HB268

YCAB2N2-1

By Representative Stringer (Constitutional Amendment)

RFD: Baldwin County Legislation

First Read: 29-Feb-24

SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, relating to Baldwin County to define the White House Fork 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 2022, relating to Baldwin County, to define the White House Fork 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 2022, is proposed:

PROPOSED AMENDMENT

(a) For the purposes of this amendment, the "White House Fork Landmark District" in Baldwin County is defined as follows:

Commence at the Southwest Corner of Section 7, Township 3 South, Range 3 East for a POINT OF BEGINNING: Thence run Northward along and with the West Boundary of said Section 7 and the East Boundary of the current City of Spanish Fort Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-03-07-0-000-041.000; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-12-0-000-075.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-12-0-000-064.001; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-06-13-0-000-002.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of said Tax Parcel; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest corner of said Tax

Parcel; thence run Northwardly along and with the East Boundary of said Corporate Limits to the Northwest Corner of said Tax Parcel; thence run Westwardly along with the North Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-12-0-000-061.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-06-13-0-000-024.000; thence run Westwardly along and with the North Boundary of the current City of Spanish Fort Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-29-06-13-0-000-029.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-06-14-0-000-005.000 and the Southeast Corner of Section 14, Township 3 South, Range 2 East; thence run Westwardly along and with the North Boundary of the current City of Spanish Fort Corporate Limits to the Southwest Corner said Tax Parcel; thence run Northwardly along and with the East Boundary of said Corporate Limits to the Northwest Corner of said Tax Parcel; thence run Westwardly along and with the North Boundary of the current City of Spanish Fort Corporate Limits to the Northwest Corner of

Baldwin County, Alabama Tax Parcel Number 05-29-06-14-0-000-004.000; thence run Southwardly along and with the West Boundary of said Corporate Limits to the Southwest Corner of said Tax Parcel; thence run Westwardly along and with the North Boundary of the current City of Spanish Fort Corporate Limits to the Southwest Corner of Cypress Ridge Subdivision, Phase 1, as shown by map or plat thereof recorded on Slide File 2368-C, Probate Records, Baldwin County, Alabama and the Southwest Corner of Section 14, Township 3 South, Range 2 East; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-05-22-0-000-002.007; thence run Westwardly along and with the North Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Lot 10, Whitehouse Creek Acres, as shown by map or plat thereof recorded on Slide File 1262-B, Probate Records, Baldwin County, Alabama; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest Corner of Lot 9, of said Whitehouse Creek Acres; thence run Northwardly along and with the East Boundary of the current City of Spanish Fort Corporate Limits to the Southern Margin of Whitehouse Fork Road Ext. and the Northern Boundary of said Corporate Limits;

thence run Westwardly along and with the North Boundary of said Corporate Limits and the South Margin of Whitehouse Fork Road Ext. to the Northwest Corner of Lot 1, of said Whitehouse Creek Acres; thence run Southwardly along and with the West Boundary the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-05-22-0-000-008.000; thence run Westwardly along and with North Boundary of said Corporate Limits to the Southwest Corner of said Tax Parcel; thence run Northwardly along and with the West Boundary of said Tax Parcel and extension thereof to the North Margin Whitehouse Fork Road Ext.; thence run Northwestwardly along and with the North Margin of said Road to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-29-05-22-0-000-005.017; thence run Northwardly along and with the West Boundary of said Tax Parcel to the Northwest Corner of said Tax Parcel and the Northwest Corner of Section 22, Township 3 South, Range 2 East; thence run Eastwardly to the Southwest Corner of Baldwin, Alabama Tax Parcel Number 05-29-05-15-0-000-015.001 and the Southwest Corner of Section 15, Township 3 South, Range 2 East; thence run Northwardly along and with the West Boundary of said Tax Parcel to the Northwest Corner of Section 15, Township 3 South, Range 2 East; thence run Eastwardly along the North Boundary of said Section 15 to the Southwest

Corner of Baldwin County, Alabama Tax Parcel Number 05-29-02-10-0-000-024.000; thence run Northeastwardly along and with the West Boundary of said Tax Parcel to the Northwest Corner of said Tax Parcel; thence run Eastwardly along and with the North Boundary of said Tax Parcel to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-29-02-10-0-000-002.000; thence run Northwardly along and with the West Boundary of said Tax Parcel to the Northwest Corner of said Tax Parcel; thence run Eastwardly along the North Boundary of said Tax Parcel and extension thereof to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-02-0-000-008.000; thence run Northwardly along and with the East Boundary of said Tax Parcel to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-02-0-000-014.002; thence run Eastwardly along and with the North Boundary of said Tax Parcel and extension thereof to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-02-0-000-013.000; thence run Northwardly along and with the East Boundary of said Tax Parcel and the extension thereof to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-01-0-000-002.000; thence run Eastwardly along and with the South Boundary of said Tax Parcel to the Southeast Corner of said Tax Parcel; thence run Northwardly along and

