

1 HB132
2 216080-1
3 By Representatives Shiver, Baker and Faust (Constitutional
4 Amendment)
5 RFD: Baldwin County Legislation
6 First Read: 13-JAN-22

8 SYNOPSIS: This bill would propose a local
9 constitutional amendment relating to Baldwin County
10 to define the White House Fork Landmark District
11 within the county and to prohibit the annexation by
12 local law of any property within the district into
13 any municipality except under certain conditions.

15 A BILL
16 TO BE ENTITLED
17 AN ACT

19 Proposing an amendment to the Constitution of
20 Alabama of 1901, relating to Baldwin County, to define the
21 White House Fork Landmark District within the county and to
22 prohibit the annexation by local law of any property within
23 the district into any municipality except under certain
24 conditions.

25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

26 Section 1. The following amendment to the
27 Constitution of Alabama of 1901, is proposed and shall become

1 valid as a part of the Constitution when all requirements of
2 this act are fulfilled:

3 PROPOSED AMENDMENT

4 (a) For the purposes of this amendment, the "White
5 House Fork Landmark District" in Baldwin County is defined as
6 follows:

7 Commence at the Southwest Corner of Section 7,
8 Township 3 South, Range 3 East for a POINT OF BEGINNING:
9 Thence run Northward along and with the West Boundary of said
10 Section 7 and the East Boundary of the current City of Spanish
11 Fort Corporate Limits to the Northwest Corner of
12 Baldwin County, Alabama Tax Parcel Number
13 05-28-03-07-0-000-041.000; thence run Westwardly along and
14 with the North Boundary of said Corporate Limits to the
15 Northeast Corner of Baldwin County, Alabama Tax Parcel Number
16 05-29-01-12-0-000-075.000; thence run Southwardly along and
17 with the West Boundary of the current City of Spanish Fort
18 Corporate Limits to the Southeast Corner of Baldwin County,
19 Alabama Tax Parcel Number 05-29- 01-12-0-000-064.001; thence
20 run Westwardly along and with the North Boundary of said
21 Corporate Limits to the Northeast Corner of Baldwin County,
22 Alabama Tax Parcel Number 05-29-06-13-0-000-002.000; thence
23 run Southwardly along and with the West Boundary of the
24 current City of Spanish Fort Corporate Limits to the
25 Southeast Corner of said Tax Parcel; thence run Westwardly
26 along and with the North Boundary of said Corporate Limits to
27 the Southwest corner of said Tax Parcel; thence run

1 Northwardly along and with the East Boundary of said
2 Corporate Limits to the Northwest Corner of said Tax Parcel;
3 thence run Westwardly along with the North Boundary of the
4 current City of Spanish Fort Corporate Limits to the Southeast
5 Corner of Baldwin County, Alabama Tax Parcel Number
6 05-29-01-12-0-000-061.000; thence run Southwardly along and
7 with the West Boundary of the current City of Spanish Fort
8 Corporate Limits to the Southeast Corner of Baldwin County,
9 Alabama Tax Parcel Number 05-29-06-13-0-000-024.000; thence
10 run Westwardly along and with the North Boundary of the
11 current City of Spanish Fort Corporate Limits to the Southwest
12 Corner of Baldwin County, Alabama Tax Parcel Number
13 05-29-06-13-0-000-029.000; thence run Southwardly along and
14 with the West Boundary of the current City of Spanish Fort
15 Corporate Limits to the Southeast Corner of Baldwin County,
16 Alabama Tax Parcel Number 05-29-06-14-0-000-005.000 and the
17 Southeast Corner of Section 14, Township 3 South, Range 2
18 East; thence run Westwardly along and with the North Boundary
19 of the current City of Spanish Fort Corporate Limits to the
20 Southwest Corner said Tax Parcel; thence run Northwardly along
21 and with the East Boundary of said Corporate Limits to the
22 Northwest Corner of said Tax Parcel; thence run Westwardly
23 along and with the North Boundary of the current City of
24 Spanish Fort Corporate Limits to the Northwest Corner of
25 Baldwin County, Alabama Tax Parcel Number
26 05-29-06-14-0-000-004.000; thence run Southwardly along and
27 with the West Boundary of said Corporate Limits to the

