

1 HB133
2 215765-1
3 By Representatives Shiver, Baker and Faust (Constitutional
4 Amendment)
5 RFD: Baldwin County Legislation
6 First Read: 13-JAN-22

SYNOPSIS: This bill would propose a local constitutional amendment relating to Baldwin County to define the Stapleton Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

A BILL
TO BE ENTITLED
AN ACT

Proposing an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to define the Stapleton Landmark District within the county and to prohibit the annexation by local law of any property within the district into any municipality except under certain conditions.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) For the purposes of this amendment, the
5 "Stapleton Landmark District" in Baldwin County is defined as
6 follows:

7 Commence at the Southeast Corner of Section 4,
8 Township 4 South, Range 3 East for a POINT OF BEGINNING:
9 Thence run Westwardly along and with The South boundary of
10 said Section 4 and the North boundary of the current City of
11 Loxley Corporate Limits to the Southwest Corner of Section 4,
12 Township 4 South, Range 3 East and the Northwest Corner of
13 Section 9, Township 4 South, Range 3 East; thence run
14 Southwardly along and with the West Boundary of said Section 9
15 and the West Boundary of the current City of Loxley Corporate
16 Limits to the Southernmost Corner of Baldwin County, Alabama
17 Tax Parcel Number 05-33-03-05-0-000-003.004; thence run
18 Northwesterly along and with the Western Boundary of said Tax
19 Parcel to the South Boundary of Section 5, Township 4 South,
20 Range 3 East; thence run Westwardly along and with the South
21 Boundary of said Section 5 to the Western Margin of Alabama
22 State Highway Number 59 and the Eastern Boundary of the
23 current City of Loxley Corporate Limits; thence run
24 Northwestwardly along and with the Western Margin of said
25 Alabama State Highway Number 59 and to the Eastern Boundary of
26 said Corporate Limits to the North Boundary of the current
27 City of Loxley Corporate Limits and to the Southeast Corner of

1 Baldwin County, Alabama Tax Parcel Number
2 05-33-03-05-0-000-003.003; thence run Westwardly along and
3 with said Corporate Limits to the Western Boundary of the
4 current City of Loxley Corporate Limits and to the Eastern
5 Margin of U. S. Highway Number 31 (A.K.A. Alabama State
6 Highway Number 3) and to the Southwest Corner of Baldwin
7 County, Alabama Tax Parcel Number 05- 33- 03-05-0-000-003.040;
8 thence run Southwestwardly along an with the Eastern Margin of
9 said Highway Number 31 and Highway Number 3 and the Western
10 Boundary of said Corporate Limits to the South Boundary of the
11 current City of Loxley Corporate Limits and the Southern
12 Boundary of Section 5, Township 4 South, Range 3 East and to
13 the Southwest Corner of Baldwin County, Alabama Tax Parcel
14 Number 05-33-03-05-0-000-003.000; thence run Westwardly to the
15 Southeast Corner of Bromley Acres, Third Addition, as shown by
16 map or plat thereof recorded on Slide File 1051-A, Probate
17 Records, Baldwin County, Alabama on the Western Margin of U.
18 S. Highway Number 3); thence run Southwestwardly along and
19 with the Eastern Margin of said Highway Number 31 and Highway
20 Number 3 to the Southeast Corner of Baldwin County, Alabama
21 Tax Parcel Number 05-33-03-07-0-000-001.005; thence run
22 Westwardly along and with the South Boundary of said Tax
23 Parcel to the Southeast Corner of Hunawell Ranch, as shown by
24 map or plat thereof recorded on Slide Field 2169-D, Probate
25 Records, Baldwin County, Alabama; thence run Westwardly along
26 and with the South Boundary of Hunawell Ranch to the Southwest
27 Corner of said Hunawell Ranch and the East Boundary of the

1 current City of Spanish Fort Corporate Limits; thence run
2 Northwardly along and with said Corporate Limits East Boundary
3 and the West Boundaries of Sections 7 and 6, Township 4 South,
4 Range 3 East and the West Boundaries of Sections 31 and 30,
5 Township 3 South, Range 3 East to the Northwest Corner of
6 Section 30, Township 3 South, Range 3 East and the South
7 Boundary of the current City of Spanish Fort Corporate Limits;
8 thence run Eastwardly along and with said Corporate Limits
9 South Boundary to the East Boundary of the current City of
10 Spanish Fort Corporate Limits and the Southeast Corner of
11 Baldwin County, Alabama Tax Parcel Number
12 05-28-04-20-0-000-009.000; thence run Northwardly along and
13 with said Corporate Limits East Boundary to the South Boundary
14 of the current City of Spanish Fort Corporate Limits and the
15 Northwest Corner of Baldwin County, Alabama Tax Parcel Number
16 05-28-04-20-0-000-008.003; thence run Eastwardly along and
17 with said Corporate Limits South Boundary to the Southwest
18 Corner of Baldwin County, Alabama Tax Parcel Number
19 05-28-04-17-0-000-002.000; thence run Eastwardly along and
20 with the South Boundary of said Tax Parcel to the Southwest
21 Corner of Stone Ridge Subdivision as shown by map or plat
22 thereof recorded on Slide File 1965-A; thence continue
23 Eastwardly along the South Boundary of Stone Ridge Subdivision
24 to the Southeast Corner of said Subdivision and the Southwest
25 Corner of Baldwin County, Alabama Tax Parcel Number
26 05-28-04-17-0-000-005.000; thence continue Eastwardly along
27 and with the South Boundary of said Tax Parcel to the

