted my voting poll in my district at a location. The particular place it has always been is at the fire station, it has been that way for the last 16 years, and I do not see why we need to look at changing the locations like that. I am hoping that we can look at that, because I think it is confusing to the citizens. I have seen it in the past it is confusing when you have to have voting places changed like that. The majority of the citizens in District 3 will be, even though it has been changed, will be in Lake Forest and that area, and by moving the district lines like that you are putting the majority of them having to go further up the road. In the evening when people get off work, you are causing a traffic congestion that is not appropriate. There is a lot of parking where the fire station is. You have Hunter Security that has big lot there that they have allowed to be used in the past, and several locations across the street that can be used. There are other public locations that need to be held. This is the first time he has seen it at the Civic Center. He would like to see them held at different locations. He thinks that it is confusing to everyone.

Councilman Nager asked Councilman Lake about his trip to Washington.

Councilman Lake stated: We met with Congressman Bonner, and gave him a packet with the city's wish list. I also gave a gift, that was donated by a citizen to give to them, on behalf of the city, which was a picture of the twin towers to Congressman Bonner, Senator Shelby and Senator Sessions. We had dinner with the German Ambassador and representatives from Thyssen Krump and presented them with a picture and asked for their assistance in directing business to Daphne, and corporate people to the community.

Councilman Nager stated: I second Councilwoman Barnette's comments on the Easter Egg Hunt. I was there and my daughter participated, and it was a very well run event. I just wanted to commend those who put it together, because it drew people from all over the Eastern Shore, not just Daphne, and it came across very positive for the city.

Councilman Palumbo asked Mr. Ross for an update on the progress of the negotiations with the School Board on the recreation property next to Trione Park.

Mr. Ross stated that they have exchanged drafts of the contract, and the only issue left to discuss is how much access the School Board will have to Trione Park during school hours, and the Mayor just got that recently, and as soon as we iron those things out I think we will be ready to go.

Mayor Small stated: I agree, and I think that we will have this back to them at the end of this week.

Councilman Palumbo stated: It was brought up at the Recreation Board meeting that one of the School Board members told a Recreation Board member that they had already approved the thing, and I thought it was still in negotiation. Whatever is finalized will have to go back to them for ratification.

Mr. Ross stated: I think so, we had a document which we thought we had agreed to then they took that document to the board and it was approved, but they got word from the boards attorney that they wanted some changes to the document which related to uses of the facilities during school hours, and that is what he and the Mayor are working on now. I don't know if the board approved the agreement contingent upon this change. I think we should have it back before the Council at the next meeting as well. We are right at it.

Councilman Palumbo asked if it was the property behind Trione Park. Property which the city intends to place the soccer fields.

Mr. Ross said: That is correct. But it will be football field, and it will be no cost to the city for usage of the property we will deal with the improvements.

Council President Burnam stated: At the work session we agreed to come up with a date for a retreat tonight.

MOTION BY Councilman Scott to set the date of Sunday, April 13, 2008 for a Council Retreat from 2:00 p.m. – no later than 8:00 p.m., and the location to be disclosed at a later date with Bill Hart as facilitator. Seconded by Councilwoman Barnette.

| | | | | |
|------------|---------------------|------------|---------------------|-----------------------|
| AYE | ALL IN FAVOR | NAY | NONE OPPOSED | MOTION CARRIED |
|------------|---------------------|------------|---------------------|-----------------------|

Mayor Small stated: I apologize for not being at the work session last Thursday. I know that we had some capital on there, and some additional money, and I know that there were some questions, are we going to discuss this at the retreat or do we need to have a special work session.

Council President stated: Why don't we do it that way and have a special work session on that.

Mayor Small asked: Are we going to do that before the retreat?

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Council President Burnam stated: I think we should.

Mayor Small asked: Anyone that would like to sit around and discuss this some, I am open for all the discussion and help on this. Before this meeting if there are any questions or if anybody would like to get into some groups to discuss it prior to this meeting we will have little better jump on it, and I would appreciate it, as well, to help give me a little direction too.

Councilman Scott stated: That his vision of this retreat would be to look at where we have been and where we want to go. We want to make sure that this is not a work session. If Council could report in the areas of their responsibility, basically, to report where we were, October 4, 2004 to where we are now in the areas of your responsibility (committees) if that is the will of the Council.

Council President Burnam stated: I don't see where that would be a problem. Each person take five minutes or so to give report.

Council agreed that Department Heads do not need to attend the retreat. But anyone is welcome to come.

Councilman Yelding stated: Based on what the Mayor asked us to do if we all take a little time to meet with him then that would alleviate some of the time if we have things worked out already.

MOTION BY Councilwoman Scott to set date for a Special Council Work Session for Monday, April 7, 2008 at 5:00 p.m. to discuss the capital budget. *Seconded by Councilman Scott.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

MOTION BY Councilman Scott to enter into Executive Session to discuss threatened litigation depending upon action taken by Council. *Seconded by Councilman Yelding.*

Mr. Ross, City Attorney, certifies that this is an appropriate reason to enter into Executive Session according to the Alabama Open Meetings Act. The session will take 20 minutes.

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

Council entered into Executive Session at 7:25 p.m.

The City Attorney announced that the session will take another ten minutes.

Council returned from Executive Session at 8:00 p.m.

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10. ADJOURN

MOTION BY Councilwoman Barnette to adjourn. *Seconded by Councilman Yelding.*

AYE ALL IN FAVOR NAY NONE OPPOSED MOTION CARRIED

THERE BEING NO FURTHER BUSINESS TO DISCUSS, THE MEETING ADJOURNED AT 8:00 P.M.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Certification of Presiding Officer:

Greg Burnam, Council President

Date & Time Signed: _____

MARCH 13, 2008
CITY COUNCIL WORK SESSION
1705 MAIN STREET
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COUNCIL MEMBERS PRESENT: Bailey Yelding; John Lake; Greg Burnam; Ron Scott; Eric Nager; August Palumbo.

ABSENT: Cathy Barnette

Also present: David Cohen, City Clerk; Rebecca Hayes, Assistant City Clerk; Jay Ross, City Attorney; Kim Briley, Finance Director; James White, Fire Chief; Jane Robbins, Mayor's Assistant; Rob McElroy, Utility Director; Danny Lyndall, Utilities.

ABSENT: Mayor Fred Small.

1. CALL TO ORDER

Council President Burnam called the meeting to order at 6:40 p.m.

2. BALDWIN COUNTY ECONOMIC DEVELOPMENT ALLIANCE / CONTRIBUTION

Mr. Bob Ingram and Mr. Bob Higgins reported to Council on ways that the Alliance works with the Industrial Development Board in bringing jobs to Daphne and Baldwin County. They asked for continued financial support from the city.

Council was in agreement that they wanted to support the Alliance, but it would have to go through the proper channels.

3. BALDWIN COUNTY SEWER SYSTEM

Mr. David Conner representing Baldwin County Sewer System explained the situation that has come about while they were trying to give service to a customer who approached them about sewer service: The customer had approached Daphne Utilities, but was told that they did not have lines at that location, but if the customer wanted to pay for the lines they would run one at a cost of \$25,000. The customer did not want to pay that amount so they approached Baldwin County Sewer to install the line. The customer is located between Friendship Road and County Road 13. Baldwin County Sewer had gotten a work permit to install the sewer line. They were putting the line in when a police officer came and told them they would have to stop work. They were told that they would need a franchise agreement before they could continue work. Baldwin County Sewer Systems said OK, and working with Mr. Ross, the City Attorney drafted an agreement. They Mayor kept adding conditions to the agreement. Mr. Connor said that some of the conditions he would not have recommended that Baldwin County Sewer not accept, but wanting to work with the city the company agreed to the conditions. They had tried to set up meetings and a conference call with the Mayor to go over line by line the agreement but to no avail due to the Mayor's mother being sick and being in Washington. The company was working with good faith that they could work out an agreement and get it to Council. Then they were told that Daphne Utilities was reviewing the agreement, which Mr. Conner thought unethical, because they were the competition. But they have not received any feedback from the Utilities either, so they determined that they had a permit to do the work and

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had the right to continue. But, again a police office came and told them they would have to shut down work, or go to jail. Baldwin County Sewer put in temporary wells to take care of the customer so that he could open his business, but they are pumping them everyday, and that is costly. Mr. Connor asked Council for resolution to this situation, because it has been going on for five months, and they have already invested thousands of dollars in the project and they need to get it finished for the customer.

Council President Burnam told those representing Baldwin County Sewer that this would not be on the agenda for Monday, because the agenda was already set and the packets done.

4. UPDATE ON THE IMPACT FEE ORDINANCE

Mr. Ross stated that the language of the ordinance is ready, but there are some internal issues that are being worked out.

Mrs. Briley stated that she wanted to meet with Orange Beach again to discuss the ordinance, and that it would be another 30 days before it was ready.

5. USE OF LODGING TAX FOR IMPROVEMENTS AT BAY FRONT PARK & MAY DAY PARK

Council discussed that there is \$940,000 in the fund, and they discussed how the money could be spent. They discussed amending the Lodging Tax Ordinance regarding how the money could be spent, and also redistributing the funds, because the city needs it elsewhere.

Mrs. Briley stated that the \$900,000 cannot be redistributed, and that it has to be used to purchase bay front property or to improve the bay front property that the city now owns.

6. GENERAL FUND APPROPRIATIONS & CITY PROSECUTOR AND JUDGE COMPENSATION

Judge & Prosecutor Compensation

Councilman Scott stated that the positions of judge and prosecutor have not changed in compensation since 1997. He said that the Salary Committee recommended increasing their compensation in phases.

Council requested that the ordinance be prepared for the April 7th Council meeting.

General Fund Appropriations

Council discussed the \$10 million in reserves, and keeping an extra \$1 million in reserve for a rainy day fund. Which the reserve fund would total \$9.3 million instead of \$8.3 million.

Council had questions for the Mayor regarding the list, and wanted to wait until the Mayor and Councilwoman Barnette were present at another work session.

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7. RETREAT

Council discussed that they did not want the retreat to be another work session. They need to establish a vision for the city for the next Council to look at and see if they want to keep it or change the vision, but it would at least give them something to guide them until they get their bearings.

Council President Burnam stated that they would pick a date at Monday's meeting.

8. ADJOURN

There being no further business to discuss the meeting adjourned at 8:30 p.m.

Respectfully submitted by,

David L. Cohen,
City Clerk, MMC

Greg Burnam,
Council President

Date & Time Signed: _____

City of Daphne, Alabama
Office of Mayor

PROCLAMATION

National Telecommunicator's Week

WHEREAS, emergencies can occur at anytime that require police services and

WHEREAS, when an emergency occurs, the prompt response of police officers is critical to the protection of life and preservation of property; and

WHEREAS, the safety of our police officers is dependent upon the quality and accuracy of information obtained from citizens, who telephone the Daphne police communications center; and

WHEREAS, Public Safety Dispatchers are the single and most critical contact our citizens have with emergency services, and the Public Safety Dispatchers are the first and most critical contact our citizens have with emergency services; and

WHEREAS, Public Safety Dispatches of the Daphne Police Department have contributed substantially to the apprehension of criminals and each dispatcher has exhibited compassion, understanding and professionalism during the performance of their job in the past year.

Now, Therefore, Be It Resolved that the Mayor and City Council of the City of Daphne do hereby proclaim the week of April 13-19, 2008:

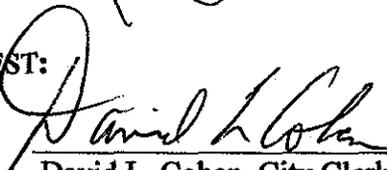
National Telecommunicator's Week

In honor of the men and women whose diligence and professionalism keep our city and citizens safe.



Fred Small, Mayor

ATTEST:



David L. Cohen, City Clerk, MMC

City of Daphne

PROCLAMATION

AMERICAN CANCER SOCIETY RELAY FOR LIFE *Paint the Town Purple!*

WHEREAS, the American Cancer Society is continually seeking funding and resources to support a cure for cancer.

WHEREAS, each year for over twenty years, the American Cancer Society has sponsored "*Relay For Life*".

WHEREAS, this event is a culmination of fundraising, teambuilding, support, networking and helping our fellow neighbors all coming together for a night of fun, excitement, tears and joy.

WHEREAS, the "*Relay for Life of the Eastern Shore*" is special in that we pull together and as a community show our strength in the fight against cancer and build toward a stronger future.

WHEREAS, "*Relay For Life*" represents the hope that those lost to cancer will never be forgotten, that those who face cancer will be supported and that one day cancer will be eliminated; and

NOW THEREFORE BE IT PROCLAIMED, that the City of Daphne is a supporter of the American Cancer Society's mission and the Relay for Life of the Eastern Shore event to be held on May 2, 2008 at Daphne Middle School. The City of Daphne will further show our support of the Relay For Life of the Eastern Shore by declaring the month of April 2008 Paint the Town Purple Month. We hereby encourage each resident of the City of Daphne to support the American Cancer Society, the Relay For Life Event and join us in our efforts in turning the City of Daphne purple during "Paint the Town Purple" month.

Approved this 7th day of April, 2008.



Mayor Fred Small

**CITY COUNCIL MEETING
STANDING COMMITTEE RECOMMENDATIONS:**

FINANCE COMMITTEE REPORT

BUILDINGS & PROPERTY COMMITTEE REPORT

PLANNING/ZONING/CODE ENFORCEMENT COMMITTEE REPORT

PUBLIC SAFETY/ORDINANCE COMMITTEE REPORT

PUBLIC WORKS/BEAUTIFICATION/MUSEUM COMMITTEE REPORT

Public Safety Committee

Wednesday, March 5, 2008

Councilman Greg Burnam, Chairman
Councilman Gus Palumbo
Councilman Eric Nager
Fire Chief James White
PW Sup. Melvin McCarley

Police Chief David Carpenter
Captain Scott Taylor
Captain Daniel Bell
Tracy Bishop - Secretary

Committee Members Attending:

Councilman Greg Burnam, Councilman Eric Nager, Councilman Gus Palumbo, Fire Chief James White, PW Sup. Melvin McCarley, Lt. Ric Yelding.

CALL TO ORDER

Councilman Burnam **convened** the meeting at 4:30 p.m.

PUBLIC PARTICIPATION – Mr. Burnam called on Jody Smithum. She expressed her concerns about speeding traffic, and also had an accident in front of her house recently. She lives at 344 Ridgewood Drive. She wanted to know if traffic calmer devices could be installed on Ridgewood Drive. She was advised that Ridgewood Drive was a major thoroughfare for emergency vehicles and traffic calmer devices could not be installed. The committee advised Ms. Smithum that the patrol division would conduct “D” runs in her area and issue citations to try and help with the problem. She asked for the police department to run a report for the last year and get back with her on how many tickets were issued in Lake Forest for speeding.