with the East Boundary of said Tax Parcel and the extension thereof to the lower Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-22-08-36-0-000-029.000; thence run Eastwardly and Northwardly along and with the Western Boundary of said Tax Parcel to the upper Northwest Corner of said Tax Parcel; thence run Eastwardly along and with the North Boundary of said Tax Parcel to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-22-08-36-0 -000-001.000; thence run Northwardly along and with the East Boundary of said Tax Parcel and extension thereof to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-034.000; thence run Eastwardly along and with the North Boundary of said Tax Parcel to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-015.000; thence run Northwardly along and with the West Boundary of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-015.005 to the Northwest Corner of said Tax Parcel; thence run Eastwardly along and with the North Boundary of said Tax Parcel to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-015.002; thence run Northwardly along and with the East Boundary of said Tax Parcel to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-009.001; thence run Eastwardly along and

with the North Boundary of said Tax Parcel to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-009.011; thence run Northwardly along and with the East Boundary of said Tax Parcel to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-30-0-000-009.000; thence run Westwardly along and with the South Boundary of Baldwin County, Alabama Tax Parcel Number 05-23-04-19-0-000-001.030 to the Southwest Corner of said Tax Parcel; thence run Northwardly along and with the West Boundary of said Tax Parcel to the Southern Margin of Baldwin County Highway Number 138; thence run Eastwardly and Northeastwardly along and with the Southern and Eastern Margins of said County Highway to the Northeastern Margin of Whitehouse Fork Road and the Northwestern Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20-0 -000-052.000; thence run Southwardly along and with the West Boundary of said Tax Parcel to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20-0-000-053.000; thence run Eastwardly along and with the North Boundary of said Tax Parcel to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20-0-000-051.016; thence run Southwardly along and with the West Boundary of said Tax Parcel to the Southeast Corner of Baldwin County Tax Parcel Number 05-23-04-20-0-000-055.000 and to the current City of

Bay Minette Corporate Limits; thence run Westwardly along and with the South Boundary of said Tax Parcel and said Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20-0-000-051.022; thence run Southwardly along and with the West Boundary of said Tax Parcel and said Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20-0-000-051.004; thence run Eastwardly, Southwardly, and Eastwardly along and with the South Boundary of the current City of Bay Minette Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-23-04-20 -0-000-051.019; thence run Southwardly and Westwardly along and with the West Boundary of the current City of Bay Minette Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-29-0-000-003.001; thence run Southwardly along and with the said Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-29-0-000-002.001; thence run Southwardly along and with the West Boundary of said Tax Parcel and extension thereof to the Upper Northwest corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-32-0-000-005.001 and to the current City of Spanish Fort Corporate Limits; thence run Southwardly along and with the West Boundary of said Corporate

Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-32-0000-004.000; thence run Westwardly along and with said Corporate Limits to the Lower Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-23-09-32-0-000-005.001; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-28-03-07-0-000-013.000; thence run Westwardly along and with said Corporate Limits to the Northwest Corner of said Tax Parcel; thence run Southwardly along and with said Corporate Limits to the Southwest Corner of said Tax Parcel; thence run Eastwardly along and with said Corporate Limits to the Southeast Corner of said Tax Parcel; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-28-03-07-0-000-042.000; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Northwest Corner of said Tax Parcel; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-28-03-07-0-000-041.000; thence run Westwardly along and with the North Boundary of said Corporate Limits to the

Southwest Corner of Section 7, Township 3 South, Range 3 East to the Point Of Beginning. LESS AND EXCEPT therefrom any portion of the above described property which lies within the Corporate Limits of the City of Spanish Fort or the City of Bay Minette, Alabama.

(b) No property within the White House Fork Landmark District may be annexed into any municipality by local law.

(c) Subsection (b) shall not apply to any municipality incorporated after the ratification of this amendment which includes any part of the White House Fork Landmark District.

(d) The White House Fork Landmark District shall not be considered a legal entity and shall not have any of the following powers or authority:

(1) Standing to sue or be sued.

(2) Taxing authority.

(3) Zoning authority.

(4) Police power and public safety authority.

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

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

Upon ratification of this constitutional amendment, the Code Commissioner shall number and place this amendment as appropriate in the constitution omitting this instructional

paragraph and may make the following nonsubstantive revisions: change capitalization, hierarchy, spelling, and punctuation for purposes of style and uniformity; correct manifest grammatical, clerical, and typographical errors; revise internal or external citations and cross-references; and translate effective dates.

END PROPOSED AMENDMENT

Section 2. An election upon the proposed amendment shall be held in accordance with Sections 284, 284.01, and 285 of the Constitution of Alabama of 2022, and the election laws of this state. The appropriate election official shall assign a ballot number for the proposed constitutional amendment on the election ballot and shall set forth the following description of the substance or subject matter of the proposed constitutional amendment:

"Relating to Baldwin County, proposing an amendment to the Constitution of Alabama of 2022, to define the White House Fork 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.

Proposed by Act ____."

This description shall be followed by the following language:

"Yes( ) No( )."

Section 3. The proposed amendment shall become valid as part of the Constitution of Alabama of 2022, when approved by a majority of the qualified electors voting thereon.