

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022- 13**

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

**East and Southeast of Robbins Boulevard and Ashbury Hill Road, and North of the
intersection of County Road 64 and Montelucia Way
GCOF Reserve of Daphne, L.L.C., 68V Reserve at Plantation Hills 2021, L.L.C., James
and Barbara Conaway, Joseph Lazzari, Joseph Lazzari, Jr. and Tania Lazzari**

WHEREAS, on the 23rd day of August, 2021, 68V Reserve at Plantation Hills 2021, L.L.C., 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, on the 22nd day of June, 2021, GCOF Reserve at Daphne, L.L.C., 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, on the 19th day of August, 2021, James and Barbara Conaway, Joseph Lazzari, Joseph Lazzari, Jr. and Tania Lazzari, being the owners 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, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on November 18, 2021, and the Commission set forth a favorable recommendation for the City Council of the City of Daphne to consider said request for annexation of said property; and

WHEREAS, after proper publication, a public hearing was held by the City Council on February 7, 2022, concerning the petition for annexation.

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 21, 2022, regularly scheduled City Council meeting, Ordinances 2022-11 and 2022-12 were adopted pre-zoning the said properties as R-3, High Density Single Family Residents and R-2, Medium Density Single Family Residential and R-6(G), Patio-Garden Home, with the apportionment of said zoning districts 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:

R-3 High Density Single Family Residential

BEGIN AT THE NORTHEAST CORNER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN AND RUN THENCE SOUTH 00°17'09" WEST, ALONG THE EAST LINE OF SAID SECTION 12, A DISTANCE OF 2,657.61 FEET TO A CRIMP TOP IRON PIPE; THENCE RUN NORTH 89°47'01" WEST, A DISTANCE OF 2149.52 FEET TO A CAPPED REBAR (CA-0089-LS); THENCE RUN NORTH 89°48'35" WEST, A DISTANCE OF 496.47 FEET TO A CAPPED REBAR (LS 19254); THENCE RUN NORTH 89°57'11" WEST, A DISTANCE OF 1,304.46 FEET TO A NAIL WITH SHINER IN AN OLD FENCE POST (CA-0568-LS); THENCE RUN NORTH 00°00'08" EAST, A DISTANCE OF 2,658.04 FEET TO CAPPED REBAR (CA-0089-LS) ON THE SOUTH LINE OF BAY BRANCH VILLAS, PHASE 6-B, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2216-F AND SLIDES 2217-A & 2217-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89°52'03" EAST, ALONG THE SOUTH MARGIN OF SAID BAY BRANCH VILLAS, PHASE 6-B, A DISTANCE OF 504.59 FEET TO CAPPED REBAR; THENCE RUN SOUTH 89°50'01" EAST, ALONG THE SOUTH LINE OF BAY BRANCH ESTATES PHASE 5, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2011-B AND 2011-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, A DISTANCE OF 1,479.44 FEET TO A CAPPED REBAR (CEC) AT THE SOUTHWEST CORNER OF PLANTATION HILLS SOUTH, PHASE 2, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2020-B AND 2020-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 89°47'11" EAST, ALONG THE SOUTH MARGIN OF SAID PLANTATION HILLS SOUTH, PHASE 2, A DISTANCE OF 638.30 FEET TO A CAPPED REBAR (CA-0568-LS) AT THE SOUTHWEST CORNER OF LOT 56 OF SAID PLANTATION HILLS SOUTH, PHASE 2; THENCE RUN ALONG THE EAST MARGIN OF SAID PLANTATION HILLS SOUTH, PHASE 2, THE FOLLOWING COURSES, TO WIT; NORTH 00°01'54" EAST, A DISTANCE OF 170.51 FEET; SOUTH 89°55'34" EAST, A DISTANCE OF 43.06 FEET TO A 5/8" REBAR; NORTH 00°18'23" EAST, A DISTANCE OF 220.16 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); SOUTH 89°38'30" EAST, A DISTANCE OF 81.89 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 02°58'32" WEST, A DISTANCE OF 180.26 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 89°49'10" WEST, A DISTANCE OF 142.41 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 00°23'00" EAST, A DISTANCE OF 60.07 FEET TO 1/2" REBAR; SOUTH 89°47'31" EAST, A DISTANCE OF 157.97 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 02°14'29" WEST, A DISTANCE OF 170.15 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 00°11'49" EAST, A DISTANCE OF 343.67 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS) ON THE SOUTH MARGIN OF PLANTATION HILLS SOUTH, PHASE 1, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE FILE 1825-A, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN ALONG THE SOUTH MARGIN OF SAID PLANTATION HILLS SOUTH, PHASE 1, THE FOLLOWING COURSES, TO WIT; SOUTH 89°48'31" EAST, A DISTANCE OF 134.82 FEET TO A 5/8" CAPPED REBAR (CA-0568-LS); NORTH 00°21'19" EAST, A DISTANCE OF 49.29 FEET TO A 1/2" CAPPED REBAR (CA-0568-LS); SOUTH 89°43'08" EAST, A DISTANCE OF 187.25 FEET TO A 1/2" CAPPED REBAR (CEC); NORTH 66°32'15" EAST, A DISTANCE OF 129.09 FEET TO A 1/2" CAPPED REBAR (MOORE) AT THE SOUTHWEST CORNER OF LOT 291 OF PLANTATION HILLS SUBDIVISION, UNIT

