

# HB306 INTRODUCED



1 HB306  
2 3Q56VZZ-1  
3 By Representative Givens (Constitutional Amendment)  
4 RFD: Baldwin County Legislation  
5 First Read: 07-Mar-24



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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

To 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:

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



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29 4 South, Range 3 East for a POINT OF BEGINNING: Thence run  
30 Westwardly along and with The South boundary of said Section 4  
31 and the North boundary of the current City of Loxley Corporate  
32 Limits to the Southwest Corner of Section 4, Township 4 South,  
33 Range 3 East and the Northwest Corner of Section 9, Township 4  
34 South, Range 3 East; thence run Southwardly along and with the  
35 West Boundary of said Section 9 and the West Boundary of the  
36 current City of Loxley Corporate Limits to the Southernmost  
37 Corner of Baldwin County, Alabama Tax Parcel Number  
38 05-33-03-05-0-000-003.004; thence run Northwesterly along and  
39 with the Western Boundary of said Tax Parcel to the South  
40 Boundary of Section 5, Township 4 South, Range 3 East; thence  
41 run Westwardly along and with the South Boundary of said  
42 Section 5 to the Western Margin of Alabama State Highway  
43 Number 59 and the Eastern Boundary of the current City of  
44 Loxley Corporate Limits; thence run Northwestwardly along and  
45 with the Western Margin of said Alabama State Highway Number  
46 59 and to the Eastern Boundary of said Corporate Limits to the  
47 North Boundary of the current City of Loxley Corporate Limits  
48 and to the Southeast Corner of Baldwin County, Alabama Tax  
49 Parcel Number 05-33-03-05-0-000-003.003; thence run Westwardly  
50 along and with said Corporate Limits to the Western Boundary  
51 of the current City of Loxley Corporate Limits and to the  
52 Eastern Margin of U.S. Highway Number 31 (A.K.A. Alabama State  
53 Highway Number 3) and to the Southwest Corner of Baldwin  
54 County, Alabama Tax Parcel Number 05-33-03-05-0-000-003.040;  
55 thence run Southwestwardly along an with the Eastern Margin of  
56 said Highway Number 31 and Highway Number 3 and the Western



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



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85 Baldwin County, Alabama Tax Parcel Number  
86 05-28-04-20-0-000-009.000; thence run Northwardly along and  
87 with said Corporate Limits East Boundary to the South Boundary  
88 of the current City of Spanish Fort Corporate Limits and the  
89 Northwest Corner of Baldwin County, Alabama Tax Parcel Number  
90 05-28-04-20-0-000-008.003; thence run Eastwardly along and  
91 with said Corporate Limits South Boundary to the Southwest  
92 Corner of Baldwin County, Alabama Tax Parcel Number  
93 05-28-04-17-0-000-002.000; thence run Eastwardly along and  
94 with the South Boundary of said Tax Parcel to the Southwest  
95 Corner of Stone Ridge Subdivision as shown by map or plat  
96 thereof recorded on Slide File 1965-A; thence continue  
97 Eastwardly along the South Boundary of Stone Ridge Subdivision  
98 to the Southeast Corner of said Subdivision and the Southwest  
99 Corner of Baldwin County, Alabama Tax Parcel Number  
100 05-28-04-17-0-000-005.000; thence continue Eastwardly along  
101 and with the South Boundary of said Tax Parcel to the  
102 Northeast Corner of Section 20, Township 3 South, Range 3 East  
103 and the Northwest Corner of Section 21, Township 3 South,  
104 Range 3 East; thence continue Eastwardly along and with the  
105 North Boundaries of Sections 21, 22, 23 and 24, Township 3  
106 South, Range 3 East to the Northeast Corner of Section 24,  
107 Township 3 South, Range 3 East; then run Southwardly along and  
108 with the East Boundaries of Sections 24, 25, 36, Township 3  
109 South, Range 3 East and Section 1, Township 4 South, Range 3  
110 East to the Southeast Corner of Section 1, Township 4 South,  
111 Range 3 East; thence run Westwardly along and with the South  
112 Boundary of said Section 1 to the Southwest Corner of Section



