

**ORDINANCE NO. 2020-38**

**AN ORDINANCE AMENDING THE ZONING ORDINANCE  
OF THE TOWN OF LOXLEY, ALABAMA**

**WHEREAS**, Alabama Code, Title 11, Chapter 52, Article 4, Sections 70-84 provides the Town of Loxley, Alabama (hereinafter, the “Town” or “Town of Loxley”) with the authority to adopt ordinances to regulate the use of property within the municipal limits of the Town;

**WHEREAS**, Section 11-52-78 of the Code of Alabama, 1975, as amended, states in pertinent part that such regulations, restrictions and boundaries and ordinances passed under the authority of this article may from time to time be amended, supplemented, changed, modified or repealed;

**WHEREAS**, on January 14, 1991, the Town of Loxley (hereinafter, the “Town”) enacted a zoning ordinance, official zoning map, and future land use map regulating and governing the use of property and long-range development within the limits of the Town of Loxley;

**WHEREAS**, the Town of Loxley recognizes the need from time to time to make adjustments or amendments to the Town’s zoning ordinance, official zoning map, and future land use map;

**WHEREAS**, the Town of Loxley also recognizes that such amendments serve to clarify, improve and update the standards under which planning and zoning for the Town are administered;

**WHEREAS**, on August 27, 2020, the Town of Loxley Planning Commission held a public hearing and considered the request to rezone the Roans Creek Planned Unit Development (PUD) from the current zoning designation of PUD to the zoning designation M-1 (Light Industry) and the designation A-O (Agricultural-Open Space) as set forth herein and as reflected in the attached map identified as Exhibit A;

**WHEREAS**, on August 27, 2020, after the public hearing and due consideration the Town of Loxley Planning Commission favorably recommended to the Town Council of the Town of Loxley that the property described below be rezoned from PUD to M-1 (Light Industry) and A-O (Agricultural-Open Space), as requested, and the PUD be dissolved;

**WHEREAS**, on September 14, 2020, the Town Council held a public hearing and subsequently considered the Loxley Planning Commission’s favorable recommendation to amend the Town of Loxley Zoning Ordinance and Official Zoning Map as hereinafter set forth;

**WHEREAS**, the Town Council of the Town of Loxley desires to concur in and act upon said recommendations from the Loxley Planning Commission, as provided by law;

**WHEREAS**, the Town Council in adopting this Ordinance expressly adopts, ratifies, affirms and concurs in the finding and action of the Loxley Planning Commission as stated herein;

**WHEREAS**, all preliminary requirements as in such cases provided by law have been complied with; and

**WHEREAS**, the Town Council of the Town of Loxley deems it necessary and appropriate to amend its zoning ordinance regulating the use of property within the municipal limits of the Town of Loxley to ensure and promote the health, safety, and general welfare of the citizens and landowners of the Town of Loxley, Alabama.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LOXLEY, ALABAMA, THAT THE LOXLEY ZONING ORDINANCE AND OFFICIAL ZONING MAP SHALL BE AMENDED AS FOLLOWS:**

**Section 1.** The Town Council of the Town of Loxley, Alabama, finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town to rezone the property described below and reflected on the map in Exhibit A from PUD to A-O (Agricultural-Open Space):

