

HB239 INTRODUCED



1 BVTNJQ-1
2 By Representative Stringer (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 White House Fork 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 White House Fork 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 "White House Fork Landmark District" in Baldwin County is defined as follows:

Commence at the Southwest Corner of Section 7, Township 3 South, Range 3 East for a POINT OF BEGINNING: Thence run Northward along and with the West Boundary of said Section 7 and the East Boundary of the current City of Spanish Fort Corporate Limits to the Northwest Corner of Baldwin County, Alabama Tax Parcel Number 05-28-03-07-0-000-041.000; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-12-0-000-075.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-01-12-0-000-064.001; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Northeast Corner of Baldwin County, Alabama Tax Parcel Number 05-29-06-13-0-000-002.000; thence run Southwardly along and with the West Boundary of the current City of Spanish Fort Corporate Limits to the Southeast Corner of said Tax Parcel; thence run Westwardly along and with the North Boundary of said Corporate Limits to the Southwest corner of said Tax Parcel; thence run Northwardly along and with the East Boundary of said Corporate Limits to the Northwest Corner of said Tax Parcel; thence run Westwardly along with the North



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57 Boundary of the current City of Spanish Fort Corporate Limits
58 to the Southeast Corner of Baldwin County, Alabama Tax Parcel
59 Number 05-29-01-12-0-000-061.000; thence run Southwardly along
60 and with the West Boundary of the current City of Spanish Fort
61 Corporate Limits to the Southeast Corner of Baldwin County,
62 Alabama Tax Parcel Number 05-29-06-13-0-000-024.000; thence
63 run Westwardly along and with the North Boundary of the
64 current City of Spanish Fort Corporate Limits to the Southwest
65 Corner of Baldwin County, Alabama Tax Parcel Number
66 05-29-06-13-0-000-029.000; thence run Southwardly along and
67 with the West Boundary of the current City of Spanish Fort
68 Corporate Limits to the Southeast Corner of Baldwin County,
69 Alabama Tax Parcel Number 05-29-06-14-0-000-005.000 and the
70 Southeast Corner of Section 14, Township 3 South, Range 2
71 East; thence run Westwardly along and with the North Boundary
72 of the current City of Spanish Fort Corporate Limits to the
73 Southwest Corner said Tax Parcel; thence run Northwardly along
74 and with the East Boundary of said Corporate Limits to the
75 Northwest Corner of said Tax Parcel; thence run Westwardly
76 along and with the North Boundary of the current City of
77 Spanish Fort Corporate Limits to the Northwest Corner of
78 Baldwin County, Alabama Tax Parcel Number
79 05-29-06-14-0-000-004.000; thence run Southwardly along and
80 with the West Boundary of said Corporate Limits to the
81 Southwest Corner of said Tax Parcel; thence run Westwardly
82 along and with the North Boundary of the current City of
83 Spanish Fort Corporate Limits to the Southwest Corner of
84 Cypress Ridge Subdivision, Phase 1, as shown by map or plat



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85 thereof recorded on Slide File 2368-C, Probate Records,
86 Baldwin County, Alabama and the Southwest Corner of Section
87 14, Township 3 South, Range 2 East; thence run Southwardly
88 along and with the West Boundary of the current City of
89 Spanish Fort Corporate Limits to the Southeast Corner of
90 Baldwin County, Alabama Tax Parcel Number
91 05-29-05-22-0-000-002.007; thence run Westwardly along and
92 with the North Boundary of the current City of Spanish Fort
93 Corporate Limits to the Southeast Corner of Lot 10, Whitehouse
94 Creek Acres, as shown by map or plat thereof recorded on Slide
95 File 1262-B, Probate Records, Baldwin County, Alabama; thence
96 run Westwardly along and with the North Boundary of said
97 Corporate Limits to the Southwest Corner of Lot 9, of said
98 Whitehouse Creek Acres; thence run Northwardly along and with
99 the East Boundary of the current City of Spanish Fort
100 Corporate Limits to the Southern Margin of Whitehouse Fork
101 Road Ext. and the Northern Boundary of said Corporate Limits;
102 thence run Westwardly along and with the North Boundary of
103 said Corporate Limits and the South Margin of Whitehouse Fork
104 Road Ext. to the Northwest Corner of Lot 1, of said Whitehouse
105 Creek Acres; thence run Southwardly along and with the West
106 Boundary the current City of Spanish Fort Corporate Limits to
107 the Southeast Corner of Baldwin County, Alabama Tax Parcel
108 Number 05-29-05-22-0-000-008.000; thence run Westwardly along
109 and with North Boundary of said Corporate Limits to the
110 Southwest Corner of said Tax Parcel; thence run Northwardly
111 along and with the West Boundary of said Tax Parcel and
112 extension thereof to the North Margin Whitehouse Fork Road



