

AGENDA
NORTHPORT PLANNING AND ZONING COMMISSION
TUESDAY, AUGUST 8, 2023

1. CALL TO ORDER & INVOCATION -CHAIRMAN
2. ROLL CALL & ESTABLISHMENT OF A QUORUM - SECRETARY
3. INVOCATION & MEETING PROCEDURES
4. APPROVAL OF AGENDA
5. APPROVAL OF MINUTES
 - A. July 18, 2023
6. VERIFICATION OF NO CONFLICT OF INTEREST & DISCLOSURE OF EX PARTE COMMUNICATION - COMMISSION MEMBERS
7. VERIFICATION OF PROPER NOTIFICATION - SECRETARY
8. INFORMATION AT END OF AGENDA
9. OLD BUSINESS
 - A. S-11-23 The Residences at Moore's Bridge Pointe - Morgantown Development Company, Inc. requests preliminary plat approval for approximately 1.13 acres located west of US Highway 43 and south of Applewood Drive.
10. NEW BUSINESS
 - A. SP-6-23 The Residences at Moore's Bridge Pointe - Morgantown Development Company, Inc. requests Conditional Use/Master Development Plan approval of a performance residential development located west of US Highway 43 and south of Applewood Drive.
 - B. A-6-23 William Rice - William Rice requests annexation of approximately 0.74 acres located at 2015 Mitt Lary Road with original zoning of RS-1 (Single - Family Residential).
 - C. A-7-23 Tyler & Caroline Oswalt - Tyler & Caroline Oswalt requests annexation of approximately 5.20 acres located at 2121 Mitt Lary Road with original zoning of RS-1 (Single - Family Residential).
 - D. R-10-23 Northcreek Properties, LLC - Northcreek Properties, LLC requests rezoning from C-3 (General Commercial) to RS-3 (Single -

Family Residential) of approximately 1.91 acres located at the east dead end of Northcreek Boulevard. CONTINUED UNTIL SEPTEMBER

- E. R-11-23 Sullivan Properties, LLC - Sullivan Properties, LLC requests rezoning from RS-1 (Single - Family Residential) to RS-3 (Single - Family Residential) of approximately 14.17 acres located at the east dead end of Northcreek Boulevard. CONTINUED UNTIL SEPTEMBER
- F. R-12-23 Sullivan Properties, LLC - Sullivan Properties, LLC requests rezoning from RS-1 (Single - Family Residential) to RS-4 (Single - Family Residential) of approximately 55.28 acres located at the east dead end of Northcreek Boulevard. CONTINUED UNTIL SEPTEMBER
- G. S-14-23 RSVY of Lots 1 - 3, Block E of Crestmont Subdivision - Magdalena Diego Juan requests preliminary plat approval of approximately 2.97 acres located 3120 32nd Street.
- H. SP-23-8 TBG Canetuck - TBG Canetuck requests approval of an Access Easement for property located south of Clearlake Street and east of Northwood Lake Drive East.

11. DISCUSSION

12. CITIZEN COMMUNICATIONS

13. ADJOURNMENT

Northport Planning and Zoning Commission Meeting Procedures

- I. The Chairman calls for the next agenda item.
- II. Staff provides a summary of the case and answers any questions from the Commission.
- III. The applicant or petitioner presents his or her request and provides information in support of the application and answers any questions from the Commission.
- IV. If a public hearing is needed, the Chairman will ask for anyone present who would like to provide input regarding the request.
- V. The Commission members may discuss details and issues raised, and may ask questions of the applicant, city staff, or other parties.
- VI. The Chairman will call for a motion to be read and a second, and the Chairman may ask if further discussion by the Commission is needed.
 - i. Motions for a vote and second will be made for each item in a positive fashion. The purpose of which is to allow the Commission to vote on a motion. Members making the motion or second are not obligated to vote in the affirmative for said motion.
 - ii. Waivers may be added to the motion for approval of a preliminary plat if listed verbally in the motion. If it is requested by any member of the Commission, the waivers shall be voted on individually or in a group prior to the vote on the preliminary plat.
- VII. The Chairman will call for a roll call vote.

**OFFICIAL MINUTES
NORTHPORT PLANNING AND ZONING COMMISSION
REGULAR MEETING
TUESDAY, JULY 18, 2023**

The Planning and Zoning Commission met in a regular session at 6:00 p.m. on Tuesday, July 18, 2023, in the Council Chambers at Northport City Hall.

The meeting was called to order by Chairman Kevin Turner. Upon roll call the following members were found to be present: Mrs. Jennifer Hayes, Mr. David Kemp, Mrs. Tracey Kelly, Mr. Roland Lewis, Mr. Kevin Turner, Mr. Jason Ward, and Mr. Karl Wiggins. Absent and failed to vote were Mr. Ernest O'Rourke and Mr. Clay Randolph. Staff present were Mrs. Julie Ramm, Planning Director, Shaun Patten, Zoning Administrator, Meredith Mullins, Planner, Morgan Williams, Administrative Assistant, and Brad Matthews, Assistant City Engineer.

Chairman Kevin Turner introduced the board members and staff members to the public.

Approval of Agenda – Motion by Mr. Turner to approve the July 18, 2023, agenda. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Turner - Yes; Mr. Kemp – Yes; Mrs. Hayes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Ward – Yes; and Mr. Wiggins – Yes. **Motion Carried.**

Approval of the Minutes – Motion by Mr. Wiggins to approve the June 13, 2023. **Second by Mr. Lewis.** Roll call vote was as follows: Mr. Wiggins – Yes; Mr. Lewis – Yes; Mrs. Hayes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; Mr. Turner – Yes; and Mr. Ward - Yes. **Motion Carried.**

Verification of No Conflict of Interest & Disclosure of Ex Parte Communication - None

Verification of Proper Notification – Mrs. Ramm confirmed proper notification was given. She stated that state law requires that notification to be sent out 5 days in advance and the notifications to the adjoining property owners were sent out 13 days in advance on July 6, 2023.

Information on Back of Agenda – Chairman Kevin Turner explained the meeting procedures on the back of the agenda.

OLD BUSINESS

- a. **S-10-23 The Townes at North Lake** – Courtstone, LLC requests Preliminary Plat approval of approximately 183 acres located east of Highway 69 and north of Hamnertown Road.

Mrs. Julie Ramm stated Courtstone, LLC requests preliminary plat approval for the Townes at North Lake located east of Highway 69 and north of Hamnertown Road. The plat consists of 30 lots. The total acreage of the property owned by Courtstone, LLC is approximately 183 acres, and they are requesting the following waivers: Master Plan, Minimum Front Setbacks, Cul-de-sac Length, Half- Street improvements and stub street. She stated the subdivision regulations requires a master plan for any developer presenting a preliminary plat who owns, leases, or has options to purchase 20 or more acres of additional contiguous property. Mrs. Ramm stated that the developer owns approximately 183 acres but is currently submitting a preliminary plat for 13 acres. Mrs. Ramm stated a master plan was submitted in May and July of 2022. However, the applicant withdrew both plans prior to the Commission meeting. She states a proposed master plan should show the

tentative layout for future development of the entire property and is intended to guide the Commission and the City in coordinating the phased development of large pieces of property. She stated if this waiver is to be granted, it would make it very difficult for the city to plan for a potential development of this size.

Mr. Turner stated that the commission should hear the Master Plan waiver before moving forward on the vote for preliminary plat approval. He stated this development would be done in phases with unknown future development, with an unknown number of lots and unknown infrastructure.

Mr. Ramm stated this was correct, this does not give staff the proper guide of the unknown plan for utilities, post office box cluster units, open space, all things that you would see in a Master Plan.

Mr. Wiggins asked if the commission would approve the waivers together with the preliminary plat case or vote separately. Mr. Turner stated that his thought would be we start with the Master Plan waiver and move from there.

Mr. Turner asked engineering to give more detail on the impact of not having a master plan for this development. Mr. Matthews stated it was important to know the number of lots for water and sewer. He stated that the layout of the lots would affect a lot. Mr. Matthews stated it is important for knowing of the size lines that will be needed for water and sewer for this development and for the infrastructure, elevation, and traffic impact study.

Jason Walker with TTL, LLC, 3516 Greensboro Avenue Tuscaloosa, AL, stated he was unaware of the master plan not being approved before the commission prior. Mr. Walker agreed with the commission that the master plan for this development is necessary and now is aware of the sewer study that has taken place. He stated that the developer proposed to the State the Highway 69 entrance. He stated last year the city stated that the sewer study would need to be done for this development. Mr. Walker stated that the study revealed that the capacity would hold up to 42 lots and they are currently proposing 30 lots. He stated this development and future development that they are wishing to bring to the commission in phases will mimic The Townes at Northriver, located in Tuscaloosa. Mr. Walker stated they do not know how to proceed on presenting a master plan due to the sewer capacity. He stated that if there is not enough sewer capacity for the lots, they will not be developed.

Mr. Turner stated that the master plan is essential and not knowing the future development is an issue.

Mr. Wiggins stated he has heard concerns from the County Commission on there being a single access to a county road and that there is no traffic study. He stated one will need to be done to ensure that the roadway will not have to undergo additional improvements.

Mr. Walker stated he agreed on the traffic study, and they are proposing to dedicate additional right-of-way for Hamnertown Road.

Chairman Turner opened the public hearing.

Carole Byars, 925 Hamnertown Road, stated she live on Hamnertown Road, and that traffic is already an issue especially turning on Hamnertown Road from Highway 69. She stated that she is also concerned on the overall development, traffic and roads, and drainage issues for this development.

Josh Bell, 201 Francis Bell Road, stated he is interested in seeing a master plan for this development for his concerns of the overall development, setbacks for lots, runoff, and the intersection of Hamnertown Road and

Bell Drive. He stated he was told that the Hamnertown Road and Bell Drive entrance would only be a service road previously and the new plans show that Bell Drive will connect to Hamnertown Road. Mr. Bell stated he is also concerned about the runoff that was to be directed to run through the site of development that this might be an issue for during heavy rains and will add to issues at Two Mile Creek.

With no one else to appear to speak on this matter, Chairman Turner closed the public hearing.

Mr. Walker addressed the public's concerns. He stated the runoff would be presented to the City and would go through approval. Mr. Walker stated that the request for setbacks was to accommodate driveways and side facing garages. He stated that a traffic study cannot be done until a whole plan is completed but was unsure of how to present a whole plan due to the infrastructure issue.

Mr. Ward asked engineering what the status of the infrastructure on this development. Mr. Matthews states the downstream of this is that the city completed a study last year downstream of this location. He stated that the study results show improvements will need to be made downstream. He stated this is a three-phase project, the third portion of this project phase is something that would affect this area.

Mr. Turner stated they should pull this specific waiver out and vote on it separately due to the preliminary plat being hinged on this one waiver.

Motion by Mr. Turner to approve the waiver for Master Plan for the Townes at North Lake. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Turner – No; Mr. Kemp – No; Mrs. Hayes – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Wiggins – No; and Mr. Ward – Yes. **Motion Failed.**

Motion by Mr. Turner to approve the preliminary plat for approximately 183 acres located east of Highway 69 and north of Hamnertown Road. **Second by Mr. Kemp.** Roll call vote as follows: Mr. Turner – No; Mr. Kemp – No; Mrs. Hayes – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Wiggins – No; and Mr. Ward – Yes. **Motion Failed.**

NEW BUSINESS

- a. **SP-4-23 Geo's Automotive** – Jonathan Ray requests Conditional Use approval to allow vehicle sales and to allow an automotive service station in a C-3 (General Commercial) zone for a business located at 3811 33rd Street.

Mrs. Julie Ramm stated Geo's Automotive is requesting Conditional Use approval to allow vehicle sales and to allow an automotive service station in a C-3 (General Commercial) zone for a business located at 3811 33rd Street. She stated the property adjacent to the north and west are zoned C-6 (Highway Commercial) and the properties to the south and east are zoned RM-2 (Residential Multi-family). Mrs. Ramm stated that since the property to the north of this site would be operated as part of the same business, the Commission could consider adding a condition that requires safe access between the properties to be approved by the City Engineer.

Mr. Turner asked the staff if this meets conditional use requirements. Mrs. Ramm stated yes.

Mr. JC Wilhite with Duncan Coker Associates, 302 Merchants Walk # 250 Tuscaloosa, AL, stated that the conditional use the petitioner has requested is for vehicle sales and automotive sales in a C-3 zone. He stated that they agree with the staff's recommendation on safe access for this property.

Mr. Turner asked is this would be compliant. Mrs. Ramm stated yes. Mr. Turner asked is there any issues with the safe access. Mrs. Ramm stated no.

Mr. Wiggins asked if the two parking lots would be connected. Mr. Wilhite stated they would be connected by sidewalk but would remain two separate parking lots.

Mr. Turner asked if this would have to appear back before the commission if they were to connect the parking lots. Mrs. Ramm stated it would have to.

Mr. Kemp asked the zoning for down 33rd Street. Mrs. Ramm clarified that the zoning was RM-2 (Residential Multi-family).

Chairman Turner opened the public hearing.

With no one appearing to speak on this matter, Chairman Turner closed the public hearing.

Motion by Mr. Turner to make a favorable recommendation to City Council on the Conditional Use for vehicle sales and to allow an automotive service station in a C-3 (General Commercial) zone with the condition of a safe access to be approved by City Engineer for the business located at 3811 33rd Street. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Kemp – Yes; Mrs. Hayes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Ward – Yes; and Mr. Wiggins - Yes. **Motion Carried.**

b. SP- 5-23 Linda Short – Linda Short request special use approval to allow the placement of a mobile home residence located north of Charlie Shirley Road and east of Tom Taylor Road.

Mrs. Julie Ramm stated Linda Short has requested permission to place a manufactured home as an in-fill dwelling at a parcel located north of Charlie Shirley Road and east of Tom Taylor Road. She stated the property is zoned RS-1 (Single Family Residential). Mrs. Ramm stated the zoning ordinance requires the combined value of the manufactured home and property to be valued at 90 % or greater that the average appraised value of all adjoining properties. She stated per tax records the average is \$116,166.67 and based off the appraisal report and mortgage statement submitted by Mrs. Short values the land and manufactured home at \$110,785.21 which complies with the zoning ordinance.

Mr. Turner asked if there were other manufactured homes in this area. Mrs. Ramm stated yes there are some adjacent and down Tom Taylor Road.

Mrs. Linda Short, 3602 32nd Street Tuscaloosa, AL, stated that this is family land that she is wishing to move and hopes that her property will encourage surrounding neighbors to bring their property up to scale.

Chairman Turner open the floor for public comment.

With no one to appear to speak on this matter, Chairman Turner closed the public hearing.

Motion by Mr. Wiggins to approve the Special Use request to allow the placement of a mobile home residence located north of Charlie Shirley Road and east of Tom Taylor Road. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Wiggins- Yes; Mr. Kemp – Yes; Mrs. Hayes – Yes; Mrs. Kelly – Yes; Mr. Lewis – Yes; Mr. Turner – Yes; and Mr. Ward - Yes. **Motion Carried.**

- c. **S-11-23 The Residences at Moore's Bridge Pointe** – Morgantown Development Company, Inc requests Preliminary Plat approval for approximately 1.13 acres located west of US Highway 43 and south of Applewood Drive. **CONTINUED UNTIL AUGUST.**

No vote needed.

- d. **A-5-23 Thompson Family Limited** – Thompson Family Limited requests annexation of approximately 30.1 acres located north of Owen Parkway and east of US Highway 43, with the original zoning designation of RS-4 (Single Family Residential).
- e. **R-9-23 Thompson Family Limited** – Thompson Family Limited requests rezoning of approximately 3.33 acres located north of Owen Parkway and east of US Highway 43 from C-3 (General Commercial) to RS-4 (Single Family Residential).

Mrs. Julie Ramm stated that Thompson Family Limited has two items on the agenda that are a part of one development. She stated the petitioner has requested annexation of approximately 30.1 acres located north of Owen Parkway and east of US Highway 43, with the original zoning designation of RS-4 (Single Family Residential). She stated this property does meet annexation requirements. Mrs. Ramm stated the petitioner has also requested rezoning of approximately 3.33 acres that is currently zoned C-3 (General Commercial) to RS-4 (Single Family Residential). She stated that the adjoining property to the south is zoned C-3 and the property to the north and east is currently the case being petitioned for annexation with the zoning designation of RS-4. Mrs. Ramm stated the commission can hear the cases together but will need to vote separately.

Mr. Ward asked if we would have a survey of this property. Mrs. Ramm stated we have a legal description of this property.

Tom Sims with Longleaf Engineering, 432 65th Street, Ste. A Tuscaloosa, AL, stated the petitioner is requesting the annexation and rezoning. He stated this request is to continue a phase that would tie into Magnolia Hill subdivision to the west. Mr. Sims stated a couple of years ago the zoning classifications were changed. He also stated they are not proposing any lot changes with the future development.

Mr. Turner asked about the rezoning bordering the RS-1 and going directly going into the high density and if a preliminary plat had been submitted. Mr. Sims stated they will be providing a preliminary plat in the future based off the request being heard tonight.

Mr. Turner asked Mrs. Ramm if the zoning that Mr. Sims is talking about in this Magnolia Hills development could it carry over into this development. Mrs. Ramm stated that this was discussed with our staff and the Longleaf staff, and they have chosen RS-4.

Chairman Turner open the floor for public comment.

Chris Poling, 5109 Oak Way, asked based off previous discussion regarding anything over a certain acreage would require a master plan. Mr. Poling stated he was under the impression that a future RS-1 development was intended for this area. He stated that going from RS-1 to RS-4 seem to be extreme. He asked about the access to the neighborhood and that they were told this would be a future development of RS-1, not RS-4. He also stated he had concerns on the traffic.

Jamie Dykes, 4015 Frontier Street, stated many residences in her district have reached out to her regarding opposition to this development. She stated concerns of the high and low density and asked that more planning be done before approving this case.

With no one to appear to speak on this matter, Chairman Turner closed the public hearing.

Mr. Sims addressed the comments from the public and stated that a study for traffic is being done and that all issues with the development will be covered in a preliminary plat.

Mr. Ward stated that to get to a point on studies we must go through an approval process on this annexation and rezoning of this development.

Mr. Turner stated there would be RS-1 adjoining RS-4 zone and how do we guarantee this is what will happen. He stated we cannot put conditions on a rezoning case.