STATE OF ALABAMA  
COUNTY OF BALDWIN

BEGINNING AT A 2" CAPPED PIPE FOUND AT THE NORTHWEST CORNER OF SECTION 9, TOWNSHIP 4 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA; THENCE NORTH 89°41'54" EAST A DISTANCE OF 5322.78 FEET TO A 3" CAPPED PIPE FOUND (SAID POINT BEING THE NORTHEAST CORNER OF SECTION 9); THENCE NORTH 00°08'09" WEST A DISTANCE OF 3981.35 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 89°43'16" EAST A DISTANCE OF 333.26 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 00°09'39" WEST A DISTANCE OF 1324.65 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 89°52'00" WEST A DISTANCE OF 338.09 FEET TO A 3" CAPPED PIPE FOUND (SAID POINT BEING THE NORTHWEST CORNER OF SECTION 3); THENCE NORTH 00°26'43" WEST A DISTANCE OF 1323.60 FEET TO A CAPPED REBAR SET; THENCE NORTH 89°50'19" EAST A DISTANCE OF 3990.67 FEET TO A CAPPED REBAR SET; THENCE SOUTH 00°42'00" EAST A DISTANCE OF 1316.56 FEET TO A CAPPED REBAR SET; THENCE NORTH 89°44'13" EAST A DISTANCE OF 1332.17 FEET TO A 3" CAPPED PIPE FOUND (SAID POINT BEING THE NORTHEAST CORNER OF SECTION 3); THENCE SOUTH 00°10'31" EAST A DISTANCE OF 2656.03 FEET TO A CAPPED REBAR FOUND; THENCE NORTH 89°28'46" EAST A DISTANCE OF 1347.21 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 00°19'12" WEST A DISTANCE OF 2644.29 FEET TO A CAPPED REBAR SET, 17.53 FEET NORTH OF THE NORTH SECTION LINE OF SECTION 11; THENCE CONTINUE SOUTH 00°19'12" WEST A DISTANCE OF 17.53 FEET TO A POINT; THENCE NORTH 89°44'03" EAST ALONG SAID NORTH LINE A DISTANCE OF 1794.28 FEET TO A POINT; THENCE SOUTH 35°53'57" EAST A DISTANCE OF 1633.30 FEET TO A CAPPED REBAR SET; THENCE SOUTH 89°45'11" WEST A DISTANCE OF 832.09 FEET TO A CAPPED REBAR SET; THENCE SOUTH 00°14'01" EAST A DISTANCE OF 1326.57 FEET TO A CAPPED REBAR SET; THENCE SOUTH 89°48'10" WEST A DISTANCE OF 1589.44 FEET TO A REBAR FOUND; THENCE SOUTH 00°13'39" EAST A DISTANCE OF 1649.31 FEET TO A CAPPED REBAR FOUND; THENCE SOUTH 89°42'36" WEST A DISTANCE OF 1650.43 FEET TO A CAPPED REBAR FOUND; THENCE SOUTH 00°11'35" EAST A DISTANCE OF 1001.65 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 00°20'30" EAST A DISTANCE OF 2654.96 FEET TO AN OPEN TOP PIPE FOUND; THENCE NORTH 89°39'46" EAST A DISTANCE OF 1076.54 FEET TO A REBAR FOUND; THENCE SOUTH 00°27'30" WEST A DISTANCE OF 79.71 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 2022.20 FOOT RADIUS CURVE TO THE LEFT, CONCAVE TO THE EAST; THENCE ALONG THE ARC OF SAID CURVE, A DISTANCE OF 310.85 FEET (CHORD BEARS OF S 03°47'46" E, 310.54') TO A CAPPED REBAR SET; THENCE SOUTH 08°11'59" EAST A DISTANCE OF 319.70 FEET TO A CAPPED REBAR SET; THENCE NORTH 89°44'30" EAST A DISTANCE OF 1204.69 FEET TO A CAPPED REBAR SET; THENCE NORTH 59°58'41" EAST A DISTANCE OF 367.03 FEET TO A REBAR FOUND; THENCE SOUTH 00°15'46" EAST A DISTANCE OF 801.44 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 89°41'22" EAST A DISTANCE OF 1329.75 FEET TO AN OPEN TOP PIPE FOUND; THENCE SOUTH 00°13'46" EAST A DISTANCE OF 1277.46 FEET TO A CAPPED REBAR SET ON THE NORTH MARGIN OF TRUCK TRAIL #17; THENCE SOUTH 00°13'01" EAST A DISTANCE OF 100.00 FEET TO A CAPPED REBAR SET ON THE SOUTH MARGIN OF SAID TRUCK TRAIL #17; THENCE SOUTH 00°05'14" EAST A DISTANCE OF 637.30 FEET TO A CAPPED REBAR FOUND; THENCE NORTH 89°39'01" EAST A

