

**CITY OF DAPHNE, ALABAMA
ORDINANCE 2022-73**

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

**Southwest of the Intersection of U.S. Highway 90 and Alabama Highway 181
Infirmary Health Systems, Inc.**

WHEREAS, on the 11th day of August, 2022, Infirmary Health Systems, Inc., 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, said petition was presented to the Planning Commission of the City of Daphne at a regular scheduled meeting on October 27, 2022, and the Commission set forth an unanimously 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 December 19, 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 January 3, 2023, regularly scheduled City Council meeting, Ordinance 2022-72 was adopted pre-zoning the said property as B-2(a), General Business Alternate, 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:

COMMENCE AT 5/8 INCH CAPPED REBAR (CA-007-LS) AT THE
SOUTHWEST CORNER OF LOT 12 OF EASTERN SHORE PARK

SUBDIVISION, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE 2244-A AND SLIDE 2244-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA AND RUN THENCE SOUTH 05 DEGREES 24 MINUTES 34 SECONDS EAST, A DISTANCE OF 80.87 FEET TO A 1/2 INCH REBAR ON THE SOUTH RIGHT-OF-WAY OF U.S. HIGHWAY 90 FOR THE POINT OF BEGINNING; THENCE RUN NORTH 88 DEGREES 57 MINUTES 53 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY 90, A DISTANCE OF 223.85 FEET TO A 1/2 INCH CAPPED REBAR (CA-0604-LS); THENCE RUN ALONG THE EAST BANK OF A POND THE FOLLOWING COURSE, TO WIT; SOUTH 08 DEGREES 18 MINUTES 01 SECONDS WEST, A DISTANCE OF 11 FEET, MORE OR LESS; SOUTH 11 DEGREES 07 MINUTES 45 SECONDS EAST, A DISTANCE OF 19 FEET, MORE OR LESS; SOUTH 25 DEGREES 40 MINUTES 16 SECONDS EAST, A DISTANCE OF 48 FEET, MORE OR LESS; SOUTH 32 DEGREES 27 MINUTES 19 SECONDS EAST, A DISTANCE OF 157 FEET, MORE OR LESS; TO THE WEST MARGIN OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SECTION 34, TOWNSHIP 4 SOUTH, RANGE 2 EAST, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTH 00 DEGREES 17 MINUTES 52 SECONDS WEST, A DISTANCE OF 103 FEET, MORE OR LESS, TO THE SOUTHWEST CORNER OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE RUN NORTH 89 DEGREES 06 MINUTES 40 SECONDS EAST, A DISTANCE OF 658.95 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS) AT THE SOUTHEAST CORNER OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34; THENCE RUN NORTH 00 DEGREES 14 MINUTES 00 SECONDS EAST, ALONG THE EAST MARGIN OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF SAID SECTION 34, A DISTANCE OF 310.06 FEET TO A 5/8 INCH CAPPED REBAR (CA-007-LS) ON THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY 90; THENCE RUN NORTH 89 DEGREES 05 MINUTES 42 SECONDS EAST, ALONG THE SOUTH RIGHT-OF-WAY OF SAID U.S. HIGHWAY 90, A DISTANCE OF 567.09 FEET TO A 1/2 INCH CAPPED REBAR (CA-0951-LS) ON THE WEST RIGHT-OF-WAY OF ALABAMA STATE HIGHWAY 181; THENCE RUN SOUTH 45 DEGREES 20 MINUTES 48 SECONDS EAST, ALONG THE WEST RIGHT-OF-WAY OF SAID ALABAMA STATE HIGHWAY 181, A DISTANCE OF 13.99 FEET TO A 1/2 INCH CAPPED REBAR (CA-0951-LS); THENCE RUN SOUTH 00 DEGREES 12 MINUTES 51 SECONDS WEST, ALONG THE WEST RIGHT-OF-WAY OF SAID ALABAMA STATE HIGHWAY 181, A DISTANCE OF 1491.53 FEET TO A 5/8 INCH CAPPED REBAR (CA-0033-LS) ON THE NORTH RIGHT-OF-WAY OF MALBIS LANE; THENCE RUN NORTH 83 DEGREES 16 MINUTES 51 SECONDS WEST, ALONG THE NORTH RIGHT-OF-WAY OF MALBIS LANE, A DISTANCE OF 1012.72 FEET TO A 1/2 INCH CAPPED REBAR; THENCE RUN NORTH 02 DEGREES 18 MINUTES 50 SECONDS WEST, A DISTANCE OF 410.51 FEET TO