Motion by Mr. Turner to make a favorable recommendation to the City Council to annex approximately 30.1 acres located north of Owen Parkway and east of US Highway 43, with the original zoning designation of RS-4 (Single Family Residential). **Second by Mr. Ward** Roll call vote was as follows: Mr. Turner – No; Mr. Ward – Yes; Mrs. Hayes – No; Mrs. Kelly – No; Mr. Kemp – No; Mr. Lewis – No; and Mr. Wiggins – No. **Motion Failed.**

Motion by Mr. Turner to make a favorable recommendation to the City Council on the rezoning of approximately 3.33 acres located north of Owen Parkway and east of US Highway 43 from C-3 (General Commercial) to RS-4 (Single Family Residential). **Second by Mr. Kemp** Roll call vote was as follows: Mr. Turner – No; Mr. Kemp – No; Mrs. Hayes – No; Mrs. Kelly – No; Mr. Lewis – No; Mr. Ward – Yes; and Mr. Wiggins – No. **Motion Failed.**

Mrs. Ramm noted that Mr. Lewis has had to leave the board meeting and will not vote on the remaining cases.

f. **S-12-23 Clearlake Street Subdivision** – TBG Canetuck requests Preliminary Plat approval for approximately 1.35 acres located on the southside of Clearlake Street and east of Northwood Lake Drive East.

Mrs. Julie Ramm stated TBG Canetuck has requested a preliminary plat approval for Clearlake Street Subdivision located south of Clearlake Street and east of Northwood Lake Drive East. She stated the plat will combine two lots into one with a total acreage of 1.35. Mrs. Ramm stated the petitioner has requested waivers for dedication of right-of-way, half-street improvements and sidewalks. She stated the Commission can require sidewalk construction or payment into the sidewalk fund.

Mr. Wiggins asked if there where sidewalks in the area. Mrs. Ramm stated no.

Mr. Corder, 1307 25th Avenue, with TBG Canetuck stated they have requested to combine two lots into one for a residential single-family dwelling.

Chairman Turner open the floor for public comment.

Jana Morrison, 1801 Clearlake Street, stated that Clearlake Subdivision was grandfathered into the city, and this would lead to issues with infrastructure, the dam and culverts that are there now. She stated that continuing to do work in this area affects others. Mrs. Morrison stated that Mr. Corder is already working in the area and due to this work stress is already being shown. She stated that the dam is being to show stress marks and failing and the dam is located at the entrance to the proposed plat. Mrs. Morrison stated years ago a specialist spoke on the condition of the dam and structure and stated that residents living downstream would require low maintenance and no real threat. She stated we already have townhomes and residents there that are affecting the area. She also stated they had no time to prepare for this matter due to the lack of notification and asked the commission to table the case.

Daphne Pinion, stated she has done her research on the area, and this is a battle they have fault for over two years. She stated there are issues with clearing for utility lines. She also stated the dam is over 60 years old and does not need heavy machinery or concrete being carried over.

Kay Holden, 3010 Natchez Landing Court, represented the Northwood Lake HOA, requested that the Commission table the case to allow them to provide the Commission with more information on the damage this would bring to the area. She stated that the waivers being requested should not be allowed due to there are homes in the area with curb and gutter. She stated at first, the petitioner stated there were not going to be any waivers and now there are.

With no one else to appear to speak on this matter, Chairman Turner closed the public hearing.

Mr. Corder stated that they have not started any construction of a roadway on this property that there will only be a driveway to the residential home. He stated he let Mrs. Morrison know on June 11th that the case would be going to the Planning Commission for approval. Mr. Corder stated that the dam is owned by an association. He also stated that regarding the shoulders of the road they have been back filled and approved by the city for the requirements for the tie into utilities. Mr. Corder stated that this is a request for only one home.

Mrs. Hayes asked about the easement or the entrance into the family home. Mr. Corder stated that the property must have road frontage where the home is being built or an easement. He stated that building inspectors will not approve a permit without road frontage. He stated that he is fine with the easement but that would have to also be approved through this commission.

Mrs. Ramm stated that the code states an access easement can be approved by this commission where normal requirements cannot be met. Mrs. Ramm stated that by the combining the lots he would meet the normal requirements.

Mr. Corder stated that the city did not want additional right – of – way and there is no curb and gutter near nor are their sidewalks. He stated he would be happy to pay into the sidewalk fund.

Mr. Matthews stated that the dam is privately maintained, and it was counterproductive to require additional right – of – way. Mr. Matthews stated that the curb and gutter would cause significant changes and that it would be better to let the water run naturally. He stated that to the north of this property is the lake and to the south

there is a culvert for drainage. Mr. Matthews stated that sidewalks would limit the right – of – way but how it's handled is completely up to the commission.

Mr. Wiggins asked if the sidewalks in question would be along the dam. Mr. Matthews stated that it would be along the street that the petitioner is in possession of. Mr. Wiggins asked if there any plans on the side dam that it could support a sidewalk anyways. Mr. Matthews stated there is not enough room.

Mr. Kemp asked were the two lots where and about an easement on the property. Mr. Lewis showed the location to Mr. Kemp. Mr. Corder stated that if they needed to do an easement they will. Mr. Turner asked how this process would work. Mrs. Ramm stated it would come before the commission.

Mr. Turner stated that the public notification was sent out on July 6, 2023, which is 13 days prior to the meeting and the petition cannot be tabled by the Commission. The petitioner could ask for the item to be tabled.

Motion by Mr. Turner to make a motion to approve the Preliminary Plat requests of approximately 1.35 acres located on the southside of Clearlake Street and east of Northwood Lake Drive East with the waivers and to pay into the sidewalk trust fund. **Second by Mr. Ward.** Roll call vote was as follows: Mr. Turner – Yes; Mr. Ward – Yes; Mrs. Hayes – No; Mr. Kemp – Yes; Mrs. Kelly – Yes; and Mr. Wiggins – No. **Motion Failed.**

Mrs. Ramm stated per state law the Commission must provided the petitioner with the reasons why the motion failed.

Mrs. Hayes stated her concerns with intended use, with the tie in with the property and historical process, with this being adjacent to the townhome development.

Mr. Wiggins stated his concerns with the construction south of the dam and the stability.

g. S-13-23 Southern Brew – Charles Richard Yawn requests preliminary plat approval for approximately 0.67 acres located at 1211 20th Avenue.

Mrs. Ramm stated Charles Richard Yawn requests preliminary plat approval for Southern Brew Northport located at 1211 20th Avenue. She stated this will combine seven lots into one with the total acreage at 0.67 acres. Mrs. Ramm stated that they are requesting waivers for sidewalks, half-street improvements, right-of-way dedication and landscaping. She stated we have received a letter for ALDOT on the sidewalk waiver. Mrs. Ramm stated that the waiver is for sidewalks along 20th Avenue.

Eric Hamner with TTL, LLC 3516 Greensboro Avenue Tuscaloosa, AL, represented Mr. Charles Richard Yawn on the case.

Mr. Turner asked if they are only requesting to remove the interior lot lines and make this one lot.

Mr. Ward asked if there would be landscaping requirements. Mrs. Ramm stated that there would be in the construction plan phase of the project.

Mr. Wiggins asked if there were sidewalks on 20th Avenue currently. Mrs. Ramm stated there were not.

Motion by Mr. Turner to make a motion to approve the Preliminary Plat requests of approximately 0.67 acres located at 1211 20th Avenue with the approvals of waivers and to pay into the sidewalk trust funds. **Second by**

Mr. Wiggins. Roll call vote was as follows: Mr. Turner – Yes; Mr. Wiggins – Yes; Mrs. Hayes – Yes; Mr. Kemp – Yes; Mrs. Kelly – Yes; and Mr. Ward – Yes. **Motion Carried.**

h. AMD-02-23 City of Northport – The City of Northport proposes changes to the Zoning Ordinance Table 4-1 Allowable Uses and 4-3 Table of Dimensional Standards – Non-Residential Uses.

Mrs. Ramm stated the City of Northport is requesting an amendment to Table 4-1 Table of Allowable Uses to add “Hotel/motel” to the allowable uses in the Recreation zoning district. She stated that an amendment to Table 4-3 Table of Dimensional Standards for non-residential uses is also requested. Mrs. Ramm stated that this would establish maximum height and setbacks for the zoning district.

Chairman Turner open the floor for public comment.

With no one else to appear to speak on this matter, Chairman Turner closed the public hearing.

Motion by Mr. Wiggins to make a favorable motion to City Council to amend of the zoning ordinance on the changes to the zoning ordinance Table 4-1 Allowable Uses and 4-3 Table of Dimensional Standards – Non-Residential Uses. **Second by Mr. Kemp.** Roll call vote was as follows: Mr. Wiggins – Yes; Mr. Kemp – Yes; Mrs. Hayes – Yes; Mrs. Kelly – Yes; Mr. Turner – Yes; and Mr. Ward - Yes. **Motion Carried.**

CITIZEN COMMUNICATIONS

DISCUSSION

Mrs. Ramm stated that the staff is currently reviewing the draft plans with the consultant. We have a meeting scheduled tomorrow, July 19, 2023, with Jason and we will know if the open house will need to be rescheduled.

XII. ADJOURNMENT – By voice vote the meeting was adjourned.

Kevin Turner, Chairman

ATTEST:

Julie Ramm, Secretary

City of Northport
Planning and Zoning Commission – August 8, 2023
Planning Staff Report

Case: S-11-23PP
Applicant: Morgantown Development Co, Inc
Request: Preliminary Plat

Morgantown Development Co, Inc requests preliminary plat approval for The Residences at Moore's Bridge Pointe located west of Highway 43 and south of Applewood Drive. The plat consists of 12 units on one lot with platted open space. The total acreage is 1.13 acres. No waivers are requested on the plat. Approval of the plat would not allow for individual sale of the units. If, in the future, the owner wishes to sell the units, a condo subdivision would be required. The applicant's engineer has included this statement on the plat for future reference.

Approval of this agenda item will require six affirmative votes of the Commission.

New Submission ☒Re-Submission ☐

Date of first submission:

____/____/____

City of Northport

Preliminary Plat Application and Checklist

Date of Plng Comm Mtg: ____/____/____

Deadline: ____/____/____

Application Submitted: ____/____/____

Name of Subdivision: The Residences at Moore's Bridge PointeName of Applicant: Harris StewartPhone: 205.799.4530Name of Owner: Morgantown Development Co., Inc.Phone: 205.799.4530Address: PO Box 20415, Tuscaloosa, AL 35402Engineer: Al Cabaniss, PE, PLSPhone: 205.758.9032Address: PO Box 020440, Tuscaloosa, AL 35402Email: acabaniss@cabanisseng.comSurveyor: Al Cabaniss, PE, PLSPhone: 205.758.9032Address: PO Box 020440, Tuscaloosa, AL 35402Email: acabaniss@cabanisseng.com

In City Limits? Yes ☒ No ☐ Current Zoning: RS-SD Proposed Zoning: N/A Total Acreage: 1.13 Total Lots: 1
Any rezoning requests must be accompanied by appropriate application

Date of Predesign/Pre-application Meeting: 05 / 11 / 2023 *Required, unless expressly waived by Planning Director*

Is this part of a master plan? Yes ☒ No ☐ Name and date of most recent approved master plan: _____

Is this design in substantial compliance with approved master plan? Yes ☐ No ☒ _____

Describe the Location of Property to be Subdivided:

On the West side of Highway 43N, South and East of Applewood Drive

Will any waivers be requested? Yes ☐ No ☒ If yes, list them here and attach documentation explaining reason for request.

Waivers:

****All of the above information has been completed or marked "N/A." Initial _____****

All submissions (new and updated) must be accompanied by appropriate applications and checklists. Incomplete submissions will not be accepted. In order for a preliminary plat to be heard before the Northport Planning and Zoning Commission, all relevant items must be received by the Planning Department by the deadline, including completed application and checklist, correct number of *complete and correct* plats, designation of agent form, adjoining property owner lists/labels, and any other necessary items.

Staff will review and research all submissions. If it is determined after the deadline that a submission is missing required elements or needs substantial correction (i.e. something that cannot be easily annotated by hand by the designer on every plat), then the applicant/agent must appear in person before the Planning Commission and ask for a continuance to another meeting. If applicant/agent desires to continue with presenting the deficient plat before the Planning Commission, staff will recommend disapproval of plat due to deficiencies. Incomplete submissions will not be accepted.

****It is strongly recommended that application be submitted well in advance of deadline; especially for new, large, or complex subdivisions. This will give staff time to point out needed corrections and offer any further suggestions.**

I have read the above statements and warrant in good faith that I understand and will comply, and that the information submitted is true and correct.

Applicant Signature: _____

Date: 6 / 13 / 2023

Please contact the Planning Department at 205-339-7000 with any questions.

New Submission ☒Re-Submission ☐

Date of first submission:

____/____/____

City of Northport

Preliminary Plat Application and ChecklistName of Subdivision: The Residences at Moore's Bridge PointeName of Applicant: Harris StewartPhone: 205.799.4530

All submissions (new and revised) must be accompanied by appropriate application and checklist. All items must be marked as included or "N/A" if not applicable. Explain if not applicable. **Plats must be fully compliant with the Northport Subdivision Regulations. This checklist is provided as an aid in the process.**

- ☒ Name and address of the owners, and the surveyor of the plat. Surveyor shall be registered to practice in the State of Alabama.
- ☒ Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
- ☒ Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns, has an option on or leases.
- ☒ Contours shall be shown at an interval of not more than five feet for slopes over five percent, and for slopes less than five percent contours shall be shown at an interval of not more than two feet. All contours shall be based on the true city elevation, which is the USGS-MSL datum. No assumed datum will be accepted. A note on the plat shall indicate which city B.M. was used.
- ☒ Lot dimensions, areas, building lines and back and side setback lines and lot and block numbers and proposed street names.
- ☒ Rights-of-way, easements, alleys, location and proposed widths.
- ☒ Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument.
- ☒ Any pertinent topographic features existing on the site.
- ☒ Proposed storm drains, sanitary sewer, and water lines with approximate sizes and design data.
- ☒ Location and dimensions of existing storm and sanitary sewers, and water lines.
- ☒ A statement as to the current and proposed zoning (if applicable); or a statement of the allowable use of each lot, if required pursuant to section 107.
- ☒ A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
- ☒ Width of all proposed paving in the proposed project from back to back of curb.
- ☒ Proposed location of "stop," "yield," and other traffic control signs and devices to be installed. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted.
- ☒ Evidence from the appropriate governing body (state, county, federal, or city) that the proposed subdivision has access over a publicly dedicated and maintained street or road.
- ☐ N/A The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property.
- ☒ The locations of existing and proposed property lines and existing buildings, watercourses, railroads, power lines, bridges, culverts, and drainpipes on the land to be subdivided and immediately adjoining land.
- ☒ Street cross-section, showing proposed construction and statements concerning type of material to be used in construction.
- ☐ N/A Location of proposed sidewalks.
- ☐ N/A If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the floodway or the 100-year flood boundary of a stream or river, as depicted on the flood boundary and floodway map, or is located in a special flood hazard area, as depicted on a flood hazard boundary map, then such floodway, boundary, or flood hazard area shall be indicated on the preliminary plats accurately as possible.
- ☐ N/A Any requested waivers listed on plat (explanation for waiver requests in accompanying paperwork).
- ☒ This plat is compliant with all applicable requirements for preliminary plats as per the Northport Subdivision Regulations
- Additional Required Items for Submission:
- ☒ Sixteen (16) folded copies of plat (folded to 8½" x 11" size)
- ☒ Electronic copy of plat (PDF; may be submitted via CD or emailed)
- ☒ Designation of Agent form (if applicable)
- ☒ Three (3) copies of mailing labels for each adjoining property owner, applicant, and owner (and Word file)
- ☒ Fees (\$250 application fee, plus certified mailing fee for each adjoining property owner and newspaper legal advertising fee)

I have completed the above information and warrant in good faith that it is correct and complete.

Applicant Signature:  Date: 6 / 13 / 23

**DESIGNATION OF AGENT
CITY OF NORTHPORT
PLANNING AND ZONING DEPARTMENT**

I, Harris Stewart, being the owner of the property which is the subject of this application (The Residences at Moore's Bridge Pointe) hereby authorize Al Cabanis, PE/PC to act as my representative with the City of Northport's Zoning Board of Adjustment, and/or Planning and Zoning Commission as required by the type of request listed hereon.

Such representation shall be for all purposes concerning any matter, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Harris Stewart
Property Owner's Signature

6/13/23
Date

STATE OF ALABAMA

*

*

COUNTY OF TUSCALOOSA

*

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Harris Stewart, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of June, 2023



Al Cabanis
NOTARY PUBLIC
My Commission Expires: 8/22/23

1. All Water Mains Shall be Ductile Iron Pressure Class 350.
2. All 2" Water Mains Shall be Class 200 PVC SDR 21.
3. All Water Service Lines Shall be ¾" ø Type K Copper.
4. All Sanitary Sewer Lines Shall be SDR 21 PVC.

Ashlynn Reagan Wild
5535 Moore's Circle
Northport, AL 35473

Deed Book 1195, Page 571

DS#14	
Type I S-Inlet	
Top:	187.58
Inv Out:	181.21

DS#15
Type I S-Inlet
Top: 187.78
Inv In:180.63
Inv Out: 179.63

Moore
Bridge
35473

Lot 7
The Town Homes at
Moore's Bridge Pointe
Plat Book 2007, Page 20

Amy Hudson & Mollie Clark
5071 Moore's Bridge
Northport, AL 35473

Lot 8
Resurvey of Lots 8-17
The Town Homes at
Moore's Bridge Pointe
Plat Book 2008, Page 235

Open Space
Resurvey of Lots 8-17
The Town Homes at
Moore's Bridge Pointe
Plat Book 2008, Page 235
Morgantown Development Co., Inc.
PO Box 20418
Tuscaloosa, AL 35402

William Parker Barton
5536 Moore's Circle
Northport, AL 35473

Roy Burkett
5408 Moore's Circe
Northport, AL 35473

Lot 13
Moore's Bridge Pointe Gardens
Plat Book 2006, Page 31

DS#9
Type ILS-Inlet
Top: 182
Inv In:177.44(n)
Inv In:178.18(e)
Inv Out: 177

Type II S-Inlet	
Top:	182.69
Inv In:	176.64(n)
Inv In:	177.75(w)
Inv Out:	176.34

- DS#8
Type II S-Inlet
Top: 183.38
Inv Out: 178.75

organtown Development Co. Inc.
PO Box 20418
Tuscaloosa, AL 35402

Open Space
Moore's Bridge Pointe Gard
Plat Book 2006, Page 31

anhole MB #6	
a:	0+84.42
op:	183.09
y In.:	173.97
y Out:	173.67

Manhole MB #2
Sta 2+28.04 Line "A"
Sta 0+00 Line "B"
Top:182.91
In:173.16

Existing Manhole
Top: 183.35
El: 163.31

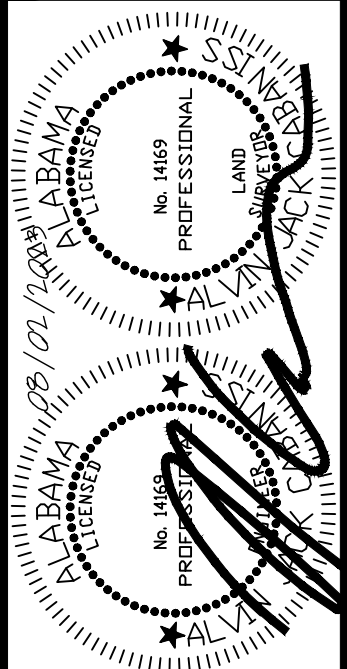
Top: 183.29
FL: 163.19

Top: 180.9
Inv In: 172.54
Inv Out: 172.45
-AB 52 11 22.5x3

0806"

This Development is not being submitted as a Condominium Subdivision. It is being Developed as a Multi-Family Rental Residential Development with Open Space Areas for Residential Use. The entire boundary will be platted 'Lot 1, The Residences at Moore's Bridge Pointe'. All property within the boundary of Lot 1, The Residences at Moore's Bridge Pointe, which is not developed as access drives, parking, or buildings shall be developed and maintained as an Open Space lawn for use of the residents of this development.