DISTANCE OF 1330.03 FEET TO A REBAR FOUND; THENCE SOUTH 00°12'50" EAST A DISTANCE OF 637.82 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 89°32'20" EAST A DISTANCE OF 4082.50 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 00°08'24" WEST A DISTANCE OF 1336.77 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 00°23'31" WEST A DISTANCE OF 651.12 FEET TO A CAPPED REBAR FOUND; THENCE SOUTH 89°40'10" EAST A DISTANCE OF 1360.60 FEET TO A CAPPED REBAR FOUND; THENCE SOUTH 00°27'23" EAST A DISTANCE OF 652.18 FEET TO A CAPPED REBAR SET (SAID POINT BEING THE NORTH EAST CORNER OF SECTION 24); THENCE SOUTH 00°08'12" EAST A DISTANCE OF 5328.43 FEET TO A CAPPED REBAR FOUND; THENCE SOUTH 00°16'30" WEST A DISTANCE OF 2664.88 FEET TO A CAPPED REBAR SET; THENCE NORTH 89°57'59" WEST A DISTANCE OF 30.00 FEET TO A CAPPED REBAR SET ON THE WEST MARGIN OF FOX BRANCH ROAD; THENCE SOUTH 00°02'03" WEST, ALONG SAID WEST MARGIN, A DISTANCE OF 2631.50 FEET TO A CAPPED REBAR SET ON THE NORTH LINE OF FOX BRANCH ACRES SUBDIVISION; THENCE NORTH 89°31'36" WEST, ALONG SAID NORTH LINE, A DISTANCE OF 2624.89 FEET TO A CAPPED REBAR FOUND; THENCE NORTH 89°55'17" WEST, AND CONTINUING ALONG SAID NORTH LINE, A DISTANCE OF 2745.97 FEET TO A CAPPED REBAR FOUND (SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 25); THENCE NORTH 00°15'04" WEST A DISTANCE OF 2661.47 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 89°37'17" WEST A DISTANCE OF 2654.69 FEET TO A CAPPED REBAR SET; THENCE NORTH 00°17'57" WEST A DISTANCE OF 1327.89 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 89°38'28" WEST A DISTANCE OF 1327.62 FEET TO AN OPEN TOP IRON PIPE FOUND; THENCE SOUTH 00°18'39" EAST A DISTANCE OF 1328.05 FEET TO A 3" CAPPED PIPE FOUND; THENCE SOUTH 89°36'31" WEST A DISTANCE OF 1327.34 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 00°19'46" WEST A DISTANCE OF 2655.45 FEET TO A 3" CAPPED PIPE FOUND (SAID POINT BEING THE SOUTHWEST CORNER OF SECTION 23); THENCE NORTH 00°14'06" WEST A DISTANCE OF 2912.47 FEET TO A POINT ON THE NORTH MARGIN OF SAID TRUCK TRAIL #17, SAID POINT BEING IN THE ARC OF A 1859.86 FOOT RADIUS CURVE, CONCAVE TO THE NORTH; THENCE ALONG THE ARC OF SAID CURVE, AND ALONG SAID NORTH MARGIN OF TRUCK TRAIL #17, A DISTANCE OF 851.97 FEET (CHORD BEARS S 76°18'46" W, 844.54') TO A CAPPED REBAR SET; THENCE SOUTH 89°26'10" WEST, ALONG SAID NORTH MARGIN, A DISTANCE OF 275.21 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 5679.58 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE TO THE NORTH; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 707.94 FEET (CHORD BEARS OF N 86°59'35" W, 707.48') TO A CAPPED REBAR SET; THENCE NORTH 83°25'20" WEST, CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 959.86 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 350.00 FOOT RADIUS CURVE TO THE LEFT, CONCAVE SOUTHEASTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 342.29 (CHORD BEARS S 68°33'37" W, 328.81') TO A CAPPED REBAR SET; THENCE SOUTH 40°34'11" WEST, CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 38.04 FEET TO A CAPPED REBAR SET AT THE INTERSECTION OF THE NORTH MARGIN OF TRUCK TRAIL #17 AND THE EAST MARGIN OF BALDWIN COUNTY ROAD No. 49; THENCE NORTH 49°30'15" WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 1505.97 FEET TO A CAPPED REBAR SET; THENCE NORTH 00°16'15" WEST A DISTANCE OF 277.86 FEET TO A