A ½ INCH CAPPED REBAR (FAIRHOPE); THENCE RUN NORTH 36 DEGREES 45 MINUTES 14 SECONDS WEST, A DISTANCE OF 282.91 FEET TO A ½ INCH REBAR; THENCE RUN NORTH 89 DEGREES 59 MINUTES 38 SECONDS WEST, A DISTANCE OF 101.90 FEET TO A ½ INCH REBAR; THENCE RUN NORTH 00 DEGREES 20 MINUTES 17 SECONDS WEST, A DISTANCE OF 137.17 FEET TO A ½ INCH REBAR; THENCE RUN NORTHWESTERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 406.32 FEET, (CHORD BEARS NORTH 36 DEGREES 08 MINUTES 42 SECONDS WEST, A DISTANCE OF 404.49 FEET) TO ½ INCH CAPPED REBAR (CA-0604-LS); THENCE NORTHERLY, ALONG A CURVE TO THE RIGHT, HAVING A RADIUS OF 1233.21 FEET, AN ARC LENGTH OF 259.19 FEET (CHORD BEARS NORTH 06 DEGREES 26 MINUTES 07 SECONDS WEST, A DISTANCE OF 258.71 FEET) TO THE POINT OF BEGINNING, TRACT CONTAINS 36.18 ACRES, MORE OR LESS, AND LIES SECTION 34, TOWNSHIP 4 SOUTH, RANGE, 2 EAST, BALDWIN COUNTY, ALABAMA.

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.

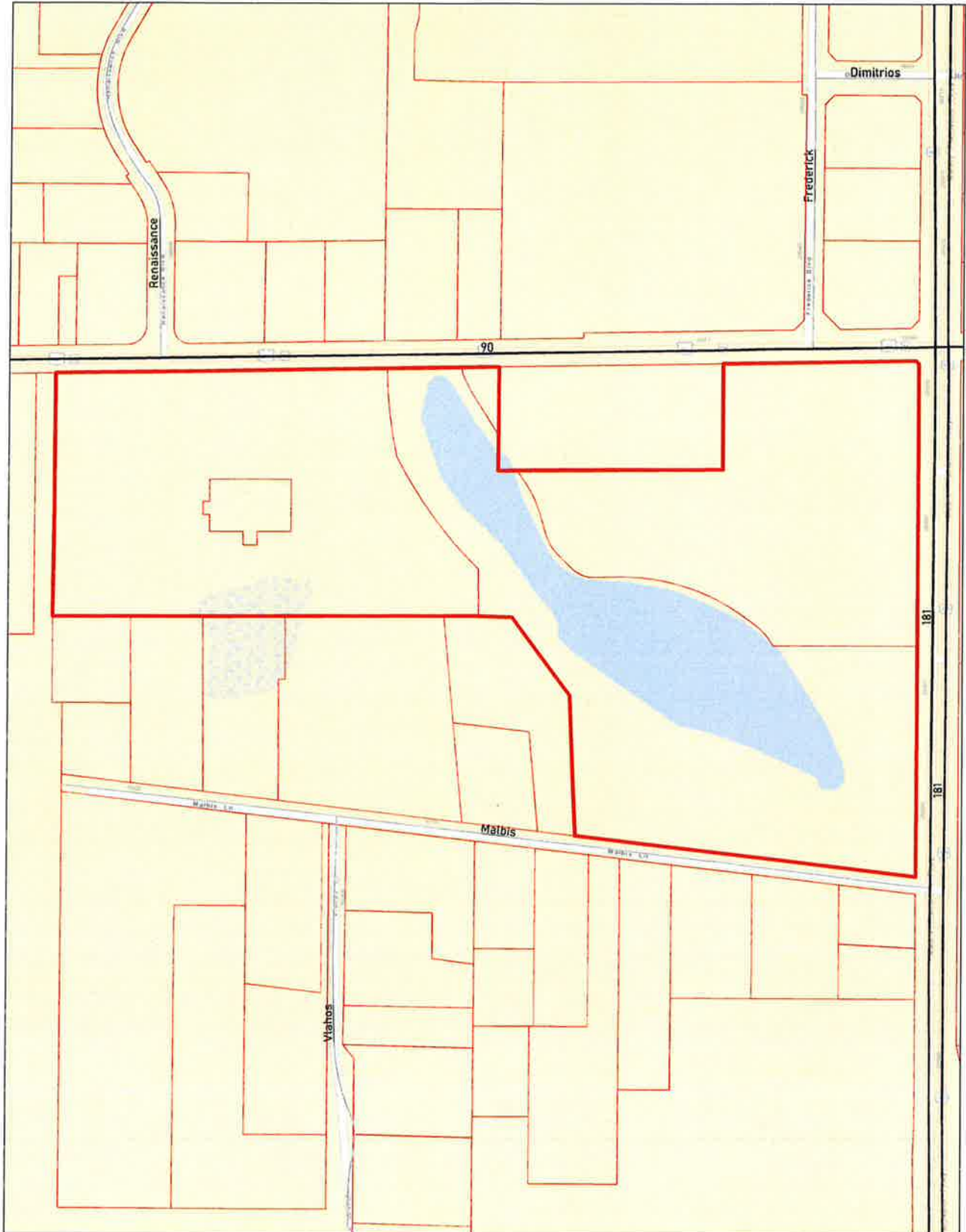
APPROVED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF DAPHNE, ALABAMA, THIS THE 3rd DAY OF January, 2023.