Debbie Roper with Bristol Creek subdivision had complaints of speeding in the neighborhood. She and her neighbor had photos of a recent accident where two teenagers were speeding through the neighborhood. Traffic calmers were requested but Councilman Burnam asked them if lowering the speed limit would be acceptable, and that could be done immediately. They agreed, but they added that even if the speed limit is lowered, people would continue to ignore the posted speed. They were told that public works would do a traffic study, and then they would be given a petition to have signed by neighbors if the committee deemed it necessary to install a traffic calmer. Lowering the speed limit to 25 mph would be the quickest fix. Chief Carpenter let them know that the street exemption list would have to be checked to see if their street was even eligible for a traffic calmer. They also voiced a concern about high school students using the entrance of their subdivision as a turn around and ruining the island entrance. She asked if she could place something in the island to puncture their tires. Chief advised “no” but that they could plant a bush, or large rocks on the island to prohibit damage to the island. Councilman Palumbo made a motion to change the speed limit to 25 mph in Bristol Creek. Councilman Nager seconded, and Councilman Burnam concurred.

APPROVAL OF MINUTES FROM PREVIOUS MEETING

Minutes from January 2007 Meeting

Motion by Mr. Palumbo to adopt the minutes. ***Seconded by Mr. Nager.*** The minutes were adopted.
Motion carried.

FIRE DEPARTMENT

A. New Business

1. Statistics for January 2007

Chief White had no additional comments on the stats. Councilman Palumbo asked Chief White about the false alarm and false call totals. He asked if these totals included prank calls or were they all legitimate. He advised him that they included no false alarms.

Chief White registered himself and two other deputy chiefs to attend a grant seminar next week in Homewood, Alabama. He also met with the forest service. They are collecting data on his radios, and advised him that in 2013 his UHF/VHF radios would be obsolete. They are gathering information so they can write a grant to upgrade all radios in Baldwin County. The smoke detector giveaway program is catching fire. They can't keep up with the demands. The firefighters are doing the installs and are enjoying meeting the citizens as well as installing their fire/carbon monoxide detectors. The fire department is also going to install addresses on mailboxes of those who cannot afford it or are elderly.

B. Old Business

POLICE DEPARTMENT

A. New Business

1. Statistics for January 2007

Chief Carpenter went over the stats. Councilman Burnam asked by the vehicle searched totals were so high and Chief advised him that our HSO is back on the road. Chief advised that the police solved the boat thefts from back at the recreation area in Timbercreek. Also mentioned was the commendation for our detective division for 2007 for having an 80% case closure rate. Patrol conducted 23 D-runs for the month of January 2007. Chief briefed PSC members on the necessity of acquiring another canine. The cost for a new canine is \$6500. We did not receive a grant unfortunately. He asked public safety to help us in getting the funds for the dog. We will pay the training portion out of our training budget. Since they found some Capital monies, we would like to ask for the canine to come out of this money. Councilman Palumbo made a motion to place the canine on the capital budget list. We will send it to the finance committee making a recommendation to appropriate \$6500 to replace the canine. Councilman Burnam seconded the motion, and the motion passed. Also, we'd like to purchase the AFIX Tracker fingerprint system. We've put it in the budget for the past couple of years. It is a machine that our police department is in dire need of. You can run a print right after being lifted through this machine for immediate match. If you send prints to the lab, you have to wait two years to get it back from ABI.

B. Old Business

OTHER BUSINESS

ADJOURN

There being no further business to discuss, Mr. Burnam adjourned the meeting at 6:15 p.m., after a motion by Councilman Nager. The next meeting will be Wednesday, March 5, 2008 at 4:30 p.m. at City Hall Council Chambers.

Respectfully submitted,

Daphne Public Safety Committee

Daphne Beautification Committee

Civic Center Recreation Building, Daphne, AL

Minutes

March 7, 2008 - 10:00 AM

Meeting: General Membership Meeting

Invitees:

City Liaison: Marshall Parsons, David McKelroy, Marjorie Bellue, Bill McMann

Members:

Chair: Anne Talton (7)

Jessia Prater (1)

Vice Chair: Nancy Henderson (3)

Dorothy Morrison (2)

Carolyn Coleman (2)

Secretary: Judy Sholtis (2)

Selena Vaughn (4)

Tomasina Werner (4)

Treasurer: Frieda Romanchuck (7)

Patty Kearney (5)

Dorothy Rankins (5)

Marilyn O'Connor Moore (2)

Audrey Rouire (6)

Kay Wineman (7)

I. Call to order – 10:13 a.m.

II. Roll call – Present were Anne Talton, Nancy Henderson, Dorothy Morrison, Carolyn Coleman, Jessia Prater, Judy Sholtis, Selena Vaughn, Patty Kearney, Dorothy Rankins, Marilyn O'Connor Moore, Audrey Require, Kay Wineman, Marshall Parsons, David McKelroy, Marjorie Belle, and Bill McMann

III. Approval of minutes – The minutes were sent out by email. Dorothy Morrison made the motion to approve the minutes; Marilyn O'Connor Moore seconded the motion and was approved by the majority to accept the minutes.

IV. Treasures Report – Frieda Romanchuck was unable to attend the meeting but sent a comprehensive budget report. A motion was made, seconded, and approved by the majority to accept the report. Dorothy Morrison explained that the budget showed \$4,474.50 left from 2007. Suggestions were made to spend the money in the following ways: \$3,000.00 on Daphne banners, \$800.00 on a trellis, and \$200.00 improvements to the storage shed. Marshall Parsons cautioned that we would need \$325.00 to cover the cost of the new welcome to Daphne sign. A motion was made and approved for these expenses.

V. Subcommittee Reports

- a. Arbor Day – The day itself went really well. The trees were all given out by 9:30 a.m. The Arbor Day committee met earlier in the morning (before this meeting) and discussed several ideas to make next year an even better event such as obtaining corporate sponsors like Home Depot and Lowe's, setting up local vendors

with gardening and landscaping merchandise, and contacting the schools earlier about the tree planting and poster contest.

- b. Beautification Awards- The Beautification Awards committee met at Bay Coffee on 27th of February and chose Village Point, Drs. Bondurant and Manasco's offices for the next award. The presentation will be at 2:30 on March 19th.
- c. Crape Myrtles – Main St. looks fantastic. The project is stopped until the city hall irrigation system is completed.
- d. Easter – Taken care of-eggs painted.
- e. Gator Alley – Two big sections of the fence have been completed. There are to be bushes behind the fence. Marshall prefers planting Red Crepe Myrtles with holly bushes between them. Dorothy Morrison reported that Charlie is working hard on the two tables and four benches. There are 35 sections of fence to be cleared of dead vines and a work day has been set for March 22.
- f. Statues – The city attorney drew up a hold/harmless agreement for the statues. At this time Marshall Parsons asked the committee to look into the small lots of unbuildable left when highway development occurred.

VI. Open Business

- a. Top Ten List –
 - 1. Triangle / 98 and Main St. –It has no irrigation, needs wild flowers planted.
 - 2. #5 on list – Installing the 5th Welcome to Daphne sign on Hwy 64. The motion was approved that Larry Chason, property owner, would be contacted to get permission to install the sign.\
 - 3. #7 Planter boxes for businesses-Marshall was told to put grass there. There is no money for boxes.
 - 4. #8 Mayor agreed with the developer to provide highline landscaping. Pine trees have been removed. Will they replant those not in view?
 - 5. #9 Marshall said that if he gets there he gets there.
 - 6. #10 comes off the list.
 - 7. #11 Guard rails at Gator Alley need replacing.
 - 8. Margorie to check on hydrangeas and buckeyes. They were to be shipped later.

VII. New Business - . Marjorie is at the rose garden every Mon. and Tues. morning. Any member of the DBC is welcome to help with the trimming and cleaning. Gus Palumbo wants to know what we do and what we need. Dorothy works very hard and we need to support her. We need to create a calendar for Arbor Day events early on next year so we can all participate.

VIII. Public Works – A motion was passed and approved to replace the Tree City U.S.A. signs. Marshall Parsons will be leaving his position on Tuesday.

IX. Announcements – Carolyn Coleman reported that the Arbor Day posters were back from the state and that we hope to have them displayed. Marshall Parsons was promoted to major in the National Guard. A cake was brought by Nancy to celebrate the event.

X. Adjournment – Meeting was adjourned at 11:40 a.m.

**CITY COUNCIL MEETING
REPORTS OF SPECIAL COMMITTEES**

NOTES:

BOARD OF ZONING ADJUSTMENTS REPORT:

DOWNTOWN REDEVELOPMENT AUTHORITY REPORT:

INDUSTRIAL DEVELOPMENT BOARD:

LIBRARY BOARD:

PLANNING COMMISSION REPORT:

RECREATION BOARD REPORT:

UTILITY BOARD REPORT:

February 28, 2008

CITY OF DAPHNE, AL

INDUSTRIAL DEVELOPMENT BOARD MEETING 6:00 P.M. at Eastern Shore Toyota,
29732 Frederick Blvd., Daphne, AL in conference room on 2nd floor.

1. CALL TO ORDER/ROLL CALL

Members present – Toni Fassbender, Phillip Ellis, Pokey Miller, Dan Romanchuck, Jim Rouprich, and Derick Boulware

Also present – David Cohen, Bob Higgins, Greg Louftan

2. OLD BUSINESS

a. Review January 17, 2008 Minutes

Motion by Mr. Miller Seconded by Mr. Romanchuck To approve the Januray 17,
2008 Minutes.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

3. TREASURERS REPORT

Mr. Rouprich gave the treasure's report with a balance of \$126, 745.

Motion by Mr. Romanchuck Seconded by Mr. Ellis To accept the
treasures report.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

4. OTHER BUSINESS

a. Baldwin County Alliance Industrial Development Board Education

Bob Higgins discussed what the Baldwin County Alliance does for industrial recruitment.

5. ADJOURN

Motion by Mr. Ellis Seconded by Mr. Romanchuck To adjourn.

ALL IN FAVOR NONE OPPOSED MOTION CARRIED

**THERE BEING NO FURTHER BUSINESS TO DISCUSS THE MEETING
ADJOURNED AT 7:30 P.M.**

Respectfully Submitted,

David L. Cohen, Secretary

Approved:

Toni Fassbender, Chairman

**THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.**

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CALL TO ORDER:

The number of members present constitutes a quorum and the regular meeting of the City of Daphne Planning Commission was called to order at 6:08 p.m.

CALL OF ROLL:

Members Present:

Victoria Phelps, Secretary
Don Terry
Jeff Carrico, Chairman
Larry Chason, Vice Chairman
Cathy Barnette, Councilwoman
Ed Kirby

Members Absent:

Fred Small, Mayor
DeLeon Thomas

Staff Present:

Jan Dickson, Planning Coordinator
Nancy Anderson, GIS Technician
Adrienne Jones, Planner
Jay Ross, Attorney
Ashley Campbell, Site Containment Officer

Staff Absent:

William H. Eady, Sr., Director of Community Development and Missty Gray, Attorney

The first order of business is the call to order. Please let the record reflect that Mr. Thomas and Mayor Small are not present. The next order of business is approval of the minutes.

APPROVAL OF MINUTES:

The minutes of January 24, 2008 regular meeting were considered for approval. A copy of the minutes was furnished to us previously. Do any of the Commissioners have any questions or comments?

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Chairman: If there are no further additions, deletions, or corrections at this time, the Chair will entertain a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Phelps **to approve the minutes of the regular meeting. The Motion carried unanimously.**

NEW BUSINESS:

The next order of business is preliminary/final plat review for Sportman's Marine Subdivision.

PRELIMINARY/FINAL PLAT REVIEW:

File SDPF08-03:

Subdivision: Sportman's Marine

Location: On U. S. Highway 98 North of Gable Street
Area: 6.71 Acres \pm , (5) lots
Owner: Hank Miner
Engineer: Hutchinson, Moore & Rauch - or Scott Hutchinson

An introductory presentation was given by Mr. Christopher Baker, representing Hutchinson, Moore & Rauch, requesting preliminary/final plat review of a six point seven one acre subdivision consisting of five lots located on U. S. Highway 98 North of Gable Street. The purpose of the division of land is for the construction of a New Sportman's Marine to be located on lot 3 of the subdivision. I will be happy to answer any questions you may have.

Chairman: Do any of the Commissioners have any questions or comments? He asked if the staff comments were addressed regarding the individual septic tank certification and soil data for the Baldwin County Health Department.

Mr. Baker: Those revisions have been made and were submitted to staff on Friday.

Chairman: Have the revisions to the plat been made and reviewed by staff?

Ms. Jones, Planner: No sir. A revised site plan was submitted to our

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office on Friday with the first page of the subdivision plat enclosed, but the second page of the plat which would include one of the revisions was not presented to our office.

Mr. Baker: I have a transmittal letter outlining the documents which were delivered to the Community Development office and those were included in the submittal on Friday.

Ms. Phelps: What is staff recommended action on this project?

Ms. Jones: Although a revision to the site plan was submitted which did include a partial submittal of the subdivision plat, the revisions requested by staff at site preview were not included in this submittal. Also, the site plan submittal and the subdivision plat legal description with respect to acreage and dimensions are not the same therefore I feel that it would be premature to take action on the subdivision until such time all of the comments have been satisfied.

Chairman: In light of the fact that staff does not recommend action on this project and the revisions as requested by the Planning Commission have not been addressed, Mr. Baker, would you like to table your submittal or would you like this body to vote on your project?

Mr. Baker: I submit that those revisions were made and submitted to staff.

Chairman: Would you like to table your submittal or would you like this body to vote on your project?

Mr. Baker: I would like to table the project.

Chairman: Do any of the Commissioners have any questions or comments? If there is no objection, the Chair will entertain a motion to table this project.

Ms. Barnette: Requested that the engineer contact the Baldwin County Health Department to address the new requirements regarding developments which were adopted in 2006. I believe that it may be a requirement now that one facility is provided for the entire development.

A Motion was made by Ms. Barnette and Seconded by Mr. Terry to table the preliminary/final plat for Sportsman Marine due to the fact that it is an incomplete submittal. The Motion carried unanimously.

Mr. Ross: The next meeting is in twenty-nine days.

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Ms. Dickson: Please request that Mr. Baker waive the thirty-day requirement since the next meeting falls within twenty-nine days.

Mr. Baker: I would not take action with the City.

Ms. Dickson: Just as a precaution, Mr. Chairman.

Chairman: Mr. Baker, do you waive the thirty-day requirement for action on this project.

Mr. Baker: Yes sir.

Chairman: Thank you, Mr. Baker.

