HB306

3Q56VZZ-1

By Representative Givens (Constitutional Amendment)

RFD: Baldwin County Legislation

First Read: 07-Mar-24

SYNOPSIS:

This bill would propose an amendment to the Constitution of Alabama of 2022, 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

To propose an amendment to the Constitution of Alabama of 2022, 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 2022, is proposed:

PROPOSED AMENDMENT

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

Commence at the Southeast Corner of Section 4, Township

4 South, Range 3 East for a POINT OF BEGINNING: Thence run Westwardly along and with The South boundary of said Section 4 and the North boundary of the current City of Loxley Corporate Limits to the Southwest Corner of Section 4, Township 4 South, Range 3 East and the Northwest Corner of Section 9, Township 4 South, Range 3 East; thence run Southwardly along and with the West Boundary of said Section 9 and the West Boundary of the current City of Loxley Corporate Limits to the Southernmost Corner of Baldwin County, Alabama Tax Parcel Number 05-33-03-05-0-000-003.004; thence run Northwesterly along and with the Western Boundary of said Tax Parcel to the South Boundary of Section 5, Township 4 South, Range 3 East; thence run Westwardly along and with the South Boundary of said Section 5 to the Western Margin of Alabama State Highway Number 59 and the Eastern Boundary of the current City of Loxley Corporate Limits; thence run Northwestwardly along and with the Western Margin of said Alabama State Highway Number 59 and to the Eastern Boundary of said Corporate Limits to the North Boundary of the current City of Loxley Corporate Limits and to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-33-03-05-0-000-003.003; thence run Westwardly along and with said Corporate Limits to the Western Boundary of the current City of Loxley Corporate Limits and to the Eastern Margin of U.S. Highway Number 31 (A.K.A. Alabama State Highway Number 3) and to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-03-05-0-000-003.040; thence run Southwestwardly along an with the Eastern Margin of said Highway Number 31 and Highway Number 3 and the Western

Boundary of said Corporate Limits to the South Boundary of the current City of Loxley Corporate Limits and the Southern Boundary of Section 5, Township 4 South, Range 3 East and to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-03-05-0-000-003.000; thence run Westwardly to the Southeast Corner of Bromley Acres, Third Addition, as shown by map or plat thereof recorded on Slide File 1051-A, Probate Records, Baldwin County, Alabama on the Western Margin of U.S. Highway Number 3); thence run Southwestwardly along and with the Eastern Margin of said Highway Number 31 and Highway Number 3 to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-33-03-07-0-000-001.005; thence run Westwardly along and with the South Boundary of said Tax Parcel to the Southeast Corner of Hunawell Ranch, as shown by map or plat thereof recorded on Slide Field 2169-D, Probate Records, Baldwin County, Alabama; thence run Westwardly along and with the South Boundary of Hunawell Ranch to the Southwest Corner of said Hunawell Ranch and the East Boundary of the current City of Spanish Fort Corporate Limits; thence run Northwardly along and with said Corporate Limits East Boundary and the West Boundaries of Sections 7 and 6, Township 4 South, Range 3 East and the West Boundaries of Sections 31 and 30, Township 3 South, Range 3 East to the Northwest Corner of Section 30, Township 3 South, Range 3 East and the South Boundary of the current City of Spanish Fort Corporate Limits; thence run Eastwardly along and with said Corporate Limits South Boundary to the East Boundary of the current City of Spanish Fort Corporate Limits and the Southeast Corner of

Baldwin County, Alabama Tax Parcel Number 05-28-04-20-0-000-009.000; thence run Northwardly along and with said Corporate Limits East Boundary to the South Boundary of the current City of Spanish Fort Corporate Limits and the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-04-20-0-000-008.003; thence run Eastwardly along and with said Corporate Limits South Boundary to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-04-17-0-000-002.000; thence run Eastwardly along and with the South Boundary od said Tax Parcel to the Southwest Corner of Stone Ridge Subdivision as shown by map or plat thereof recorded on Slide File 1965-A; thence continue Eastwardly along the South Boundary of Stone Ridge Subdivision to the Southeast Corner of said Subdivision and the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-04-17-0-000-005.000; thence continue Eastwardly along and with the South Boundary of said Tax Parcel to the Northeast Corner of Section 20, Township 3 South, Range 3 East and the Northwest Corner of Section 21, Township 3 South, Range 3 East; thence continue Eastwardly along and with the North Boundaries of Sections 21, 22, 23 and 24, Township 3 South, Range 3 East to the Northeast Corner of Section 24, Township 3 South, Range 3 East; then run Southwardly along and with the East Boundaries of Sections 24, 25, 36, Township 3 South, Range 3 East and Section 1, Township 4 South, Range 3 East to the Southeast Corner of Section 1, Township 4 South, Range 3 East; thence run Westwardly along and with the South Boundary of said Section 1 to the Southwest Corner of Section

1, Township 4 South, Range 3 East and the Southeast Corner of Section 2, Township 4 South, Rang 3 East; thence run Westwardly along and with the South Boundary of said Section 2 to the Northwestern Corner of Baldwin County, Alabama Tax Parcel Number 05-33-01-11-0-000-001.000 and the Eastern Boundary of the current City of Loxley Corporate Limits; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-01-02-0-000-014.000 and the East Boundary of the current City of Loxley Corporate Limits; thence run Southwardly along and with the East Boundary of said Corporate Limits to the North Boundary of the Current City of Loxley Corporate Limits; thence run Westwardly along and with the North Boundary of the Current City of Loxley Corporate Limits to the East Boundary of said Corporate Limits; thence run Northwardly along and with the East Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-01-02-0-000-006.002; thence run Northwardly along and with the East Boundary of the current City of Loxley Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-01-02-0-000-007.007 and the North Boundary of the current City of Loxley Corporate Limits; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax parcel Number 05-33-01-02-0-000-005.008 and the East Boundary of the current City of Loxley Corporate Limits; thence run Northwardly along and with the East Boundary of said Corporate

Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-33-01-02-0-000-004.000 and the North Boundary of the current City of Loxley Corporate Limits; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-08-34-0-000-026.000 and the East Boundary of the current City of Loxley Corporate Limits; thence run Northwardly along and with the East Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-08-34-0-000-004.003 and the North Boundary of the current City of Loxley Corporate Limits; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-08-34-0-000-023.000 and the West Boundary of the current City of Loxley Corporate Limits; thence run Southwardly along and with the West Boundary of said Corporate Limits to the North Boundary of the current City of Loxley Corporate Limits and the Southeast Corner of Section 4, Township 4 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 Loxley, the City of Spanish Fort, or the City of Bay Minette, Alabama.

(b) No property within the Stapleton 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 Stapleton Landmark District.

(d) The Stapleton Landmark District shall not be considered a legal entity and shall not have any of the following powers of 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; harmonize language; 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, to propose an amendment to the Constitution of Alabama of 2022, 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.

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.