1 Southwest Corner of said Tax Parcel; thence run Westwardly
2 along and with the North Boundary of the current City of
3 Spanish Fort Corporate Limits to the Southwest Corner of
4 Cypress Ridge Subdivision, Phase 1, as shown by map or plat
5 thereof recorded on Slide File 2368-C, Probate Records,
6 Baldwin County, Alabama and the Southwest Corner of Section
7 14, Township 3 South, Range 2 East; thence run Southwardly
8 along and with the West Boundary of the current City of
9 Spanish Fort Corporate Limits to the Southeast Corner of
10 Baldwin County, Alabama Tax Parcel Number
11 05-29-05-22-0-000-002.007; thence run Westwardly along and
12 with the North Boundary of the current City of Spanish Fort
13 Corporate Limits to the Southeast Corner of Lot 10, Whitehouse
14 Creek Acres, as shown by map or plat thereof recorded on Slide
15 File 1262-B, Probate Records, Baldwin County, Alabama; thence
16 run Westwardly along and with the North Boundary of said
17 Corporate Limits to the Southwest Corner of Lot 9, of said
18 Whitehouse Creek Acres; thence run Northwardly along and with
19 the East Boundary of the current City of Spanish Fort
20 Corporate Limits to the Southern Margin of Whitehouse Fork
21 Road Ext. and the Northern Boundary of said Corporate Limits;
22 thence run Westwardly along and with the North Boundary of
23 said Corporate Limits and the South Margin of Whitehouse Fork
24 Road Ext. to the Northwest Corner of Lot 1, of said Whitehouse
25 Creek Acres; thence run Southwardly along and with the West
26 Boundary the current City of Spanish Fort Corporate Limits to
27 the Southeast Corner of Baldwin County, Alabama Tax Parcel

1 Number 05-29-05-22-0-000-008.000; thence run Westwardly along
2 and with North Boundary of said Corporate Limits to the
3 Southwest Corner of said Tax Parcel; thence run Northwardly
4 along and with the West Boundary of said Tax Parcel and
5 extension thereof to the North Margin Whitehouse Fork Road
6 Ext.; thence run Northwestwardly along and with the North
7 Margin of said Road to the Southwest Corner of Baldwin County,
8 Alabama Tax Parcel Number 05-29-05-22-0-000-005.017; thence
9 run Northwardly along and with the West Boundary of said Tax
10 Parcel to the Northwest Corner of said Tax Parcel and the
11 Northwest Corner of Section 22, Township 3 South, Range 2
12 East; thence run Eastwardly to the Southwest Corner of
13 Baldwin, Alabama Tax Parcel Number 05-29-05-15-0-000-015.001
14 and the Southwest Corner of Section 15, Township 3 South,
15 Range 2 East; thence run Northwardly along and with the West
16 Boundary of said Tax Parcel to the Northwest Corner of Section
17 15, Township 3 South, Range 2 East; thence run Eastwardly
18 along the North Boundary of said Section 15 to the Southwest
19 Corner of Baldwin County, Alabama Tax Parcel Number
20 05-29-02-10-0-000-024.000; thence run Northeastwardly along
21 and with the West Boundary of said Tax Parcel to the Northwest
22 Corner of said Tax Parcel; thence run Eastwardly along and
23 with the North Boundary of said Tax Parcel to the Southwest
24 Corner of Baldwin County, Alabama Tax Parcel Number
25 05-29-02-10-0-000-002.000; thence run Northwardly along and
26 with the West Boundary of said Tax Parcel to the Northwest
27 Corner of said Tax Parcel; thence run Eastwardly along the