Robin LeJeune, Mayor

ATTEST:


Candace G. Antinarella, CMC, City Clerk



Maps are for graphical purposes only. They do not represent a legal survey.

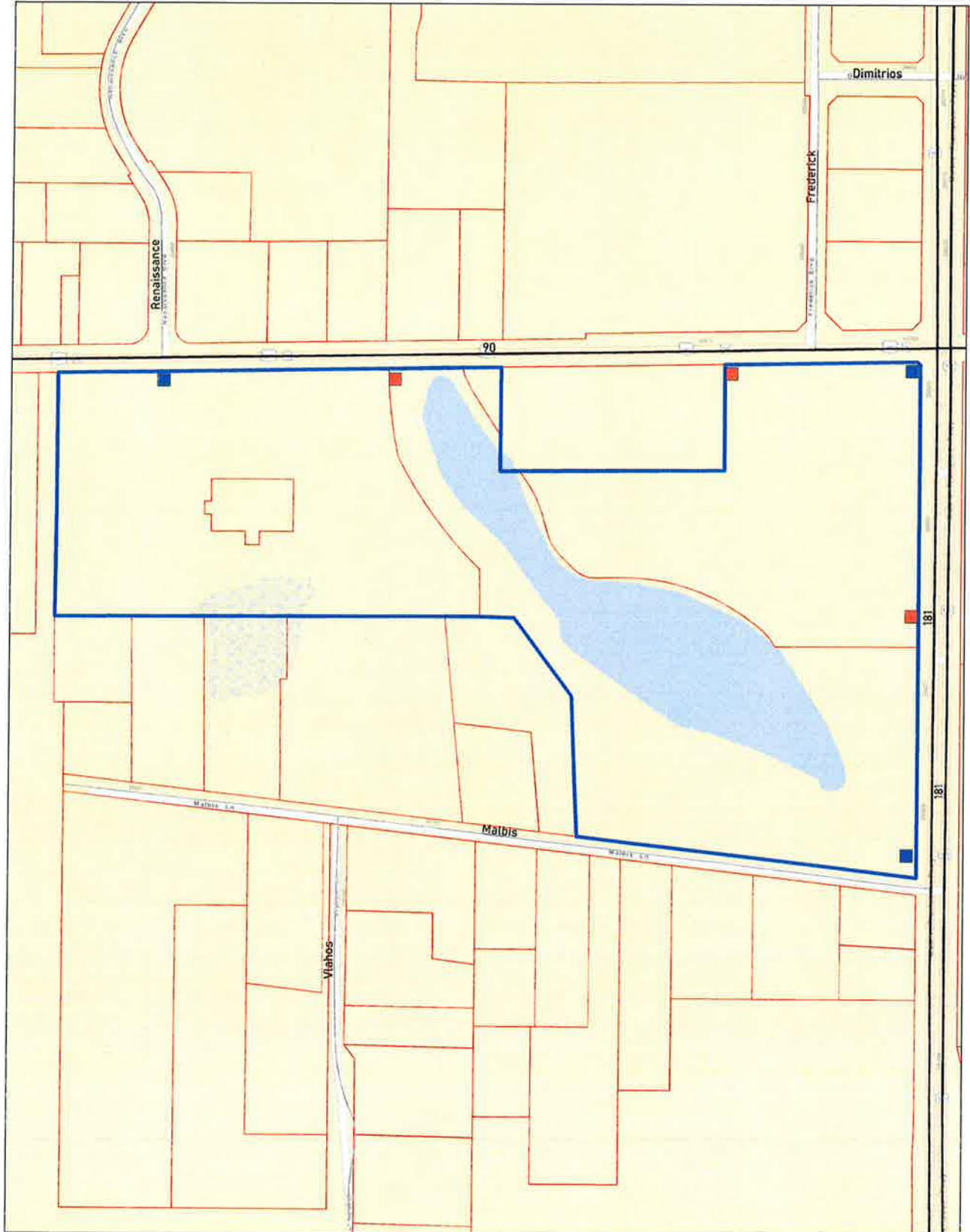
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Basemap maintained by ESRI

- Medical Overlay District
- Other Parcels
- Major Roads
- Roads



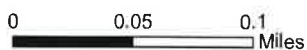
Medical Overlay District Sign Locations



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Basemap maintained by ESRI



- Medical Overlay District
- Other Parcels
- Major Roads
- Roads
- Sign Location Preference**
- Primary
- Secondary