The next order of business is the revised preliminary plat review for the Daphne Business Park Subdivision, Unit III.

PRELIMINARY PLAT REVIEW:

File SDP08-01:

Subdivision: Daphne Business Park, Unit III

Location: Southeast of U. S. Highway 98 and Stanton Road

Area: 31.12 Acres +, (8) lots

Owner: Joe Johnson

Engineer: Jinright & Associates - Trey Jinright

An introductory presentation was given by Mr. Trey Jinright, representing Jinright & Associates, requesting preliminary plat review of a thirty-one point one two acre subdivision consisting of eight lots located Southeast of U. S. Highway 98 and Stanton Road. The subdivision consists of the construction of an extension of Stanton Road. It is basically combining two parcels together and resubdividing them into lots so at a future date another phase could be possible development to the North. The detention facility will double in size to accommodate this past and this future phase, but will remain in the same location. I will be happy to answer any questions you may have.

Chairman: Do any of the Commissioners have any questions or comments? According to my notes, a irrigation plan is missing and the Utilities Board of the City of Daphne comments needed to be addressed.

Ms. Jones: I believe that the preliminary subdivision plat can be approved subject to the submittal of a irrigation plan being submitted

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along as the Planning Commission holds the public hearing for the adjacent property owners.

Mr. Chason: Questioned the placement of an easement on one of the lot in the subdivision and future development.

Mr. Jinright: I believe that a easement on this lot is appropriate at this time to allow access until a decision is made as to whether or not this lot will be further subdivided.

Chairman: Do any of the Commissioners have any further questions or comments? He opened the floor to public participation. With no adjacent property owners present, he closed public participation. If there is no objection, the Chair will entertain a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Barnette **to approve the preliminary plat for Daphne Business Park Subdivision, Unit III. The Motion carried unanimously.**

The next order of business is preliminary plat review for Paradiso Subdivision.

File SDP08-02:

Subdivision: Paradiso

Location: Main Street
Area: 12.68 Acres +, (17) lots
Owner: Herndon Oil Company
Architect: Wood+Partners - Charlie Johnson
Engineer: Volkert & Associates - Steve Pumphrey

An introductory presentation was given by Mr. Charlie Johnson, representing Wood+Partners, and Mr. Jamie Lyals, representing Volkert & Associates, requesting preliminary plat review of a twelve point six eight acre subdivision consisting of seventeen lots located West of Main Street. The minimum lot size will be fifteen thousand square feet with ninety feet at the setback lines and do conform with the minimum setbacks for this zoning. The selling point of this project will be the view, open space for the subdivision, club house and the significant trees which will be protected on this site. He presented colored renderings and outlined for the Planning Commission and adjacent property owners the plans for the development and addressed fire department, mail, and garbage issues.

Since this will be a gated community garbage will be handled by hiring a private company, but we have not yet worked on how mail delivery

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will be handled. Now I will ask that Mr. Lyals, representing Volkert & Associates, to address your comments on storm water management on the site. I will be happy to answer any questions you may have.

Mr. Lyals: I would like to address your comments regarding detention on this site and directed storm water into Mobile Bay as addressed by your regulations. We feel that we are in compliance with the City of Daphne Land Use and Development Ordinance with regard to storm water management. Your ordinance states that a tidally affected storm water project does not require onsite detention. Two temporary sediment ponds will be in place during the construction of the project to detain storm water on the site. However, we have addressed your comments from site preview and submitted revisions based on those comments. We have presented a proposal for a drainage treatment facility to be placed on the site so that storm water is treated before it enters Mobile Bay. Once the design is complete and construction begins an engineering firm who represents the company who designs this facility will engineer a system site specific for this subdivision.

Chairman: This system is not designed by your firm.

Mr. Lyals: No sir. It is designed by the company which manufactures the treatment facility.

Chairman: I am familiar with this type of system. Upon completion we would ask that an engineer certify the design and placement of the system if it is not going to be done by your firm. Do any of the Commissioners have any questions or comments?

Mr. Chason: I am concerned with the development of the lots along the bluff line, but my main concern is lot 9. I questioned whether or not there is sufficient buildable area to construct a home on that site. Mr. Ross, if we approve the preliminary plat for this subdivision tonight and we get to final approval and decide that this lot is not buildable can the plat be changed at that time? I was thinking that once the subdivision is constructed, we could visit the site and may at that time consider determining that this lot is not buildable.

Mr. Ross: I am not sure Mr. Chason, but I do not think so.

Mr. Sam Irby: Counsel for the owner requested to comment. I am not an engineer. I am an attorney, and I have been assured by the engineers that the subdivision complies with all the regulations of the City of

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Daphne Land Use and Development Ordinance.

Chairman: Do any of the Commissioners have any further questions or comments? He opened the floor to public participation.

The adjacent property owners addressed the Commission to express their concerns regarding the proposed subdivision. The main concerns the following: additional flooding below the bluff due to the fact that the subdivision development to the North was developed prior to storm water requirements in the city and does not have detention, dust which will be created during construction since it is already a problem during the work being done on the site now, the preservation of significant trees during the construction of the subdivision and the homes, the type of material of the wall to be constructed on the North side of the subdivision - placement in such a manner as to not prohibit storm water from leaving the existing subdivision to the North, concerned about no storm water detention being proposed for this subdivision and the water is being directed into Mobile bay, landscaping, and historical preservation of possible artifacts which may exist on lot 9.

Chairman: Do any of the Commissioners have any questions or comments? He closed public participation.

Mr. Lyals: The wall which will be constructed to the North will be constructed in such a manner as not to impede the existing flow of storm water from the subdivision to the North. At the time of development, the subdivision to the North was not required to have detention and the storm water from this site is directed onto our subdivision. We would want the flow of this water to continue on its natural path and directed into the bay. As far as dust, we have had a problem on this site. We can utilize water trucks to moisten the soil and prohibit this problem.

Mr. Vince Eldon: He addressed permitting requirements for the site and stated that not all permits have been retained. The ADEM Coastal Permit for the site has been applied for and advertising for this permit should begin with thirty days. We have not been notified by the University of South Alabama of any archeological dig which may need to occur on this site. There is correspondence in the documents that were submitted which addresses this.

Mr. Johnson: Every effort will be taken to preserve significant trees during the construction of the subdivision and the homes. All of the issues of which you have questions will be addressed in the architectural requirements and covenants of the subdivision.

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Mr. Irby: The owner of this project will design and construct the home on the site prior to its sell in order to develop a quality product.

Ms. Phelps: I would like to have a copy of the covenants for the file.

Chairman: Do any of the Commissioners have any further questions or comments? If there is no objection, the Chair will entertain a motion.

A **Motion** was made by Mr. Kirby and **Seconded** by Ms. Phelps **to approve the preliminary plat for Paradiso Subdivision.**

Upon roll call vote, the Motion failed.

Ms. Phelps Aye

Mr. Terry Aye

Mr. Chason Aye

Mr. Carrico Aye

Ms. Barnette Nay

Mr. Kirby Aye

Ms. Dickson: Mr. Chairman can you please explain for the owner and her representatives that the subdivision was denied.

Chairman: The approval of a subdivision requires six affirmative votes and you had five; therefore, the subdivision was denied. There is not deadline for resubmittal. Ms. Dickson when is the deadline for the March meeting.

Ms. Dickson: The deadline for the March meeting has past.

Ms. Jones: I will accept it late if they would like to resubmit.

The next order of business is site plan review for Sportman's Marine.

SITE PLAN REVIEW:

File S08-03:

Site: Sportman's Marine

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| | |
|-----------|---|
| Location: | On U. S. Highway 98 North of Gable Street |
| Area: | 0.81 Acres + |
| Owner: | Hank Miner |
| Engineer: | Hutchinson, Moore & Rauch - Christopher Baker |

An introductory presentation was given by Mr. Christopher Baker, representing Hutchinson, Moore & Rauch, requesting site plan review for the construction of a business office/storage facility located on U. S. Highway 98 North of Gable Street. At the beginning of the meeting staff had given me the revisions that were submitted on Friday, and I am not sure why. I will be happy to answer any questions you may have.

Chairman: Do any of the Commissioners have any questions or comments?

Ms. Phelps: What is staff recommended action on this project?

Ms. Jones: I do not feel that the Planning Commission can act on a site plan for a project which shall be placed on a lot within a subdivision in which the preliminary/final plat has not been approved.

Mr. Baker: I disagree. The development of the new Sportman's Marine will be placed on a existing lot of record and therefore the site plan can be approved at this time.

Ms. Jones: I do not agree that it is a lot of record. The lot shall be created at the time of the creation of the lots in Sportman's Marine Subdivision. A revision to the site plan was submitted which did include a partial submittal of the subdivision plat, but the site plan submittal and the subdivision plat legal description with respect to acreage and dimensions are not the same therefore I feel that it would be premature to take action on the site plan until the subdivision plat has been approved by the Commission.

Ms. Phelps: What is staff position on this project?

Ms. Jones: I recommend that the site plan not be considered until such time the preliminary/final plat is approved for the development.

Chairman: Would you like to table your submittal or would you like this body to vote on your project?

Mr. Baker: I would like to table the project.

Chairman: Do any of the Commissioners have any questions or comments?

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

THIS DOCUMENT IS A SUMMARIZATION OF THE MINUTES OF CITY OF DAPHNE PLANNING COMMISSION MEETING AND IS TO BE USED FOR REVIEW PURPOSES ONLY. THE OFFICIAL MINUTES OF THIS MEETING MAY BE OBTAINED IN THE CITY CLERK'S OFFICE UPON APPROVAL.

If there is no objection, the Chair will entertain a motion to table this project.

A **Motion** was made by Ms. Barnette and **Seconded** by Ms. Phelps **to table the site plan for Sportsman Marine. The Motion carried unanimously.**

Chairman: Mr. Baker, do you waive the thirty day requirement.

Mr. Baker: Yes sir.

The next order of business is an annexation review for Holy Trinity Lutheran Church.

ANNEXATION REVIEW:

An introductory presentation was given by Mr. Frank Lamb, representing the owner, requesting annexation of a five point zero five acre parcel with R-3, High Density Single Family Residential, zoning located Northeast of the intersection of Whispering Pines and Pollard Roads which is currently zoned in Baldwin County District 15. The owner of subject property is Holy Trinity Lutheran Church. I am sorry that I am not as controversial as the other projects before me. I will be happy to answer any questions you may have.

A **Motion** was made by Mr. Terry and **Seconded** by Ms. Phelps **for the affirmative recommendation by the Planning Commission to the City Council of Daphne of the annexation of a five point zero five acre parcel with R-3, High Density Single Family Residential, zoning located Northeast of the intersection of Whispering Pines and Pollard Roads for the Holy Trinity Lutheran Church. The Motion carried unanimously.**

The next order of business is the attorney's report.

ATTORNEY'S REPORT:

Mr. Ross, Attorney, stated I would like to present to the Planning Commission at the next special or regular meeting the revisions to the maintenance of storm water detention facilities ordinance, a proposed revision to the sign ordinance generated because of the pending litigation with Lamar Signs, and discussion regarding logos.

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

SUMMARIZATION OF MINUTES:

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PLANNING COMMISSION DISCUSSION:

Mr. Chason: We have been discussing revisions to the City of Daphne Land Use Ordinance and are in need of a special meeting to discuss the revisions and our plans for the development of the Alabama Highway 181 corridor. At site preview we discussed setting a meeting prior to site preview and the regular meeting.

A **Motion** was made by Mr. Chason and **Seconded** by Ms. Barnette **to set a special meeting on March 6, 2008 from 4:00 to 6:00 p.m. The Motion carried unanimously.**

Ms. Dickson: Please note that would be less than the seven days required for advertising.

Mr. Ross: If it is set at the regular meeting, that will be fine.

ADJOURNMENT:

Chairman: Do any of the Commissioners have any questions or comments? If there is no objection, the Chair will entertain a motion to adjourn.

A **Motion** was made and **Seconded to adjourn. The Motion carried unanimously.**

There being no further business, the meeting was adjourned at 8:15 p.m.

Respectfully submitted by:

Jan Dickson, Planning Coordinator

APPROVED: February 28, 2008

Jeff Carrico, Chairman

THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

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THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

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THE CITY OF DAPHNE
PLANNING COMMISSION MINUTES
REGULAR MEETING OF FEBRUARY 28, 2008
COUNCIL CHAMBERS, CITY HALL - 6:00 P.M.

~~SUMMARIZATION OF MINUTES:~~

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City of Daphne Recreation Board Minutes
2605 Hwy 98
Daphne, AL. 36526
March 12, 2008
6:00pm

Members Present: Chairman Ed Nelson, John Peterson, Kit Smith Eric Smith

Members Absent: Rick Cleveland, Matt Cunningham, Lynne Thompson-Yates

Advisory Staff Present: Glenn Vickery, Councilmen Gus Palumbo and Greg Burnam, David McKelroy – Parks & Recreation Director

Call to Order

The meeting was called to order by Chairman Ed Nelson at 6:07pm.

Review and Approval of Minutes

Motion was made by John Peterson and seconded by Eric Smith to approve the February 13 meeting minutes. Motion carried.

Program Reports

Athletic – Charlie McDavid: Men’s Church Softball has 24 teams, Men’s Open Softball has 8 teams and Adult Soccer has 4 teams. Dixie Boys Baseball will start the week of April 1.

Community Activities – Megan Matrone: Daphne Easter Egg Hunt will be Saturday, March 15 at Lott Park. Music Under the Stars April 18-20.

Senior Adults – Mary Jensen: Invest like a Pro seminar on Thursday. Bridge is now meeting 2 day a week. Sponsoring two, six week programs for respite care for Alzheimer’s patients

Old / New Business

1. Status of Infrastructure – New Sports Complex - Scott Hutchinson of HMR has presented the plans for the Sports Complex to the city Planning Commission. Some revisions to the entrance were made to accommodate Fire Department concerns. Mr. Hutchinson will continue discussion with the Planning Commission and report back to the Board.

2. Status of Addition to Trione Park Complex - Wording for the lease for the additional property at Trione Sports Complex is still being worked on by legal representatives from each party. Chairman Ed Nelson ask what was the process to proceed with the project once both parties have agreed to and accepted the lease.

3. Status on the Nicholson Center Project - Bay River Art Guild (BRAG) has submitted a granted request for the architectural phase of the Nicholson Center renovation.
4. Status of Personnel Reclassification Proposal - A letter of recommendation will be presented to the Finance Committee for the proposed reclassification.
5. Status of Playground Equipment at May Day Park - Funding for the purchase of playground equipment at May Day Park was approved by the Finance committee and will be presented to the City Council for final approval.

Comments from Board Members

Chairman Ed Nelson informed the Board that Timber Creek and Lake Forest golf clubs have agreed to have a City Golf Championship. More information will be forthcoming.

