

TOWN OF
MAGNOLIA SPRINGS

ORDINANCE NO. 2015-02

AN ORDINANCE AMENDING ORDINANCE NO. 2010-06

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MAGNOLIA SPRINGS, ALABAMA as follows:

WHEREAS, the Town Council of the Town of Magnolia Springs, Alabama, adopted Ordinance No. 2010-06, together with the Zoning Map of the Town of Magnolia Springs, on June 22, 2010 (the "Zoning Ordinance"); and

WHEREAS, the Town of Magnolia Springs, Alabama, has received and processed a request for a zoning change of the property described here in from **RA – Rural Agricultural District to R-1(a) – Single Family District**; and

WHEREAS, the Town of Magnolia Springs Planning Commission held a public hearing and considered the request on April 9, 2015; and

WHEREAS, the Town of Magnolia Springs Planning Commission made a favorable recommendation to the Town Council of the Town of Magnolia Springs; and

WHEREAS, the Town of Magnolia Springs has received the Planning Commission's recommendation and the Town Council has held a public hearing on the same giving public notice of such hearing.

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF MAGNOLIA SPRINGS, ALABAMA, AS FOLLOWS:

The property being rezoned is described as follows:

The property of D.R. Horton, Alonzo & Lisa Mason Sanders and Magnolia Farms Estates Owners Association generally located on Pecan Grove Street, Magnolia Springs, Alabama.

Tax Parcels:

05-55-08-28-0-000-010-10.005	05-55-08-28-0-000-010-10.006
05-55-08-28-0-000-010-10.007	05-55-08-28-0-000-010-10.008
05-55-08-28-0-000-010-10.009	05-55-08-28-0-000-010-10.010
05-55-08-28-0-000-010-10.011	

Legal Description: (Case number Z1001)

LEGAL DESCRIPTION OF PROPERTY TO BE REZONED

SOUTH PORTION OF LOT 10 OF MAGNOLIA FARMS ESTATES AS RECORDED ON SLIDE 2238-C OF THE PROBATE RECORDS OF BALDWIN COUNTY, ALABAMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE SOUTHWEST CORNER OF LOT 10 OF MAGNOLIA FARMS ESTATES, AS SHOWN BY MAP OR PLAT THEREOF, RECORDED AT SLIDE NO. 2238-C, PROBATE RECORDS, BALDWIN COUNTY, ALABAMA FOR A POINT OF BEGINNING AND RUN THENCE NORTH 00 DEGREES 13 MINUTES 17 SECONDS EAST, A DISTANCE OF 841.72 FEET; THENCE RUN EAST, A DISTANCE OF 460.00 FEET TO A POINT ON THE WEST RIGHT-OF-WAY OF PECAN GROVE STREET; THENCE RUN SOUTH 00 DEGREES 13 MINUTES 17 SECONDS WEST, ALONG THE AFOREMENTIONED WEST RIGHT-OF-WAY OF

PECAN GROVE STREET, A DISTANCE OF 841.71 FEET; THENCE RUN SOUTH 89 DEGREES 59 MINUTES 54 SECONDS WEST, A DISTANCE OF 460.00 FEET TO THE POINT OF BEGINNING. TRACT CONTAINS 8.89 ACRES, MORE OR LESS, AND LIES IN THE SOUTH HALF OF SECTION 29, TOWNSHIP 7 SOUTH, RANGE 3 EAST, BALDWIN COUNTY, ALABAMA.


A map of the property to be rezoned is attached as Exhibit "A".

The Town of Magnolia Springs Zoning Ordinance is hereby amended to provide that the Property is rezoned from **RA – Rural Agricultural District** to **R-1(a) – Single Family District**. The use of the property described herein, including, but not limited to, the erection of any building or structure thereon, shall be in compliance with Ordinance No. 2010-06, the building codes of the Town of Magnolia Springs and any and all other laws, rules, and regulations of the Town and any other governing agencies.


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.

Effective Date – This ordinance shall take effect immediately upon its due adoption and publication as required by law.

APPROVED AND ADOPTED THIS THE 28th DAY OF April, 2015


Kenneth D. Underwood – Mayor

ATTEST:


Karen S. Biel – Town Clerk