1 North Boundary of said Tax Parcel and extension thereof to the
2 Southeast Corner of Baldwin County, Alabama Tax Parcel Number
3 05-29-01-02-0-000-008.000; thence run Northwardly along and
4 with the East Boundary of said Tax Parcel to the Northwest
5 Corner of Baldwin County, Alabama Tax Parcel Number
6 05-29-01-02-0-000-014.002; thence run Eastwardly along and
7 with the North Boundary of said Tax Parcel and extension
8 thereof to the Southeast Corner of Baldwin County, Alabama Tax
9 Parcel Number 05-29-01-02-0-000-013.000; thence run
10 Northwardly along and with the East Boundary of said Tax
11 Parcel and the extension thereof to the Southwest Corner of
12 Baldwin County, Alabama Tax Parcel Number
13 05-29-01-01-0-000-002.000; thence run Eastwardly along and
14 with the South Boundary of said Tax Parcel to the Southeast
15 Corner of said Tax Parcel; thence run Northwardly along and
16 with the East Boundary of said Tax Parcel and the extension
17 thereof to the lower Northwest Corner of Baldwin County,
18 Alabama Tax Parcel Number 05-22-08-36-0-000- 029.000; thence
19 run Eastwardly and Northwardly along and with the Western
20 Boundary of said Tax Parcel to the upper Northwest Corner of
21 said Tax Parcel; thence run Eastwardly along and with the
22 North Boundary of said Tax Parcel to the Southeast Corner of
23 Baldwin County, Alabama Tax Parcel Number
24 05-22-08-36-0-000-001.000; thence run Northwardly along and
25 with the East Boundary of said Tax Parcel and extension
26 thereof to the Northwest Corner of Baldwin County, Alabama Tax
27 Parcel Number 05-23-09-30-0-000-034.000; thence run Eastwardly

1 along and with the North Boundary of said Tax Parcel to the
2 Southeast Corner of Baldwin County, Alabama Tax Parcel Number
3 05-23-09-30-0-000-015.000; thence run Northwardly along and
4 with the West Boundary of Baldwin County, Alabama Tax Parcel
5 Number 05-23-09-30-0-000-015.005 to the Northwest Corner of
6 said Tax Parcel; thence run Eastwardly along and with the
7 North Boundary of said Tax Parcel to the Southeast Corner of
8 Baldwin County, Alabama Tax Parcel Number
9 05-23-09-30-0-000-015.002; thence run Northwardly along and
10 with the East Boundary of said Tax Parcel to the Northwest
11 Corner of Baldwin County, Alabama Tax Parcel Number
12 05-23-09-30-0-000-009.001; thence run Eastwardly along and
13 with the North Boundary of said Tax Parcel to the Southeast
14 Corner of Baldwin County, Alabama Tax Parcel Number
15 05-23-09-30-0-000-009.011; thence run Northwardly along and
16 with the East Boundary of said Tax Parcel to the Northwest
17 Corner of Baldwin County, Alabama Tax Parcel Number
18 05-23-09-30-0-000-009.000; thence run Westwardly along and
19 with the South Boundary of Baldwin County, Alabama Tax Parcel
20 Number 05-23-04-19-0-000-001.030 to the Southwest Corner of
21 said Tax Parcel; thence run Northwardly along and with the
22 West Boundary of said Tax Parcel to the Southern Margin of
23 Baldwin County Highway Number 138; thence run Eastwardly and
24 Northeastwardly along and with the Southern and Eastern
25 Margins of said County Highway to the Northeastern Margin of
26 Whitehouse Fork Road and the Northwestern Corner of Baldwin
27 County, Alabama Tax Parcel Number 05-23-04-20-0-000-052.000;

1 thence run Southwardly along and with the West Boundary of
2 said Tax Parcel to the Northwest Corner of Baldwin County,
3 Alabama Tax Parcel Number 05-23- 04-20-0-000-053.000; thence
4 run Eastwardly along and with the North Boundary of said Tax
5 Parcel to the Northwest Corner of Baldwin County, Alabama Tax
6 Parcel Number 05-23-04-20-0-000-051.016; thence run
7 Southwardly along and with the West Boundary of said Tax
8 Parcel to the Southeast Corner of Baldwin County Tax Parcel
9 Number 05-23-04-20-0-000-055.000 and to the current City of
10 Bay Minette Corporate Limits; thence run Westwardly along and
11 with the South Boundary of said Tax Parcel and said Corporate
12 Limits to the Northwest Corner of Baldwin County, Alabama Tax
13 Parcel Number 05-23-04-20-0-000-051.022; thence run
14 Southwardly along and with the West Boundary of said Tax
15 Parcel and said Corporate Limits to the Northwest Corner of
16 Baldwin County, Alabama Tax Parcel Number
17 05-23-04-20-0-000-051.004; thence run Eastwardly, Southwardly,
18 and Eastwardly along and with the South Boundary of the
19 current City of Bay Minette Corporate Limits to the Northeast
20 Corner of Baldwin County, Alabama Tax Parcel Number
21 05-23-04-20-0-000-051.019; thence run Southwardly and
22 Westwardly along and with the West Boundary of the current
23 City of Bay Minette Corporate Limits to the Northwest Corner
24 of Baldwin County, Alabama Tax Parcel Number
25 05-23-09-29-0-000-003.001; thence run Southwardly along and
26 with the said Corporate Limits to the Northwest Corner of
27 Baldwin County, Alabama Tax Parcel Number