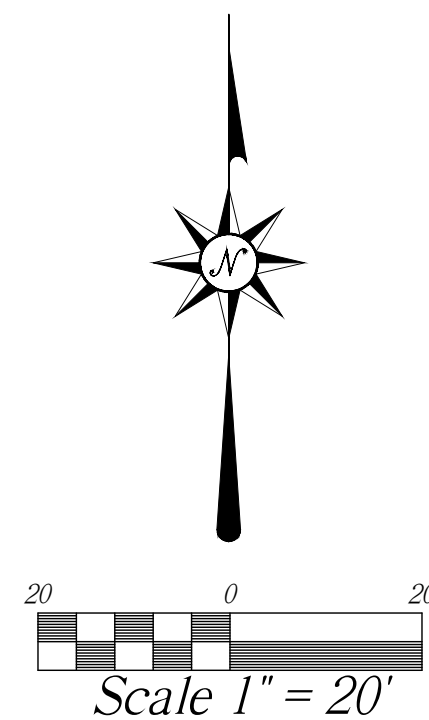
Preliminary Subdivision Plat The Residences at Moore's Bridge Pointe Northport, Alabama



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Cabaniss Engineering Inc.
Professional Engineers and Land Surveyors
Court House Plaza 600 Lurleen Wallace Boulevard South Suite 140
P. O. Box 020440 Tuscaloosa Alabama

JOB NO:
 04-11-025
 DATE OF SURVEY:
 11/20/2019
 FB/PG:
 333/25
 FILE NAME:
 0411025 2023.dwg
 DATE:
 06/12/2023
 SOURCE OF TITLE:
 D.B. 2019, PG. 16961
 SCALE:
 1" = 20'
 DWN/CHK BY:
 THS/AJC
 REVISION:
 06/27/2023 08/02/2023
 SHEET: 1 of 3



LEGEND

● IRON PIN FOUND(SIZE)	(s) SURVEY DIMENSION
○ 1/2" IRON PIN SET	(a) PLAT DIMENSION
 CONCRETE	(d) DEED DIMENSION
— UTILITY POLE	DB DEED BOOK
 UTILITY POLE W/ GUY	PB PLAT BOOK
— NOT TO SCALE	Pg PAGE
 CONCRETE MONUMENT FOUND	ROW RIGHT-OF-WAY
— WOODEN FENCE	MBL MINIMUM BLDG LINE
— OTHER FENCE	 CHAIN LINK FENCE
- SS - SANITARY SEWER	Δ POINT NOT MONUMENTED
- OS - OVERHEAD POWER	☀ LIGHT POLE
- E - UNDERGROUND POWER	(M) SANITARY SEWER MANHOLE
- G - GAS LINE	TELEPHONE PEDESTAL
- T - TELEPHONE/CABLE LINE	(P) POWER TRANSFORMER/TRANSLOCATOR
— WATER VALVE	● FIRE HYDRANT
 WATER METER	(S) DRAINAGE STRUCTURE

- Notes:
- All Water Mains Shall be Ductile Iron Pressure Class 350.
 - All 2" Water Mains Shall be Class 200 PVC SDR 21.
 - All Water Service Lines Shall be 3/4" ø Type K Copper.
 - All Sanitary Sewer Lines Shall be SDR 21 PVC.

Lot 23
Moore's Bridge Pointe Gardens
Plat Book 2006, Page 31

Ashlynn Reagan Wild
5535 Moore's Circle
Northport, AL 35473

Sharon Champion
5206 Candle Lane
Northport, AL 35473

Deed Book 1195, Page 371

William Parker Barton
5536 Moore's Circle
Northport, AL 35473

Lot 22
Moore's Bridge Pointe Gardens
Plat Book 2006, Page 31

Roy Burkett
5408 Moore's Circle
Northport, AL 35473

Lot 13
Moore's Bridge Pointe Gardens
Plat Book 2006, Page 31

Morgantown Development Co. Inc.
PO Box 20418
Tuscaloosa, AL 35402

Open Space
Moore's Bridge Pointe Gardens
Plat Book 2006, Page 31

Lot 12

Lot 1

Alden Edward Moore
5075 Moore's Bridge
Northport, AL 35473

Lot 7
The Town Homes at
Moore's Bridge Pointe
Plat Book 2007, Page 20

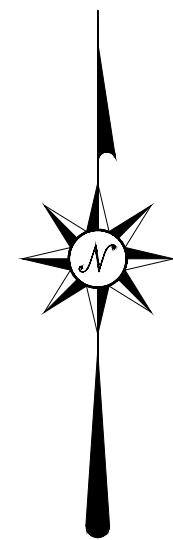
Amy Hudson & Mollie Clark
5071 Moore's Bridge
Northport, AL 35473

Lot 8
Resurvey of Lots 8-17
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Plat Book 2008, Page 235

Open Space
Resurvey of Lots 8-17
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Morgantown Development Co. Inc.
PO Box 20418
Tuscaloosa, AL 35402

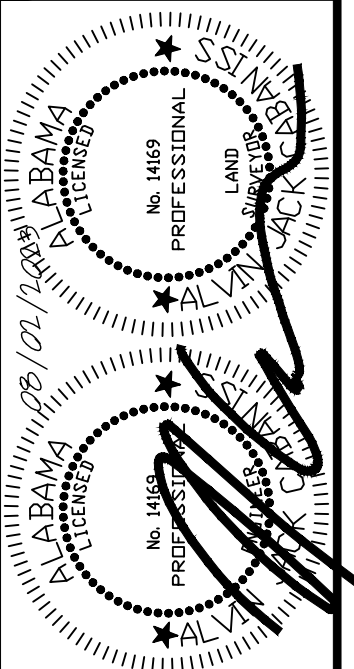
US Highway 43
Variable R.O.W.



Scale 1" = 20'

LEGEND	
○ IRON PIN FOUND(SIZE)	(#) SURVEY DIMENSION
● 1/2" IRON PIN SET	(p) PLAT DIMENSION
▤ CONCRETE	(d) DEED DIMENSION
○ UTILITY POLE	DB DEED BOOK
○ UTILITY POLE W/ GUY	PB PLAT BOOK
— NOT TO SCALE	Pp PAGE
◇ CONCRETE MONUMENT FOUND	ROW RIGHT-OF-WAY
— WOODEN FENCE	MBL MINIMUM BLDG LINE
— OTHER FENCE	— CHAIN LINK FENCE
— S — SANITARY SEWER	Δ POINT NOT MONUMENTED
— S — OVERHEAD POWER	⊕ LIGHT POLE
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— G — GAS LINE	⊕ TELEPHONE PEDESTAL
— T — TELEPHONE/CABLE LINE	⊕ POWER TRANSFORMER/TRANSCLUSER
⊕ WATER VALVE	○ FIRE HYDRANT
⊕ WATER METER	⊕ DRAINAGE STRUCTURE

Preliminary Subdivision Plat
The Residences at
Moore's Bridge Pointe
Northport, Alabama



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Cabaniss Engineering Inc.
Professional Engineers and Land Surveyors
Court House Plaza 600 Lurleen Wallace Boulevard South Suite 140
P. O. Box 020440 Tuscaloosa Alabama

JOB NO: 04-11-025
DATE OF SURVEY: 11/20/2019
FB/PG: 333/25
FILE NAME: 0411025 2023.dwg
DATE: 06/27/2023
SOURCE OF TITLE: D.B. 2019, PG. 16961
1" = 20'
DWN/CHK BY: THS/AJC
REVISION: 08/02/2023
SHEET: 2 of 3

Owner/Developer:
Morgantown Development Co., Inc.
PO Box 20415
Tuscaloosa, AL 35402

Engineer/Land Surveyor:
Al Cabaniss, PE, PLS
Cabaniss Engineering, Inc.
PO Box 020440
Tuscaloosa, AL 35402

Property Address: Applewood Drive

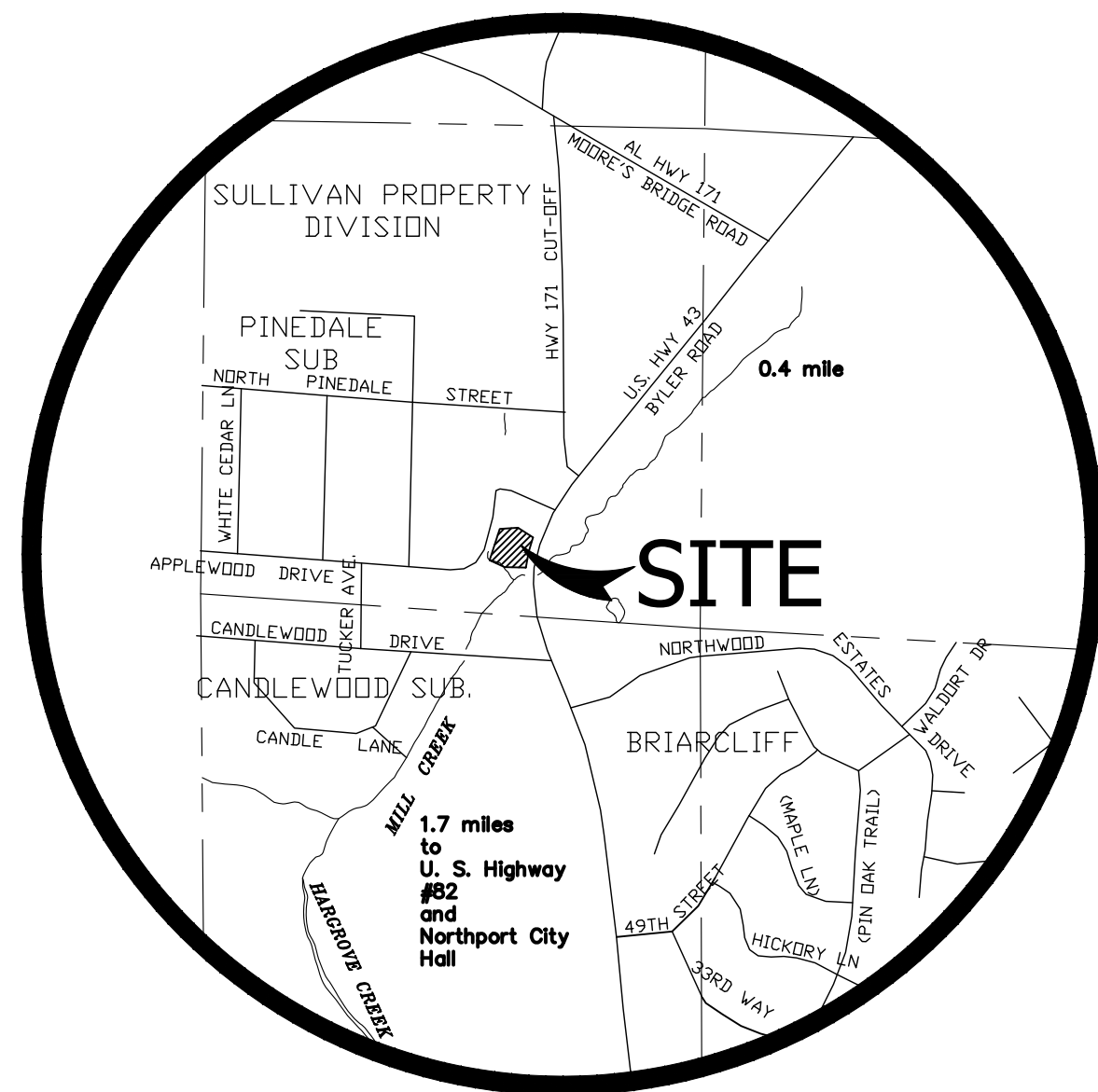
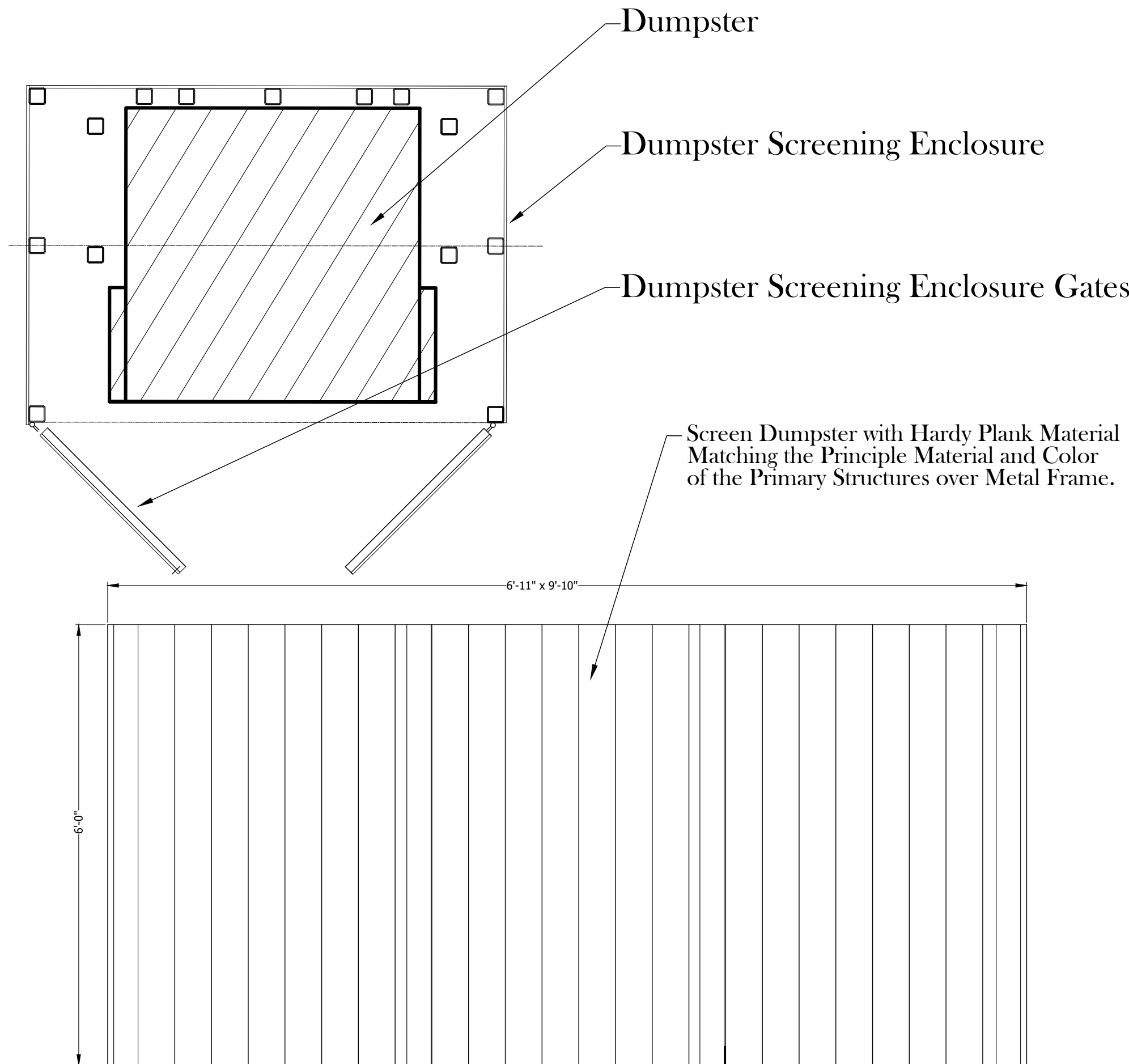
Zoning: RS-SD

Notes:

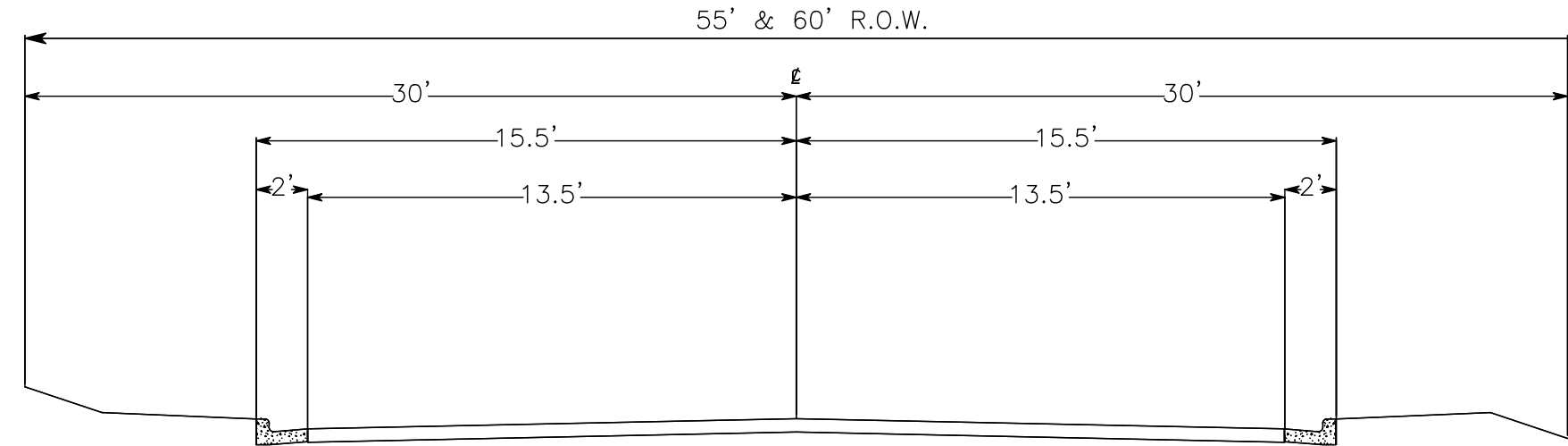
- Existing Site: There are no existing buildings currently located on this property.
- Buildings: Three (3) Two (2) Story Proposed Multi-Family Buildings with One (1) Story Carports; Twelve (12) Units Twenty-Four (24) Beds
- Parking: Parking Required: One (1) space per Bedroom; Twenty-Four (24) Beds Proposed Proposed Parking: Twenty-Four Total Parking Spaces provided in Unit Assigned Carports
- Total Acreage to be Subdivided: 1.13 Acre +/- (49,354 sf)
Total Acreage under control of Developer: 1.13 Acre +/- (49,354 sf)
- Setbacks are as shown.
- Property is located in the Southeast Quarter of the Southwest Quarter of Section 32, Township 20 South, Range 10 West, Tuscaloosa County, Alabama.
- Property is not located in a Special Flood Hazard Area, FEMA Flood Map No. 01125C0338G, revised January 16, 2014.
- This Development is not being submitted as a Condominium Subdivision. It is being Developed as a Multi-Family Rental Residential Development with Open Space Areas for Residential Use. The entire boundary will be platted "Lot 1, The Residences at Moore's Bridge Pointe". All property within the boundary of Lot 1, The Residences at Moore's Bridge Pointe, which is not developed as access drives, parking, or buildings shall be developed and maintained as an Open Space lawn for use of the residents of this development.

