

ORDINANCE NO. 718-2025

AN ORDINANCE ANNEXING CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA

WHEREAS, on the 4th day of August, 2025, MAG 7, LLC, a Florida limited liability company, being the owner of real property hereinafter described, filed with the City Clerk of the City of Spanish Fort a petition requesting that said property be annexed into the corporate limits of the City of Spanish Fort; and

WHEREAS, said petition contained a description of the subject property, the signature of the owner of the subject property and a map of the subject property showing its relationship to the corporate limits of the City of Spanish Fort; and

WHEREAS, the City Council has determined that said property is contiguous to the corporate limits of the City of Spanish Fort and does not lie within the corporate limits of any other municipality; and

WHEREAS, the City Council of the City of Spanish Fort has determined that it is in the best interest of the City that the property described in Section 1 hereof be annexed into the corporate limits of the City of Spanish Fort, and that all of the requirements of Ala. Code §11-42-20 through §11-42-24 (1975), as amended, have been met.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SPANISH FORT, ALABAMA, AS FOLLOWS:

SECTION 1. Consent to Annexation.

The City Council of the City of Spanish Fort, Alabama, hereby assents to the annexation of the property described below into the corporate limits of the City of Spanish Fort. The boundary lines and corporate limits of the City of Spanish Fort are hereby altered, extended and rearranged so as to embrace and include the additional property as described in Exhibit A and as depicted in Exhibit B of the petition filed by the owner of the property which is attached hereto as Exhibit 1 and incorporated by reference as though set forth fully herein.

SECTION 2. Filing in Probate Court.

The City Clerk of the City of Spanish Fort is hereby directed to file a copy of this Ordinance, which includes a description of the subject property, in the Office of the Judge of Probate of Baldwin County, Alabama, as required by Ala. Code §11-42-21 (1975), as amended.

SECTION 3. Repealer Clause.

Any ordinance heretofore adopted by the City Council of the City of Spanish Fort, Alabama, which is in conflict with this Ordinance is hereby repealed to the extent of such conflict.

SECTION 4. Severability Clause.

If any part, section or subdivision of this Ordinance shall be held unconstitutional or invalid for any reason, such holding shall not be construed to invalidate or impair the remainder of this Ordinance, which shall continue in full force and effect notwithstanding such holding.

SECTION 5. Effective Date.

This Ordinance shall become effective immediately upon its adoption or as otherwise required by state law.

ADOPTED AND APPROVED this _____ *day of* _____, *2025*.

Michael M. McMillan
Mayor

ATTEST:

Rebecca A. Gaines, CMC
City Clerk

Exhibit 1

PETITION FOR ANNEXATION OF CERTAIN PROPERTY INTO THE CORPORATE LIMITS OF THE CITY OF SPANISH FORT, ALABAMA

TO THE CITY OF SPANISH FORT, ALABAMA:

MAG 7, LLC, a Florida limited liability company, (hereinafter referred to as "the Petitioner"), the owner of the hereinafter described property, does hereby execute and file with the City Clerk of the City of Spanish Fort, Alabama, this written petition asking and requesting that the property hereinafter described be annexed into the City of Spanish Fort in accordance with Ala. Code §11-42-20 through §11-42-24 (1975), as amended. As grounds for said petition, the undersigned Petitioner submits and shows the following:

1. The property made the subject of this petition and request for annexation to the City of Spanish Fort is described in Exhibit A which is attached hereto and incorporated by reference as though set forth fully herein.
2. A map of the property described in Exhibit A showing its relationship to the corporate limits of the City of Spanish Fort is attached hereto as Exhibit B and incorporated by reference as though set forth fully herein.
3. The undersigned Petitioner hereby certifies that it is the sole owner of the property made the subject of this petition and request for annexation.
4. The undersigned Petitioner hereby represents and certifies that the property described in Exhibit A is contiguous to the corporate limits of the City of Spanish Fort and said property does not lie within the corporate limits of any other municipality. In addition, the undersigned Petitioner represents and certifies that all of the property described in Exhibit A does not lie within the police jurisdiction of any other municipality, and in the event any portion of said property does lie within the police jurisdiction of another municipality, the Petitioner hereby represents and certifies that all of the subject property is located closer to the corporate limits of the City of Spanish Fort than to any other municipality and satisfies the requirements for annexation as set forth in Ala. Code §11-42-21 (1975), as amended.

The Petitioner does hereby request that the City Council of the City of Spanish Fort adopt an ordinance assenting to the annexation of the above-described property into the corporate limits of the City of Spanish Fort.

IN WITNESS WHEREOF, the undersigned Petitioner has hereunto set his/her hand and seal on this the 6th day of August, 2025.