Adjourn

The meeting was adjourned at 6:55pm.

**CITY COUNCIL MEETING
MAYOR'S REPORT**

NOTES:

CASE NO. 2008-2

ABC LICENSE ROUTING

DATE RECEIVED BY REVENUE DIV. 1-24-08 (initial) WJL
DATE FORWARDED TO POLICE DEPT. 1-25-08 WJL
DATE RECEIVED BY POLICE DEPT. 1-28-08 MMH
DATE: APPROVED [Signature] DISAPPROVED _____
POLICE DEPT SIGNATURE [Signature]
DATE RETURNED TO REVENUE DIV. 3-18-08 YCS
DATE FORWARDED TO CITY CLERK 3-18-08 YCS
DATE RECEIVED BY CITY CLERK 3-18-08 RH
SCHEDULED DATE ON AGENDA 4-7-08 RH

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

Rescheduled for Council Agenda Date: _____

Council Action: _____ APPROVED _____ DISAPPROVED _____ TABLED

COMMENTS: _____

DATE RETURNED TO REVENUE DIV.: _____

DATE RETURNED TO TAXPAYER _____
OR TO ABC FIELD OFFICE _____ (per taxpayer request)

| | | |
|---------------------------------|--|----------------------------------|
| Date Refused _____ By: _____ | TYPE APPLICATION 020 - Restaurant Retail Liquor | Date Approved _____ By: _____ |
|---------------------------------|--|----------------------------------|

Name of Applicant (s) Rock & Tree, LLC

Circle One: Ind. Part. Assoc. Corp. **LLC**

Name and address of individual, partners and members, association, corporate officers, etc.:

| Name | D.L. # Title | Date of Birth Place of Birth | Present Residence Address | Length at Residence |
|------------------|----------------------|------------------------------------|---|---------------------|
| MONTRI MARINO | AL 5441007 Member | 06/03/1970 UDORN THAILAND | 317 PATRICIAN DR. SPANISH FORT, AL 36527 | 3 YEARS |
| VILAI K. MARINO | AL 4619451 Member | 12/29/1947 BANGKOK, THAILAND | 317 PATRICIAN DR. SPANISH FORT, AL 36527 | 5 YEARS |
| APIRAK P. MARINO | AL 7723920 Member | 09/06/1973 PHISANULOK, THAILAND | 317 PATRICIAN DR. SPANISH FORT, AL 36527 | 3 YEARS |

Corporate Information: Instrument # 1093348 Date 1/4/2008 County Baldwin
(Enter book and page or document info.) (Incorporation or Authority)

Trade Name Teak House

Location 1703 Hwy. 98 Daphne, AL 36526 County Baldwin

Mailing Address P.O. Box 3175 Daphne, AL 36526
(Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information Transferee

Licensee Name N/A Type N/A Year N/A

Trade Name N/A License Number N/A

Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-.14 regarding financial responsibility? Y N

Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) Y N

Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? Y N

Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? Y N

Are the applicant(s) named above, the only person(s), in any manner, interested in the business sought to be licensed? Y N

These premises are located in the: Corporate Limits Police Jurisdiction of DAPHNE, Alabama (Enter N/A if not located in either)

Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? Y N

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? Y N

What is the applicants' primary source of funding? Loan Inheritance Individual(s) Business Other (explanation attached)

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N

(If Yes, explain in Investigation Section) Signature of applicant [Signature]

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed [Signature]

COUNTY OF Baldwin Title Member Date 01/24/2008

The undersigned MONTRI MARINO, Member of Rock & Tree, LLC
(Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)
 applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Sworn to and subscribed before me this 24th day of January 2008

| | |
|---|--------------------------|
| Signature of Notary Public Notary Public, State at Large My commission expires _____ | Signature of Affiant |
|---|--------------------------|

Home Phone (251) 626-0556
 Other (251) 709-4937

GENERAL APPLICATION INFORMATION

Contact Person: MONTRI MARINO

Phone Numbers: Home: (251) 626-0556 Business: _____
 Fax: _____ Pager: _____ Other: (251) 709-4937

Internet/Web Address: _____ Email Address: _____

Does the premises have a fully equipped and operational kitchen? Y N NA

Does the establishment have restroom facilities? Y N

Is place of business habitually and principally used for providing food to the public? Y N Snacks Only NA

Are these premises equipped with services and facilities for on premise consumption of alcoholic beverages? Y N

Will this business be operated PRIMARILY as a package store? Y N NA

If a COMMON CARRIER, does each vehicle seat 10 or more persons? Y N NA

INVESTIGATION SECTION OF APPLICATION (to be completed by Investigating ABC Agent)

Will applicant engage in the sale of tobacco products? Y N If yes, type of business: _____

Number of tobacco vending machines present: n/a

Will applicant engage in the sale of products containing ephedrine or pseudo-ephedrine? Y N (Benadryl, Claritin, Motrin, Sudafed, etc.)

Neighborhood investigation waived in accordance with Application Guidelines

Building seating capacity 84 License premises includes patio area: Y N

Building Dimensions: Length 100' Width 40' Square Footage 3200 Sales and Display Square Footage _____

License covers: Entire structure Portion of: Top Floor Bottom Floor Other _____

License Structure: One Story Two Story Multi-Story Single Structure Shopping Center Motel/Hotel

Structure Material: Wood Brick/Block Metal/Pre-Fab Other _____

Is location within city limits? Y N Police Protection: County City

Number of licenses issued in vicinity: 0 1-5 6-10 more than 10 Nearest: 120 yds

Nearest: School Church Private Residence

within 2 blocks within 2 blocks within 2 blocks
 within 1/2 mile within 1/2 mile within 1/2 mile
 Exceeds Above Exceeds Above Exceeds Above

EXPLANATION OF LAW VIOLATIONS

List below the court records for law violations, if any, of each person interested in this application, including manager whether as a sole applicant, partner, officer, or member. (Do not include traffic violations, except DUI and Reckless Driving)

| Name | Date | Violation | Jurisdiction | Disposition |
|---------------|------------|-----------|--------------|-------------|
| MONTRI MARINO | 11/27/1997 | DUI | Daphne | Paid fine |
| | | | | |
| | | | | |
| | | | | |

FILING FEE ACKNOWLEDGEMENT

In reference to ACT NO. 80-529, I understand that if my application is denied or discontinued, I will not be refunded the filing fee required by this application.

Signature of Applicant: Montri Marino

TRANSFER AGREEMENT License Type: _____ License # _____

I, _____ This is not a License Transfer as _____ holding current ABC License at _____ (Name) _____ (Title)

this location, hereby authorize the ABC Board to transfer the license(s) to APPLICANT as appears on front of application, provided that this applicant obtains approval from the appropriate local governing body and meets all requirements of the ABC Board. I understand that I am responsible for the operation of this licensed establishment until the applicant obtains a re-issued license from the ABC Board. I also understand that if for any reason this transfer is not approved by the local governing body or the ABC Board, I must take over complete control, operation, and responsibility of these licensed premises. If I do not continue operation of this licensed establishment, I will relinquish my ABC License to the local ABC Board office, or local Agent.

Licensee: _____ Date: _____
 Applicant: _____ Date: _____

(Note: If applicant or licensee is a partnership/ABC partner, etc.)

LEASE/PROPERTY OWNERSHIP

If applicant OWNS property, is copy of recorded deed attached? Y N

If applicant has CONTRACT TO PURCHASE, is a copy of the recorded sales contract attached? Y N

If applicant is LEASING the property, is a copy of the lease agreement attached? Y N

A: Name of Property Owner/Lessor: Vilai Marino Contact #: (251) 626-0757

B: What is the LESSOR'S primary business? Retail furniture

C: Is LESSOR involved in any way with the Alcoholic Beverage business? Y N (if yes, explain on an attached sheet)

D: Is there any further interest in, or connection with, the licensee's business by the LESSOR? Y N (if yes, explain on an attached sheet)

Applicant attests to the truthfulness of the above responses. (Applicant's Initials) MM

Agent/ID _____ Supervisor _____
 (Review includes complete application packet)

AGENT: Application taken: 01/24/2008 Application/Investigation completed: / / Forwarded to D.D.: / /

LOCAL GOVERNMENT: Submitted: / / Received from: / /

SUPERVISOR: Received in District Office: / / Reviewed: / / Forwarded to C.O.: / /

| | | |
|--------------------------|---|---------------------------|
| Date Refused By _____ | TYPE APPLICATION 050 - Retail Beer - (Off Premises Only) | Date Approved By _____ |
|--------------------------|---|---------------------------|

Name of Applicant (s) Alabama CVS Pharmacy, LLC.
 Circle One: Ind. Part. Assoc. Corp. **LLC**

Name and address of individual, partners and members, association, corporate officers, etc.,:

| Name | D.L. # Title | Date of Birth Place of Birth | Present Residence Address | Length at Residence |
|----------------------|-------------------------------------|------------------------------|--|---------------------|
| ZENON PAUL LANKOWSKY | RI 8870594 President | 09/28/1954 MONROE, NY | 4 FRANCIS FARM RD HARRISVILLE, RI 02830 | 15 YEARS |
| CAROL ANN DENALE | PA S28023072 Vice-President/Trea | 02/24/1964 ALLEGHENY, PA | 75 POPLAR ST WATERTOWN, MA 02472 | 9 YEARS |
| THOMAS SWIFT MOFFATT | RI 9871281 Secretary | 01/26/1964 ESSEX, MA | 29 HOMESTEAD CIR KINGSTON, RI 02881 | 10 YEARS |
| LINDA MARIE CIMBRON | RI 8613125 ASST SECRETARY | 02/25/1955 BRISTOL, MA | 45 BRIDGE ST WARREN, RI 02885 | 23 YEARS |

Corporate Information: CORP 00259, PAGE 0758 Date 10/04/2005 County MONTGOMERY
(Enter book and page or document info.) (Incorporation or Authority)

Trade Name CVS PHARMACY #4959

Location 27040 HWY 98, DAPHNE, AL 36526 County BALDWIN

Mailing Address LICENSING DEPT 23062A, ONE CVS DR, WOONSOCKET, RI 02895
(Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information Transferee

Licensee Name BIG B, INC. Type 050 Year 2007-2008

Trade Name CVS/PHARMACY #4959 License Number 000525102

Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-.14 regarding financial responsibility? Y N
 Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) Y N
 Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? Y N
 Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? Y N
 Are the applicant(s) named above, the only person(s), in any manner, interested in the business sought to be licensed? Y N
 These premises are located in the: Corporate Limits Police Jurisdiction of DAPHNE, Alabama (Enter N/A if not located in either)
 Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N
 Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? Y N
 Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? Y N
 What is the applicants' primary source of funding? Loan Inheritance Individual(s) Business Other (explanation attached)

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N
 (If Yes, explain in Investigation Section) Signature of applicant Caroline Pittman

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 29, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed Caroline Pittman
 COUNTY OF BALDWIN Title Power of Attorney Date 3/19/08

The undersigned CAROLINE PITTMAN, Power of Attorney for Alabama CVS Pharmacy, LLC.
(Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)

applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested.

Sworn to and subscribed before me this 19th day of March, 2008

Mary A. Adkins Signature of Notary Public
Caroline Pittman Signature of Affiant

Notary Public State at Large My commission expires _____ Business Phone (251) 621-9096 Home Phone (251) 626-7704
 FAX (401) 765-7887 Other (401) 765-1500

For Central Office Use Only License No. Date of Issue Amount of Fees

AGENT: Application taken: 3-19-2008
LOCAL GOVERNMENT: Submitted: 3/19/2008
SUPERVISOR: Received in District Office: _____
Reviewed: _____
Forwarded to C.O.: _____

AGENT: Application taken: 3-19-2008
LOCAL GOVERNMENT: Submitted: 3/19/2008
SUPERVISOR: Received in District Office: _____
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Reviewed: _____
Forwarded to C.O.: _____

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LOCAL GOVERNMENT: Submitted: 3/19/2008
SUPERVISOR: Received in District Office: _____
Reviewed: _____
Forwarded to C.O.: _____

AGENT: Application taken: 3-19-2008
LOCAL GOVERNMENT: Submitted: 3/19/2008
SUPERVISOR: Received in District Office: _____
Reviewed: _____
Forwarded to C.O.: _____

Date Refused
By

TYPE APPLICATION

Date Approved
By

070 - Retail Table Wine - (Off Premises Only)

Name of Applicant (s) Alabama CVS Pharmacy, LLC.
 Circle One: Ind. Part. Assoc. Corp. **LLC**

Name and address of individual, partners and members, association, corporate officers, etc.:

| Name | D.L. # Title | Date of Birth Place of Birth | Present Residence Address | Length at Residence |
|----------------------|--------------------------------------|------------------------------|--|---------------------|
| ZENON PAUL LANKOWSKY | RI 8870594 President | 09/28/1954 MONROE, NY | 4 FRANCIS FARM RD HARRISVILLE, RI 02830 | 15 YEARS |
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| LINDA MARIE CIMBRON | RI 8613125 ASST SECRETARY | 02/25/1955 BRISTOL, MA | 45 BRIDGE ST WARREN, RI 02885 | 23 YEARS |

Corporate Information: CORP 00259, PAGE 0758 Date 10/04/2005 County MONTGOMERY
 (Enter book and page or document info.) (Incorporation or Authority)

Trade Name CVS PHARMACY #4959
 Location 27040 HWY 98, DAPHNE, AL 36526 County BALDWIN

Mailing Address LICENSING DEPT 23062A, ONE CVS DR, WOONSOCKET, RI 02895
 (Include Street or Post Office Box Address, City, State, and Zip Code)

Previous Licensee Information Transferee

Licensee Name BIG B, INC. Type 070 Year 2007-2008

Trade Name CVS/PHARMACY #4959 License Number 000525102

Location (location transfer only) N/A

Has applicant complied with ABC Regulation # 20-X-5-.14 regarding financial responsibility? Y N

Does the ABC Board have any actions pending against the current licensee? (If Yes, explain in Investigation Section) Y N

Has ANYONE, including manager or applicant, had a Federal/State permit or license suspended, revoked or declined? Y N

Has a liquor, wine, malt or brewed beverage license for these premises ever been denied, suspended or revoked? Y N

Are the applicant(s) named above, the only person(s), in any manner, interested in the business sought to be licensed? Y N

These premises are located in the: Corporate Limits Police Jurisdiction of DAPHNE, Alabama (Enter N/A if not located in either)

Are any of the applicants, whether individual, member of partnership or association, or officers and directors of corporation or the corporation itself, in any manner monetarily interested, either directly or indirectly, in the profits of any other class of business regulated under authority of this Act? Y N

Does applicant own or control, directly or indirectly, hold lien against any real or personal property which is rented, leased or used in the conduct of business by the holder of any vinous, malt or brewed beverage or distilled liquors permit or license issued under authority of this Act? Y N

Is applicant receiving, either directly or indirectly, any loan, credit, money, or the equivalent thereof from or through a subsidiary or affiliate of another licensee, or from any firm, association or corporation operating under or regulated by the authority of this Act? Y N

What is the applicants' primary source of funding? Loan Inheritance Individual(s) Business Other (explanation attached)

Has any person(s) with any interest, including manager, whether as sole applicant, officer, member, or partner been charged (whether convicted or not) of ANY law violation? Y N

(If Yes, explain in Investigation Section) Signature of applicant Caroline Pittman

The undersigned agree, if a license is issued as herein above applied for, to comply at all times with and to fully observe all the provisions of the Alabama Alcoholic Beverage Control Act, as appears in Code of Alabama, Title 28, and all laws of the State of Alabama relative to the handling of alcoholic beverages. The undersigned, if issued a license as herein requested, further agrees to obey all rules and regulations promulgated by the Board relative to all alcoholic beverages received in this State. The undersigned, if issued a license as herein requested, also agrees to allow and hereby invites duly authorized agents of the Alabama Alcoholic Beverage Control Board and any duly commissioned law enforcement officer of the State, County or Municipality in which the licensed premises are located to enter and search without a warrant the licensed premises or any building owned or occupied by him in connection with said licensed premises. The undersigned hereby understands that should he or she violate any provisions of the aforementioned laws his or her license shall be subject to revocation and no license can be again issued to said licensee for a period of one year. The undersigned further understands and agrees that no changes in the manner of operation and no deletion or discontinuance of any services or facilities as described in this application will be allowed without written approval of the proper governing body and the Alabama Alcoholic Beverage Control Board.

