

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2021-05**

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

**Southeast of intersection of County Road 64 and Friendship Road
AJD Family Limited Partnership**

WHEREAS, on the 19th day of October, 2020, AJD Family Limited Partnership, being the owner of certain real property hereinafter described, did file with the City Clerk a petition requesting that said tracts or parcels of land be annexed into and become part of the City of Daphne, Alabama (the "City"); and

WHEREAS, said petition did contain an accurate description of the property to be annexed together with a map of the said territory showing its relationship to the corporate limits of the City of Daphne, Alabama, and the signatures of all owners of the property described; and

WHEREAS, after proper publication, a public hearing was held by the City Council on January 19, 2020, concerning the petition for annexation; and

WHEREAS, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on November 19, 2020, and the Commission set forth a unanimous favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property.

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

SECTION ONE: ANNEXATION

The City Council of the City of Daphne finds and declares as the legislative body of the City that it is in the best interest of the citizens of the City and the citizens of the affected area to bring the property described in Section Three of this Ordinance into the corporate limits of the City, and has further determined that all legal requirements for annexing said real property have been met pursuant to Sections 11-42-20 through 11-42-24, *et seq.*, Code of Alabama (1975); effective on publication as required by Section 11-42-21, Code of Alabama (1975), as amended.

SECTION TWO: ZONING

At the February 1, 2020, regularly scheduled City Council meeting, Ordinance 2021-04 was adopted pre-zoning the said property as B-2, General Business District, with the apportionment of said zoning district to the subject property described therein.

SECTION THREE: DESCRIPTION OF TERRITORY

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

Legal Description for Annexation:

BEGINNING AT A HUTCHINSON, MOORE AND RAUCH CAPPED REBAR FOUND AT THE NORTHEAST CORNER OF LOT 10, AMENDED PLAT, ITALIAN SETTLEMENT BUSINESS PARK - PHASE I, AS PER PLAT RECORDED ON SLIDE NO. 2439-D OF THE PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE RUN S 89°28'29" E 400.00 FEET TO A POINT; THENCE RUN S 00°12'28" W 200.00 FEET TO A POINT ON THE NORTH BOUNDARY OF LOT 4, TRIONE TRACE, AS PER PLAT RECORDED ON SLIDE NO. 1594-A OF SAID PROBATE COURT RECORDS OF BALDWIN COUNTY, ALABAMA; THENCE ALONG SAID NORTH BOUNDARY OF LOT 4, TRIONE TRACE, RUN N 89°28'29" W 400.00 FEET TO A HUTCHINSON, MOORE AND RAUCH CAPPED REBAR FOUND AT THE SOUTHEAST CORNER OF SAID LOT 10, ITALIAN SETTLEMENT BUSINESS PARK - PHASE I; THENCE ALONG THE EAST BOUNDARY OF SAID LOT 10, ITALIAN SETTLEMENT BUSINESS PARK - PHASE I, RUN N 00°12'28" E 200.00 FEET TO THE POINT OF BEGINNING. CONTAINING 79,998 SQUARE FEET OR 1.84 ACRES, MORE OR LESS.


SECTION FOUR: MAP OF PROPERTY

The property hereby annexed into the City of Daphne, Alabama, as described in Section Three of this Ordinance, is set forth on a map of the property attached hereto and made a part of this Ordinance as Exhibit "A" showing its relationship to the corporate limits of the City of Daphne.

SECTION FIVE: EFFECTIVE DATE AND PUBLICATION

This Ordinance shall become effective upon its date of publication as required by Section 11-42-21 Code of Alabama (1975), as amended, and the property described herein shall be then annexed into the corporate limits of the City of Daphne, and a certified copy of the same shall be filed with the Office of the Judge of Probate of Baldwin County, Alabama, in accordance with Section 11-42-21, Code of Alabama (1975), as amended.

APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE 1st DAY OF February, 2021.


Robin LeJeune, Mayor

ATTEST:


Candace G. Antinarella, CMC, City Clerk