4, AS SHOWN BY MAP OR PLAT THEREOF RECORDED IN MAP BOOK 11, AT PAGE 26, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN ALONG THE SOUTH MARGIN OF SAID PLANTATION HILLS SUBDIVISION, UNIT 4, THE FOLLOWING COURSES, TO WIT; SOUTH 83°56'16" EAST, A DISTANCE OF 122.19 FEET; NORTH 75°36'18" EAST, A DISTANCE OF 63.76 FEET; SOUTH 89°49'24" EAST, A DISTANCE OF 214 FEET, MORE OR LESS, TO THE CENTER OF BAY BRANCH; THENCE RUN SOUTHERLY, ALONG THE MEANDERS OF SAID BAY BRANCH, A DISTANCE OF 1,194 FEET, MORE OR LESS, TO A POINT THAT BEARS SOUTH 89°50'53" EAST, A DISTANCE OF 332 FEET, MORE OR LESS, OF A 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN NORTH 89°50'53" WEST, A DISTANCE OF 332 FEET, MORE OR LESS, TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN NORTH 10°06'02" WEST, A DISTANCE OF 160.48 FEET TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 180.00 FEET, AN ARC LENGTH OF 40.85 FEET, (CHORD BEARS SOUTH 68°46'51" WEST, A DISTANCE OF 40.77 FEET) TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 10°06'02" EAST, A DISTANCE OF 161.49 FEET TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 80°34'34" WEST, A DISTANCE OF 367.40 FEET TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE RUN SOUTH 00°07'44" WEST, A DISTANCE OF 153.67 FEET TO A 5/8" CAPPED REBAR (CA-1109-LS); THENCE ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 200.73 FEET, (CHORD BEARS SOUTH 24°52'48" EAST, A DISTANCE OF 90.62 FEET); THENCE RUN SOUTH 00°07'44" WEST, A DISTANCE OF 170.00 FEET; THENCE RUN SOUTH 89°50'38" EAST, A DISTANCE OF 1,071.74 FEET TO THE POINT OF BEGINNING.

TRACT CONTAINS 258.43 ACRES, MORE OR LESS, AND LIES IN SECTION 1 AND SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA.

R-6(G) – 108.59 AC.

COMMENCE AT THE SOUTHWEST CORNER OF SECTION 12, TOWNSHIP 5 SOUTH, RANGE 2 EAST, SAINT STEPHENS MERIDIAN AND RUN THENCE SOUTH 89°41'38" EAST, ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 1320.22 FEET TO A 1/2" CAPPED REBAR AT THE SOUTHWEST CORNER OF THE SOUTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 12 FOR THE POINT OF BEGINNING: THENCE RUN SOUTH 89° 41' 59" EAST, ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 659.77 FEET TO A 1/2" CAPPED REBAR (LS #19254); THENCE RUN SOUTH 89° 42' 18" EAST, ALONG THE SOUTH LINE OF SAID SECTION 12, A DISTANCE OF 660.83 FEET TO A 1/2" CAPPED REBAR (LS #19254); THENCE RUN SOUTH 00°12'38" WEST, A DISTANCE OF 982.01 FEET; THENCE RUN SOUTH 64°28'22" WEST, A DISTANCE OF 120.42 FEET; THENCE RUN SOUTH 31°15'15" WEST, A DISTANCE OF 209.64 FEET; THENCE RUN SOUTH 05°56'31" EAST, A DISTANCE OF 391.39 FEET; THENCE RUN SOUTH 89°52'24" EAST, A DISTANCE OF 732.74 FEET; THENCE RUN SOUTH 56°07'29" EAST, A DISTANCE OF 202.95 FEET; THENCE RUN NORTH 33°52'31" EAST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 56°00'53" EAST, A DISTANCE OF 31.77 FEET; THENCE RUN SOUTHEASTERLY, ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 1,900.79 FEET, AN ARC DISTANCE OF 138.35 FEET, (CHORD BEARS SOUTH 58°09'24" EAST FOR 138.32 FEET) TO A CAPPED REBAR (CA-0089-LS); THENCE RUN SOUTH 30°42'37" WEST, A DISTANCE OF 62.31 FEET TO A CONCRETE MONUMENT; THENCE RUN SOUTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 200.00 FEET, AN ARC DISTANCE OF 91.06 FEET, (CHORD BEARS SOUTH 43°49'24" WEST FOR 90.28 FEET) TO A CONCRETE MONUMENT; THENCE RUN SOUTH 60°14'19" EAST, A DISTANCE OF 349.14 FEET TO A CAPPED REBAR (CA-951-LS); THENCE RUN NORTH 89°52'24" WEST, A DISTANCE OF 1,165.59 FEET TO A CAPPED REBAR (CA-0568-LS); THENCE RUN SOUTH 00°12'20" WEST, A DISTANCE OF 661.54 FEET TO A CAPPED REBAR; THENCE RUN NORTH 89°53'47" WEST, ALONG THE SOUTH LINE OF THE NORTHWEST QUARTER OF SECTION