Waiver Requests:

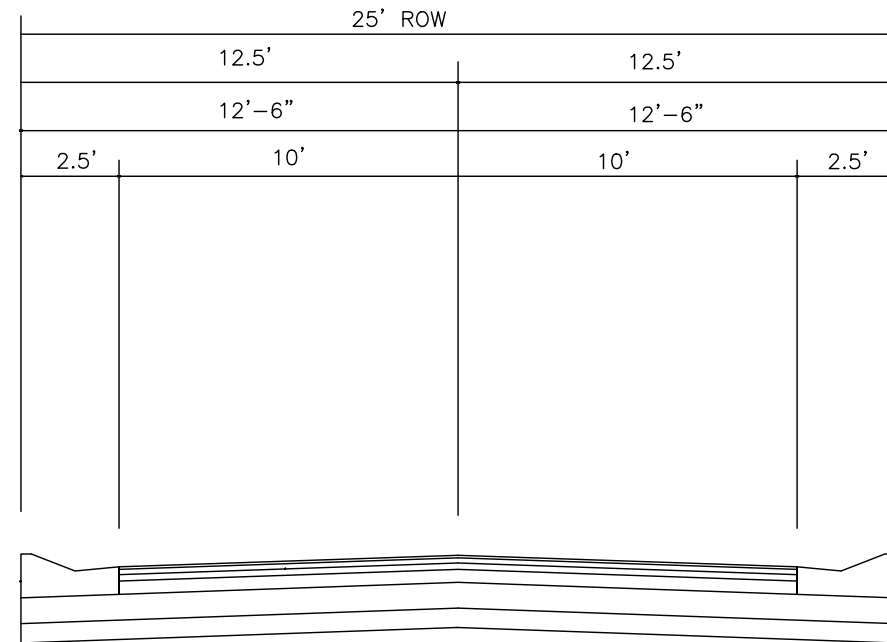
- The Developer requests a Waiver from the 200' Rear Setback for Residential on Highway 43.
- The Developer requests a Waiver for the construction of Sidewalks along Highway 43.



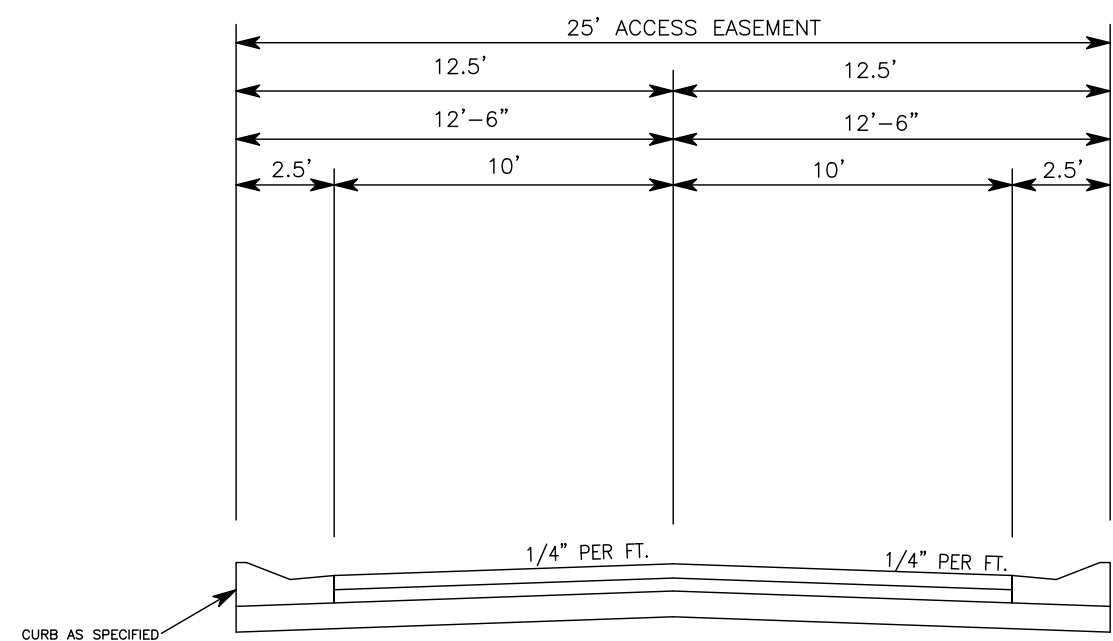
VICINITY MAP
NOT TO SCALE



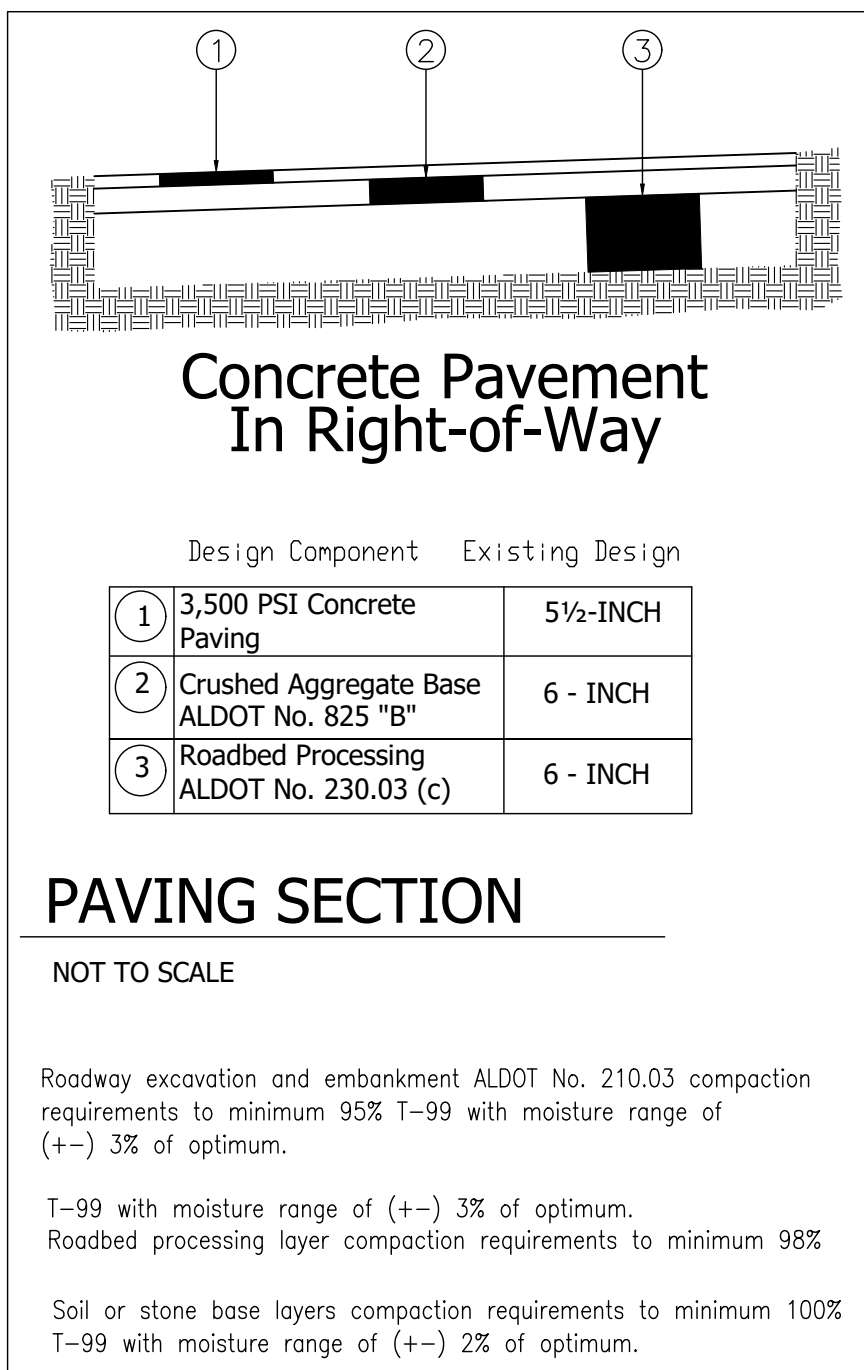
TYPICAL STREET SECTION
(APPLEWOOD DRIVE - EXISTING)
(NO IMPROVEMENTS PROPOSED)



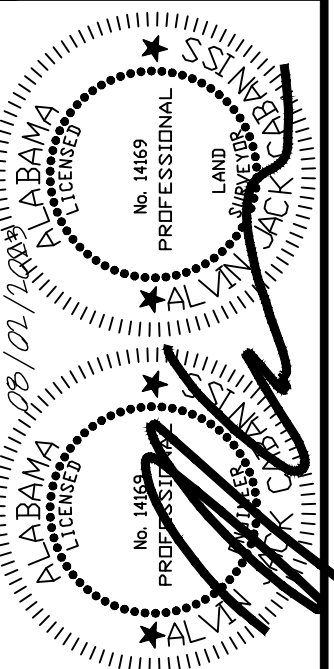
TYPICAL ALLEY SECTION
(MOORE'S BRIDGE ALLEY - EXISTING)
(25' R.O.W.)
(NO IMPROVEMENTS PROPOSED)



TYPICAL ALLEY SECTION
(PRIVATE MOORE'S BRIDGE ALLEY)
(25' ACCESS EASEMENT)



Preliminary Subdivision Plat
The Residences at
Moore's Bridge Pointe
Northport, Alabama



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Cabaniss Engineering Inc.
Professional Engineers and Land Surveyors
Court House Plaza 600 Lurleen Wallace Boulevard South Suite 140
P. O. Box 020440 Tuscaloosa Alabama

JOB NO: 04-11-025
DATE OF SURVEY: 11/20/2019
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FILE NAME: 0411025 2023.dwg
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SOURCE OF TITLE: D.B. 2019, PG. 16961
SCALE: 1" = 20'
DWN/CHK BY: THS/AJC
REVISION: 06/27/2023 08/02/2023
SHEET: 3 of 3

**DESIGNATION OF AGENT
CITY OF NORTHPORT
PLANNING AND ZONING DEPARTMENT**

I, Harris Stewart, being the owner of the property which is the subject of this application (The Residences at Morris Bridge Pointe) hereby authorize Al Cabaniss, PE, PC to act as my representative with the City of Northport's Zoning Board of Adjustment, and/or Planning and Zoning Commission as required by the type of request listed hereon.

Such representation shall be for all purposes concerning any matter, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Harris Stewart
Property Owner's Signature

6/13/23
Date

STATE OF ALABAMA

*

*

COUNTY OF TUSCALOOSA

*

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Harris Stewart, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of June, 2023



Alan Smothers
NOTARY PUBLIC

My Commission Expires: 8/22/23

Recorded: 8/1/2019 8:45:12 AM
Ward D. Robertson, III, Probate Judge
Tuscaloosa County, Alabama
Term/Cashier: PRO-RECORDING1/JMCATEER
Tran: 1460756
Probate Judge Fee \$2.00
Deed Tax \$0.50
Recording Fee - By Page Count \$12.00
Source of Title \$1.00
Total: \$15.50

This instrument prepared by:
Kenneth D. Davis
700 Towncenter Blvd., Suite 4
Tuscaloosa, AL 35406

SOURCE OF TITLE:
Deed Book 2016, Page 6354

STATE OF ALABAMA

TUSCALOOSA COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of other good and valuable consideration and the sum of Ten and No/100 (\$10.00) Dollars to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, Nancy Miller Melton, a married woman (herein referred to as "Grantor"), does by these presents grant, bargain, sell and convey unto Morgantown Development Co., Inc., an Alabama corporation (herein referred to as "Grantee"), the following described real estate situated in Tuscaloosa County, Alabama, to-wit:

See Exhibit A attached hereto

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and the reversion or the reversions, remainder or remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, dower and the right of dower, property, possession, claim and demand whatsoever, as well in law as in equity of the said Grantor, of, in, and to the same and every part or parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said Grantee, its successors or assigns forever. And said Grantor does for herself and her heirs and assigns, covenant with the said Grantee, its successors and assigns, that she is lawfully seized in fee simple of said premises; that it is free from all encumbrances, that she has good right to sell and convey the same as aforesaid; that Grantee is entitled to the immediate possession thereof; and that she will and her successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has set her hand and seal as of this 28
day of June, 2019.


Nancy Miller Melton

STATE OF ALABAMA

COUNTY OF Cape Girardeau

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, do hereby certify that **Nancy Miller Melton**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this 18th day of June, 2019.

My commission expires:
5-20-2020

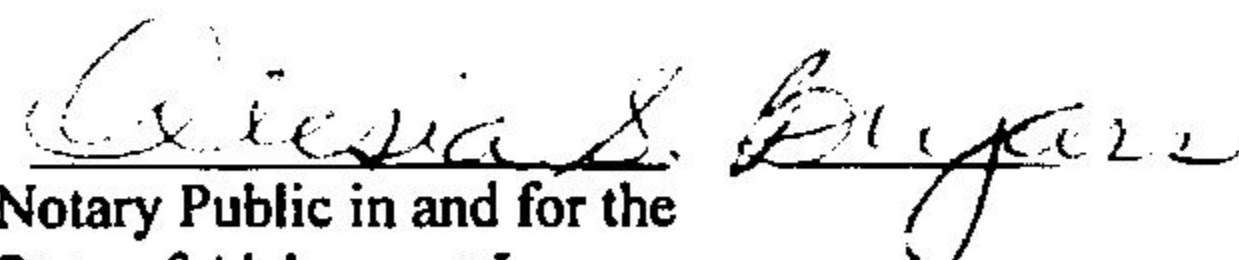

Notary Public in and for the
State of Alabama at Large

Exhibit A

The point of beginning is the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 20 South, Range 10 West, in Tuscaloosa County, Alabama. From this point proceed East along the quarter line a distance of 408.4 feet to a point on the West right of way of Highway 43; thence turn a deflection angle to the left of 83 degrees 43 minutes to the long chord of a 7 degree 00 minutes curve to the right, the length of this long chord is 612.9 feet, the north end of the chord is a point in the center of the paved street just south of the old store building; then turn a deflection angle to the right of 09 degrees 22 minutes and proceed north along the west r.o.w. of old Moore's Bridge Road a distance of 109.4 feet to the northeast corner of this parcel, thence turn a deflection angle to the left of 96 degrees 54 minutes and proceed west a distance of 307.1 feet to a point on the east side of the ditch; then turn a deflection angle to the left of 105 degrees 23 minutes and proceed South along the east side of the ditch a distance of 153.5 feet to a point; then turn a deflection angle to the right of 16 degrees 15 minutes and proceed south a distance of 298.1 feet to a point; then turn a deflection angle to the right of 48 degrees 08 minutes and proceed a distance of 212.9 feet to the Northeast corner of Lot #1 of Block "E" of Pinedale Subdivision; then turn a deflection angle to the left of 60 degrees 30 minutes and proceed South along the east boundary of said Lot #1 a distance of 200 feet to the point of beginning.

This description is intended to describe that vacant parcel of land located on Applewood Drive, Northport, Alabama, that is designated in the records of the Tax Assessor for Tuscaloosa County, Alabama as Parcel# 63-20-09-32-3-005-001.006.

LESS AND EXCEPT THE FOLLOWING:

Said parcel of land being situated in the Southeast Quarter of the Southwest Quarter of Section 32, Township 20 South, Range 10 West, containing 0.027 acres, more or less, as described in that certain Warranty Deed in favor of the State of Alabama as recorded in Deed Book 2002 at Page 121296 in the Probate Office of Tuscaloosa County, Alabama.

LESS AND EXCEPT all lots, open spaces, and roads as set out in the Final Subdivision Plat Moore's Bridge Pointe Gardens in Plat Book 2006, Page 31 and the Final Subdivision Plat The Town Homes at Moore's Bridge Pointe in Plat Book 2007, Page 20 recorded in the Probate Office of Tuscaloosa County, Alabama.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Nancy Miller Melton
Mailing Address PO Box 957
Brewton, AL 36427

Grantee's Name Morgantown Development Co. Inc.
Mailing Address PO Box 20415
Tuscaloosa, AL 35405

Property Address property on Applewood Drive

Date of Sale 7/30/19
Total Purchase Price \$ 50,000.00
or
Actual Value \$
or
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date _____

Print Erica Stephens

☐ Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

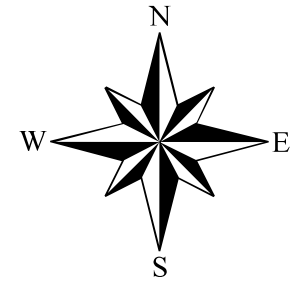
Form RT-1

Northport Planning & Zoning Commission

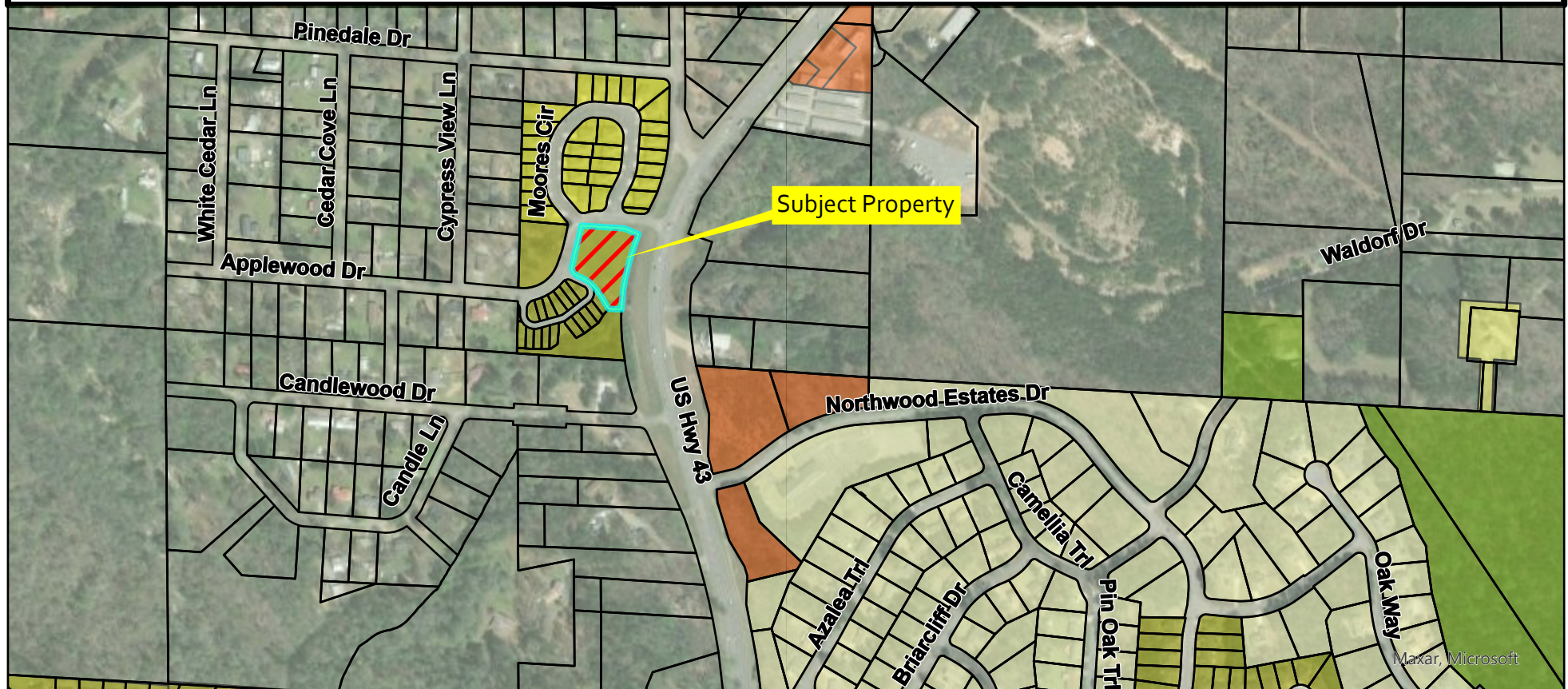
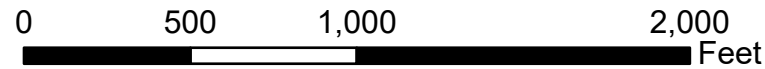
Zoning

-  Agriculture
-  General Commercial
-  Residential Single-Family - SD
-  Residential Single-Family - 1
-  Residential Single-Family - 2
-  Residential Single-Family - 4
-  Parcels
-  Subject Property

Preliminary Plat / Master Plan



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.



