

1 HB203
2 203955-1
3 By Representatives Faust, Simpson, McMillan, Shiver and Baker
4 (Constitutional Amendment)
5 RFD: Baldwin County Legislation
6 First Read: 11-FEB-20

SYNOPSIS: This bill would propose a local constitutional amendment relating to Baldwin County to define the Barnwell 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

To propose an amendment to the Constitution of Alabama of 1901, relating to Baldwin County, to define the Barnwell 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 "Barnwell Landmark District" in Baldwin County is defined as
6 follows:

7 Commence at the Southeast Corner of Old Battles
8 Village, Phase One, on the North margin of Baldwin County
9 Highway Number 34 (A.K.A. Old Battles Road), as shown by map
10 or plat thereof recorded on Slide File 2312-B, Probate
11 Records, Baldwin County, Alabama for a POINT OF BEGINNING:
12 Thence run South to the South margin of said Baldwin County
13 Highway Number 34 (A.K.A. Old Battles Road); thence run
14 Westward, along the South margin of said Baldwin County
15 Highway Number 34 to the Southeast Corner of the intersection
16 of Baldwin County Highway Number 34 (A.K.A. Old Battles Road)
17 and Baldwin County Highway Number 3 (A.K.A. South Section
18 Street); thence run Southward along the East margin of said
19 Baldwin County Highway Number 3 to the Southeast Corner of the
20 intersection of Baldwin County Highway Number 3 (A.K.A. South
21 Section Street) and Baldwin County Highway Number 32 (A.K.A.
22 Marlow Road); thence run Westward along the South margin of
23 said Baldwin County Highway Number 32 and extension thereof to
24 the East margin of Mobile Bay; thence run South and
25 Southeastward along the East margin of Mobile Bay and Bon
26 Secour Bay to the Westward side of the mouth of Weeks Bay;
27 thence run North and Northeastward along the West margin of

1 said Weeks Bay to the Westward side of the mouth of Fish
2 River; thence run Northward along the West margin of said Fish
3 River and the meanders thereof to the South margin of Baldwin
4 County Highway Number 48 (A.K.A. Fairhope Avenue); thence run
5 Westward along the South margin of said Baldwin County Highway
6 Number 48 to the Southeast Corner of the intersection of
7 Baldwin County Highway Number 48 (A.K.A. Fairhope Avenue) and
8 Alabama State Highway Number 181; thence run Southward along
9 the East margin of said Alabama State Highway Number 181 to
10 the South margin of Baldwin County Highway Number 34 (A.K.A.
11 Twin Beech Road); thence run Westward along the South margin
12 of said Baldwin County Highway Number 34 to the Southwest
13 Corner of the intersection of Baldwin County Highway Number 34
14 (A.K.A. Twin Beech Road) and Baldwin County Highway Number 13
15 (A.K.A. Oberg Road); thence run Southward along the West
16 margin of said Baldwin County Highway Number 13 to the South
17 boundary of the current City of Fairhope Corporate Limits;
18 thence run Westward along said Corporate Limits South boundary
19 to the Southeast Corner of Saddlewood Subdivision, Phase 1, as
20 shown by map or plat thereof recorded on Slide File 2500-E,
21 Probate Records, Baldwin County, Alabama; thence continue
22 Westward along said Saddlewood Subdivision, Phase 1 South
23 boundary to the Southeast Corner of Saddlewood Subdivision,
24 Phase 2, as shown by map or plat thereof recorded on Slide
25 File 2542-D, Probate Records, Baldwin County, Alabama; thence
26 continue Westward along said Saddlewood Subdivision, Phase 2
27 South boundary to the Southeast Corner of Southland Place,

1 Phase Two, a Planned Unit Development, as shown by map or plat
2 thereof recorded on Slide File 2087-B, Probate Records, Baldwin
3 County, Alabama; thence continue Westward along said Southland
4 Place, Phase Two South boundary to the Southeast Corner of
5 Southland Place, Phase One, a Planned Unit Development, as
6 shown by map or plat thereof recorded on Slide 2051-E, Probate
7 Records, Baldwin County, Alabama; thence continue Westward and
8 Northward along said Southland Place, Phase One South boundary
9 to the Southwest Corner of Southland Place, Phase One, a
10 Planned Unit Development on the East margin of U. S. Highway
11 No. 98 (A.K.A. Greeno Road), as shown by map or plat thereof
12 recorded on Slide File 2051-E, Probate Records, Baldwin
13 County, Alabama; thence run West to the West margin of U. S.
14 Highway No. 98 (A.K.A. Greeno Road); thence run Northward
15 along the West margin of said U. S. Highway No. 98 to the
16 South boundary of the current City of Fairhope Corporate
17 Limits; thence run Westward along and following said Corporate
18 Limits South boundary to the Southeast Corner of Huntington,
19 Phase One, as shown by map or plat thereof recorded on Slide
20 File 2184-D, Probate Records, Baldwin County, Alabama; thence
21 continue Westward along the South boundary of said Huntington,
22 Phase One to the Eastern boundary of the current City of
23 Fairhope Corporate Limits; thence run Southward and Westward
24 along and following said Corporate Limits to the East boundary
25 line of Old Battles Village, Phase Three, a Planned Unit
26 Development, according to the map or plat thereof recorded on
27 Slide File 2632-A, Probate Records, Baldwin County, Alabama;

1 thence run Southward along the East boundaries of said Old
2 Battles Village, Phase Three, and Old Battles Village, Phase
3 Two, a Planned Unit Development, and Old Battles Village,
4 Phase One, a Planned Unit Development, as shown by maps or
5 plats thereof recorded on Slide Files 2597-A and 2312-B,
6 Probate Records, Baldwin County, Alabama to the Point Of
7 Beginning.

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

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

14 Section 2. An election upon the proposed amendment
15 shall be held at the general election in November 2020 in
16 accordance with Section 284.01 of the Constitution of Alabama
17 of 1901, now appearing as Section 284.01 of the Official
18 Recompilation of the Constitution of Alabama of 1901, as
19 amended, and the election laws of this state.

20 Section 3. The appropriate election official shall
21 assign a ballot number for the proposed constitutional
22 amendment on the election ballot and shall set forth the
23 following description of the substance or subject matter of
24 the proposed constitutional amendment:

25 "Relating to Baldwin County, proposing an amendment
26 to the Constitution of Alabama of 1901, to define the Barnwell
27 Landmark District within the county and to prohibit the

1 annexation by local law of any property within the district
2 into any municipality except under certain conditions.

3 "Proposed by Act _____."

4 This description shall be followed by the following
5 language:

6 "Yes () No ()."