1 05-23-09-29-0-000-002.001; thence run Southwardly along and
2 with the West Boundary of said Tax Parcel and extension
3 thereof to the Upper Northwest corner of Baldwin County,
4 Alabama Tax Parcel Number 05-23-09-32-0-000-005.001 and to the
5 current City of Spanish Fort Corporate Limits; thence run
6 Southwardly along and with the West Boundary of said Corporate
7 Limits to the Southeast Corner of Baldwin County, Alabama Tax
8 Parcel Number 05-23-09-32-0000-004.000; thence run Westwardly
9 along and with said Corporate Limits to the Lower Northwest
10 Corner of Baldwin County, Alabama Tax Parcel Number
11 05-23-09-32-0-000-005.001; thence run Southwardly along and
12 with the West Boundary of the current City of Spanish Fort
13 Corporate Limits to the Northeast Corner of Baldwin County,
14 Alabama Tax Parcel Number 05-28-03-07-0-000-013.000; thence
15 run Westwardly along and with said Corporate Limits to the
16 Northwest Corner of said Tax Parcel; thence run Southwardly
17 along and with said Corporate Limits to the Southwest Corner
18 of said Tax Parcel; thence run Eastwardly along and with said
19 Corporate Limits to the Southeast Corner of said Tax Parcel;
20 thence run Southwardly along and with the West Boundary of the
21 current City of Spanish Fort Corporate Limits to the Northeast
22 Corner of Baldwin County, Alabama Tax Parcel Number
23 05-28-03-07-0-000-042.000; thence run Westwardly along and
24 with the North Boundary of said Corporate Limits to the
25 Northwest Corner of said Tax Parcel; thence run Southwardly
26 along and with the West Boundary of the current City of
27 Spanish Fort Corporate Limits to the Southeast Corner of

1 Baldwin County, Alabama Tax Parcel Number
2 05-28-03-07-0-000-041.000; thence run Westwardly along and
3 with the North Boundary of said Corporate Limits to the
4 Southwest Corner of Section 7, Township 3 South, Range 3 East
5 to the Point Of Beginning.

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

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

11 (c) Subsection (b) shall not apply to any
12 municipality incorporated after the ratification of this
13 amendment which includes any part of the White House Fork
14 Landmark District.

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

18 (1) Standing to sue or be sued.

19 (2) Taxing authority.

20 (3) Zoning authority.

21 (4) Police power and public safety authority.

22 (5) Authority to adopt ordinances, rules, or
23 regulations within its boundaries.

24 (6) Any other authority or power commonly associated
25 with a legal entity.

26 (e) Upon ratification of this constitutional
27 amendment and contingent upon the ratification of the

1 Constitution of Alabama of 2022, the Code Commissioner shall
2 number and place this amendment as appropriate in the
3 constitution based upon a logical sequence and the particular
4 subject or topic of the amendment. In this amendment, the Code
5 Commissioner may change capitalization, spelling, and
6 punctuation for the purpose of style and uniformity; correct
7 manifest grammatical, clerical, and typographical errors; and
8 correct incorrect cross-references. The Code Commissioner,
9 during publication, may also omit this instructional
10 paragraph.

11 Section 2. An election upon the proposed amendment
12 shall be held at the general election in November 2022 in
13 accordance with Section 284.01 of the Constitution of Alabama
14 of 1901, now appearing as Section 284.01 of the Official
15 Recompilation of the Constitution of Alabama of 1901, as
16 amended, and the election laws of this state.

17 Section 3. The appropriate election official shall
18 assign a ballot number for the proposed constitutional
19 amendment on the election ballot and shall set forth the
20 following description of the substance or subject matter of
21 the proposed constitutional amendment:

22 "Relating to Baldwin County, proposing an amendment
23 to the Constitution of Alabama of 1901, to define the White
24 House Fork Landmark District within the county and to prohibit
25 the annexation by local law of any property within the
26 district into any municipality except under certain
27 conditions.

1 "Proposed by Act _____."

2 This description shall be followed by the following

3 language:

4 "Yes () No ()."