City of Northport
Planning and Zoning Commission – August 8, 2023
Planning Staff Report

Case: SP-6-23
Applicant: Morgantown Development Co, Inc
Request: Conditional Use/Master Development Plan

Morgantown Development Co, Inc requests Conditional Use /Master Development Plan approval for a performance residential development located west of Highway 43 and south of Applewood Drive. The master development plan consists of 12 units on one lot with platted open space. The total acreage is 1.13 acres. The following waiver is requested:

200' rear setback for residential on Highway 43

The original master plan for this development was approved in 2005 and is included in your packet. The petitioner explains in the narrative that in 2007 when phase 2 of the development was constructed, they were allowed to change concepts from 20 multi-family units to 17 single family detached homes on individual lots without revising the master plan. A copy of the narrative has been included in your packet. The original master plan did show some amenities which were never constructed. The petitioner states those amenities were not constructed because the walking trail would have crossed a privately owned lot and would interfere with homeowner privacy. Staff does not have the ability remove or waive amenities that were approved by the Planning Commission. The revised master plan does show open space but does not provide any amenities for the development. It would be up to the Commission if you want to require amenities in the open space that is proposed.

Any action on this item will be a recommendation to the City Council.



PERMIT PROJECT
FILE #: 23-000964
APPLEWOOD DR NORTHPORT AL 35473
THE RESIDENCES AT MOORE'S BRIDGE POINTE



PERMIT #: CUP23-000006

Permit Type

Conditional Use Application

Subtype

Conditional Use Permit



Work Description:

The Residences at Moore's Bridge Pointe= Multi Family Housing



Applicant

Cabaniss Engineering, Inc. - Tara Smothers



Status

Online Application Received



Valuation

0.00



FEES & PAYMENTS

Plan Check Fees

0.00

Permit Fees

100.00

Total Amount

100.00

Amount Paid

0.00

Balance Due

100.00

☐ Non-Billable



PERMIT DATES

Application Date

06/27/2023

Approval Date

Issue Date:

Expiration Date:

Close Date

Last Inspection

Property Information

Property Owner

MORGANTOWN DEVELOPMENT CO INC



Current Zoning District

RS-SD



Total Acreage

1.13

Current Use of Property

Property Currently Undeveloped. Multi Family Proposed

Number of Adjoining Properties

Additional Parcel #s

Review the Northport Zoning Ordinance, specifically Section 1003 (found at www.cityofnorthport.org).

Conditional uses are those uses that have some special impact which differs from the potential impacts of permitted uses or exceeds them in intensity, or have uniqueness such that their effect on the surrounding environment cannot be determined in advance of the use being proposed in a particular location.

Upon submission of a request for conditional use approval, a review of the location, design, configuration, and impact shall be conducted to determine whether the proposed use would have a detrimental impact on neighboring properties.

The Planning Commission shall render to the City Council its recommendation to grant the application for a conditional use permit, grant it subject to conditions, or deny it. Following a public hearing at the City Council upon an Ordinance for Conditional Use Approval, the City Council shall either approve, or disapprove, the application and shall establish the specific conditions under which the application is approved.

SUBMITTAL DOCUMENTS

Are you the current owner on record?

No



Notarized Designation to Authorize Agent Form (Click to Download)

[Residences DofA.pdf](#)



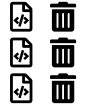
A copy of the deed of the subject property

[Residences Deed.pdf](#)



Site Plan

[Residences at Moores Bridge Pre Plat Sheet 3 REV.pdf](#)
[Residences at Moores Bridge Pre Plat Sheet 2 REV.pdf](#)
[Residences at Moores Bridge Pre Plat Sheet 1 REV.pdf](#)



Mailing labels for each adjoining property owner

[04-11-025 Residences labels.doc](#)



I have read the above statements and warrant in good faith that I understand and will comply, and that the information submitted is true and correct.

Signature

[signature.png](#)



OFFICIAL USE ONLY

Date of Planning Commission Meeting

FEES

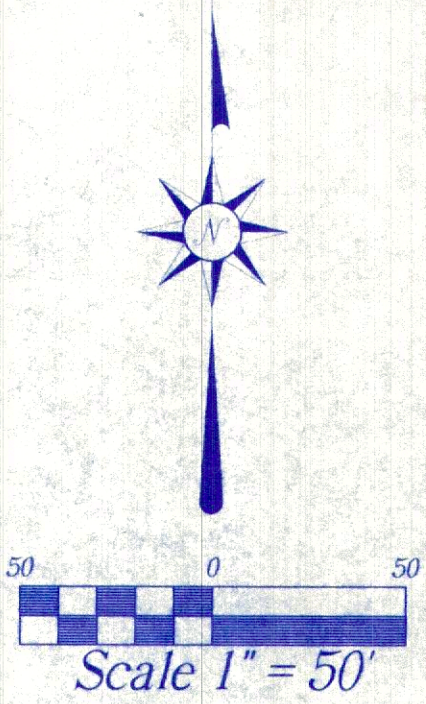
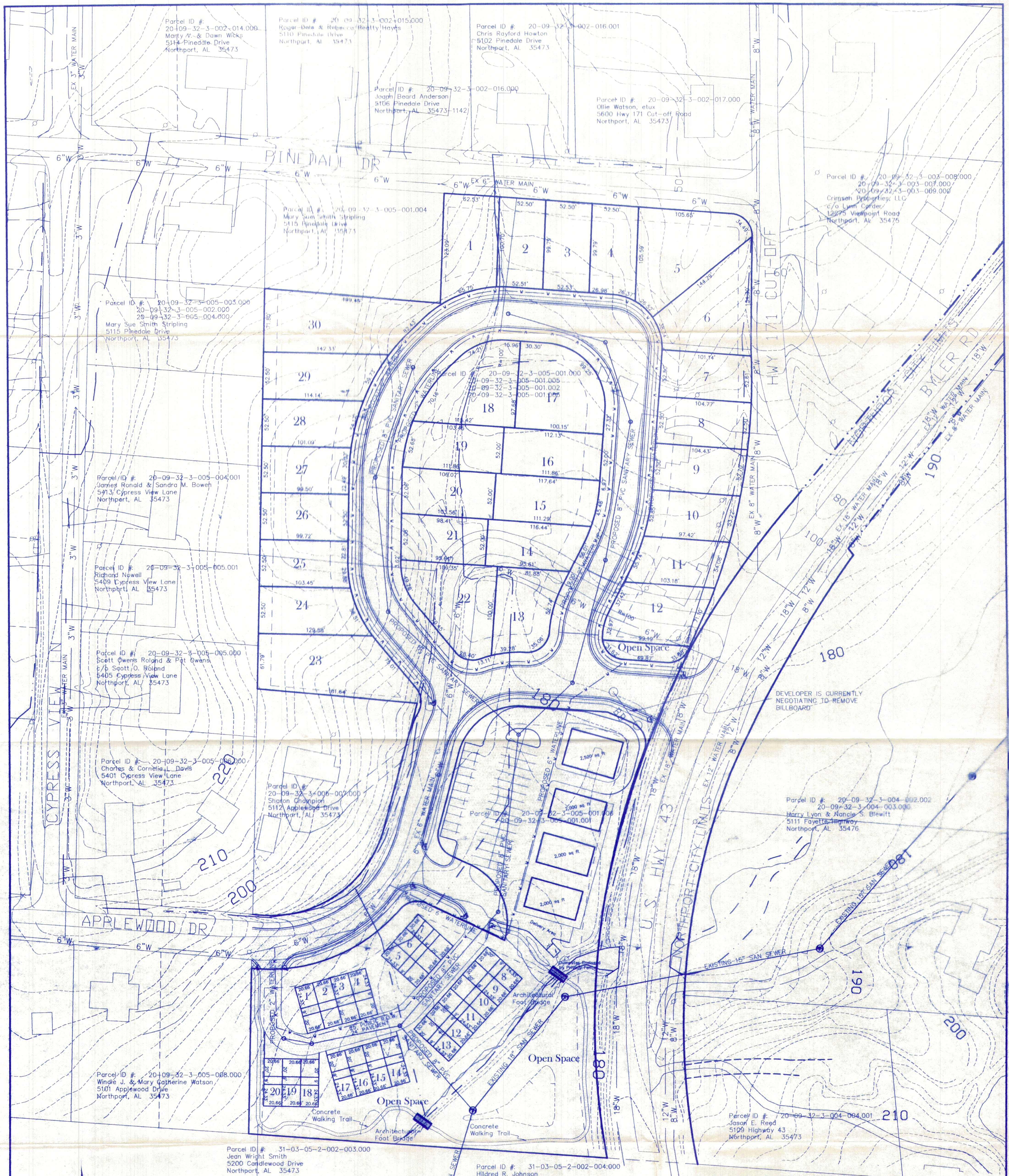


FEE	DI	QUANTITY	AMOUNT	TOTAL	
Application Fee				75.00	
Advertising Fee				25.00	
Plan Check Fees				0.00	
Permit Fees				100.00	
Total Fees				100.00	

PAYMENTS

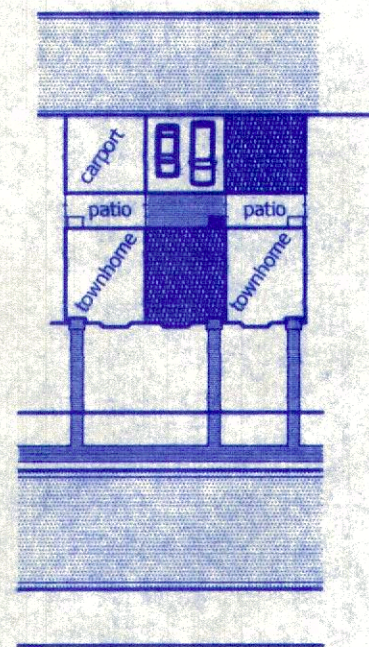


DATE	TYPE	REFERENCE	NOTE	RECEIPT #	RECEIVED FROM	AMOUNT	
Amount Paid						0.00	
Balance Due						100.00	

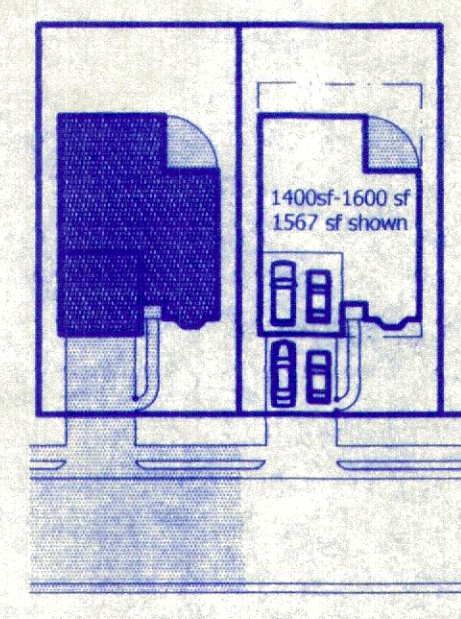


LEGEND

○ IRON PIN FOUND(SIZE) △ 1/2" IRON PIN SET  PAVING  UTILITY POLE  UTILITY POLE W/ GUY  NOT TO SCALE  CONCRETE MONUMENT FOUND  WOODEN FENCE  OTHER FENCE	(a) SURVEY DIMENSION (p) PLAT DIMENSION (d) DEED DIMENSION DB DEED BOOK PB PLAT BOOK Pp PAGE ROW RIGHT-OF-WAY MBL MINIMUM BLDG LINE — CHAIN LINK FENCE
---	---



TYPICAL TOWNHOME
LAYOUT
NOT TO SCALE

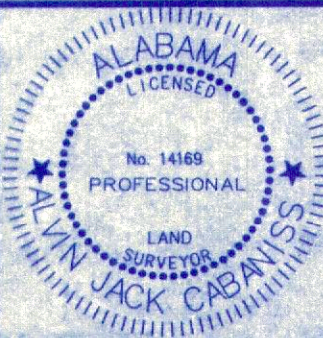


TYPICAL GARDEN HOME
LAYOUT
NOT TO SCALE

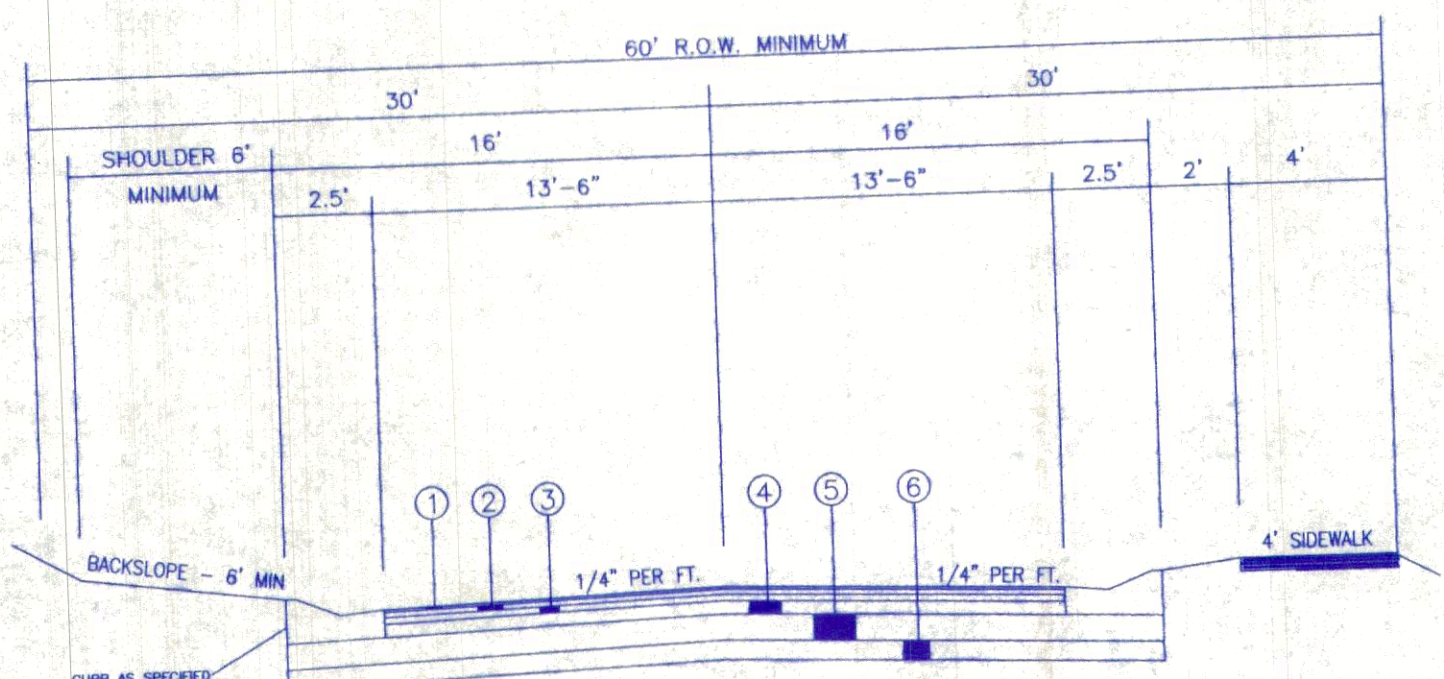
JOB NO:
04-11-025
DATE OF SURVEY:
2/07/05
FB/PG:
DC
FILE NAME:
0411025.DWG
DATE:
2/07/05
SOURCE OF FILE:
AS NOTED
SCALE:
1" = 50'
DWN/CHK BY:
WDG/AJC
REVISION:
March 4, 2005
SHEET:
1 OF 2

CABANISS ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
 COURT HOUSE PLAZA 600 LURLEEN WALLACE BLVD. SOUTH, SUITE 140
 P.O. BOX 020440 TUSCALOOSA, ALABAMA 35402 (205) 758-9032

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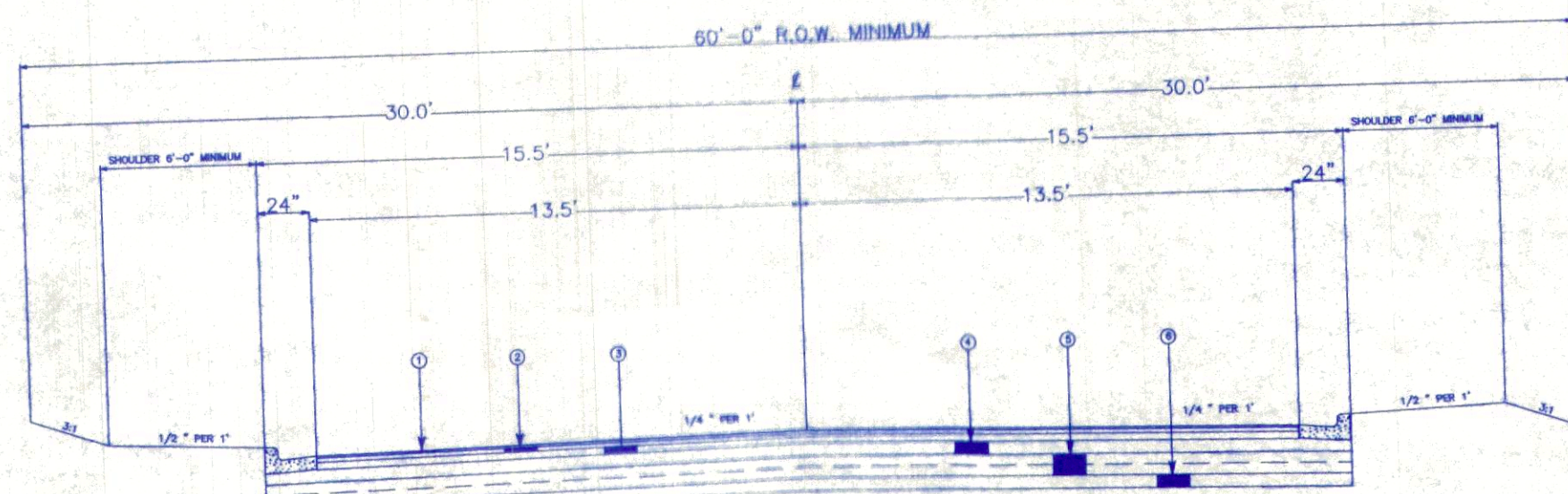
SITE PLAN
MOORE'S BRIDGE POINTE
A PLANNED DEVELOPMENT
EAST 1/2 - SW 1/4, SEC. 32, T20S, R10W,
TUSCALOOSA COUNTY, ALABAMA



- NOTES: 1. ① DENOTES DESIGN COMPONENTS FOUND ON STREET ROADWAY SPECS.
2. CROWN FORMED BY ROLLING.
3. SEE PLAN FOR SIDEWALK LOCATION.