CAPPED REBAR FOUND; THENCE NORTH 89°40'42" EAST A DISTANCE OF 1576.34 FEET TO A CAPPED REBAR FOUND; THENCE NORTH 00°14'51" WEST A DISTANCE OF 1329.31 FEET TO A CAPPED REBAR SET; THENCE SOUTH 89°40'45" WEST A DISTANCE OF 2652.29 FEET TO A REBAR FOUND (SAID REBAR BEING THE SOUTHWEST CORNER OF SECTION 15); THENCE SOUTH 89°46'49" WEST A DISTANCE OF 670.92 FEET TO A REBAR FOUND ON THE EAST MARGIN OF U.S. HIGHWAY No. 31 (aka ALABAMA HIGHWAY No. 59), SAID POINT BEING A POINT IN A 5630.80 FOOT RADIUS CURVE, CONCAVE NORTHEASTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND ALONG SAID EAST MARGIN, A DISTANCE OF 537.70 FEET (CHORD BEARS N 27° 28'14" W, 537.10') TO A CONCRETE MONUMENT FOUND; THENCE NORTH 25°02'59" WEST, CONTINUING ALONG SAID EAST MARGIN, A DISTANCE OF 857.29 FEET TO A CAPPED REBAR SET; THENCE NORTH 66°16'35" EAST, A DISTANCE OF 50.00 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 24°51'36" WEST A DISTANCE OF 50.69 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 64°29'15" WEST A DISTANCE OF 49.88 FEET TO A CAPPED REBAR SET ON THE EAST MARGIN OF U.S. HIGHWAY No. 31 (aka ALABAMA HIGHWAY No. 59); THENCE NORTH 24°28'07" WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 29.08 FEET TO A CAPPED REBAR SET; THENCE NORTH 89°47'00" EAST A DISTANCE OF 1307.86 FEET TO A 3" CAPPED PIPE FOUND; THENCE NORTH 00°17'58" WEST A DISTANCE OF 1328.81 FEET TO A CAPPED REBAR SET; THENCE SOUTH 89°44'59" WEST A DISTANCE OF 1907.98 FEET TO A CAPPED REBAR SET ON THE EAST MARGIN OF U.S. HIGHWAY No. 31 (aka ALABAMA HIGHWAY No. 59); THENCE NORTH 24°48'08" WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 1267.35 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 65°33'00" EAST A DISTANCE OF 376.43 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 33°51'24" WEST A DISTANCE OF 654.27 FEET TO A CAPPED REBAR SET; THENCE SOUTH 64°49'55" WEST A DISTANCE OF 273.18 FEET TO A CONCRETE MONUMENT FOUND ON THE EAST MARGIN OF U.S. HIGHWAY No. 31 (aka ALABAMA HIGHWAY No. 59); THENCE NORTH 24°45'56" WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 1180.56 FEET TO A CONCRETE MONUMENT FOUND AT THE POINT OF CURVATURE OF A 6453.96 FOOT RADIUS CURVE TO THE LEFT, CONCAVE SOUTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID EAST MARGIN, A DISTANCE OF 955.77 FEET (CHORD BEARS N 29°32'11" W, 954.90') TO A CAPPED REBAR SET; THENCE NORTH 33°58'41" WEST, CONTINUING ALONG SAID EAST MARGIN, A DISTANCE OF 691.82 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 56°10'21" EAST A DISTANCE OF 24.61 FEET TO A CONCRETE MONUMENT FOUND; THENCE NORTH 35°22'06" WEST A DISTANCE OF 25.38 FEET TO A CONCRETE MONUMENT FOUND; THENCE SOUTH 54°58'26" WEST A DISTANCE OF 23.78 FEET TO A CONCRETE MONUMENT FOUND ON THE EAST MARGIN OF U.S. HIGHWAY No. 31 (aka ALABAMA HIGHWAY No. 59); THENCE NORTH 33°45'26" WEST, ALONG SAID EAST MARGIN, A DISTANCE OF 1045.23 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 6232.79 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE NORTHEASTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID EAST MARGIN, A DISTANCE OF 972.48 FEET (CHORD BEARS N 29°17'15" W, 971.49') TO A CAPPED REBAR SET; THENCE NORTH 24°47'56" WEST, CONTINUING ALONG SAID EAST MARGIN, A DISTANCE OF 600.91 FEET TO A CAPPED REBAR SET; THENCE NORTH 00°13'14" WEST, 1456.15' TO THE POINT OF BEGINNING CONTAINING 5633.188 ACRES, MORE OR LESS.

LESS AND EXCEPT PARCEL ONE:

THAT PARCEL DESCRIBED IN INSTRUMENT NUMBER "797458" RECORDED IN THE BALDWIN COUNTY, ALABAMA JUDGE OF PROBATE RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

DESCRIPTION AS PER DEED:

COMMENCE AT A 3" IRON PIPE MARKER AT THE SOUTHEAST CORNER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 3 EAST, ST. STEPHENS MERIDIAN FOR A POINT OF BEGINNING; THENCE RUN SOUTH 89°56'55" WEST, 444.3 FEET TO AN IRON PIN MARKER; THENCE RUN NORTH 1307.61 FEET TO A POINT ON THE SOUTH MARGIN OF MOSLEY ROAD; THENCE RUN THE FOLLOWING COURSES ALONG SAID ROADBED; SOUTH 46°39'16" EAST, 40.08 FEET; SOUTH 49°20'20" EAST, 47.63 FEET; SOUTH 36°43'36" EAST, 48.75 FEET; SOUTH 33°44'08" EAST, 48.29 FEET; SOUTH 34°36'14" EAST, 46.63 FEET; SOUTH 35°42'39" EAST, 46.75 FEET; SOUTH 34°44'40" EAST, 49.01; SOUTH 34°04'43" EAST, 48.60 FEET; SOUTH 38°17'48" EAST, 47.83 FEET; SOUTH 34°37'08" EAST, 49.43 FEET; SOUTH 37°21'37" EAST, 49.19 FEET; SOUTH 36°24'45" EAST, 48.81 FEET; SOUTH 34°14'46" EAST, 49.44 FEET; SOUTH 37°09'27" EAST, 49.98 FEET; SOUTH 36°10'28" EAST, 67.03 FEET; THENCE RUN SOUTH 721.06 FEET TO THE POINT OF BEGINNING. PARCEL CONTAINS 10.465 ACRES, MORE OR LESS, AND LIES IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 3, TOWNSHIP 4 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA. (DESCRIPTION COMPOSED FROM OFFICE RECORDS AND ACTUAL FIELD SURVEY.)