1 Northeast Corner of Section 20, Township 3 South, Range 3 East
2 and the Northwest Corner of Section 21, Township 3 South,
3 Range 3 East; thence continue Eastwardly along and with the
4 North Boundaries of Sections 21, 22, 23 and 24, Township 3
5 South, Range 3 East to the Northeast Corner of Section 24,
6 Township 3 South, Range 3 East; then run Southwardly along and
7 with the East Boundaries of Sections 24, 25, 36, Township 3
8 South, Range 3 East and Section 1, Township 4 South, Range 3
9 East to the Southeast Corner of Section 1, Township 4 South,
10 Range 3 East; thence run Westwardly along and with the South
11 Boundary of said Section 1 to the Southwest Corner of Section
12 1, Township 4 South, Range 3 East and the Southeast Corner of
13 Section 2, Township 4 South, Rang 3 East; thence run
14 Westwardly along and with the South Boundary of said Section 2
15 to the Northwestern Corner of Baldwin County, Alabama Tax
16 Parcel Number 05-33-01-11-0-000-001.000 and the Eastern
17 Boundary of the current City of Loxley Corporate Limits;
18 thence run Westwardly along and with the North Boundary of
19 said Corporate Limits to the Southwest Corner of Baldwin
20 County, Alabama Tax Parcel Number 05-33-01-02-0-000-014.000
21 and the East Boundary of the current City of Loxley Corporate
22 Limits; thence run Southwardly along and with the East
23 Boundary of said Corporate Limits to the North Boundary of the
24 Current City of Loxley Corporate Limits; thence run Westwardly
25 along and with the North Boundary of the Current City of
26 Loxley Corporate Limits to the East Boundary of said Corporate
27 Limits; thence run Northwardly along and with the East

1 Boundary of said Corporate Limits to the Southwest Corner of
2 Baldwin County, Alabama Tax Parcel Number
3 05-33-01-02-0-000-006.002; thence run Northwardly along and
4 with the East Boundary of the current City of Loxley Corporate
5 Limits to the Northwest Corner of Baldwin County, Alabama Tax
6 Parcel Number 05-33-01-02-0-000-007.007 and the North Boundary
7 of the current City of Loxley Corporate Limits; thence run
8 Westwardly along and with the North Boundary of said Corporate
9 Limits to the Southwest Corner of Baldwin County, Alabama Tax
10 parcel Number 05-33-01-02-0-000-005.008 and the East Boundary
11 of the current City of Loxley Corporate Limits; thence run
12 Northwardly along and with the East Boundary of said Corporate
13 Limits to the Northwest Corner of Baldwin County, Alabama Tax
14 Parcel Number 05-33-01-02-0-000-004.000 and the North Boundary
15 of the current City of Loxley Corporate Limits; thence run
16 Westwardly along and with the North Boundary of said Corporate
17 Limits to the Southwest Corner of Baldwin County, Alabama Tax
18 Parcel Number 05-28-08-34-0-000-026.000 and the East Boundary
19 of the current City of Loxley Corporate Limits; thence run
20 Northwardly along and with the East Boundary of said Corporate
21 Limits to the Southwest Corner of Baldwin County, Alabama Tax
22 Parcel Number 05-28-08-34-0-000-004.003 and the North Boundary
23 of the current City of Loxley Corporate Limits; thence run
24 Westwardly along and with the North Boundary of said Corporate
25 Limits to the Southwest Corner of Baldwin County, Alabama Tax
26 Parcel Number 05-28-08-34-0-000-023.000 and the West Boundary
27 of the current City of Loxley Corporate Limits; thence run

1 Southwardly along and with the West Boundary of said Corporate
2 Limits to the North Boundary of the current City of Loxley
3 Corporate Limits and the Southeast Corner of Section 4,
4 Township 4 South, Range 3 East to the Point of Beginning.

5 LESS AND EXCEPT therefrom any portion of the above
6 described property which lies within the Corporate Limits of
7 the City of Loxley, the City of Spanish Fort or the City of
8 Bay Minette, Alabama.

9 (b) No property within the Stapleton Landmark
10 District may be annexed into any municipality by local law.

11 (c) Subsection (b) shall not apply to any
12 municipality incorporated after the ratification of this
13 amendment which includes any part of the Stapleton Landmark
14 District.

15 (d) The Stapleton Landmark District shall not be
16 considered a legal entity and shall not have any of the
17 following powers or authority:

18 (1) Standing to sue or be sued.

19 (2) Taxing authority.

20 (3) Zoning authority.

21 (4) Police power and public safety authority.

22 (5) Authority to adopt ordinances, rules, or
23 regulations within its boundaries.

24 (6) Any other authority or power commonly associated
25 with a legal entity.

26 Section 2. An election upon the proposed amendment
27 shall be held at the general election in November 2020 in

1 accordance with Section 284.01 of the Constitution of Alabama
2 of 1901, now appearing as Section 284.01 of the Official
3 Recompilation of the Constitution of Alabama of 1901, as
4 amended, and the election laws of this state.

5 Section 3. The appropriate election official shall
6 assign a ballot number for the proposed constitutional
7 amendment on the election ballot and shall set forth the
8 following description of the substance or subject matter of
9 the proposed constitutional amendment:

10 "Relating to Baldwin County, proposing an amendment
11 to the Constitution of Alabama of 1901, to define the
12 Stapleton Landmark District within the county and to prohibit
13 the annexation by local law of any property within the
14 district into any municipality except under certain
15 conditions.

16 "Proposed by Act _____."

17 This description shall be followed by the following
18 language:

19 "Yes () No ()."