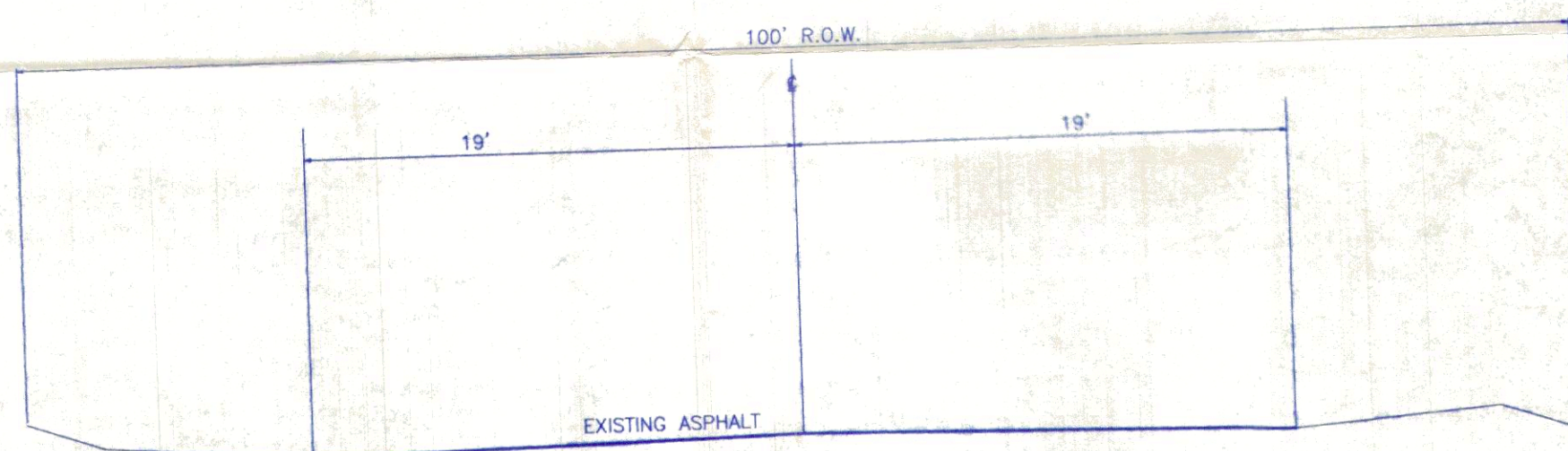
Design Component Existing Design

⑤	N/A	N/A
⑤	Roadbed Processing ALDOT No. 230.03 (c)	6-inch
④	Stone Aggregate Base ALDOT No. 823 "A"	1- 6" layer
③	Prime Coat ALDOT Sec. 401, Ref. 3	0.22-0.25 gal/sq. yd.
②	#Plant Mix Bituminous Binder ALDOT No. 429 B	150 LB/SY (1.5")
①	#Plant Mix Bituminous Surface ALDOT No. 429 A	100 LB/SY (1.0")



- NOTES:
1. ① DENOTES DESIGN COMPONENTS FOUND ON STREET ROADWAY SPECS.
2. CROWN FORMED BY ROLLING

TYPICAL STREET SECTION



TYPICAL STREET SECTION

EXISTING U.S. HWY. 43

OWNER/DEVELOPER:
"43 LLC"
Harris W. Stewart, Jr., and
Richard P. Melton
P.O. BOX 20415
TUSCALOOSA, AL 35402

TOTAL ACREAGE: 10.18 ACRES±
TOTAL CONTROLLED BY OWNER/DEVELOPER: 10.18 ACRES±
TOTAL OWNED BY OWNER/DEVELOPER: 10.18 ACRES±

NOTES:

- THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN THE CORPORATE LIMITS OF THE CITY OF NORTHPORT.
- THE PROPERTY SHOWN HEREON DOES NOT LIE WITHIN A SPECIAL FLOOD ZONE.
- THE PROPERTY SHOWN HEREON LIES IN THE EAST 1/2 OF THE SW 1/4 SECTION 32, TOWNSHIP 20 SOUTH, RANGE 10 WEST, TUSCALOOSA CO., AL.
- TOPOGRAPHIC INFORMATION IS NOT BASED ON A FIELD-RUN SURVEY. TOPOGRAPHIC DATUM PROVIDED FROM THE CITY OF NORTHPORT, ALABAMA.
- UNDERGROUND STRUCTURES SUCH AS FOOTINGS, SEWERS AND UTILITIES ARE NOT DEPICTED HEREON UNLESS OTHERWISE NOTED.
- ALL STORM SEWER LINES WILL BE SIZED USING THE RATIONAL METHOD AND THE CITY OF NORTHPORT MINIMUM REQUIREMENTS.
- CURRENT ZONING: THE PROPERTY LIES OUTSIDE THE CORPORATE LIMITS OF THE CITY OF NORTHPORT. PROPERTY IS NOT ZONED.
- PROPOSED ZONING: THE PROPOSED ZONING OF THIS PROPERTY IS "PD" PLANNED DEVELOPMENT.
- THE PROPERTY SHOWN HEREON SHALL COMPLY WITH SECTION 5-17 OF THE CITY OF NORTHPORT ZONING AND SUBDIVISION REGULATIONS.
- THE WEST RIGHT-OF-WAY OF U.S. HWY. NO. 43 IS AS SHOWN.

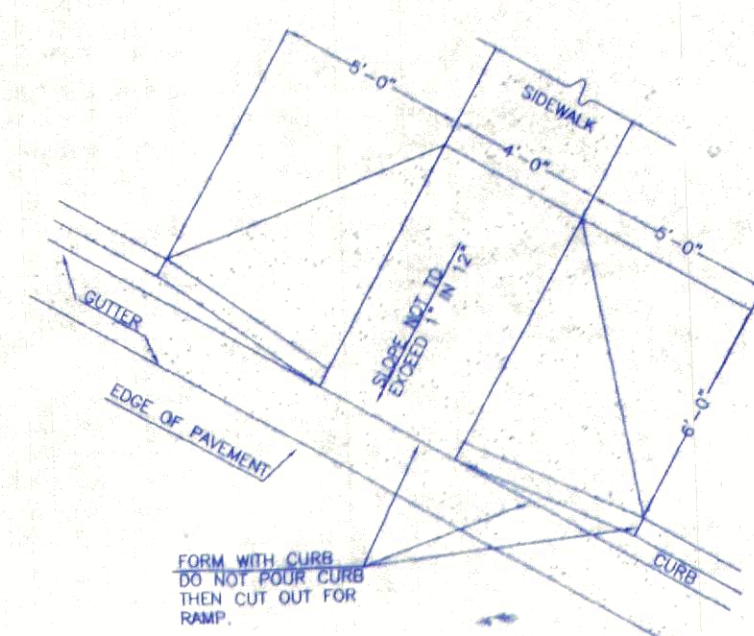
WAIVER REQUEST:

THE OWNER/DEVELOPER REQUESTS THE FOLLOWING WAIVERS:

- WAIVER OF EROSION CONTROL PLAN. EROSION CONTROL MEASURES WILL BE INSTALLED AND MAINTAINED THROUGHOUT CONSTRUCTION. A LAND DISTURBANCE PERMIT APPLICATION WILL BE SUBMITTED WITH CONSTRUCTION DOCUMENTS TO THE CITY OF NORTHPORT.
- WAIVER OF STANDARD 31' STREET CROSS-SECTION. THE DEVELOPER REQUESTS PERMISSION TO CONSTRUCT THE 32' ALTERNATE CROSS-SECTION WHICH RESULTS IN A STRONGER, "CLEANER" JOB.



VICINITY MAP
NOT TO SCALE



TYPICAL HANDICAP RAMP
N.T.S.

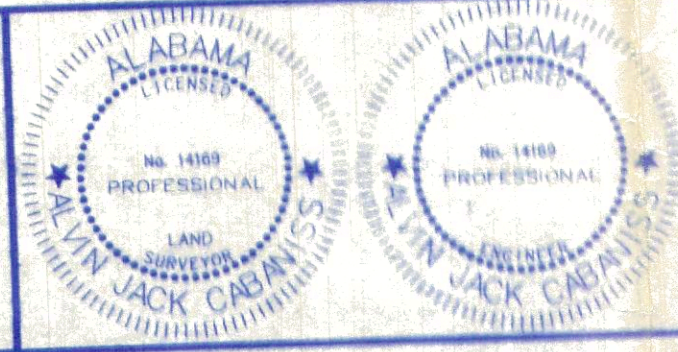
JOB NO.	04-11-025
DATE OF SURVEY	2/07/05
FILE NAME	0411025.DWG
DATE	2/07/05
SOURCE OF TITLE	AS NOTED
SCALE	AS NOTED
DRAWN BY	WJD/AJC
CHECKED BY	March 4, 2005
SHEET	2 OF 2

CABANISS ENGINEERING, INC.

PROFESSIONAL ENGINEERS AND LAND SURVEYORS

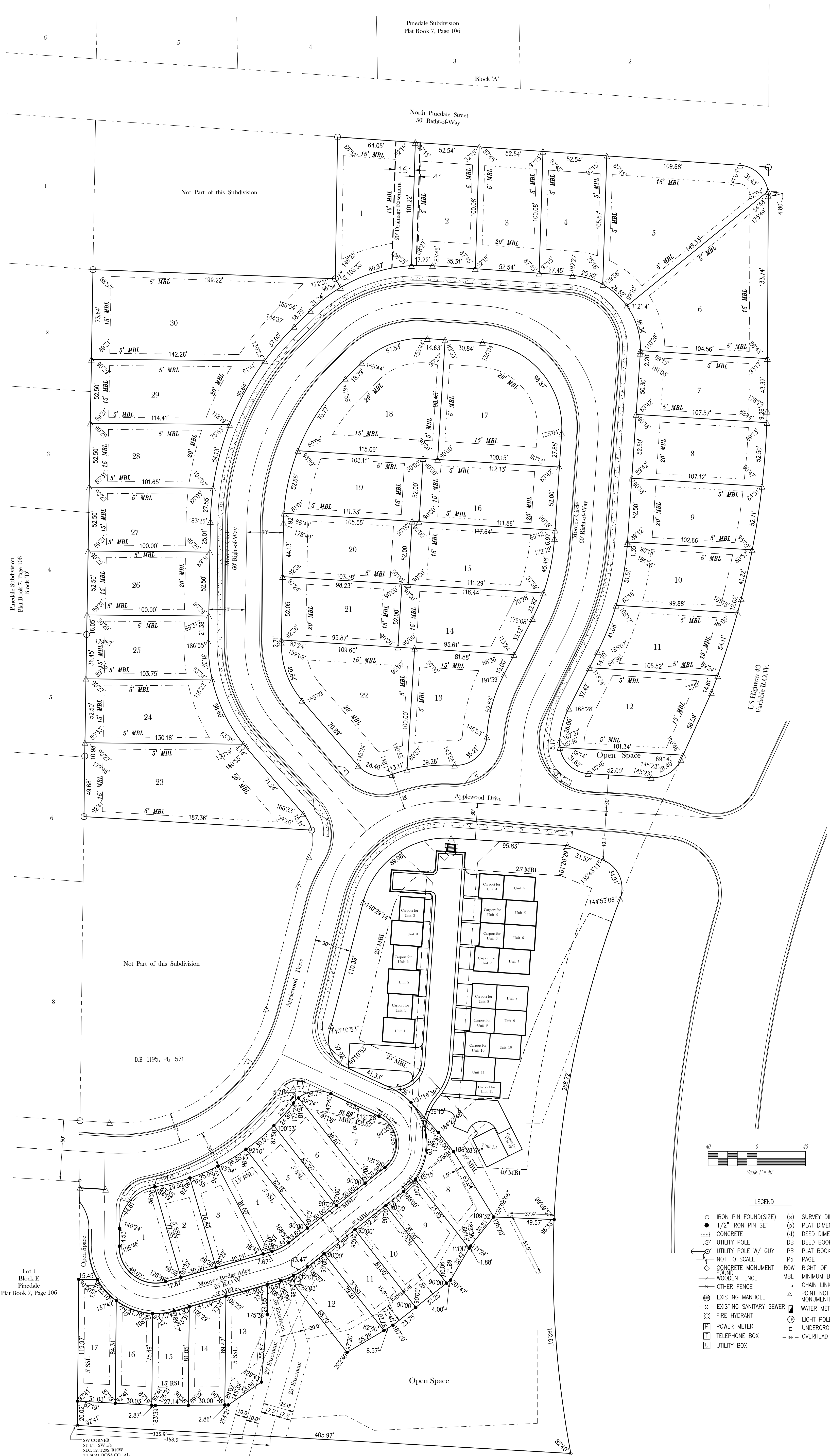
COURT HOUSE PLAZA 600 LURLEEN WALLACE BLVD. SOUTH, SUITE 140
P.O. BOX 020440 TUSCALOOSA, ALABAMA 35402 (205) 758-9032

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SITE PLAN
MOORE'S BRIDGE POINTE

A PLANNED DEVELOPMENT
EAST 1/2 - SW 1/4, SEC. 32, T20S, R10W,
TUSCALOOSA COUNTY, ALABAMA



JOB NO.: 04-11-025
DATE OF SURVEY: 11/20/2019
FIS/PG: 333/225
FILE NAME: 0411025 2023.DWG
DATE: 06/27/2023

SCALE: 1" = 40'
DWN/CHK BY: THS/AJC
REVISION:
SHEET: 1 OF 1

SOURCES OF TITLE:
D.B. 2004, PG. 28509
D.B. 2004, PG. 28512
D.B. 2005, PG. 4685
D.B. 2006, PG. 2388
D.B. 2019, PG. 16961

Cabaniss Engineering, Inc.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
COURT HOUSE PLAZA 600 LURLEEN WALLACE BLVD. SOUTH, SUITE 140
P.O. BOX 020440 TUSCALOOSA, ALABAMA 35402 (205) 758-9032

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Master Plan
"Moore's Bridge Point"
Part of the E½ - SW¼
Section 32, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

Cabaniss Engineering Inc.

PROFESSIONAL ENGINEERS, LAND SURVEYORS, PLANNERS

Al Cabaniss, PE, PLS

July 31, 2023

Julie Ramm, Planning Director
City of Northport
PO Box 569
Northport, AL 35476

Re: The Residences at Moore's Bridge Pointe (SP-6-23 & S-11-23)

Dear Julie,

As a follow up to our discussions pertaining to the original 2005 master plan, the original concept of what is now recorded as The Town Homes at Moore's Bridge Pointe was shown on the original 2005 master plan as 20 attached multi family units. The infrastructure for the subdivision was completed in 2006. In 2007, we went to a different concept, reducing the number of units from 20 multi-family attached units to 17 single family detached homes on individual lots. Going from multi-family attached to single family detached form of ownership, not only did we reduce the density, but we platted individual lots with single family detached homes. The original master plan had a walking trail, but the walking trail crossed what is now Lot 17 and Lot 8, because with the change to single family detached homes, we also included private individual lots with each single family home.

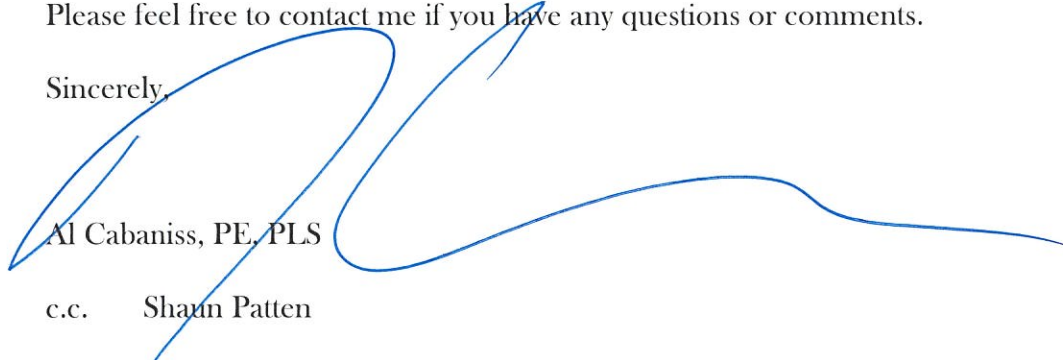
The significant issue with the change to single family lots, which did provide each homeowner with a private yard, was that a neighborhood walking trail across private yards would conflict with homeowner's privacy. There is however, platted Open Space that serves as a significant privacy buffer and a sound buffer from traffic traveling along US Highway 43, which was one of the primary functions of the original 2005 master plan concept.

An administrative determination was made to allow us to proceed without the walking trail, because it conflicted with the new concept of private, individually owned single family lots. Building Permits and Certificates of Occupancy were issued based on the revised concept. These homes were completed in 2015 and 2016.