LESS AND EXCEPT TRUCK TRAIL #17:

A PORTION OF RIGHT-OF-WAY FOR TRUCK TRAIL #17 AS GRANTED TO BALDWIN COUNTY, ALABAMA (PER DOCUMENT NUMBER "ROW 3641002184" REAL PROPERTY BOOK 684 PAGE 1183) RECORDED IN THE BALDWIN COUNTY, ALABAMA JUDGE OF PROBATE RECORDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 3" CAPPED PIPE MARKING THE SOUTHWEST CORNER OF SECTION 23, TOWNSHIP 4 SOUTH, RANGE 3 EAST, BALDWIN COUNTY ALABAMA; THENCE NORTH 00°14'06" WEST A DISTANCE OF 2800.62 FEET TO A CAPPED REBAR FOUND ON THE SOUTH MARGIN OF SAID TRUCK TRAIL #17, SAID POINT BEING THE POINT OF BEGINNING OF THE PROPERTY HEREIN DESCRIBED; THENCE CONTINUE NORTH 00°14'06" WEST A DISTANCE OF 111.85 FEET TO A POINT ON THE NORTH MARGIN OF SAID ROAD, SAID POINT BEING IN AN 1859.86 FOOT RADIUS CURVE, CONCAVE NORTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND ALONG SAID NORTH MARGIN, A DISTANCE OF 526.50 FEET (CHORD BEARS N 55°04'48" E, 524.75') TO A CAPPED REBAR SET; THENCE NORTH 46°58'12" EAST, CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 579.34 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF AN 1859.86 FOOT RADIUS CURVE TO THE LEFT, CONCAVE NORTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 801.02 FEET (CHORD BEARS N 34°37'55" E, 794.84') TO A CAPPED REBAR SET; THENCE NORTH 22°17'37" EAST, AND

CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 534.89 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 1004.93 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE SOUTHEASTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 1181.84 FEET (CHORD BEARS N 55°59'05" E, 1114.90') TO A CAPPED REBAR SET; THENCE NORTH 89°40'31" EAST, CONTINUING ALONG SAID NORTH MARGIN, A DISTANCE OF 1542.71 FEET TO A CAPPED REBAR SET; THENCE SOUTH 00°13'01" EAST A DISTANCE OF 100.00 FEET TO A CAPPED REBAR SET ON THE SOUTH MARGIN OF TRUCK TRAIL #17; THENCE SOUTH 89°40'31" WEST, ALONG SAID SOUTH MARGIN, A DISTANCE OF 1542.71 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 904.93 FOOT RADIUS CURVE TO THE LEFT, CONCAVE SOUTHEASTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 1064.24 FEET (CHORD BEARS S 55°59'05" W, 1003.96') TO A CAPPED REBAR SET; THENCE SOUTH 22°17'37" WEST, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 534.89 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 1959.86 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE NORTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 844.09 FEET (CHORD BEARS S 34°37'55" W, 837.58') TO A CAPPED REBAR SET; THENCE SOUTH 46°58'12" WEST, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 578.34 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 1959.86 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE NORTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 844.09 FEET (CHORD BEARS S 34°37'55" W, 837.58') TO A CAPPED REBAR SET; THENCE SOUTH 46°58'12" WEST, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 578.34 FEET TO A CAPPED REBAR SET AT THE POINT OF CURVATURE OF A 1959.86 FOOT RADIUS CURVE TO THE RIGHT, CONCAVE NORTHWESTWARDLY; THENCE ALONG THE ARC OF SAID CURVE, AND CONTINUING ALONG SAID SOUTH MARGIN, A DISTANCE OF 844.09 FEET (CHORD BEARS S 55°48'24" W, 602.13') TO THE POINT OF BEGINNING CONTAINING 11.867 ACRES, MORE OR LESS.

SUBJECT TO PRESCRIPTIVE RIGHTS-OF-WAY TO MOSLEY ROAD, PHILLIPS ROAD, ANDERSON ROAD, AND BULLPEN ROAD.