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113 Ext.; thence run Northwestwardly along and with the North
114 Margin of said Road to the Southwest Corner of Baldwin County,
115 Alabama Tax Parcel Number 05-29-05-22-0-000-005.017; thence
116 run Northwardly along and with the West Boundary of said Tax
117 Parcel to the Northwest Corner of said Tax Parcel and the
118 Northwest Corner of Section 22, Township 3 South, Range 2
119 East; thence run Eastwardly to the Southwest Corner of
120 Baldwin, Alabama Tax Parcel Number 05-29-05-15-0-000-015.001
121 and the Southwest Corner of Section 15, Township 3 South,
122 Range 2 East; thence run Northwardly along and with the West
123 Boundary of said Tax Parcel to the Northwest Corner of Section
124 15, Township 3 South, Range 2 East; thence run Eastwardly
125 along the North Boundary of said Section 15 to the Southwest
126 Corner of Baldwin County, Alabama Tax Parcel Number
127 05-29-02-10-0-000-024.000; thence run Northeastwardly along
128 and with the West Boundary of said Tax Parcel to the Northwest
129 Corner of said Tax Parcel; thence run Eastwardly along and
130 with the North Boundary of said Tax Parcel to the Southwest
131 Corner of Baldwin County, Alabama Tax Parcel Number
132 05-29-02-10-0-000-002.000; thence run Northwardly along and
133 with the West Boundary of said Tax Parcel to the Northwest
134 Corner of said Tax Parcel; thence run Eastwardly along the
135 North Boundary of said Tax Parcel and extension thereof to the
136 Southeast Corner of Baldwin County, Alabama Tax Parcel Number
137 05-29-01-02-0-000-008.000; thence run Northwardly along and
138 with the East Boundary of said Tax Parcel to the Northwest
139 Corner of Baldwin County, Alabama Tax Parcel Number
140 05-29-01-02-0-000-014.002; thence run Eastwardly along and



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141 with the North Boundary of said Tax Parcel and extension
142 thereof to the Southeast Corner of Baldwin County, Alabama Tax
143 Parcel Number 05-29-01-02-0-000-013.000; thence run
144 Northwardly along and with the East Boundary of said Tax
145 Parcel and the extension thereof to the Southwest Corner of
146 Baldwin County, Alabama Tax Parcel Number
147 05-29-01-01-0-000-002.000; thence run Eastwardly along and
148 with the South Boundary of said Tax Parcel to the Southeast
149 Corner of said Tax Parcel; thence run Northwardly along and
150 with the East Boundary of said Tax Parcel and the extension
151 thereof to the lower Northwest Corner of Baldwin County,
152 Alabama Tax Parcel Number 05-22-08-36-0-000-029.000; thence
153 run Eastwardly and Northwardly along and with the Western
154 Boundary of said Tax Parcel to the upper Northwest Corner of
155 said Tax Parcel; thence run Eastwardly along and with the
156 North Boundary of said Tax Parcel to the Southeast Corner of
157 Baldwin County, Alabama Tax Parcel Number 05-22-08-36-0
158 -000-001.000; thence run Northwardly along and with the East
159 Boundary of said Tax Parcel and extension thereof to the
160 Northwest Corner of Baldwin County, Alabama Tax Parcel Number
161 05-23-09-30-0-000-034.000; thence run Eastwardly along and
162 with the North Boundary of said Tax Parcel to the Southeast
163 Corner of Baldwin County, Alabama Tax Parcel Number
164 05-23-09-30-0-000-015.000; thence run Northwardly along and
165 with the West Boundary of Baldwin County, Alabama Tax Parcel
166 Number 05-23-09-30-0-000-015.005 to the Northwest Corner of
167 said Tax Parcel; thence run Eastwardly along and with the
168 North Boundary of said Tax Parcel to the Southeast Corner of