My thanks again to you and Shaun for talking through the history of this development with us. As we have discussed, Mr. Stewart and I have gone through our records to summarize the revisions made throughout this development.

Please feel free to contact me if you have any questions or comments.

Sincerely,



Al Cabaniss, PE, PLS

c.c. Shawn Patten

Cabaniss Engineering Inc.

PROFESSIONAL ENGINEERS and LAND SURVEYORS

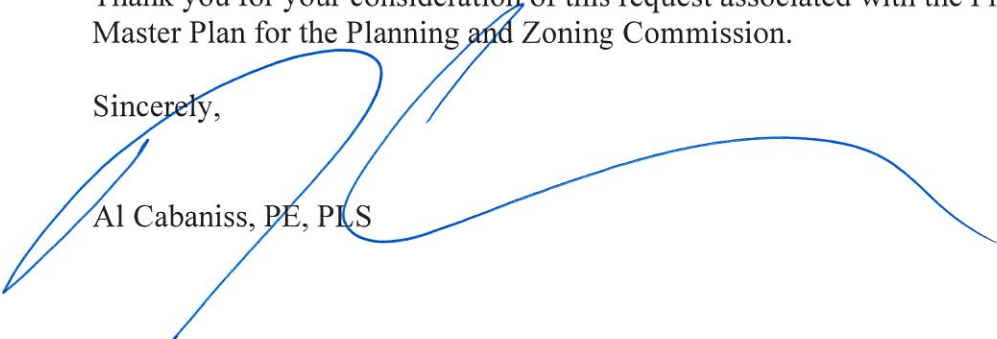
Al Cabaniss, PE, PLS

The Residences at Moore's Bridge Pointe Waiver Requests:

- 1) The Developer requests a Waiver from the 200' Rear Setback for Residential on Highway 43.
- 2) The Developer requests a Waiver for the construction of Sidewalks along Highway 43.

Thank you for your consideration of this request associated with the Preliminary Plat and Master Plan for the Planning and Zoning Commission.

Sincerely,



Al Cabaniss, PE, PLS



Kay Ivey
Governor

ALABAMA DEPARTMENT OF TRANSPORTATION

West Central Region, District 52
OFFICE OF THE DISTRICT ADMINISTRATOR
2715 East Skyland Boulevard
Tuscaloosa, Alabama 35405
Telephone: 205-554-3280



John R. Cooper
Transportation Director

June 28, 2023

Cabaniss Engineering, LLC
PO Box 020440
Tuscaloosa, AL 35402

Attn: Ms. Tara Smothers

Re: Sidewalk Requirements
Tuscaloosa County

Dear Ms. Smothers,

After consulting the Tuscaloosa Area Bicycle and Pedestrian Plan 2020, the Department does not require sidewalks along AL-13 in the vicinity of mileposts 199.77 to 199.83 Left.

If you have any questions, contact Ms. Darby Campbell at (205) 554-3239.

Respectfully,

Kevin Williamson, P.E.
District 52 Administrator

LKW/ DC

Enclosures

cc: File w/ Attachment

**DESIGNATION OF AGENT
CITY OF NORTHPORT
PLANNING AND ZONING DEPARTMENT**

I, Harris Stewart, being the owner of the property which is the subject of this application (The RESIDENCES AT MOORE'S BRIDGE Pointe) hereby authorize Al Cabaniss, PE, P.E. to act as my representative with the City of Northport's Zoning Board of Adjustment, and/or Planning and Zoning Commission as required by the type of request listed hereon.

Such representation shall be for all purposes concerning any matter, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.

Harris Stewart
Property Owner's Signature

6/13/23
Date

STATE OF ALABAMA

*

*

COUNTY OF TUSCALOOSA

*

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Harris Stewart, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of June, 2023



Alan Smothers
NOTARY PUBLIC

My Commission Expires: 8/22/23

Recorded: 8/1/2019 8:45:12 AM
Ward D. Robertson, III, Probate Judge
Tuscaloosa County, Alabama
Term/Cashier: PRO-RECORDING1/JMCATEER
Tran: 1460756
Probate Judge Fee \$2.00
Deed Tax \$0.50
Recording Fee - By Page Count \$12.00
Source of Title \$1.00
Total: \$15.50

This instrument prepared by:
Kenneth D. Davis
700 Towncenter Blvd., Suite 4
Tuscaloosa, AL 35406

SOURCE OF TITLE:
Deed Book 2016, Page 6354

STATE OF ALABAMA

TUSCALOOSA COUNTY

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That for and in consideration of other good and valuable consideration and the sum of Ten and No/100 (\$10.00) Dollars to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is hereby acknowledged, Nancy Miller Melton, a married woman (herein referred to as "Grantor"), does by these presents grant, bargain, sell and convey unto Morgantown Development Co., Inc., an Alabama corporation (herein referred to as "Grantee"), the following described real estate situated in Tuscaloosa County, Alabama, to-wit:

See Exhibit A attached hereto

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining and the reversion or the reversions, remainder or remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, dower and the right of dower, property, possession, claim and demand whatsoever, as well in law as in equity of the said Grantor, of, in, and to the same and every part or parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said Grantee, its successors or assigns forever. And said Grantor does for herself and her heirs and assigns, covenant with the said Grantee, its successors and assigns, that she is lawfully seized in fee simple of said premises; that it is free from all encumbrances, that she has good right to sell and convey the same as aforesaid; that Grantee is entitled to the immediate possession thereof; and that she will and her successors and assigns shall warrant and defend the same to the said Grantee, its successors and assigns forever against the lawful claims of all persons.

IN WITNESS WHEREOF, the undersigned has set her hand and seal as of this 28
day of June, 2019.


Nancy Miller Melton

STATE OF ALABAMA

COUNTY OF Cape Girardeau

I, the undersigned authority, a Notary Public in and for the State of Alabama at Large, do hereby certify that **Nancy Miller Melton**, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that being informed of the contents of the conveyance, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 18th day of June, 2019.

My commission expires:
5-20-2020

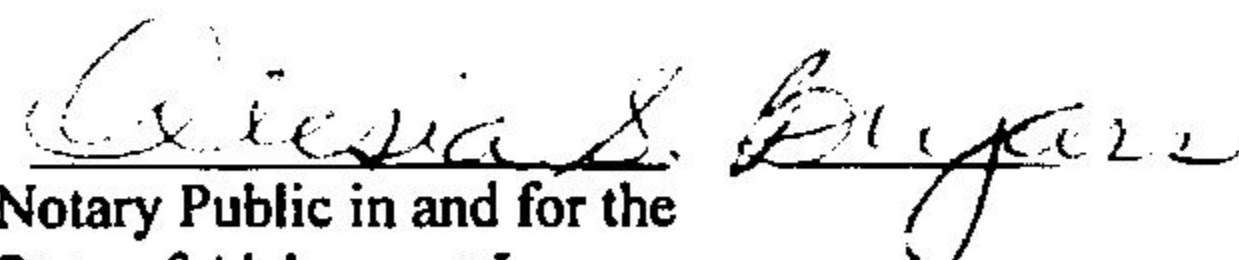

Notary Public in and for the
State of Alabama at Large

Exhibit A

The point of beginning is the Southwest corner of the Southeast Quarter of the Southwest Quarter of Section 32, Township 20 South, Range 10 West, in Tuscaloosa County, Alabama. From this point proceed East along the quarter line a distance of 408.4 feet to a point on the West right of way of Highway 43; thence turn a deflection angle to the left of 83 degrees 43 minutes to the long chord of a 7 degree 00 minutes curve to the right, the length of this long chord is 612.9 feet, the north end of the chord is a point in the center of the paved street just south of the old store building; then turn a deflection angle to the right of 09 degrees 22 minutes and proceed north along the west r.o.w. of old Moore's Bridge Road a distance of 109.4 feet to the northeast corner of this parcel, thence turn a deflection angle to the left of 96 degrees 54 minutes and proceed west a distance of 307.1 feet to a point on the east side of the ditch; then turn a deflection angle to the left of 105 degrees 23 minutes and proceed South along the east side of the ditch a distance of 153.5 feet to a point; then turn a deflection angle to the right of 16 degrees 15 minutes and proceed south a distance of 298.1 feet to a point; then turn a deflection angle to the right of 48 degrees 08 minutes and proceed a distance of 212.9 feet to the Northeast corner of Lot #1 of Block "E" of Pinedale Subdivision; then turn a deflection angle to the left of 60 degrees 30 minutes and proceed South along the east boundary of said Lot #1 a distance of 200 feet to the point of beginning.

This description is intended to describe that vacant parcel of land located on Applewood Drive, Northport, Alabama, that is designated in the records of the Tax Assessor for Tuscaloosa County, Alabama as Parcel# 63-20-09-32-3-005-001.006.

LESS AND EXCEPT THE FOLLOWING:

Said parcel of land being situated in the Southeast Quarter of the Southwest Quarter of Section 32, Township 20 South, Range 10 West, containing 0.027 acres, more or less, as described in that certain Warranty Deed in favor of the State of Alabama as recorded in Deed Book 2002 at Page 121296 in the Probate Office of Tuscaloosa County, Alabama.

LESS AND EXCEPT all lots, open spaces, and roads as set out in the Final Subdivision Plat Moore's Bridge Pointe Gardens in Plat Book 2006, Page 31 and the Final Subdivision Plat The Town Homes at Moore's Bridge Pointe in Plat Book 2007, Page 20 recorded in the Probate Office of Tuscaloosa County, Alabama.

Real Estate Sales Validation Form

This Document must be filed in accordance with Code of Alabama 1975, Section 40-22-1

Grantor's Name Nancy Miller Melton
Mailing Address PO Box 957
Brewton, AL 36427

Grantee's Name Morgantown Development Co. Inc.
Mailing Address PO Box 20415
Tuscaloosa, AL 35405

Property Address property on Applewood Drive

Date of Sale 7/30/19
Total Purchase Price \$ 50,000.00
or
Actual Value \$
or
Assessor's Market Value \$

The purchase price or actual value claimed on this form can be verified in the following documentary evidence: (check one) (Recordation of documentary evidence is not required)

☐ Bill of Sale
☐ Sales Contract
☒ Closing Statement

☐ Appraisal
☐ Other

If the conveyance document presented for recordation contains all of the required information referenced above, the filing of this form is not required.

Instructions

Grantor's name and mailing address - provide the name of the person or persons conveying interest to property and their current mailing address.

Grantee's name and mailing address - provide the name of the person or persons to whom interest to property is being conveyed.

Property address - the physical address of the property being conveyed, if available.

Date of Sale - the date on which interest to the property was conveyed.

Total purchase price - the total amount paid for the purchase of the property, both real and personal, being conveyed by the instrument offered for record.

Actual value - if the property is not being sold, the true value of the property, both real and personal, being conveyed by the instrument offered for record. This may be evidenced by an appraisal conducted by a licensed appraiser or the assessor's current market value.

If no proof is provided and the value must be determined, the current estimate of fair market value, excluding current use valuation, of the property as determined by the local official charged with the responsibility of valuing property for property tax purposes will be used and the taxpayer will be penalized pursuant to Code of Alabama 1975 § 40-22-1 (h).

I attest, to the best of my knowledge and belief that the information contained in this document is true and accurate. I further understand that any false statements claimed on this form may result in the imposition of the penalty indicated in Code of Alabama 1975 § 40-22-1 (h).

Date _____

Print Erica Stephens

☐ Unattested

(verified by)

Sign

(Grantor/Grantee/Owner/Agent) circle one

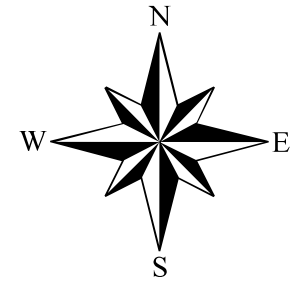
Form RT-1

Northport Planning & Zoning Commission

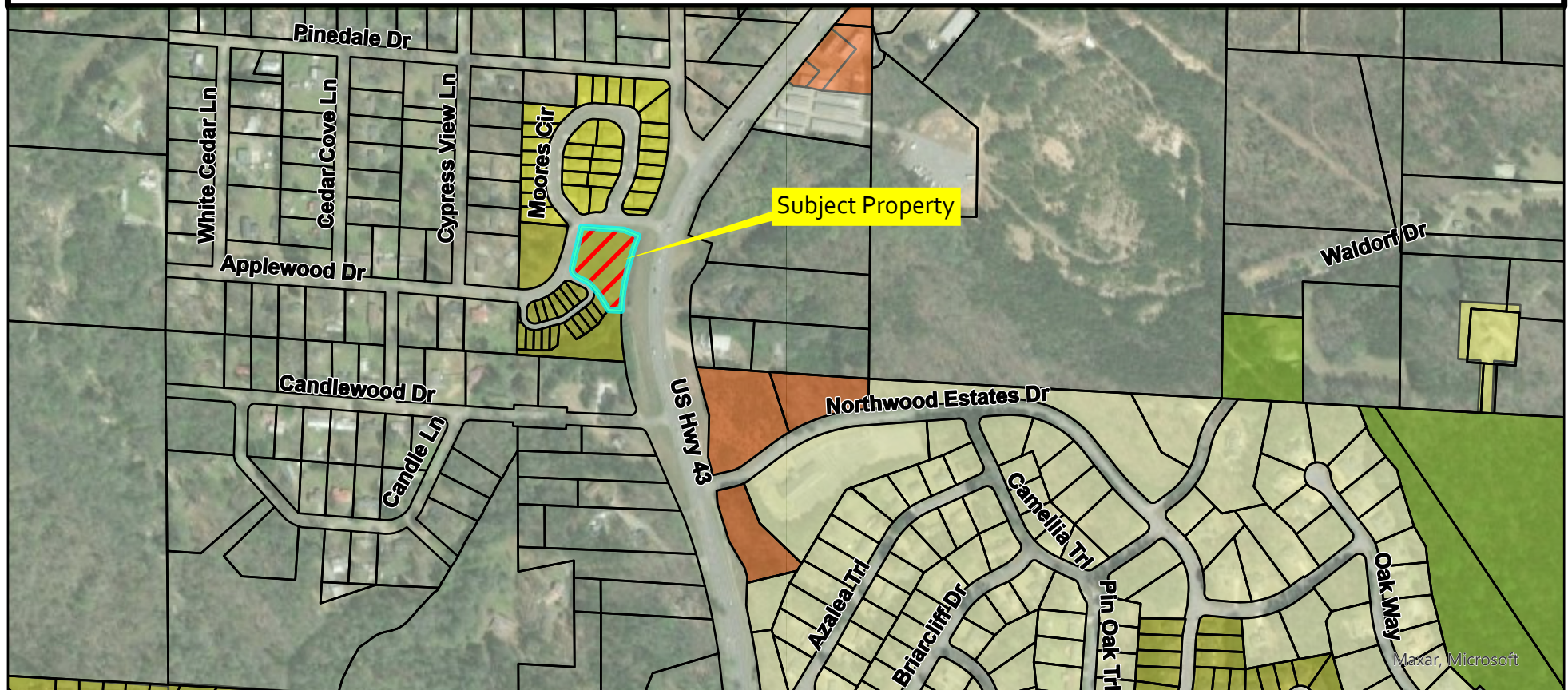
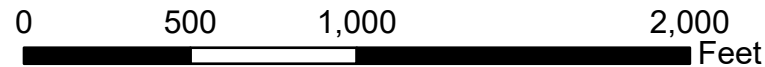
Zoning

-  Agriculture
-  General Commercial
-  Residential Single-Family - SD
-  Residential Single-Family - 1
-  Residential Single-Family - 2
-  Residential Single-Family - 4
-  Parcels
-  Subject Property

Preliminary Plat / Master Plan



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.



City of Northport
Planning and Zoning Commission – August 8, 2023
Staff Report

Case: A-06-23
Applicant: William Rice
Request: Annexation

William Rice requests annexation of approximately .74 acres located at 2015 Mitt Lary Road. This annexation request will annex an ingress/egress easement so that the adjacent property to the south would be eligible for annexation. The property will be zoned RS-1. The property meets the requirements for annexation.

Any action on this item will be a recommendation to the City Council.

PETITION FOR ANNEXATION

Submission Deadline: 12 Noon _____

Hearing Date: _____

CITY OF NORTHPORT PLANNING DEPARTMENT

3500 McFarland Blvd., Northport, AL 35476

(205) 333-3002/FAX (205) 333-3046

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

	--OFFICIAL USE ONLY--
APPLICANT'S NAME <u>William E. Rice</u>	
	CITY ADDRESS ASSIGNMENT
	ORDINANCE #
ADDRESS <u>2015 Mitt Larry Rd.</u>	CASE #
<u>Northport, AL 35473</u>	XREF. CASES:
DAYTIME TELEPHONE <u>205-562-9130</u>	
	REQUESTED ZONING (if other than RS-1):
EMAIL <u>brice@psc1201.com</u>	
County Address (if any) of subject property	

Applicant must attach deed(s) covering the entire subject property. All metes and bounds descriptions must be supplied in a compatible electronic format (Microsoft Word).

OWNERSHIP CONFIGURATION: ☒ single parcel/single ownership ☐ multiple parcels/single ownership
☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPT. AND BUREAU OF THE CENSUS.

Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation.

1. a. Is this property your principal residence? ☐ YES ☒ NO (if "yes," answer part B)
- b. Applicant's Marital Status: ☒ Now Married ☐ Separated ☐ Divorced ☐ Widowed ☐ Never Married
2. a. Total number of buildings on subject property: 0

Number of houses Number of manufactured homes Other:

- b. Number of persons living on subject property: 0
- c. Of all persons residing on the property, how many are of voting age (18 years or older)?
- d. Of all persons residing on the property, how many are:

White Black Hispanic Asian or Pacific Islander American Other
Indian/Eskimo/Aleut
- e. Number of children in household : 0 Ages: 0
- f. Proposed Use of Property (if any): existing 20' access and utility easement

GENERAL DESCRIPTION OF PROPERTY (Include Acreage, Subdivision Name, Lot Number, etc.):

20' access and utility easement as recorded in D.B. 2023 Pg. 6176

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE: <u>William Rice</u>	DATE: <u>10-22-23</u>
PRINT NAME: <u>Bill Rice</u>	

Note: If Applicant is not the current owner of record a "Designation of Agent" form must be completed and submitted with this petition

Received by: _____ Date: _____

(Received Date is considered official date of submission)

Updated 1/10

PETITION FOR ANNEXATION

To The City of Northport, Alabama:

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City of Northport this written petition requesting that our property as described be annexed to the City of Northport, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Ala. 1975.

We further certify that said property is contiguous to the city limits of City of Northport, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the preceding description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by §11-42-21, Code of Ala. 1975. A map and written legal description of said property is hereto attached.