LESS AND EXCEPT the following property: 543 AC(C) ALL OF SEC 9 LYING E OF HWY 59 LESS OLD R/R SEC 9-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 75245)

LESS AND EXCEPT the following property: 102'(S) X 956'(S) IRR BEG AT INTER OF N/L OF SEC 16 AND E/L OF HWY 59 RUN E ALG N SEC LINE 102'(S), TH SE ALG W/L OF OLD L&N R/R 956'(S), TH W 247'(S), TH NW ALG E/L OF HWY 59 988' (S) TO POB SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 251745)

LESS AND EXCEPT the following property: 121 AC(C) BEG AT NE COR OF SEC 16 RUN TH W 2900'(S), TH SELY 3210'(S), TH E 1100'(S), TH N 2650'(S) TO POB SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 75485)

LESS AND EXCEPT the following property: 15 AC(C) FM INTER OF N/L OF SEC 16 AND E/L OF HWY 59 RUN SE 1633'(S) TO POB CONT SE 1294'(S), TH NW 1593'(S), TH SW 353' (S) LYING BETWEEN HWY 59 AND OLD L&N R/R BED IN NE 1/4 OF SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 84651)

LESS AND EXCEPT the following property: 8.6 AC(C) BEG AT NW COR OF SEC 16, RUN TH E 2340'(S) FOR POB CONT E 137'(S), TH SE 3209'(S), TH W 145'(S), TH NW 3205'(S) TO THE POB (ST WD) IN# 1253605 IN# 1253606 IN# 1253611 (PPIN 83612)

LESS AND EXCEPT the following property: 13 AC(C) POB 2330' E OF SW COR SEC 9-4-3 TH NW ALG ABANDONED RR R/W 5000' TH N ALG W SEC LN 350' TH SE ALG RR R/W 5450' TH W ALG S SEC LN 140' TO POB (ST WD) IN# 1253605 IN# 1253606 IN# 1253611 (PPIN 83598)

LESS AND EXCEPT that property beginning at a 1/2" REBAR AT THE SW CORNER OF SEC. 15 T-4-S R-3-E BALDWIN CO., AL; thence S89°49'03"W, along said 1/4 Section line a distance of 670.02 feet to a SET 5/8" CAPPED REBAR on the Easterly R-O-W of State Hwy 59 -US Hwy 31; thence Northerly along said R-O-W along a curve to the right, having a Radius of 5,627.44 feet; a chord of N27°22'52"W 538.49 feet, an arc length of 538.70 feet to a CONCRETE

R-O-W MONUMENT; thence N24°38'39"W, along said R-O-W a distance of 934.60 feet to a SET 5/8" CAPPED REBAR at the intersection of said R-O-W and the North line of the S1/2 of the SE1/4 of Sec 16 T-4-S R-3-E; thence N89°54'28"E, a distance of 1,303.62 feet to a 3" PIPE WITH CAP AT THE NW CORNER OF THE SW1/4 OF THE SW1/4 OF SEC. 15 T-4-S R-3-E BALDWIN CO., AL; thence continue Easterly along said bearing a distance of 830.33 feet to a SET 5/8" CAPPED REBAR; thence S00°11'30"E, a distance of 1,326.18 feet to a SET 5/8" CAPPED REBAR on the South line of the SW1/4 of said Sec. 15; thence S89°48'30"W, along said 1/4 Section line a distance of 831.00 feet to the POINT OF BEGINNING, Said parcel containing 55.72 acres, more or less. (PPINs 75254 (partial), 83603, 84653, 84683, 92520, 251741)

**Section 2.** The Town Council of the Town of Loxley, Alabama, further finds and declares as the legislative body of the Town that it is in the best interests of the citizens of the Town to rezone the property described below and reflected on the map in Exhibit A from PUD to M-1 (Light Industry):

That property being 543 AC(C) ALL OF SEC 9 LYING E OF HWY 59 LESS OLD R/R SEC 9-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 75245);

That property being 102'(S) X 956(S) IRR BEG AT INTER OF N/L OF SEC 16 AND E/L OF HWY 59 RUN E ALG N SEC LINE 102'(S), TH SE ALG W/L OF OLD L&N R/R 956(S), TH W 247(S), TH NW ALG E/L OF HWY 59 988' (S) TO POB SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 251745);

That property being 121 AC(C) BEG AT NE COR OF SEC 16 RUN TH W 2900'(S), TH SELY 3210'(S), TH E 1100'(S), TH N 2650'(S) TO POB SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN# 1253611 (PPIN 75485);

That property being 15 AC(C) FM INTER OF N/L OF SEC 16 AND E/L OF HWY 59 RUN SE 1633'(S) TO POB CONT SE 1294'(S), TH NW 1593'(S), TH SW 353' (S) LYING BETWEEN HWY 59 AND OLD L&N R/R BED IN NE1/4 OF SEC 16-T4S-R3E (ST WD) IN# 1253606 IN# 1253610 IN#1253611 (PPIN 84651);