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113 1, Township 4 South, Range 3 East and the Southeast Corner of  
114 Section 2, Township 4 South, Rang 3 East; thence run  
115 Westwardly along and with the South Boundary of said Section 2  
116 to the Northwestern Corner of Baldwin County, Alabama Tax  
117 Parcel Number 05-33-01-11-0-000-001.000 and the Eastern  
118 Boundary of the current City of Loxley Corporate Limits;  
119 thence run Westwardly along and with the North Boundary of  
120 said Corporate Limits to the Southwest Corner of Baldwin  
121 County, Alabama Tax Parcel Number 05-33-01-02-0-000-014.000  
122 and the East Boundary of the current City of Loxley Corporate  
123 Limits; thence run Southwardly along and with the East  
124 Boundary of said Corporate Limits to the North Boundary of the  
125 Current City of Loxley Corporate Limits; thence run Westwardly  
126 along and with the North Boundary of the Current City of  
127 Loxley Corporate Limits to the East Boundary of said Corporate  
128 Limits; thence run Northwardly along and with the East  
129 Boundary of said Corporate Limits to the Southwest Corner of  
130 Baldwin County, Alabama Tax Parcel Number  
131 05-33-01-02-0-000-006.002; thence run Northwardly along and  
132 with the East Boundary of the current City of Loxley Corporate  
133 Limits to the Northwest Corner of Baldwin County, Alabama Tax  
134 Parcel Number 05-33-01-02-0-000-007.007 and the North Boundary  
135 of the current City of Loxley Corporate Limits; thence run  
136 Westwardly along and with the North Boundary of said Corporate  
137 Limits to the Southwest Corner of Baldwin County, Alabama Tax  
138 parcel Number 05-33-01-02-0-000-005.008 and the East Boundary  
139 of the current City of Loxley Corporate Limits; thence run  
140 Northwardly along and with the East Boundary of said Corporate



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

160 LESS AND EXCEPT therefrom any portion of the above  
161 described property which lies within the Corporate Limits of  
162 the City of Loxley, the City of Spanish Fort, or the City of  
163 Bay Minette, Alabama.

164 (b) No property within the Stapleton Landmark District  
165 may be annexed into any municipality by local law.

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



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169 (d) The Stapleton Landmark District shall not be  
170 considered a legal entity and shall not have any of the  
171 following powers of authority:

172 (1) Standing to sue or be sued.

173 (2) Taxing authority.

174 (3) Zoning authority.

175 (4) Police power and public safety authority.

176 (5) Authority to adopt ordinances, rules, or  
177 regulations within its boundaries.

178 (6) Any other authority or power commonly associated  
179 with a legal entity.

180 Upon ratification of this constitutional amendment, the  
181 Code Commissioner shall number and place this amendment as  
182 appropriate in the constitution omitting this instructional  
183 paragraph and may make the following nonsubstantive revisions:  
184 change capitalization, hierarchy, spelling, and punctuation  
185 for purposes of style and uniformity; correct manifest  
186 grammatical, clerical, and typographical errors; revise  
187 internal or external citations and cross-references; harmonize  
188 language; and translate effective dates.

189 END PROPOSED AMENDMENT

190 Section 2. An election upon the proposed amendment  
191 shall be held in accordance with Sections 284, 284.01, and 285  
192 of the Constitution of Alabama of 2022, and the election laws  
193 of this state. The appropriate election official shall assign  
194 a ballot number for the proposed constitutional amendment on  
195 the election ballot and shall set forth the following  
196 description of the substance or subject matter of the proposed





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197 constitutional amendment:

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

203 Proposed by Act \_\_\_\_."

204 This description shall be followed by the following  
205 language:

206 "Yes( ) No( )."

207 Section 3. The proposed amendment shall become valid as  
208 part of the Constitution of Alabama of 2022, when approved by  
209 a majority of the qualified electors voting thereon.