13, A DISTANCE OF 2,599.73 FEET TO A 5/8" CAPPED REBAR (CA-1109) ON THE EAST RIGHT-OF-WAY OF BALDWIN COUNTY HIGHWAY 54; THENCE RUN NORTH 00°15'40" EAST, ALONG THE EAST RIGHT-OF-WAY OF SAID BALDWIN COUNTY HIGHWAY 54, A DISTANCE OF 588.78 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°49'35" EAST, DEPARTING SAID RIGHT-OF-WAY, A DISTANCE OF 1,279.81 FEET TO A 1/2" CAPPED REBAR (MOORE); THENCE RUN NORTH 00°13'10" EAST, A DISTANCE OF 440.16 FEET TO A 5/8" CAPPED REBAR (CA-0568); THENCE RUN NORTH 00°13'41" EAST, A DISTANCE OF 284.27 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN NORTH 89°47'43" WEST, A DISTANCE OF 396.00 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN NORTH 00°13'41" EAST, A DISTANCE OF 656.48 FEET TO A 5/8" CAPPED REBAR (CA-1109); THENCE RUN SOUTH 89°43'20" EAST, A DISTANCE OF 396.00 FEET TO A 1/2" CAPPED REBAR (CA-0565) AT THE SOUTHEAST CORNER OF THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 13; THENCE RUN NORTH 00°11'45" EAST, A DISTANCE OF 663.43 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 108.59 ACRES, MORE OR LESS.

GCOF RESERVE AT DAPHNE, LLC
RESERVE AT DAPHNE
R-6(G) – 8.82 AC.

COMMENCE AT THE SOUTHWEST CORNER OF LOT 53, THE RESERVE AT DAPHNE PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2520-B AND C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH 33°52'31" EAST, A DISTANCE OF 434.37 FEET; THENCE NORTH 00°11'08" EAST, A DISTANCE OF 449.05 FEET TO THE POINT OF BEGINNING: THENCE RUN NORTH 00°11'08" EAST, A DISTANCE OF 429.49 FEET; THENCE RUN NORTH 89°44'38" WEST, A DISTANCE OF 893.25 FEET; THENCE RUN SOUTH 00°14'54" WEST, A DISTANCE OF 430.09 FEET; THENCE RUN SOUTH 89°46'58" EAST, A DISTANCE OF 893.72 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 8.82 ACRES, MORE OR LESS.

GCOF RESERVE AT DAPHNE, LLC
RESERVE AT DAPHNE
R-2 – 69.14 AC.

BEGIN AT THE SOUTHWEST CORNER OF LOT 53, THE RESERVE AT DAPHNE PHASE ONE, AS SHOWN BY MAP OR PLAT THEREOF RECORDED AT SLIDE 2520-B AND C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; RUN THENCE NORTH 33°52'31" EAST, A DISTANCE OF 434.37 FEET; THENCE NORTH 00°11'08" EAST, A DISTANCE OF 449.05 FEET; THENCE RUN NORTH 89°46'58" WEST, A DISTANCE OF 893.72 FEET; THENCE RUN NORTH 00°14'54" EAST, A DISTANCE OF 430.09 FEET; THENCE RUN SOUTH 89°44'38" EAST, A DISTANCE OF 192.97 FEET; THENCE RUN NORTH 28°43'37" WEST, A DISTANCE OF 257.86 FEET; THENCE RUN NORTH 00°13'29" EAST, A DISTANCE OF 2,430.66 FEET; THENCE RUN NORTH 89°48'35" WEST, A DISTANCE OF 496.47 FEET; THENCE RUN SOUTH 00°12'38" WEST, A DISTANCE OF 3,637.75 FEET; THENCE RUN SOUTH 64°28'22" WEST, A DISTANCE OF 120.42 FEET; THENCE RUN SOUTH 31°15'15" WEST, A DISTANCE OF 209.64 FEET; THENCE RUN SOUTH 05°56'31" EAST, A DISTANCE OF 391.39 FEET; THENCE RUN SOUTH 89°52'24" EAST, A DISTANCE OF 732.74 FEET; THENCE RUN SOUTH 56°07'29" EAST, A DISTANCE OF 202.95 FEET; THENCE RUN NORTH 33°52'31" EAST, A DISTANCE OF 150.00 FEET; THENCE RUN SOUTH 56°00'53" EAST, A DISTANCE OF 31.77 FEET; THENCE RUN NORTH 33°52'31" EAST, A DISTANCE OF 440.06 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 69.14 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 21st DAY OF February 2021.



Robin LeJeune, Mayor

ATTEST:



Candace G. Antinarella, CMC, City Clerk