That property being 8.6 AC(C) BEG AT NW COR OF SEC 16, RUN THE E 2340'(S) FOR POB CONT E 137'(S), TH SE 3209'(S), TH W 145'(S), TH NW 3205'(S) TO THE POB (ST WD) IN# 1253605 IN# 1253606 IN# 1253611 (PPIN 83612);

That property being 13 AC(C) POB 2330' E OF SW COR SEC 9-4-3 TH NW ALG ABANDONED RR R/W 5000' TH N ALG W SEC LN 350' TH SE ALG RR R/W 5450' TH W ALG S SEC LN 140' TO POB (ST WD) IN# 1253605 IN# 1253606 IN# 1253611 (PPIN 83598); and

That property beginning at a 1/2" REBAR AT THE SW CORNER OF SEC. 15 T-4-S R-3-E BALDWIN CO., AL; thence S89°49'03"W, along said 1/4 Section line a distance of 670.02 feet to a SET 5/8" CAPPED REBAR on the Easterly R-O-W of State Hwy 59 -US Hwy 31; thence Northerly along said R-O-W along a curve to the right, having a Radius of 5,627.44 feet; a chord of N27°22'52"W 538.49 feet, an arc length of 538.70 feet to a CONCRETE R-O-W MONUMENT; thence N24°38'39"W, along said R-O-W a distance of 934.60 feet to a SET 5/8" CAPPED REBAR at the intersection of said R-O-W and the North line of the S1/2 of the SE1/4 of Sec 16 T-4-S R-3-E; thence N89°54'28"E, a distance of 1,303.62 feet to a 3" PIPE WITH CAP AT THE NW CORNER OF THE SW1/4 OF THE SW1/4 OF SEC. 15 T-4-S R-3-E BALDWIN CO., AL; thence continue Easterly along said bearing a distance of 830.33 feet to a SET 5/8" CAPPED REBAR; thence S00°11'30"E, a distance of 1,326.18 feet to a SET 5/8" CAPPED REBAR on the South line of the SW1/4 of said Sec. 15; thence S89°48'30"W, along said 1/4 Section line a distance of 831.00 feet to the POINT OF BEGINNING, Said parcel containing 55.72 acres, more or less. (PPINs 75254 (partial), 83603, 84653, 84683, 92520, 251741).

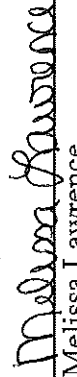


- Section 3.** The property listed in this Ordinance shall be rezoned upon final approval of this Ordinance as set forth herein and the Roans Creek Planned Unit Development (PUD) shall be dissolved, and the Official Zoning Map shall be amended to reflect these changes.
- Section 4.** All Town ordinances, resolutions, maps or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, hereby repealed.
- Section 5.** If any article, section, sentence, clause, or phrase in this Ordinance is, for any reason, held to be invalid or unconstitutional by declaration of any Court of competent jurisdiction, such declaration shall not affect the validity of the remaining portions of this ordinance.
- Section 6.** This Ordinance shall take effect and be in full force and effect as provided by law after passage, approval, and publication.

**APPROVED AND ADOPTED BY THE TOWN COUNCIL OF THE TOWN OF LOXLEY, ALABAMA ON THIS THE 14<sup>th</sup> DAY OF SEPTEMBER, 2020**

  
Richard Teal  
Mayor

**ATTEST:**

  
Melissa Lawrence  
Town Clerk/Treasurer

**CERTIFICATION OF POSTING**

I, Melissa Lawrence, Town Clerk/Treasurer of the Town of Loxley, Alabama, hereby certify that the above ordinance was published by posting copies thereof in the Loxley Post Office, Loxley Police Station, Loxley Public Library, and Loxley Town Hall beginning on the 23<sup>rd</sup> day of September, 2020, and took effect five (5) days thereafter.