STATE OF ALABAMA Signed Caroline Pittman
 COUNTY OF BALDWIN Title Power of Attorney Date 3/19/08

The undersigned CAROLINE PITTMAN, Power of Attorney for Alabama CVS Pharmacy, LLC.
 (Name of applicant or member if Partnership or Association of Name and Title of Officer, if a Corporation)
 applicant for the Alcoholic Beverage license requested, hereby swears and affirms that he/she has read said application and all statements therein and the facts set forth are true and correct, and that the applicant is the only person interested in the business for which license is requested.
 Sworn to and subscribed before me this 19th day of March, 2008

Signature of Notary Public Mary A. Adams Signature of Affiant Caroline Pittman
 Notary Public, State at Large My commission expires _____ Business Phone (251) 621-9096 Home Phone (251) 626-7704
 FAX (401) 765-7887 Other (401) 765-1500

(For Central Office Use Only) License No. _____ Date of Issue _____ Amount of Fees _____ Total _____

PRESIDENT:
CHARLES W. "SONNY" PENHALE
MAYOR, HELENA

EXECUTIVE DIRECTOR:
PERRY C. ROQUEMORE, JR.
MONTGOMERY



Alabama League of Municipalities

Official Publication: Alabama Municipal Journal

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MONTGOMERY, ALABAMA 36104
FAX (334) 263-0200

Serving Alabama's Home-Town Governments and Home-Town Officials

March 6, 2008

TO: All Mayors and Clerks

FROM: League Headquarters *PK*

SUBJECT: Voting Delegate, Annual Convention Business Meeting

ENCLOSURE: Voting Delegate Designation Form

The annual convention of the Alabama League of Municipalities will be held May 17-20, 2008, in Birmingham, at the Birmingham-Jefferson Convention Complex. The annual business session will be held at 8:00 a.m. on Tuesday morning, May 20, in the Birmingham-Jefferson Convention Complex.

The League Constitution contains the following provision pertaining to voting powers at the annual convention business session:

"Each member municipality shall have one vote in the Convention proceedings of the League, such vote to be cast by the delegate authorized by the governing body of such town or city. The League shall send to the mayor of each member municipality a form to be used by the municipal governing body to designate the municipality's voting delegate, first alternate voting delegate and second alternate voting delegate. In order for the municipality to be eligible to cast its vote during convention proceedings, the official delegate designation form must be returned to the League Headquarters not later than fifteen (15) days prior to the first day of the Annual Convention."

In accordance with the League Constitution, a copy of the official Voting Delegate Authorization Form, which should be used by your municipal governing body to designate the official voting delegate and alternates eligible to cast the municipality's vote during the business session of the convention, is being sent to each mayor. An additional copy is being sent to each clerk, but only one completed form should be returned by each League member municipality.

Please have the enclosed form completed and returned to the League by May 2, so that your city or town will be eligible to cast its vote at the convention.

We look forward to seeing a good delegation from your municipality in Birmingham.

COPY

THIS FORM MUST BE RETURNED TO THE ALABAMA LEAGUE OF MUNICIPALITIES NOT LATER THAN MAY 2, 2008, IN ORDER FOR THE MUNICIPALITY NAMED BELOW TO BE ELIGIBLE TO HAVE ITS DESIGNEE CAST A VOTE AT THE OFFICIAL BUSINESS SESSION OF THE LEAGUE ON TUESDAY MORNING, MAY 20, 2008, AT 8:00 A.M., IN THE BIRMINGHAM-JEFFERSON CONVENTION COMPLEX.

VOTING DELEGATE AUTHORIZATION FORM

The following person(s)* is authorized to cast the municipality's vote at the business session of the annual convention of the Alabama League of Municipalities on May 20, 2008:

Voting Delegate (PLEASE PRINT) _____

1st Alternate Voting Delegate
(To vote only in absence of Voting Delegate)

2nd Alternate Voting Delegate
(To vote only in absence of 1st Alternate Voting Delegate)

******IMPORTANT NOTICE******

THE LEAGUE CONSTITUTION REQUIRES THAT VOTING DELEGATES AND ALTERNATES BE ELECTED MUNICIPAL OFFICIALS.

Signed by _____
(Please Print)

Title _____

City/Town _____

Date _____

Proposal

To: City of Daphne
Attn: Ashley Campbell

From: Scott L. Douglass, Ph.D., P.E.
South Coast Engineers, LLC
P.O. Box 72
Fairhope, AL 36533
scott@southcoastengineers.com
251-510-2903

For: Mayday Park Study:
Coastal Engineering Analysis and Sand Management Plan

Background: Mayday Park provides access to the Bay for the citizens of Daphne, Alabama. The park includes a beach, pier, and boat ramp on the water as well as other amenities up the hill from the water. Several years ago the park was experiencing beach erosion and there was concern about how a sandy beach could be maintained for public use. After Hurricane Katrina however, too much sand collected around the boat ramp and pier. Subsequently, jetties were built and then removed. At present, sand removal is required on an almost daily basis to maintain the boat ramp. The removed sand is piled very high on a portion of the public beach. Thus, the use of all three of these water dependent amenities (beach, pier, and ramp) is negatively influenced by the sand problem.

Purpose of this proposed study: The primary purpose of this proposed study is to develop a recommendation for long-term management of the sand at Mayday Park. The recommendation will likely be for the City to adopt a formal Sand Management Plan that balances the maximum use of the boat ramp and beach areas, while minimizing the impacts to the adjacent shorelines and the operational costs to the City. This recommendation will likely be some form of continuing sand bypassing (mechanically moving sand from one side of the ramp to the other) in order to allow the ramp to stay open while not trapping sand that was on its way to nearby shorelines. This recommendation may include limited coastal structures (groins or jetties), deposition areas (places where sand is to be deposited and then removed), replacement (disposal) areas, temporary sand storage areas, as well as conceptual plans for sand bypassing volumes.

Tasks: The following tasks will be accomplished as part of this study project:

1. Collect and evaluate recent coastal engineering activity,
2. Investigate historical shoreline change,
3. Analyze wind, wave, and longshore transport climate,
4. Develop conceptual solution plan,
5. Coordinate meetings,
6. Submit written report.

Coordination meetings with city officials and regulatory agency officials will be held at the beginning and near the end of the study period. The final written report will be adequate to include as a stand-alone attachment to a joint coastal permit application to the United States Army Corps of Engineers and the Alabama Department of Environmental Management should the City decide to pursue any of the recommendations of this study.

Cost and time estimate: These services will be billed monthly as performed according to South Coast Engineers, LLC standard hourly rate schedule with the total cost for this study estimated not to exceed \$29,900. Payments shall be made within 30 days of billing. This estimated cost includes only the tasks outlined above. This proposal assumes that recent survey data will be provided by the City or its engineer and that ready access to city records related to recent sand management (volumes and dates) will be provided. This estimated cost does not include the preparation of the joint coastal permit for any proposed project, any additional meetings or services required in the permit process, or any subsequent monitoring of the project performance. The period for completion of the tasks outlined above is estimated as 3 months from receipt of notice-to-proceed.

Permits and future costs: This work will be described in meetings to the appropriate regulatory authorities and efforts will be made to coordinate the recommendations with their management frameworks. However, there is no guarantee that a sand-bypassing or other remedial project included in this recommended Sand Management Plan will be permitted by authorities having jurisdiction or that any remedial project can be carried out at costs acceptable to the City.

CONSTRUCTION, INDEMNIFICATION
AND HOLD HARMLESS AGREEMENT

KNOW ALL MEN BY THESE PRESENTS, that WHEREAS, THE CITY OF DAPHNE, ALABAMA (“the City”) is a municipal corporation formed pursuant to the laws of the State of Alabama, and is presently engaged in the removal and relocation of sand and other fill material adjacent to the boat launch at Mayday Park located within the City; and

WHEREAS, the City is in need of a suitable location for the placement and deposit of such sand and other fill material as is removed from the subject boat launch; and

WHEREAS, BAYSIDE ACADEMY, INC. (“Bayside”) owns certain real property in the vicinity of Mayday Park in the City of Daphne, and Bayside is desirous of having the City’s sand and other fill material placed on its property for the purpose of replacing soils lost to erosion; and

WHEREAS, the City is willing to place the subject material on Bayside’s property, without charge, provided that Bayside provides the City with an acceptable indemnification and hold harmless agreement as hereinafter set forth;

NOW, THEREFORE, for and in consideration of the mutual promises and covenants herein contained, the receipt and sufficiency of which are hereby acknowledged, the City and Bayside do hereby mutually covenant and agree as follows:

1. Placement of Fill Material – The City shall place its subject fill material on Bayside’s property in such locations as Bayside shall specify. The City shall access Bayside’s property only from the end of Dryer Avenue, or such other locations across which access is specifically authorized by Bayside.
2. Permitting – The City shall bear the responsibility of obtaining any and all permits necessary for the completion of the work specified in this agreement.
3. Insurance – The City represents and warrants to Bayside that during the period of time the work contemplated by this agreement is being conducted, the City shall maintain, without interruption, general liability insurance with limits of not less than \$2 million.
4. Waiver of Payment – All work performed by the City pursuant to this Agreement shall be at no cost to Bayside.

5. Indemnification and Hold Harmless – In consideration for the work to be performed by the City pursuant to this Agreement, Bayside agrees to indemnify and hold harmless the City from and against any bodily injury or property damage caused by the City in the conduct of its work pursuant hereto, and Bayside further agrees to hold harmless the City from and against any claims, demands, liability and charges of any and every type arising from such bodily injury or property damage sustained as a consequence of the work performed by the City hereunder.

IN WITNESS WHEREOF, the undersigned have caused this instrument to be executed by their duly authorized representatives on this the _____ day of February, 2008.

CITY OF DAPHNE, ALABAMA,
a municipal corporation

By: _____
FRED SMALL
Its Mayor

BAYSIDE ACADEMY, INC.,
an Alabama non-profit corporation

By: _____
THOMAS JOHNSON
Its Headmaster

CITY ATTORNEY'S REPORT

NOTES:

DEPARTMENT HEAD'S COMMENTS

**CITY COUNCIL MEETING
RESOLUTIONS, ORDINANCES, ORDERS & OTHER BUSINESS**

NOTES:

RECOMMENDATIONS

COUNCIL COMMENTS:

CITY OF DAPHNE

RESOLUTION 2008-14

**REQUEST FOR AN ALABAMA ATTORNEY GENERAL'S OPINION REGARDING
WHETHER A MUNICIPALITY MAY CONDUCT AN EXECUTIVE SESSION WHICH
THE COUNCIL MEETING HAS BEEN CALLED A WORK SESSION**

WHEREAS, the City of Daphne, a class 8 Alabama Municipal Corporation, is desirous of obtaining an Attorney General's Opinion on whether the Daphne City Council may after calling a duly authorized work session in which no business of the City may be conducted move into an executive session for the purposes as enumerated in the Alabama Open Meetings Act.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA that the City Attorney of the City of Daphne be and is hereby directed to provide a written request along with this resolution seeking an opinion from the Alabama Attorney General's Office regarding the ability of the City Council, after entering into a properly call work session may go into an executive session pursuant to the statutory enumerated exemptions for calling an executive session during a work session and if so, is the Council required to vote pursuant to the form and matter as set forth in the Alabama Open Meetings Act to go into an executive session.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THIS THE _____ day of _____, 2008.

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

**GREG BURNAM
COUNCIL PRESIDENT
DATE AND TIME SIGNED _____**

FRED SMALL
MAYOR
DATE AND TIME SIGNED: _____

ATTEST:

DAVID L. COHEN, CITY CLERK, MMC

**CITY OF DAPHNE, ALABAMA
ORDINANCE NO. 2008- 25**

**Zoning District Map
Revision to Appendix H of the City of Daphne
Land Use and Development Ordinance**

WHEREAS, the Planning Commission of the City of Daphne, Alabama at their regular meeting held on January 24, 2008, favorably recommended to the City Council of the City of Daphne certain amendments to the Zoning District Map approved and adopted by the Daphne Land Use and Development Ordinance No. 2002-22, referenced in Appendix H “Exhibit A” thereof and amended by Ordinance No. 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73 , Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, said amendments are necessary due to various rezoning and annexation requests which have been approved since the adoption of Ordinance No. 2002-22, Ordinance 2003-06, Ordinance No. 2005-11, Ordinance No. 2006-24, Ordinance No. 2006-73, Ordinance No. 2007-15; and Ordinance 2007-48 and

WHEREAS, due notice of said proposed zoning map amendments 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 Zoning District Map amendments was held by the City Council on March 17, 2008; and

WHEREAS, the City Council of the City of Daphne after due consideration and upon recommendation of the Planning Commission believe it in the best interest of health, safety and welfare of the citizens of the City of Daphne to amend said Zoning District Map as recommended;

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

SECTION I: ZONING DISTRICT MAP

The Zoning District Map referenced hereto as Exhibit “A” shall be the official zoning map of the City of Daphne, Alabama and shall be further designated in Appendix H of Exhibit A of the City of Daphne Land Use and Development Ordinance, as set forth in Ordinance No. 2002-22 and its amendments.