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169 Baldwin County, Alabama Tax Parcel Number
170 05-23-09-30-0-000-015.002; thence run Northwardly along and
171 with the East Boundary of said Tax Parcel to the Northwest
172 Corner of Baldwin County, Alabama Tax Parcel Number
173 05-23-09-30-0-000-009.001; thence run Eastwardly along and
174 with the North Boundary of said Tax Parcel to the Southeast
175 Corner of Baldwin County, Alabama Tax Parcel Number
176 05-23-09-30-0-000-009.011; thence run Northwardly along and
177 with the East Boundary of said Tax Parcel to the Northwest
178 Corner of Baldwin County, Alabama Tax Parcel Number
179 05-23-09-30-0-000-009.000; thence run Westwardly along and
180 with the South Boundary of Baldwin County, Alabama Tax Parcel
181 Number 05-23-04-19-0-000-001.030 to the Southwest Corner of
182 said Tax Parcel; thence run Northwardly along and with the
183 West Boundary of said Tax Parcel to the Southern Margin of
184 Baldwin County Highway Number 138; thence run Eastwardly and
185 Northeastwardly along and with the Southern and Eastern
186 Margins of said County Highway to the Northeastern Margin of
187 Whitehouse Fork Road and the Northwestern Corner of Baldwin
188 County, Alabama Tax Parcel Number 05-23-04-20-0 -000-052.000;
189 thence run Southwardly along and with the West Boundary of
190 said Tax Parcel to the Northwest Corner of Baldwin County,
191 Alabama Tax Parcel Number 05-23-04-20-0-000-053.000; thence
192 run Eastwardly along and with the North Boundary of said Tax
193 Parcel to the Northwest Corner of Baldwin County, Alabama Tax
194 Parcel Number 05-23-04-20-0-000-051.016; thence run
195 Southwardly along and with the West Boundary of said Tax
196 Parcel to the Southeast Corner of Baldwin County Tax Parcel



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197 Number 05-23-04-20-0-000-055.000 and to the current City of
198 Bay Minette Corporate Limits; thence run Westwardly along and
199 with the South Boundary of said Tax Parcel and said Corporate
200 Limits to the Northwest Corner of Baldwin County, Alabama Tax
201 Parcel Number 05-23-04-20-0-000-051.022; thence run
202 Southwardly along and with the West Boundary of said Tax
203 Parcel and said Corporate Limits to the Northwest Corner of
204 Baldwin County, Alabama Tax Parcel Number
205 05-23-04-20-0-000-051.004; thence run Eastwardly, Southwardly,
206 and Eastwardly along and with the South Boundary of the
207 current City of Bay Minette Corporate Limits to the Northeast
208 Corner of Baldwin County, Alabama Tax Parcel Number
209 05-23-04-20 -0-000-051.019; thence run Southwardly and
210 Westwardly along and with the West Boundary of the current
211 City of Bay Minette Corporate Limits to the Northwest Corner
212 of Baldwin County, Alabama Tax Parcel Number
213 05-23-09-29-0-000-003.001; thence run Southwardly along and
214 with the said Corporate Limits to the Northwest Corner of
215 Baldwin County, Alabama Tax Parcel Number
216 05-23-09-29-0-000-002.001; thence run Southwardly along and
217 with the West Boundary of said Tax Parcel and extension
218 thereof to the Upper Northwest corner of Baldwin County,
219 Alabama Tax Parcel Number 05-23-09-32-0-000-005.001 and to the
220 current City of Spanish Fort Corporate Limits; thence run
221 Southwardly along and with the West Boundary of said Corporate
222 Limits to the Southeast Corner of Baldwin County, Alabama Tax
223 Parcel Number 05-23-09-32-0000-004.000; thence run Westwardly
224 along and with said Corporate Limits to the Lower Northwest