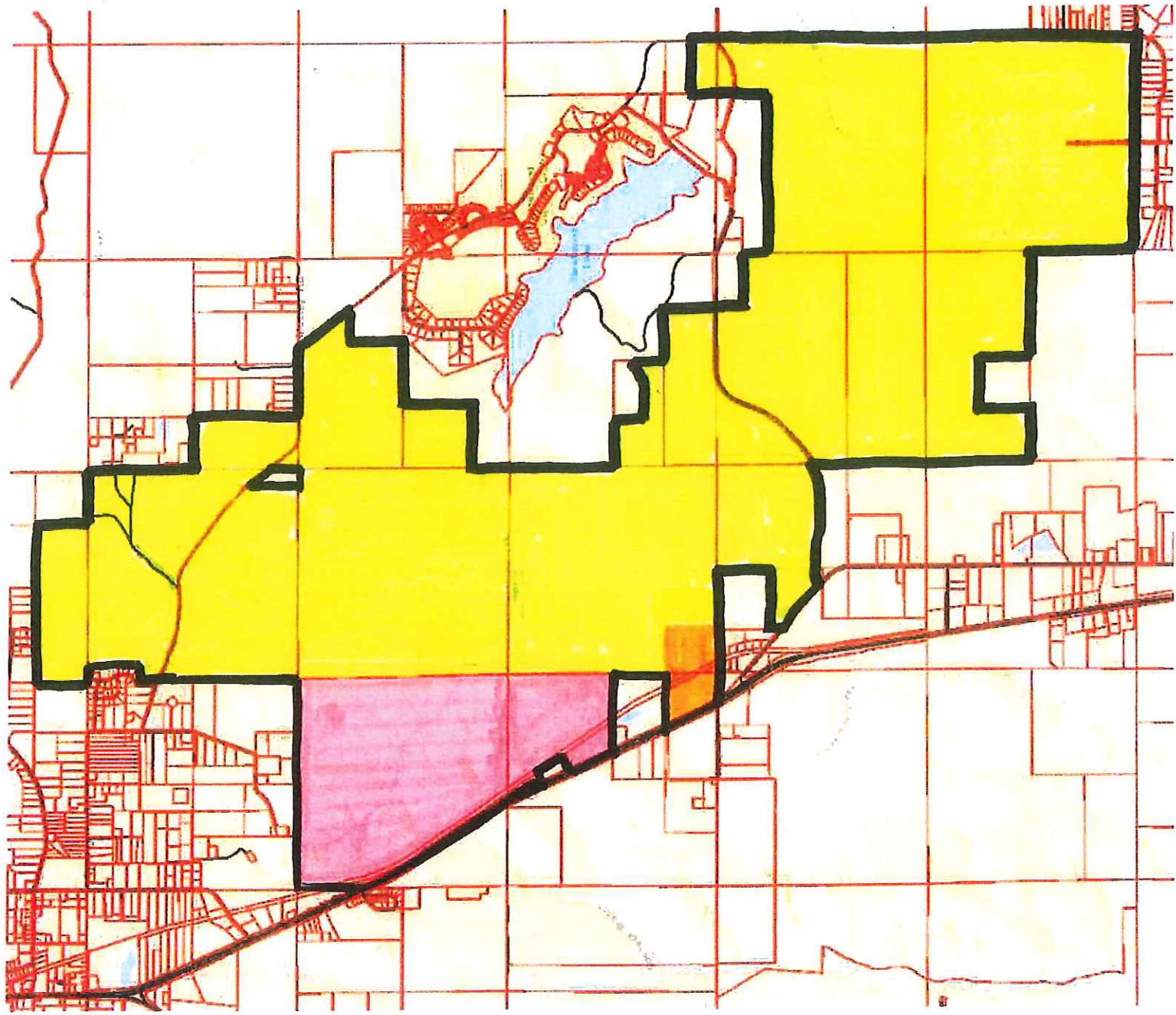
  
Melissa Lawrence  
Town Clerk/Treasurer



Exhibit A

Roans Creek Planned Unit Development District - Proposed Zoning Amendment



Yellow Shading: Proposed Agricultural - Open Space District

Pink Shading: Proposed Light Industrial District

Orange Shading: Proposed Light Industrial District

The following PPINs to be zoned as Light Industrial (shaded in pink on map):

- PPIN 75245
- PPIN 251745
- PPIN 75485
- PPIN 84651
- PPIN 83612
- PPIN 83598

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The following PPINs to be zoned Light Industrial (shaded in orange on map):

- PPIN 75254 (Note: Only a portion of PPIN 75254 to be zoned as Light Industrial. The remainder to be zoned as Agriculture-Open Space. See survey and description for more details.)
- PPIN 83603
- PPIN 84653
- PPIN 84683
- PPIN 92520
- PPIN 251741

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The following PPINs to be zoned as Agriculture – Open Space (shaded in yellow on map):

- PPIN 62839
- PPIN 75244
- PPIN 256962
- PPIN 75246

- PPIN 75254
- PPIN 78458
- PPIN 252176
- PPIN 252170
- PPIN 75259
- PPIN 75261
- PPIN 62822
- PPIN 75260
- PPIN 106932
- PPIN 252168
- PPIN 75258
- PPIN 222968
- PPIN 310429
- PPIN 310428