SECTION II: REPEALER

Ordinances Nos. 2002-22, Appendix H "Exhibit A", 2003-06, 2005-11, 2006-24, 2006-73 and 2007-15 and Ordinance 2007-48 are specifically repealed and any Ordinance(s), parts of Ordinance(s) or Resolution(s) conflicting with the provisions of this Ordinance are hereby repealed insofar as they conflict.

SECTION III: EFFECTIVE DATE

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

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA ON THE _____ DAY OF _____, 2008.

GREG BURNAM,
COUNCIL PRESIDENT

Date and Time Signed: _____

FRED SMALL,
MAYOR CITY OF DAPHNE

Date and Time Signed: _____

ATTEST:

DAVID L. COHEN,
CITY CLERK, MMC

**CITY OF DAPHNE
ORDINANCE NO. 2008-26**

=====

**AN ORDINANCE ESTABLISHING DISTRICT LINES FOR
THE CITY OF DAPHNE, ALABAMA**

=====

WHEREAS, the City of Daphne, Alabama in order to encourage more active citizen participation in local government and to ensure equitable representation on the City Council in compliance with the Voting Rights Act of 1965, did pass Ordinance No. 1988-11, establishing seven (7) Single-Member Council Districts, which said district plan was approved by the United States Justice Department; and

WHEREAS, Act 1991-545, which governs the City of Daphne, incorporated the districting plan set out in Ordinance No. 1988-11, 1992-07 and said Act 1991-545, with the existing district lines, was approved by the United States Justice Department; and

WHEREAS, the 2000 Federal Decennial U.S. Census results have become final requiring an alteration to said district lines.

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

SECTION I: ENACTMENT

An Ordinance of the City of Daphne, Alabama, establishing Single-Member Council Districts for the purpose of electing Council representatives from each district, designating boundaries for each district based on current house count and current estimate of population, and prescribing a method for updating and amending the district boundaries on a periodic basis.

SECTION II: PURPOSE

The City of Daphne, Alabama, in order to encourage more active citizen participation in local government, to assure equitable representation on the City Council in compliance with the Voting Rights Act of 1965, as amended, and to promote the general welfare of all residents of the City, hereby ordains and enacts into law a Single-Member Council District Ordinance.

ORDINANCE NO. 2008-26
DISTRICTS LINES

SECTION III: AUTHORITY

The Ordinance set forth herein is hereby adopted pursuant to authority granted by Act Number 91-545 of the 1991 Alabama Legislature as signed by the Governor and approved by the United States Justice Department.

SECTION IV: ESTABLISHMENT OF DISTRICTS

The City of Daphne, Alabama is hereby divided into Single-Member Council Districts as listed and described below and as illustrated on the official Single-Member Council District Map which is hereby adopted and made a part of this Ordinance. The map shall be signed by the Mayor and attested to by the City Clerk. It shall be filed in the Office of the City Clerk and shall show thereon the date of adoption of this Ordinance. The Ordinance and Map shall, within five (5) days of the date of its adoption, be certified to the Judge of Probate of Baldwin County, Alabama.

SECTION V: LEGAL DESCRIPTION

See attached Exhibit "A", which is made a part hereof as fully as if set out completely herein.

SECTION VI: AMENDMENT

The City of Daphne, Alabama shall assess the population in the Single-Member Districts following each Decennial U.S. Census and shall make the minimum adjustments to the district boundaries that are necessary to maintain roughly equal populations within each district that are within the limits of deviation allowed by law as such may presently exist or be hereafter amended, and to assure Black representation on the City Council that generally approximates the Black proportion of the City's population.

SECTION VII: REPEALER

All City Ordinances or parts thereof in conflict with the provisions of this Ordinance is hereby repealed insofar as they conflict.

**ORDINANCE NO. 2008-26
DISTRICTS LINES**

SECTION VIII: SEVERABILITY

The provisions of this Ordinance are severable. If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision and such holding shall not affect the validity of the remaining portion hereof.

SECTION IX: EFFECTIVE DATE

This Ordinance shall become effective and be in force from and after the date of its approval and adoption by the City Council of Daphne, Alabama and publication as required by law.

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA on this _____ day of _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

EXHIBIT "A"

DISTRICT #1

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN NORTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RANDALL AVENUE; THENCE RUN EAST ALONG SAID CENTERLINE OF RANDALL AVENUE TO A POINT OF INTERSECTION OF WITH THE CENTERLINE OF U.S. HIGHWAY NO. 98; THENCE RUN NORTH ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 98 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COUNTY ROAD NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY ROAD NO. 13 TO A POINT OF INTERSECTION WITH EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000 TO A POINT OF INTERSECTION WITH THE CENTER LINE OF PUBLIC WORKS ROAD; THENCE RUN SOUTH ALONG SAID CENTER LINE OF PUBLIC WORKS ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-018.000 TO THE INTERSECTION OF SAID EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-018.000 AND THE CENTER LINE OF PUBLIC WORKS ROAD; THENCE RUN SOUTH ALONG SAID CENTER LINE OF PUBLIC WORKS ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-021.017; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-021.017 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.017 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-021.016; THENCE RUN EAST ALONG THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-021.016 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.016 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-021.015; THENCE RUN ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-021.015 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-021.015 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-

021.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF SAID NORTH LINE OF TAX PARCEL NO. 43-05-16-0-000-021.000 TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF COUNTY HIGHWAY NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-022.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-022.000 TO A POINT OF INTERSECTION WITH THE SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN WEST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-023.014; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-023.014 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.014 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.013; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.013 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.013 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.012; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.012 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.012 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.011; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.011 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.011 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.010; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.010 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.010 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.009; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.009 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.009 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.008; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.008 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.008 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.007; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.007 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-023.007 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.004; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-023.004 TO THE NORTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-023.004 SAID POINT BEING ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-001.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-001.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND

THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-001.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO POINT OF INTERSECTION WITH SAID CENTERLINE OF WHISPERING PINES ROAD AND THE EXTENSION THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-002.001; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-002.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-002.001 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-003.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-003.000 TO THE INTERSECTION OF SAID EXTENSION SOUTH PROPERTY LINE WITH THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WELL ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WELL ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.015; THENCE RUN SOUTH ALONG SAID EXTENSION AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.015 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.015 ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.015 ALSO BEING THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.005 ALSO BEING A POINT ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.006; THENCE RUN EAST ALONG THE SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.006 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.006 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.012; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF WELL ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WELL ROAD TO A POINT OF INTERSECTION OF SAID CENTERLINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.012 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.012 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.007; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF TAX

PARCEL NO. 43-05-16-0-000-028.007 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.007 ALSO BEING THE NORTHEAST CORNER OF PECAN TRACE SUBDIVISION AS RECORDED ON SLIDE NO. 2178-D AND AMENDED ON SLIDE NO. 2202-D; THENCE RUN SOUTH ALONG THE EASE BOUNDARY LINE OF SAID PECAN TRACE SUBDIVISION TO THE SOUTHEAST CORNER OF SAID PECAN TRACE SUBDIVISION; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID PECAN TRACE SUBDIVISION TO A POINT ON SAID SOUTH BOUNDARY LINE ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.003; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.003 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.003 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-16-0-000-028.019; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-16-0-000-028.019 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-16-0-000-028.019 AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN EAST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION OF SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-005.000; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-005.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-005.002 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN WEST ALONG SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-006.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-006.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-006.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-006.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-

21-0-000-006.000 ALSO BEING A POINT ON THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-020.000; THENCE RUN NORTHWESTERLY ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-020.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-020.000 ALSO BEING A POINT ON THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-010.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000; THENCE RUN NORTH AND WEST ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-011.000 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE WEST PROPERTY LINE AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN NORTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH SAID CENTERLINE OF POLLARD ROAD AND THE EXTENSION OF WEST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000; THENCE RUN EAST AND NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-010.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-010.000 ALSO BEING A POINT ON THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-007.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-05-21-0-000-007.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-007.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-05-21-0-000-008.000 TO A POINT OF INTERSECTION WITH SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO THE NORTHEAST CORNER OF TAX PARCEL NO. 43-04-20-4-000-001.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-04-20-4-000-001.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-04-20-4-000-001.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-04-20-4-000-015.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-04-20-4-000-015.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-04-20-4-000-015.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-131.027; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-131.027 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-131.027 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-141.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-141.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-

141.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-143.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-143.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-143.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-144.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-144.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-144.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-145.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-145.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-1-000-145.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-1-000-131.038; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-1-000-131.038 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DALE DRIVE SAID POINT BEING THE INTERSECTION OF SAID CENTERLINE OF DALE DRIVE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL 43-09-29-2-000-049.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-2-000-049.000 TO A POINT ON SAID WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-049.000, BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-2-000-050.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-29-2-000-050.000 TO A POINT OF INTERSECTION WITH WEST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF HIGHWAY NO. 98 TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-064.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE SAID TAX PARCEL NO. 43-09-29-0-000-064.000 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-021.000; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-021.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-021.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-021.000 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 43-09-29-0-000-022.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-022.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-29-0-000-022.000 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-09-29-0-000-005.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-29-0-000-005.000 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF PINWOOD SUBDIVISION AS RECORDED IN MAP BOOK 12, PAGE 23 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF PINWOOD SUBDIVISION AND THE

EXTENSION OF SAID SOUTH BOUNDARY LINE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF HOLY CROSS DRIVE; THENCE RUN SOUTH ALONG SAID CENTERLINE OF HOLY CROSS DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-008.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-010.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-010.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-010.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-010.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-011.000 TO THE SOUTHWEST CORNER OF SAID PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-011.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN NORTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE POINT OF BEGINNING.

DISTRICT #2

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64); THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-001.001; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-30-0-000-001.001 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-30-0-000-001.001; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-30-0-000-001.001 TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-040.000; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-040.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-039.000; THENCE RUN SOUTH ALONG SAID EAST

PROPERTY LINE OF TAX PARCEL NO. 43-09-42-0-001-039.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-00-39.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-039.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-039.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-42-0-001-038.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-038.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-09-42-0-001-038.000 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-09-42-0-001-037.000; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-09-42-0-001-037.000 TO A POINT OF INTERSECTION WITH THE EASTERN BOUNDARY LINE OF MONTROSE VILLAGE AS RECORDED IN MAP BOOK 8, PAGE 108 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EASTERN BOUNDARY LINE OF MONTROSE VILLAGE AND THE EXTENSION OF THE EASTERN BOUNDARY LINE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF NORTH WINDING BROOK DRIVE; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF NORTH WINDING BROOK DRIVE TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF WOODBRIDGE SUBDIVISION AS RECORDED IN MAP BOOK 9, PAGE 144 IN THE OFFICE OF THE PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF WOODBRIDGE SUBDIVISION TO A POINT OF INTERSECTION WITH THE EAST MARGIN OF MOBILE BAY; THENCE RUN NORTH ALONG SAID EAST MARGIN OF MOBILE BAY TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN EAST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN NORTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002 TO A POINT ON SAID TAX PARCEL NO. 43-03-07-0-000-068.002 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 43-03-07-0-000-068.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.000 TO A POINT OF INTERSECTION OF THE CENTERLINE OF MAIN STREET SAID POINT ALSO BEING THE INTERSECTION OF SAID CENTERLINE OF MAIN STREET AND WHISPERING PINES ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 98 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RANDALL AVENUE; THENCE RUN WEST ALONG SAID CENTERLINE OF RANDALL AVENUE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF DAPHNE AVENUE (COUNTY HIGHWAY NO. 64) AND THE POINT OF BEGINNING.

DISTRICT #3

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF U.S. HIGHWAY NO. 98 AND THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID

CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE MAIN STREET ALSO BEING THE INTERSECTION OF SAID MAIN STREET AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.000; THENCE RUN WEST ALONG SAID EXTENSION OF THE SOUTH PROPERTY LINE AND THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.000 BEING A POINT ON THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-07-0-000-068.002 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-07-0-000-068.002 TO A POINT OF INTERSECTION WITH THE EAST MARGIN OF MOBILE BAY; THENCE RUN NORTH ALONG SAID EAST MARGIN OF MOBILE BAY AND THE EAST MARGIN OF D'OLIVE BAY TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN NORTH TO A POINT OF INTERSECTION OF THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE EAST MARGIN D'OLIVE CREEK; THENCE RUN NORTH ALONG SAID EAST MARGIN OF D'OLIVE CREEK TO A POINT OF INTERSECTION WITH THE SOUTH MARGIN OF NORTH FORK CREEK; THENCE RUN EAST ALONG SAID SOUTH MARGIN OF NORTH FORK CREEK TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-015.000; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH PROPERTY LINE AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-015.000 THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-09-31-0-000-008.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-31-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF U.S. HIGHWAY NO. 98; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY U.S. HIGHWAY NO. 98 AND THE EXTENSION OF SAID EAST RIGHT-OF-WAY TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET; THENCE RUN SOUTH ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF WINDSOR DRIVE TO A POINT OF INTERSECTION WITH CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BRENTWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF BRENTWOOD DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-71-0-002-015.000 (SAID PARCEL BEING LOT 132, LAKE FOREST, UNIT 16, MAP BOOK 7, PAGE 119 AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA); THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-71-0-002-015.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-71-0-002-015.000 ALSO BEING THE SOUTHEAST CORNER OF SAID LAKE FOREST, UNIT 16 AND THE SOUTHWEST CORNER OF LAKE FOREST, UNIT 15, MAP BOOK 7, PAGE 114 AS RECORDED IN THE OFFICE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE SOUTH BOUNDARY OF SAID LAKE FOREST, UNIT 15 TO A POINT OF INTERSECTION WITH THE WEST BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION AS RECORDED ON SLIDE NO. 1634-A, AS

RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID WEST BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION TO THE SOUTHWEST CORNER OF SAID CHARLESTON OAKS SUBDIVISION; THENCE RUN EAST ALONG THE SOUTH BOUNDARY LINE OF SAID CHARLESTON OAKS SUBDIVISION TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF JAPONICA LANE; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SAID JAPONICA LANE; THENCE RUN SOUTH ALONG SAID CENTERLINE OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARK ROAD; THENCE RUN EAST ALONG SAID CENTERLINE OF PARK ROAD TO A POINT OF INTERSECTION WITH THE; CENTERLINE OF POLLARD ROAD; THENCE RUN SOUTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF WHISPERING PINES ROAD TO A POINT OF INTERSECTION OF MAIN STREET AND THE POINT OF BEGINNING.