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225 Corner of Baldwin County, Alabama Tax Parcel Number
226 05-23-09-32-0-000-005.001; thence run Southwardly along and
227 with the West Boundary of the current City of Spanish Fort
228 Corporate Limits to the Northeast Corner of Baldwin County,
229 Alabama Tax Parcel Number 05-28-03-07-0-000-013.000; thence
230 run Westwardly along and with said Corporate Limits to the
231 Northwest Corner of said Tax Parcel; thence run Southwardly
232 along and with said Corporate Limits to the Southwest Corner
233 of said Tax Parcel; thence run Eastwardly along and with said
234 Corporate Limits to the Southeast Corner of said Tax Parcel;
235 thence run Southwardly along and with the West Boundary of the
236 current City of Spanish Fort Corporate Limits to the Northeast
237 Corner of Baldwin County, Alabama Tax Parcel Number
238 05-28-03-07-0-000-042.000; thence run Westwardly along and
239 with the North Boundary of said Corporate Limits to the
240 Northwest Corner of said Tax Parcel; thence run Southwardly
241 along and with the West Boundary of the current City of
242 Spanish Fort Corporate Limits to the Southeast Corner of
243 Baldwin County, Alabama Tax Parcel Number
244 05-28-03-07-0-000-041.000; thence run Westwardly along and
245 with the North Boundary of said Corporate Limits to the
246 Southwest Corner of Section 7, Township 3 South, Range 3 East
247 to the Point Of Beginning.

248 LESS AND EXCEPT therefrom any portion of the above
249 described property which lies within the Corporate Limits of
250 the City of Spanish Fort or the City of Bay Minette, Alabama.

251 (b) No property within the White House Fork Landmark
252 District may be annexed into any municipality by local law.



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253 (c) Subsection (b) shall not apply to any municipality
254 incorporated after the ratification of this amendment which
255 includes any part of the White House Fork Landmark District.

256 (d) The White House Fork Landmark District shall not be
257 considered a legal entity and shall not have any of the
258 following powers or authority:

259 (1) Standing to sue or be sued.

260 (2) Taxing authority.

261 (3) Zoning authority.

262 (4) Police power and public safety authority.

263 (5) Authority to adopt ordinances, rules, or
264 regulations within its boundaries.

265 (6) Any other authority or power commonly associated
266 with a legal entity.

267 Upon ratification of this constitutional amendment, the
268 Code Commissioner shall number and place this amendment as
269 appropriate in the constitution omitting this instructional
270 paragraph and may make the following nonsubstantive revisions:
271 change capitalization, spelling, and punctuation for purposes
272 of style and uniformity; correct manifest grammatical,
273 clerical, and typographical errors; and correct incorrect
274 cross-references.

275 Section 2. An election upon the proposed amendment
276 shall be held in accordance with Sections 284 and 284.01 of
277 the Constitution of Alabama of 2022, and the election laws of
278 this state.

279 Section 3. The appropriate election official shall
280 assign a ballot number for the proposed constitutional



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281 amendment on the election ballot and shall set forth the
282 following description of the substance or subject matter of
283 the proposed constitutional amendment:

284 "Relating to Baldwin County, proposing an amendment to
285 the Constitution of Alabama of 2022, to define the White House
286 Fork Landmark District within the county and to prohibit the
287 annexation by local law of any property within the district
288 into any municipality except under certain conditions.

289 Proposed by Act ____."

290 This description shall be followed by the following
291 language:

292 "Yes () No()."