PETITIONER
MAG 7, LLC, a Florida limited liability
company

By: Wade S. Omy

Its: Managing Member

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Anita L. Stringfellow, a Notary Public, in and for said County in said State, hereby certify that Wade Sney, whose name as Managing member of MAG 7, LLC, a Florida limited liability company, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, he/she, as such officer and with full authority executed the same voluntarily for and as the act of said limited liability company on the date the same bears date.

Given under my hand and seal this 4th day of August, 2025.



Anita L. Stringfellow
Notary Public, Baldwin County, Alabama
My Commission Expires: 12/07/2026

MAG 7, LLC
ANNEX DESCRIPTION

BEGINNING AT THE NORTHWEST CORNER OF LOT 1 OF WHITEHOUSE CREEK ACRES SUBDIVISION, AS SHOWN IN MAP OR PLAT THEREOF RECORDED IN SLIDE 1262-B, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, SAID POINT BEING ALSO AT THE SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION; THENCE RUN SOUTHERLY, ALONG THE WEST LINE OF SAID LOT 1 OF WHITEHOUSE CREEK ACRES SUBDIVISION, A DISTANCE OF 954 FEET, MORE OR LESS, TO THE NORTH LINE OF LAND HERETOFORE CONVEYED TO HAWTHORNE PROPERTIES, LLC, RECORDED AT INSTRUMENT 1088539, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN WESTERLY, ALONG SAID NORTH LINE OF LAND OF HAWTHORNE PROPERTIES, LLC, A DISTANCE OF 3987 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LAND HERETOFORE CONVEYED TO CARLOS D. WILLIAMS AND CHERYL A. RITTENHOUSE, RECORDED AT INSTRUMENT 830585, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHERLY, A DISTANCE OF 2056 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF LAND HERETOFORE CONVEYED TO ALAN K. SEABOLT, RECORDED AT INSTRUMENT 1972356, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN SOUTHEASTERLY, A DISTANCE OF 357 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PARCEL 05-29-05-21-0-000-001.002 OF LANDS HERETOFORE CONVEYED TO CHERYLL F. IRBY, RECORDED AT INSTRUMENT 1597885, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHERLY, ALONG THE EASTERN LINE OF SAID LAND CONVEYED TO CHERYLL F. IRBY, A DISTANCE OF 283 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID LANDS OF CHERYLL F. IRBY; THENCE RUN NORTHWESTERLY, ALONG THE NORTHERN LINE OF SAID LAND CONVEYED TO CHERYLL F. IRBY, A DISTANCE OF 88 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF PARCEL 05-29-05-21-0-000-001.001 OF LANDS HERETOFORE CONVEYED TO CHERYLL F. IRBY; THENCE RUN NORTHEASTERLY, ALONG THE EASTERN LINE OF SAID PARCEL 05-29-05-21-0-000-001.001, SAID LANDS HERETOFORE CONVEYED TO CHERYLL F. IRBY, RECORDED AT INSTRUMENT 1597885, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA, A DISTANCE OF 243 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LAND HERETOFORE CONVEYED TO THOMAS E. COOK AND ANN H. COOK, RECORDED AT REAL PROPERTY BOOK 582, PAGE 1305, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHERLY, A DISTANCE OF 255 FEET, MORE OR LESS, TO THE NORTHEAST CORNER OF SAID LAND CONVEYED TO THOMAS E. COOK AND ANN H. COOK; THENCE RUN NORTHWESTERLY, A DISTANCE OF 359 FEET, MORE OR LESS, TO THE SOUTHEAST CORNER OF LAND HERETOFORE CONVEYED TO MILDRED D. TENNANT, RECORDED AT REAL PROPERTY BOOK 108, PAGE 1386, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA; THENCE RUN NORTHEASTERLY, ALONG THE EASTERN LINE OF SAID LAND CONVEYED TO MILDRED D. TENNANT, A DISTANCE OF 366 FEET, MORE OF LESS, TO A REBAR ON THE SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION; THENCE RUN SOUTH 54°06'41" EAST, ALONG SAID SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION, A DISTANCE OF 1954.35 FEET TO A 5/8 INCH REBAR ON SAID SOUTH RIGHT-OF-WAY; THENCE RUN SOUTH 35°53'19" WEST, DEPARTING SAID SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION, A DISTANCE OF 100.00 FEET TO A 5/8 INCH REBAR; THENCE RUN SOUTH 54°06'41"E, ALONG A LINE PARALLEL WITH THE SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION, A DISTANCE 370.00 FEET TO A 5/8 INCH REBAR; THENCE RUN NORTH 35°53'19" EAST, A DISTANCE OF 100.00 FEET TO A 5/8 INCH REBAR ON THE SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION; THENCE RUN SOUTHEASTERLY, ALONG SAID SOUTH RIGHT-OF-WAY OF WHITEHOUSE FORK ROAD EXTENSION, A DISTANCE OF 2032 FEET, MORE OR LESS, TO THE POINT OF BEGINNING.