DISTRICT #4

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF POLLARD ROAD AND THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN NORTH ALONG SAID CENTERLINE OF POLLARD ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH BOUNDARY LINE OF BROOKSIDE PATIO HOMES, AS RECORDED ON SLIDE NO. 2189-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH BOUNDARY LINE AND THE NORTH BOUNDARY LINE OF BROOKSIDE PATIO HOMES TO THE NORTHEAST CORNER OF SAID BROOKSIDE PATIO HOMES ALSO BEING THE NORTHWEST CORNER OF CREEKSIDE SUBDIVISION, UNIT 2, AS RECORDED ON SLIDE NO. 1739-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID CREEKSIDE SUBDIVISION, UNIT 2 TO THE NORTHEAST CORNER OF SAID CREEKSIDE SUBDIVISION, UNIT 2 ALSO BEING THE NORTHWEST CORNER OF STRATFORD GLEN, PHASE THREE, AS RECORDED ON SLIDE NO. 2152-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID STRATFORD GLEN, PHASE THREE TO THE NORTHEAST CORNER OF SAID STRATFORD GLEN, PHASE THREE ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO.43-02-09-0-000-008.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-008.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.000; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.000 TO A POINT OF INTERSECTION WITH THE SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.060; THENCE RUN WEST ALONG SAID SOUTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-001.060 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-001.060; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-

001.060 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-001.060 ALSO BEING A POINT ON THE SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 12, AS RECORDED IN MAP BOOK 7, PAGE 118 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 12 TO THE SOUTHWEST CORNER OF SAID LAKE FOREST, UNIT 12 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-08-0-000-001.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-08-0-000-001.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-03-08-0-000-001.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-08-0-000-014.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-08-0-000-014.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF PARK DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF PARK DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF JAPONICA LANE; THENCE RUN NORTH ALONG SAID CENTERLINE OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF SAID JAPONICA LANE; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF JAPONICA LANE TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-008-003.010 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION, AS RECORDED ON SLIDE NO. 1634-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF CHARLESTON OAKS SUBDIVISION TO THE SOUTHWEST CORNER OF SAID CHARLESTON OAKS SUBDIVISION; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID CHARLESTON OAKS SUBDIVISION TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 15, AS RECORDED IN MAP BOOK 7, PAGE 114 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG SAID SOUTH BOUNDARY LINE OF LAKE FOREST, UNIT 15 TO THE SOUTHWEST CORNER OF SAID LAKE FOREST, UNIT 15 ALSO BEING THE SOUTHEAST CORNER OF LAKE FOREST, UNIT 16 AS RECORDED IN MAP BOOK 7, PAGE 119 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 16 TO A POINT OF INTERSECTION OF THE CENTERLINE OF BRENTWOOD DRIVE; THENCE RUN WEST AND NORTH ALONG SAID CENTERLINE OF BRENTWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BAYVIEW DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BAYVIEW DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-126.000; THENCE RUN SOUTHEASTERLY ALONG SAID EXTENSION AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-126.000 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-120.000; THENCE RUN EAST AND SOUTH ALONG SAID NORTH PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-03-05-0-002-120.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL

NO.43-03-05-0-002-120.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 43-03-05-0-005-112.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 43-03-05-0-005-112.000 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BUENA VISTA DRIVE; THENCE RUN EAST AND SOUTH ALONG SAID CENTERLINE OF BUENA VISTA DRIVE TO A POINT OF INTERSECTION OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF VEGA DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF VEGA DRIVE TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF LAKE FOREST, UNIT 22 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF COUNTY HIGHWAY NO. 13; THENCE RUN SOUTH ALONG SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE NORTH BOUNDARY LINE OF SEHOY SUBDIVISION, PHASE 5 AS RECORDED ON SLIDE NO. 2219-C IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID EXTENSION OF THE NORTH BOUNDARY LINE AND THE NORTH BOUNDARY LINE OF SEHOY SUBDIVISION, PHASE 5 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 5 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 1 AS RECORDED ON SLIDE NO. 2068-C&D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 1 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 1 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 3 AS RECORDED ON SLIDE NO. 2119-D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 3 TO THE NORTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3 ALSO BEING THE NORTHWEST CORNER OF SEHOY SUBDIVISION, PHASE 4 AS RECORDED ON SLIDE NO. 2179-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE NORTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 4 TO THE SOUTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 4 ALSO BEING THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 3 TO THE SOUTHWEST CORNER OF SAID SEHOY SUBDIVISION, PHASE 3 ALSO BEING THE SOUTHEAST CORNER OF SAID SEHOY SUBDIVISION, PHASE 1; THENCE RUN WEST ALONG THE SOUTH BOUNDARY LINE OF SAID SEHOY SUBDIVISION, PHASE 1 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE AND THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-10-0-000-011.000 TO A POINT OF INTERSECTION OF THE CENTERLINE OF PARKER LANE; THENCE RUN WEST ALONG SAID CENTERLINE PARKER LANE TO A POINT

OF INTERSECTION WITH THE CENTERLINE COUNTY HIGHWAY NO. 13 ALSO BEING A POINT OF INTERSECTION OF SAID CENTERLINE OF COUNTY HIGHWAY NO. 13 AND THE EXTENSION OF THE NORTH PROPERTY LINE TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN WEST ALONG SAID EXTENSION AND THE NORTH PROPERTY LINE OF TAX PARCEL NO. 43-02-09-0-000-011.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-09-0-000-011.001 TO A POINT OF INTERSECTION OF THE CENTERLINE OF WHISPERING PINES ROAD; THENCE RUN WEST ALONG CENTERLINE OF WHISPERING PINES ROAD TO THE POINT OF BEGINNING.

ALSO INCLUDING ALL OF THE LOTS IN ASHLEY PLACE SUBDIVISION AS RECORDED ON SLIDE NO. 1608-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING ALL OF THE LOTS IN OTTAWA SPRINGS SUBDIVISION, PHASE ONE AS RECORDED ON SLIDE NO. 2255-E AND OTTAWA SPRINGS SUBDIVISION, PHASE TWO AS RECORDED ON SLIDE 2355-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING TAX PARCEL NO. 43-08-27-0-000-004.000 AND ALL OF THE LOTS IN BELLATON SUBDIVISION, PHASE ONE AS RECORDED ON SLIDE NO. 2194-E AND BELLATON SUBDIVISION, PHASE TWO AS RECORDED ON SLIDE NO. 2294-B IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA.

ALSO INCLUDING ALL OF THE PROPOSED LOTS THAT ARE PLATTED AS OLD FIELD SUBDIVISION NOT YET RECORDED WHICH INCLUDE TAX PARCEL NO'S. 43-08-34-0-000-001.000 THROUGH 43-08-34-0-000-001.164.

ALSO INCLUDING TAX PARCEL NO'S. 43-07-26-0-000-011.000, 43-07-35-0-000-002.000, AND 43-07-35-0-000-003.000.

ALSO INCLUDING ALL OF THE LOTS IN KRYSTAL RIDGE ESTATES SUBDIVISION AS RECORDED ON SLIDE NO. 2283-F IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA AND TAX PARCEL NO. 43-02-03-0-000-002.223.

DISTRICT #5

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF MAIN STREET AND THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN NORTH AND EAST ALONG SAID CENTERLINE OF MAIN STREET TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN EAST ALONG SAID CENTERLINE OF U.S. HIGHWAY 90 TO A POINT OF INTERSECTION WITH THE CENTERLINE EXTENSION OF BAY VIEW DRIVE; THENCE RUN EAST AND SOUTH ALONG SAID CENTERLINE OF BAY VIEW DRIVE

TO A POINT OF INTERSECTION WITH THE CENTERLINE EXTENSION OF RIDGEWOOD DRIVE; THENCE RUN WEST ALONG CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF RIDGEWOOD DRIVE AND THE CENTERLINE OF LAKE FOREST DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF LAKE FOREST DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF WINDSOR DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF WINDSOR DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF MAIN STREET AND THE POINT OF BEGINNING.

DISTRICT #6

BEGINNING AT THE INTERSECTION OF THE CENTERLINE OF LAWSON ROAD AND THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN EAST ALONG SAID CENTERLINE OF LAWSON ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST BOUNDARY LINE OF CANTERBURY PLACE, UNIT FOUR AS RECORDED ON SLIDE NO. 2013-E IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST BOUNDARY LINE AND THE WEST BOUNDARY LINE OF CANTERBURY PLACE, UNIT FOUR TO THE NORTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT FOUR ALSO BEING THE SOUTHWEST CORNER OF CANTERBURY PLACE, UNIT THREE AS RECORDED IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHWEST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN EAST ALONG THE NORTH BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE NORTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT THREE; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT THREE TO THE SOUTH EAST CORNER OF SAID CANTERBURY PLACE, UNIT THREE ALSO BEING THE NORTHEAST CORNER OF CANTERBURY PLACE, UNIT TWO AS RECORDED ON SLIDE NO. 1639-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT TWO TO THE SOUTHEAST CORNER OF SAID CANTERBURY PLACE, UNIT TWO ALSO BEING THE NORTHEAST CORNER OF CANTERBURY PLACE, UNIT ONE AS RECORDED ON SLIDE NO. 1499-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID CANTERBURY PLACE, UNIT ONE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF LAWSON ROAD TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.001 ALSO BEING THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.0-131; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-

03-0-000-002.0-131 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 43-02-03-0-000-002.0-131; THENCE CONTINUE WEST TO THE SOUTHEAST CORNER OF TAX PARCEL NO. 43-02-03-0-000-002.003; THENCE RUN WEST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 43-02-03-0-000-002.003 TO A POINT OF INTERSECTION WITH THE EAST BOUNDARY LINE OF LAKE FOREST SUBDIVISION, UNIT 22 AS RECORDED IN MAP BOOK 8, PAGE 38 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EAST BOUNDARY LINE OF LAKE FOREST SUBDIVISION, UNIT 22 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF VEGA DRIVE; THENCE RUN WEST ALONG SAID CENTERLINE OF VEGA DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND WEST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BUENA VISTA DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BUENA VISTA DRIVE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 AS RECORDED IN MAP BOOK 7, PAGE 96 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 TO THE NORTHWEST CORNER OF SAID LOT 133, LAKE FOREST SUBDIVISION, UNIT 9 ALSO BEING THE SOUTHWEST CORNER OF LOT 2, LAKE FOREST SUBDIVISION, UNIT 18 AS RECORDED IN MAP BOOK 7, PAGE 155 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHWESTERLY ALONG THE SOUTH LOT LINE OF LOTS 2 AND 1 OF SAID LAKE FOREST SUBDIVISION, UNIT 18 TO THE SOUTHWEST CORNER OF SAID LOT 1, LAKE FOREST SUBDIVISION, UNIT 18 ALSO BEING THE SOUTHEAST OF LOT 134, LAKE FOREST SUBDIVISION, UNIT 8 AS RECORDED IN MAP BOOK 7, PAGE 95 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHWESTERLY ALONG THE SOUTH LINE OF LOTS 134, 133, AND 132 OF SAID LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF LOT 39 OF SAID LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF LOT 39, LAKE FOREST SUBDIVISION, UNIT 8 TO THE SOUTHEAST CORNER OF SAID LOT 39, LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN NORTHWESTERLY ALONG THE SOUTH PROPERTY LINE AND THE EXTENSION OF THE SOUTH PROPERTY LINE OF SAID LOT 39, LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION OF THE CENTERLINE OF BAY VIEW DRIVE; THENCE RUN NORTH ALONG SAID CENTERLINE OF BAY VIEW DRIVE TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF LOT 53 OF SAID LAKE FOREST SUBDIVISION, UNIT 8; THENCE RUN EAST ALONG SAID NORTH PROPERTY LINE AND THE NORTH LINE OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 TO THE NORTHEAST CORNER OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 ALSO BEING THE NORTHWEST CORNER OF LOT 126, LAKE FOREST SUBDIVISION, UNIT 14 AS RECORDED IN MAP BOOK 7, PAGE 104 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST AND NORTH ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 14 TO THE NORTHEAST CORNER OF LOT 98 OF SAID LAKE FOREST SUBDIVISION, UNIT 14 ALSO BEING THE NORTHWEST CORNER OF LOT 21, LAKE FOREST SUBDIVISION, UNIT 23 AS RECORDED IN MAP BOOK 8, PAGE 74 IN THE OFFICE OF THE JUDGE OF PROBATE,

BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 23 TO THE SOUTHWEST CORNER OF LOT 6 OF SAID LAKE FOREST SUBDIVISION, UNIT 23; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE AND THE EXTENSION OF THE WEST PROPERTY LINE OF SAID LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH WINDGATE CIRCLE; THENCE RUN EAST ALONG SAID CENTERLINE OF SOUTH WINDGATE CIRCLE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF RIDGEWOOD DRIVE; THENCE RUN SOUTH AND EAST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD AND THE POINT OF BEGINNING.

DISTRICT #7

BEGINNING AT INTERSECTION OF THE CENTERLINE OF RIDGEWOOD DRIVE AND THE CENTERLINE OF LAWSON ROAD; THENCE RUN NORTH AND WEST ALONG SAID CENTERLINE OF RIDGEWOOD DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF SOUTH WINDGATE CIRCLE; THENCE RUN WEST ALONG SAID CENTERLINE OF SOUTH WINDGATE CIRCLE TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 AS RECORDED IN MAP BOOK 8, PAGE 74 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF LOT 6, LAKE FOREST SUBDIVISION, UNIT 23 TO THE SOUTHWEST CORNER OF SAID LOT 6, LAKE FOREST SUBDIVISION, UNIT 23; THENCE RUN EAST, SOUTH, AND WEST ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 23 TO THE NORTHWEST CORNER OF LOT 21 OF SAID LAKE FOREST SUBDIVISION, UNIT 23 ALSO BEING THE NORTHEAST CORNER OF LOT 98, LAKE FOREST SUBDIVISION, UNIT 14 AS RECORDED IN MAP BOOK 7, PAGE 104 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST AND SOUTH ALONG THE BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION, UNIT 14 TO THE NORTHWEST CORNER OF LOT 126 OF SAID LAKE FOREST SUBDIVISION, UNIT 14 ALSO BEING THE NORTHEAST CORNER OF LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 AS RECORDED IN MAP BOOK 7, PAGE 95 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE AND THE EXTENSION OF THE NORTH PROPERTY LINE OF SAID LOT 53, LAKE FOREST SUBDIVISION, UNIT 8 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF BAY VIEW DRIVE; THENCE RUN NORTH AND WEST ALONG SAID CENTERLINE OF BAYVIEW DRIVE TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-017.003; THENCE RUN NORTH ALONG SAID EXTENSION OF THE WEST PROPERTY LINE AND THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-31-0-000-017.003 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID SOUTH RIGHT-

OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO.32-08-34-0-000-002.019; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID CENTERLINE OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-08-33-0-001-018.012; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-08-34-0-000-002.019 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-34-0-000-002.019 ALSO BEING THE NORTHEAST CORNER OF LAKE FOREST, UNIT 25 AS RECORDED IN MAP 8, PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST, UNIT 25 TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD; THENCE RUN WEST ALONG SAID CENTERLINE OF LAWSON ROAD TO THE POINT OF BEGINNING.

