

# HB226 INTRODUCED



1 LVQBWA-1  
2 By Representative Givens (Constitutional Amendment)  
3 RFD: Baldwin County Legislation  
4 First Read: 04-Apr-23  
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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

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.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 2022, is proposed and shall become valid as a part of the constitution when all requirements of this act are fulfilled:



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### 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



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57 Highway Number 3) and to the Southwest Corner of Baldwin  
58 County, Alabama Tax Parcel Number 05- 33- 03-05-0-000-003.040;  
59 thence run Southwestwardly along an with the Eastern Margin of  
60 said Highway Number 31 and Highway Number 3 and the Western  
61 Boundary of said Corporate Limits to the South Boundary of the  
62 current City of Loxley Corporate Limits and the Southern  
63 Boundary of Section 5, Township 4 South, Range 3 East and to  
64 the Southwest Corner of Baldwin County, Alabama Tax Parcel  
65 Number 05-33-03-05-0-000-003.000; thence run Westwardly to the  
66 Southeast Corner of Bromley Acres, Third Addition, as shown by  
67 map or plat thereof recorded on Slide File 1051-A, Probate  
68 Records, Baldwin County, Alabama on the Western Margin of U.S.  
69 Highway Number 3); thence run Southwestwardly along and with  
70 the Eastern Margin of said Highway Number 31 and Highway  
71 Number 3 to the Southeast Corner of Baldwin County, Alabama  
72 Tax Parcel Number 05-33-03-07-0-000-001.005; thence run  
73 Westwardly along and with the South Boundary of said Tax  
74 Parcel to the Southeast Corner of Hunawell Ranch, as shown by  
75 map or plat thereof recorded on Slide Field 2169-D, Probate  
76 Records, Baldwin County, Alabama; thence run Westwardly along  
77 and with the South Boundary of Hunawell Ranch to the Southwest  
78 Corner of said Hunawell Ranch and the East Boundary of the  
79 current City of Spanish Fort Corporate Limits; thence run  
80 Northwardly along and with said Corporate Limits East Boundary  
81 and the West Boundaries of Sections 7 and 6, Township 4 South,  
82 Range 3 East and the West Boundaries of Sections 31 and 30,  
83 Township 3 South, Range 3 East to the Northwest Corner of  
84 Section 30, Township 3 South, Range 3 East and the South



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85 Boundary of the current City of Spanish Fort Corporate Limits;  
86 thence run Eastwardly along and with said Corporate Limits  
87 South Boundary to the East Boundary of the current City of  
88 Spanish Fort Corporate Limits and the Southeast Corner of  
89 Baldwin County, Alabama Tax Parcel Number  
90 05-28-04-20-0-000-009.000; thence run Northwardly along and  
91 with said Corporate Limits East Boundary to the South Boundary  
92 of the current City of Spanish Fort Corporate Limits and the  
93 Northwest Corner of Baldwin County, Alabama Tax Parcel Number  
94 05-28-04-20-0-000-008.003; thence run Eastwardly along and  
95 with said Corporate Limits South Boundary to the Southwest  
96 Corner of Baldwin County, Alabama Tax Parcel Number  
97 05-28-04-17-0-000-002.000; thence run Eastwardly along and  
98 with the South Boundary of said Tax Parcel to the Southwest  
99 Corner of Stone Ridge Subdivision as shown by map or plat  
100 thereof recorded on Slide File 1965-A; thence continue  
101 Eastwardly along the South Boundary of Stone Ridge Subdivision  
102 to the Southeast Corner of said Subdivision and the Southwest  
103 Corner of Baldwin County, Alabama Tax Parcel Number  
104 05-28-04-17-0-000-005.000; thence continue Eastwardly along  
105 and with the South Boundary of said Tax Parcel to the  
106 Northeast Corner of Section 20, Township 3 South, Range 3 East  
107 and the Northwest Corner of Section 21, Township 3 South,  
108 Range 3 East; thence continue Eastwardly along and with the  
109 North Boundaries of Sections 21, 22, 23 and 24, Township 3  
110 South, Range 3 East to the Northeast Corner of Section 24,  
111 Township 3 South, Range 3 East; then run Southwardly along and  
112 with the East Boundaries of Sections 24, 25, 36, Township 3



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113 South, Range 3 East and Section 1, Township 4 South, Range 3  
114 East to the Southeast Corner of Section 1, Township 4 South,  
115 Range 3 East; thence run Westwardly along and with the South  
116 Boundary of said Section 1 to the Southwest Corner of Section  
117 1, Township 4 South, Range 3 East and the Southeast Corner of  
118 Section 2, Township 4 South, Rang 3 East; thence run  
119 Westwardly along and with the South Boundary of said Section 2  
120 to the Northwestern Corner of Baldwin County, Alabama Tax  
121 Parcel Number 05-33-01-11-0-000-001.000 and the Eastern  
122 Boundary of the current City of Loxley Corporate Limits;  
123 thence run Westwardly along and with the North Boundary of  
124 said Corporate Limits to the Southwest Corner of Baldwin  
125 County, Alabama Tax Parcel Number 05-33-01-02-0-000-014.000  
126 and the East Boundary of the current City of Loxley Corporate  
127 Limits; thence run Southwardly along and with the East  
128 Boundary of said Corporate Limits to the North Boundary of the  
129 Current City of Loxley Corporate Limits; thence run Westwardly  
130 along and with the North Boundary of the Current City of  
131 Loxley Corporate Limits to the East Boundary of said Corporate  
132 Limits; thence run Northwardly along and with the East  
133 Boundary of said Corporate Limits to the Southwest Corner of  
134 Baldwin County, Alabama Tax Parcel Number  
135 05-33-01-02-0-000-006.002; thence run Northwardly along and  
136 with the East Boundary of the current City of Loxley Corporate  
137 Limits to the Northwest Corner of Baldwin County, Alabama Tax  
138 Parcel Number 05-33-01-02-0-000-007.007 and the North Boundary  
139 of the current City of Loxley Corporate Limits; thence run  
140 Westwardly along and with the North Boundary of said Corporate



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141 Limits to the Southwest Corner of Baldwin County, Alabama Tax  
142 parcel Number 05-33-01-02-0-000-005.008 and the East Boundary  
143 of the current City of Loxley Corporate Limits; thence run  
144 Northwardly along and with the East Boundary of said Corporate  
145 Limits to the Northwest Corner of Baldwin County, Alabama Tax  
146 Parcel Number 05-33-01-02-0-000-004.000 and the North Boundary  
147 of the current City of Loxley Corporate Limits; thence run  
148 Westwardly along and with the North Boundary of said Corporate  
149 Limits to the Southwest Corner of Baldwin County, Alabama Tax  
150 Parcel Number 05-28-08-34-0-000-026.000 and the East Boundary  
151 of the current City of Loxley Corporate Limits; thence run  
152 Northwardly along and with the East Boundary of said Corporate  
153 Limits to the Southwest Corner of Baldwin County, Alabama Tax  
154 Parcel Number 05-28-08-34-0-000-004.003 and the North Boundary  
155 of the current City of Loxley Corporate Limits; thence run  
156 Westwardly along and with the North Boundary of said Corporate  
157 Limits to the Southwest Corner of Baldwin County, Alabama Tax  
158 Parcel Number 05-28-08-34-0-000-023.000 and the West Boundary  
159 of the current City of Loxley Corporate Limits; thence run  
160 Southwardly along and with the West Boundary of said Corporate  
161 Limits to the North Boundary of the current City of Loxley  
162 Corporate Limits and the Southeast Corner of Section 4,  
163 Township 4 South, Range 3 East to the Point of Beginning.

164 LESS AND EXCEPT therefrom any portion of the above  
165 described property which lies within the Corporate Limits of  
166 the City of Loxley, the City of Spanish Fort or the City of  
167 Bay Minette, Alabama.

168 (b) No property within the Stapleton Landmark District



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169 may be annexed into any municipality by local law.

170 (c) Subsection (b) shall not apply to any municipality  
171 incorporated after the ratification of this amendment which  
172 includes any part of the Stapleton Landmark District.

173 (d) The Stapleton Landmark District shall not be  
174 considered a legal entity and shall not have any of the  
175 following powers or authority:

176 (1) Standing to sue or be sued.

177 (2) Taxing authority.

178 (3) Zoning authority.

179 (4) Police power and public safety authority.

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

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

184 Upon ratification of this constitutional amendment, the  
185 Code Commissioner shall number and place this amendment as  
186 appropriate in the constitution omitting this instructional  
187 paragraph and may make the following nonsubstantive revisions:  
188 change capitalization, spelling, and punctuation for purposes  
189 of style and uniformity; correct manifest grammatical,  
190 clerical, and typographical errors; and correct incorrect  
191 cross-references.

192 Section 2. An election upon the proposed amendment  
193 shall be held in accordance with Sections 284 and 284.01 of  
194 the Constitution of Alabama of 2022, and the election laws of  
195 this state.

196 Section 3. The appropriate election official shall





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197 assign a ballot number for the proposed constitutional  
198 amendment on the election ballot and shall set forth the  
199 following description of the substance or subject matter of  
200 the proposed constitutional amendment:

201 "Relating to Baldwin County, proposing an amendment to  
202 the Constitution of Alabama of 2022, to define the Stapleton  
203 Landmark District within the county and to prohibit the  
204 annexation by local law of any property within the district  
205 into any municipality except under certain conditions.

206 Proposed by Act \_\_\_\_."

207 This description shall be followed by the following  
208 language:

209 "Yes ( ) No( )."