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 AND THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.003; THENCE RUN NORTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.003 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.003 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-08-28-3-002-084.000; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-28-3-002-084.000 ALSO BEING THE NORTHWEST CORNER OF TIMBERCREEK, PHASE NINE AS RECORDED ON SLIDE NO. 2056-D IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA; THENCE RUN EAST AND NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE NINE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE NINE ALSO BEING THE SOUTHWEST CORNER OF TIMBERCREEK, PHASE THREE AS RECORDED ON SLIDE NO. 1588-A IN THE OFFICE OF THE JUDGE OF PROBATE BALDWIN COUNTY, ALABAMA;

THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE THREE ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-08-28-1-001-051.096; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-1-001-051.096 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF U.S.HIGHWAY NO. 31; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 TO THE POINT OF BEGINNING.

ALSO INCLUDING THE FOLLOWING:

BEGINNING AT THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE EAST RIGHT-OF-WAY STATE HIGHWAY NO. 181; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE RUNSOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO THE POINT OF BEGINNING.

THENCE RUN NORTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-001.010 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-001.010 ALSO BEING THE SOUTHWEST CORNER OF TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN EAST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.001 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-09-32-0-001-003.000 TO A POINT OF INTERSECTION WITH THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.001; THENCE RUN SOUTH ALONG SAID EAST PROPERTY LINE OF TAX PARCEL NO. 32-09-32-0-001-003.001 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF LOT 1, WILSON HEIGHTS, UNIT 4 AS RECORDED IN MAP BOOK 5, PAGE 193 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE OF LOT 1, WILSON HEIGHTS, UNIT 4 TO THE SOUTHEAST CORNER OF SAID LOT 1, WILSON HEIGHTS, UNIT 4; THENCE RUN EAST ALONG THE SOUTH BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 4 TO THE SOUTHEAST CORNER OF SAID WILSON HEIGHTS, UNIT 4; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 4 TO THE NORTHEAST OF SAID WILSON HEIGHTS, UNIT 4 ALSO BEING THE SOUTHEAST OF WILSON HEIGHTS, UNIT 5 AS RECORDED IN MAP BOOK 5, PAGE 236

IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 5 TO A POINT OF INTERSECTION WITH THE SOUTH BOUNDARY LINE OF WILSON HEIGHTS, UNIT 7 AS RECORDED IN MAP BOOK 6, PAGE 1 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN EAST ALONG SAID SOUTH BOUNDARY LINE OF WILSON HEIGHTS, UNIT 7 TO THE SOUTHEAST CORNER OF SAID WILSON HEIGHTS, UNIT 7 ALSO BEING THE SOUTHWEST CORNER OF LOT 34, TIMBERCREEK, PHASE THREE AS RECORDED ON SLIDE NO. 1588-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID WILSON HEIGHTS, UNIT 7 ALSO THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF LOT 35 OF SAID TIMBERCREEK, PHASE THREE; THENCE RUN EAST AND NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE THREE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE THREE ALSO BEING THE SOUTHWEST CORNER OF TIMBERCREEK, PHASE ONE AS RECORDED ON SLIDE NO. 1371-B THRU 1373-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST BOUNDARY LINE OF SAID TIMBERCREEK, PHASE ONE TO THE NORTHWEST CORNER OF SAID TIMBERCREEK, PHASE ONE ALSO BEING THE SOUTHWEST CORNER OF LOT 1, RECREATION AREA OF TIMBERCREEK AS RECORDED ON SLIDE NO. 1864-B AND 1980-A IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID LOT 1, RECREATION AREA IN TIMBERCREEK TO THE NORTHWEST CORNER OF SAID LOT 1, RECREATION AREA IN TIMBERCREEK ALSO BEING THE SOUTHWEST CORNER OF LOT 2, OF SAID RECREATION AREA IN TIMBERCREEK; THENCE RUN NORTH ALONG THE WEST PROPERTY LINE OF SAID LOT 2, RECREATION AREA IN TIMBERCREEK TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 31 TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF WOODROW LANE; THENCE RUN EAST LEAVING SAID POINT OF INTERSECTION TO A POINT OF INTERSECTION WITH THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN SOUTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN EAST ALONG SAID NORTH RIGHT-OF-WAY OF INTERSTATE 10 TO A POINT OF INTERSECTION WITH THE EXTENSION OF THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008; THENCE RUN SOUTH ALONG SAID EXTENSION OF THE EAST PROPERTY LINE AND THE EAST PROPERTY LINE OF TAX PARCEL NO. 32-07-35-0-000-001.008 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90 TO A POINT OF INTERSECTION WITH THE OF THE EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE NORTH LINE OF TAX PARCEL NO. 32-07-35-0-000-001.043; THENCE RUN WEST LEAVING SAID INTERSECTION TO A POINT ON THE WEST RIGHT-OF-WAY OF STATE HIGHWAY NO. 181; THENCE RUN NORTH ALONG SAID EAST

RIGHT-OF-WAY OF STATE HIGHWAY NO. 181 TO A POINT OF INTERSECTION WITH THE SOUTH RIGHT-OF-WAY INTERSTATE NO. 10; THENCE RUN WEST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO 10 TO A POINT THAT IS DUE SOUTH OF THE SOUTHWEST CORNER OF LOT 32, TIMBERCREEK, PHASE FOUR AS RECORDED ON SLIDE NO. 1627-B IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH LEAVING SAID POINT TO A POINT ON THE NORTH RIGHT-OF-WAY OF WOODROW LANE SAID POINT BEING THE SOUTHWEST CORNER OF LOT 32, TIMBERCREEK, PHASE FOUR; THENCE RUN WEST ALONG SAID NORTH RIGHT-OF-WAY OF WOODROW LANE TO A POINT INTERSECTION WITH THE EAST LINE OF TAX PARCEL NO. 32-08-28-4-001-012.000; THENCE RUN NORTH ALONG SAID EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-012.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-012.000 ALSO BEING THE SOUTHEAST CORNER OF AUSTIN TOWN SUBDIVISION AS RECORDED IN MAP BOOK 6, PAGE 200 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTH ALONG THE EAST BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO THE NORTHEAST CORNER OF SAID AUSTIN TOWN SUBDIVISION; THENCE RUN WEST ALONG THE NORTH BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO THE NORTHWEST CORNER OF SAID AUSTIN TOWN SUBDIVISION; THENCE RUN SOUTH ALONG THE WEST BOUNDARY LINE OF SAID AUSTIN TOWN SUBDIVISION TO A POINT BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-28-4-001-001.000; THENCE RUN WEST ALONG THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.000 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-008.000; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-008.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-008.000 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-28-4-001-007.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000; THENCE RUN EAST ALONG THE SOUTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-007.000 TO A POINT OF INTERSECTION WITH THE WEST PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-010.000; THENCE RUN SOUTH ALONG SAID WEST PROPERTY LINE OF TAX PARCEL NO. 32-08-28-4-001-010.000 TO THE SOUTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-28-4-001-010.000 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-28-4-001-001.002; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-28-4-001-001.002 TO A POINT OF INTERSECTION WITH THE NORTH PROPERTY LINE OF TAX PARCEL NO. 32-08-33-0-001-005.000; THENCE RUN WEST ALONG SAID NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000 TO THE NORTHWEST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000; THENCE RUN SOUTH ALONG THE WEST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-005.000 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF INTERSTATE NO. 10; THENCE RUN SOUTH LEAVING SAID POINT OF INTERSECTION TO A POINT ON THE SOUTH RIGHT-

OF-WAY OF SAID INTERSTATE NO. 10 ALSO BEING THE NORTHWEST CORNER OF TAX PARCEL NO. 32-08-33-0-001-012.000; THENCE RUN EAST ALONG SAID SOUTH RIGHT-OF-WAY OF INTERSTATE NO. 10 AND THE NORTH PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 TO THE NORTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-012.000 ALSO BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-33-0-001-018.000; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-018.000 TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY OF U.S. HIGHWAY NO. 90; THENCE RUN SOUTH LEAVING SAID POINT OF INTERSECTION TO A POINT ON THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY NO. 90 SAID POINT BEING THE NORTHEAST CORNER OF TAX PARCEL NO. 32-08-33-0-001-018.012; THENCE RUN SOUTH ALONG THE EAST PROPERTY LINE OF SAID TAX PARCEL NO. 32-08-33-0-001-018.012 TO THE SOUTHEAST CORNER OF SAID TAX PARCEL NO. 32-08-33-0-001-018.012 ALSO BEING THE NORTHEAST CORNER OF LAKE FOREST SUBDIVISION, UNIT 25 AS RECORDED IN MAP BOOK 8, PAGE 86 IN THE OFFICE OF THE JUDGE OF PROBATE, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH ALONG THE EAST BOUNDARY LINE AND THE EXTENSION OF THE EAST BOUNDARY LINE OF SAID LAKE FOREST SUBDIVISION TO A POINT OF INTERSECTION WITH THE CENTERLINE OF LAWSON ROAD AND THE POINT OF BEGINNING

ORDINANCE NO. 2008-27

**Ordinance to Amend City of Daphne
Ordinance No. 2004-17 *Establishing Voting Poll Places**

AN ORDINANCE adding/amending the following to the City of Daphne, Alabama, Ordinance No. 2004-17, adopted May 21, 2004.

WHEREAS, the City Council of the city of Daphne believes it to be in the be interest of its citizens to have four voting polls for the purpose of holding a Municipal Election to be held August 26, 2008 and October 7, 2008 Runoff Election, if necessary; and

WHEREAS, after due notice by publication as required by law, the voting poll places shall be changed for holding the Municipal Election of August 26, 2008 and October 7, 2008 Runoff Election, if necessary, pursuant to Act #95-327; and

WHEREAS, the Mayor and City Council of the City of Daphne, after due consideration deemed, that the amendment requested is proper and believe it to be in the best interest of the City that such amendment be adopted.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, that the described amendment below to establish the voting poll locations for the City of Daphne seven Districts is hereby accepted as stated:

- | | | | | |
|------------|---|--------------------------------|---|------------------------|
| District 1 | - | Boys and Girls Club | - | 1317 Johnson Rd. |
| District 2 | - | Nicholson Center | - | College & Capt. O'Neal |
| District 3 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 4 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 5 | - | Daphne Civic Center | - | 2603 U.S. Hwy 98 |
| District 6 | - | Daphne High School Trojan Hall | - | 9078 Lawson Road |
| District 7 | - | Daphne High School Trojan Hall | - | 9078 Lawson Road |

ADOPTED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS ____ DAY OF _____, 2008.

**GREG BURNAM,
COUNCIL PRESIDENT**

Date & Time Signed: _____

**FRED SMALL,
MAYOR**

Date & Time Signed: _____

ATTEST:

**DAVID COHEN,
CITY CLERK, MMC**

ORDINANCE 2008 - 28

Lodging Tax Appropriation

WHEREAS, Ordinance 2007-47 approved and adopted the Fiscal Year 2008 Budget on October 15 , 2007; and

WHEREAS, subsequent to the adoption of the Fiscal Year 2008 budget, the City Council has determined that certain appropriations are required and should be approved and made a part of the Fiscal Year 2008 budget; and

WHEREAS, pursuant to Ordinance 2000-34, Lodging Tax funds may be used for the purchase, development, and maintenance of beachfront property; and

WHEREAS, certain improvements are necessary at May Day Park and Bay Front Park.

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Daphne, Alabama, that the Fiscal Year 2008 Budget is hereby amended to include Lodging Tax appropriations in the amount of \$ 187,140 for maintenance at the following beachfront property locations:

Bay Front Park:

96,140: Parking Lot Improvements

60,000: Restroom Facilities

May Day Park:

31,000: Playground Equipment.

APPROVED AND ADOPTED by the Mayor and City Council of the City of Daphne, Alabama, this _____ day of _____ , 2008.

Greg Burnam, Council President

Date & Time Signed:_____

Fred Small, Mayor

Date & Time Signed:_____

ATTEST:

David L. Cohen, City Clerk MMC

CITY OF DAPHNE

ORDINANCE NO. 2008-29

=====

AN ORDINANCE TO ESTABLISH THE SALARY OF THE MUNICIPAL JUDGE

=====

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

SECTION ONE:

That the salary of the Municipal Judge of the City of Daphne, commencing May 1, 2008, shall be and the same is hereby set at Thirty Six Thousand Seven Hundred Nine Dollars (\$36,709.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month. That the salary of the Municipal Judge of the City of Daphne, commencing May 1, 2009, shall be and the same is hereby set at Forty Two Thousand Eight Hundred Twenty Five Dollars (\$42,825.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month. That the salary of the Municipal Judge of the City of Daphne, commencing May 1, 2010, shall be and the same is hereby set at Forty Eight Thousand Nine Hundred Forty Dollars(\$48,940.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month.

SECTION TWO:

That the Municipal Judge shall be entitled to all health care benefits, which may be provided for full-time employees of the City of Daphne.

SECTION THREE:

Any ordinance which set forth the salary of the Municipal Judge is hereby repealed to the extent that the provisions of such Ordinance conflict with the provisions hereof.

SECTION FOUR:

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 _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC

CITY OF DAPHNE

ORDINANCE NO. 2008-30

=====
AN ORDINANCE TO ESTABLISH THE SALARY OF THE CITY PROSECUTOR
=====

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

SECTION ONE:

That the salary of the City Prosecutor of the City of Daphne, commencing May 1, 2008, shall be and the same is hereby set at Forty One Thousand Four Hundred Ninety Six Dollars (\$41,496.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month. That the salary of the City Prosecutor of the City of Daphne, commencing May 1, 2009, shall be and the same is hereby set at Forty Five Thousand Two Hundred Forty Six Dollars (\$45,246.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month. That the salary of the City Prosecutor of the City of Daphne, commencing May 1, 2010, shall be and the same is hereby set at Forty Eight Thousand Nine Hundred Ninety Six Dollars(\$48,996.00) annually, to be paid in twenty-four (24) equal installments on the first and second payroll of each month.

SECTION TWO:

Any ordinance which set forth the salary of the City Prosecutor is hereby repealed to the extent that the provisions of such Ordinance conflict with the provisions hereof.

SECTION THREE:

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 _____, 2008.

Greg Burnam
Council President
Date & Time Signed: _____

Fred Small
Mayor
Date & Time Signed: _____

ATTEST:

David L. Cohen
City Clerk, MMC