Initials: _____

We, the undersigned, fully understand that the City will provide police and fire protection and, if available, the City **may** provide water and sewer service under our current adopted procedures. **The City makes no commitment to extend water and sewer lines to property that is annexed into the City, or to upgrade drainage or roads by virtue of an annexation. Further, the city is prohibited from improving private property.**

Initials: _____

We understand that if the subject property lies within the territory of a fire district, it is our responsibility to remove the subject property from the fire district and provide written proof from said fire district that they have released the subject property from the fire district before this petition will be processed by the City. **We understand and hereby agree to pay to the City of Northport all costs and attorney's fees which the City may pay in the future to remove this property from any fire district if it is not removed by us prior to this annexation.**

Initials: _____

Furthermore, we certify that we understand fully that, following annexation, **the subject property shall be subject to all laws and codes administered by the City of Northport**, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Northport.

Initials: _____

We do hereby request that the City give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Northport, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 20th day of June, 200 23.

Names and Signatures of
ALL property owners:

Signature: 
Print Name: William E. Rice

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

Map or Survey Attached? X

Legal Description Attached? X

Recorded Subdivision Plat Attached? _____ or Metes and Bounds descriptions in electronic format? X

Any Property which is found to have been divided in violation of the City of Northport subdivision regulations in effect at the time of said division, will be required to be legally subdivided in accordance with the current regulations prior to, or concurrent with, this petition.

Updated 1/10



City of Northport Designation of Agent Form

All applications, plans, and supporting documents may be submitted by email to
planning@cityofnorthport.org.

I, William E. Rice, being owner of the property which is the subject of this application
hereby authorize Duncan Coker Assoc., P.C., to act as my representative with the City of Northport's
(Board of Zoning, and/or Planning Commission, and/or City Council), as required by the type of request listed
on the attached application form.

Property Owner Signature:

Date: 6-22-23

Property Owner Mailing Address: 2015 Mitt Larry Road

Northport, AL 35473

Phone Number: 205-562-9130

Authorized Agent Mailing Address: 302 Merchants Walk, Ste. 250

Tuscaloosa, AL 35406

Phone Number: 205-561-0808

STATE OF ALABAMA

COUNTY OF TUSCALOOSA

I, Stacie Hollingsworth, a Notary Public in and for said County and State, hereby certify
that Tyler Oswalt, whose name is signed to the foregoing document, and who is known to
me or acknowledged before me on this day, that being informed of the contents of said document, did
execute the same voluntarily on the day that bears the same date.

Given my hand and seal of office this 26th day of June, 2023

Notary Public

My Commission Expires Jan. 3, 2027

My Commission Expires: _____

This Instrument Was Prepared By:
ROSEN, HARWOOD, COOK & SLEDGE, P.A.
1020 Lurleen Wallace Blvd. North
Tuscaloosa, AL 35401

Source of Title: Deed Book 879, at Page 70
Deed Book 719, at Page 308

THE STATE OF ALABAMA

WARRANTY DEED

COUNTY OF TUSCALOOSA

KNOW ALL MEN BY THESE PRESENTS, That in consideration of other good and valuable considerations and the sum of Ten and no/100 (\$10.00) Dollars to the undersigned Grantor, in hand paid by the Grantee herein, the receipt whereof is acknowledged, I, FRANK A. RICE, a married man, (herein referred to as Grantor), do hereby grant, bargain, sell and convey unto WILLIAM E. RICE (herein referred to as Grantee), the following described real estate situated in Tuscaloosa County, Alabama, to-wit:

ALL OF MY UNDIVIDED INTEREST IN AND TO THE FOLLOWING:

The East half of Northeast quarter, Section 21, lying East of Haley Branch and South of county paved road;

All that part of the West half of Northeast Quarter, Section 22, lying West of Highway #69 (Crabbe Road) and South of county paved road;

All that part of the Northwest quarter, Section 22, lying South of county paved road and North of Carroll Creek;

All that part of the East half of Northwest quarter, Section 22, lying South and West of Carroll Creek;

All that part of the North half of Southwest quarter of Northwest quarter, Section 22, lying East of Carroll Creek;

All the above land located in Township 20 South, Range 10 West, Tuscaloosa County, Alabama, and containing 160 acres more or less.

This conveyance is hereby made subject to restrictions, easements and rights of way of record in the Probate Office of Tuscaloosa County, Alabama.

Grantor hereby certifies that the property herein conveyed is not his homestead nor the homestead of his spouse.

Together with all and singular the tenements, hereditaments, and appurtenances, thereto or in any wise appertaining and the reversion or the reversions, remainder or remainders, rents, issues, and profits thereof; and also all the estate, right, title, interest, dower and the right of dower, property, possession, claim and demand whatsoever, as well in law as in

CLAIMS LIST

BK MTG

BK 1496 PG 405

NW 1/4 NW 22-20-10

CLAIMS LIST

BK MTG

BK 1602 PG 512

NW 1/4 NW 22-20-10

0993 0116

CLAIMS LIST

BK deed

BK 1076 PG 514

Application for
Electric Service
Made NW NW
22-20-10

CLAIMS LIST

deed

BK 1101 PG 674

NW 1/4 22-20-10

CLAIMS LIST

deed

BK 1101 PG 676

NW 22-20-10

-2-

equity, of the said Grantor, of, in, and to the same and every part or parcel thereof, with the appurtenances.

TO HAVE AND TO HOLD, all and singular, the above mentioned and described premises, together with the appurtenances, unto the said Grantee, his heirs and assigns forever. And said Grantor does for himself, his heirs and assigns, covenant with said Grantee, his heirs and assigns, that he is lawfully seized in fee simple of said premises, they are free from all encumbrances, unless otherwise noted above, that he has a good right to sell and convey the same as aforesaid, and that he will, and his heirs and assigns shall, warrant and defend the same to the said Grantee, his heirs and assigns forever, against the lawful claims of all persons.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on this the 18 day of November, 1988.

0993 0117

RECORDED IN ABOVE
DEED NO. 9931 & 9932
JAN 11 1989
REC 6 PM 3 59
THE STATE OF ALABAMA
COUNTY OF TUSCALOOSA
JAN 11 1989
TUSC. CO., ALA.

Frank A. Rice
FRANK A. RICE

DEC06-88 03:55PM

#00000993

#00000116

DEED75.00

REC.6.00

ACT6561.25

TOTL82.25

CASH82.25

I, the undersigned authority, a Notary Public in and for said County and State, hereby certify that FRANK A. RICE, a married man, whose name is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he, executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 18th day of November, 1988.

Beverly B. Hughes
NOTARY PUBLIC

My Commission Expires:

3/8/92

Property Description

Part of the NW 1/4 of Section 22, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

A 20' Access and Utility Easement located in the NW 1/4 of Section 22, Township 20 South, Range 10 West in Tuscaloosa County, Alabama; the centerline of which is more particularly described as follows:

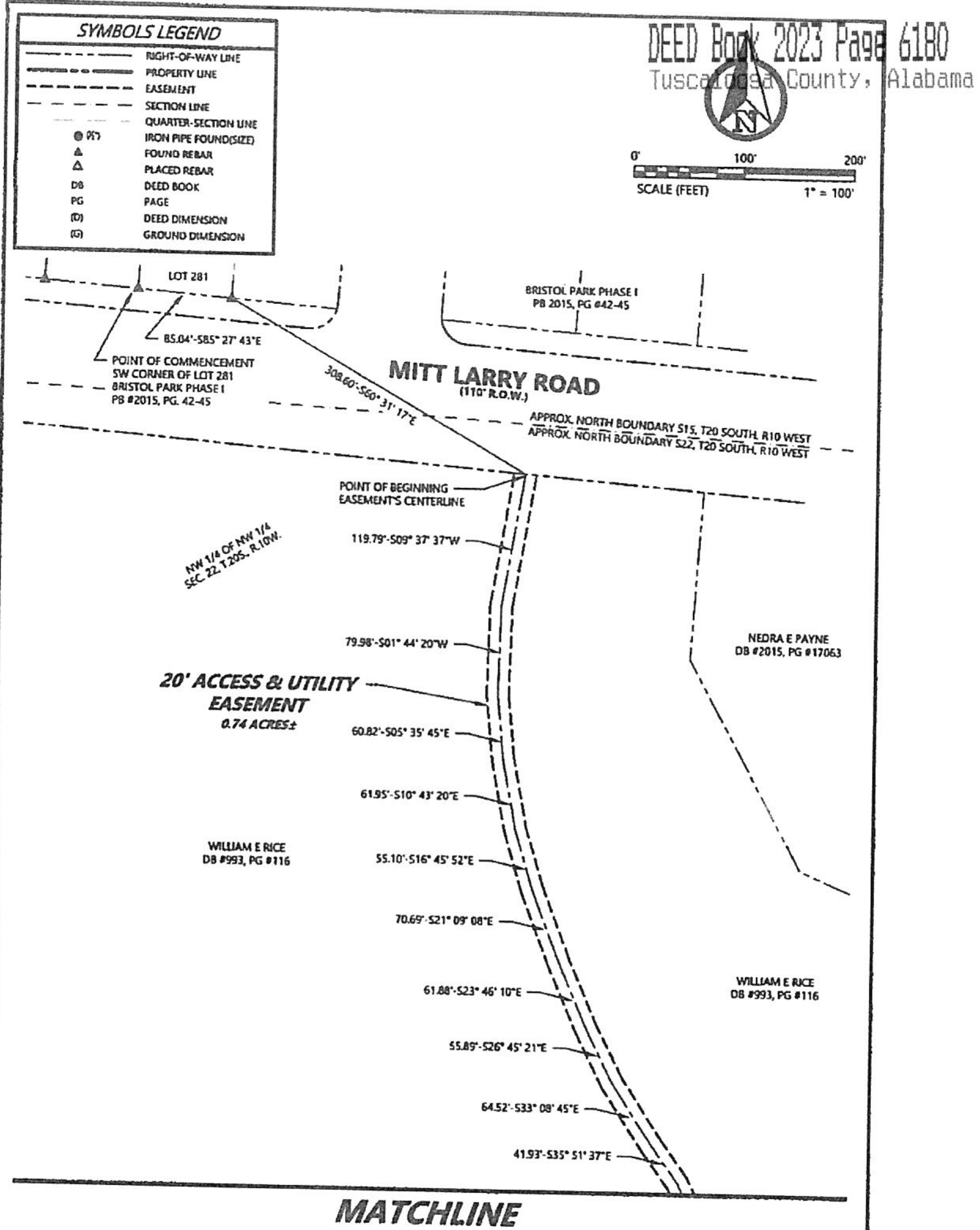
As a POINT OF COMMENCEMENT, start at a capped rebar found marking the Southwest corner of Lot 281 Bristol Park Phase I, as recorded in Plat Book 2015 at Page 42-45 in the Probate Records of Tuscaloosa County, Alabama; thence run S85°27'43"E for a distance of 85.04' to a capped rebar found marking the Southeast corner of the aforementioned Lot 281; thence run S60°31'17"E for a distance of 308.60' to a point on the Southern right-of-way margin of Mitt Lary Road, said road having a 110' right-of-way, said point also marking the POINT OF BEGINNING of the easement's centerline herein described; thence run S9°37'37"W for a distance of 119.79' to a point; thence run S1°44'20"W for a distance of 79.98' to a point, thence run S5°35'45"E for a distance of 60.82' to a point; thence run S10°43'20"E for a distance of 61.95' to a point; thence run S16°45'52"E for a distance of 55.10' to a point; thence run S21°09'08"E for a distance of 70.69' to a point; thence run S23°46'10"E for a distance of 61.88' to a point; thence run S26°45'21"E for a distance of 55.89' to a point; thence run S33°08'45"E for a distance of 64.52' to a point; thence run S35°51'37"E for a distance of 41.93' to a point; thence run S27°05'30"E for a distance of 44.11' to a point; thence run S3°36'31"E for a distance of 63.30' to a point; thence run S17°44'42"W for a distance of 123.32' to a point; thence run S50°15'41"W for a distance of 391.00' to a point; thence run S52°59'48"W for a distance of 149.61' to a point; thence run S85°45'41"W for a distance of 156.98' to the end of the easement's centerline herein described.

Property Description

Part of the NW 1/4 of Section 22, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

A 20' Access and Utility Easement located in the NW 1/4 of Section 22, Township 20 South, Range 10 West in Tuscaloosa County, Alabama; the centerline of which is more particularly described as follows:

As a POINT OF COMMENCEMENT, start at a capped rebar found marking the Southwest corner of Lot 281 Bristol Park Phase I, as recorded in Plat Book 2015 at Page 42-45 in the Probate Records of Tuscaloosa County, Alabama; thence run S85°27'43"E for a distance of 85.04' to a capped rebar found marking the Southeast corner of the aforementioned Lot 281; thence run S60°31'17"E for a distance of 308.60' to a point on the Southern right-of-way margin of Mitt Lary Road, said road having a 110' right-of-way, said point also marking the POINT OF BEGINNING of the easement's centerline herein described; thence run S9°37'37"W for a distance of 119.79' to a point; thence run S1°44'20"W for a distance of 79.98' to a point, thence run S5°35'45"E for a distance of 60.82' to a point; thence run S10°43'20"E for a distance of 61.95' to a point; thence run S16°45'52"E for a distance of 55.10' to a point; thence run S21°09'08"E for a distance of 70.69' to a point; thence run S23°46'10"E for a distance of 61.88' to a point; thence run S26°45'21"E for a distance of 55.89' to a point; thence run S33°08'45"E for a distance of 64.52' to a point; thence run S35°51'37"E for a distance of 41.93' to a point; thence run S27°05'30"E for a distance of 44.11' to a point; thence run S3°36'31"E for a distance of 63.30' to a point; thence run S17°44'42"W for a distance of 123.32' to a point; thence run S50°15'41"W for a distance of 391.00' to a point; thence run S52°59'48"W for a distance of 149.61' to a point; thence run S85°45'41"W for a distance of 156.98' to the end of the easement's centerline herein described.



NOTE REGARDING FUTURE PROPERTY SALE/TRANSFER
The subject property qualifies for direct transfer to an individual eligible to inherit the property from an owner under Article 3 of Chapter 8 of Title 41, relating to Intestate Succession. Any transaction resulting in the direct sale, deed, or transfer of the land occurring within 24 months of the excepted transfer shall be subject to municipal subdivision regulations per Alabama act 2021-297

DUNCAN & COKER ASSOCIATES
CIVIL ENGINEERING • SURVEYING • PLANNING
302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35406
705-541-0023
www.duncan-coker.com

SHEET TITLE

RICE - OSWALT PARCEL
TUSCALOOSA COUNTY, ALABAMA
UTILITY & ACCESS EASEMENT

NO.	DATE	DESCRIPTION

DATE: 4/29/22

CHECKED BY: RWM

DRAWN BY: DWH

Sr. No.

FILENAME: Rice-Oswalt Division

PROJECT NUMBER: 22-98

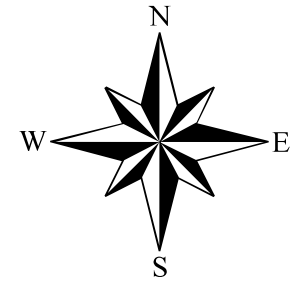
C1.2

Northport Planning & Zoning Commission

Zoning

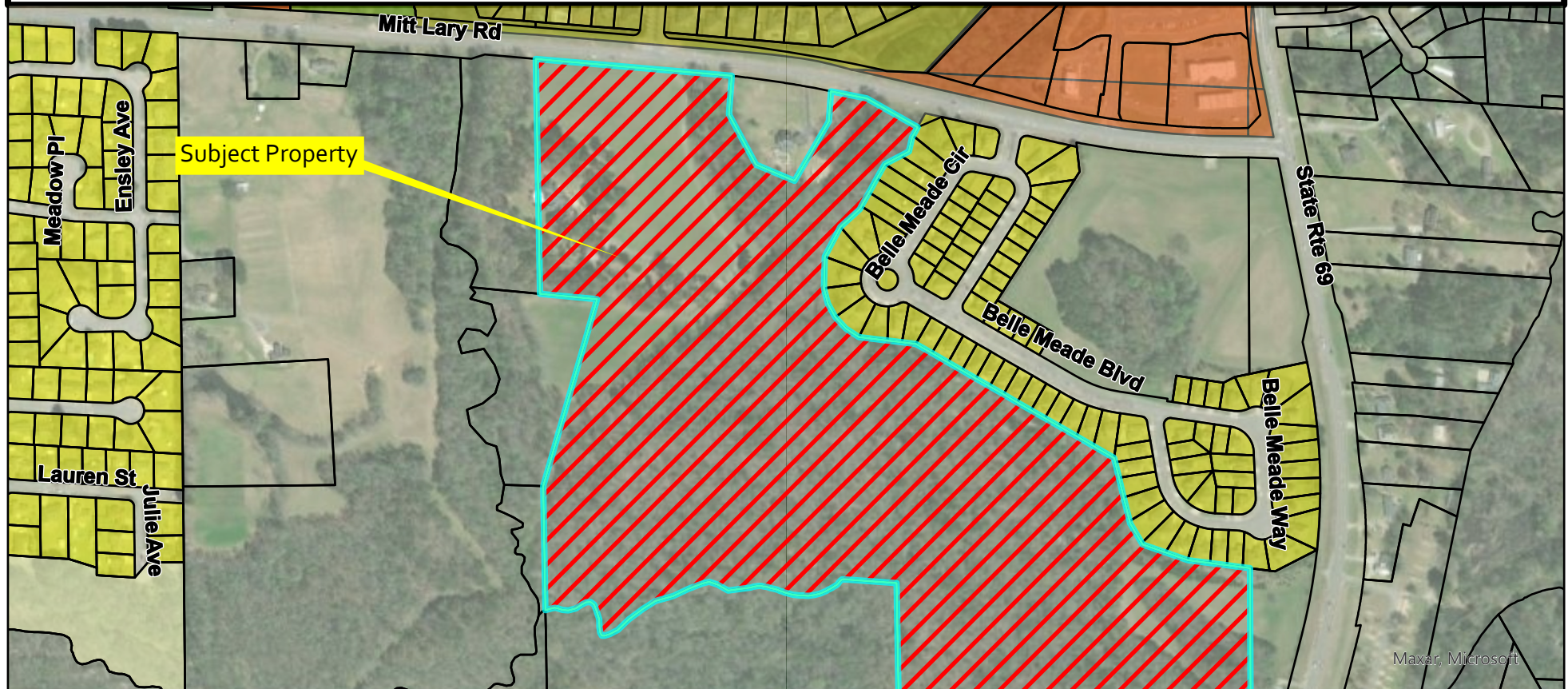
- Agriculture
- Neighborhood Commercial
- General Commercial
- Residential Single-Family - SD
- Residential Single-Family - 1
- Residential Single-Family - 3
- Residential Single-Family - 4
- Parcels
- Subject Property

Annexation Request



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0 500 1,000 2,000 Feet



Maxar, Microsoft

City of Northport
Planning and Zoning Commission – August 8, 2023
Staff Report

Case: A-07-23
Applicant: Tyler and Caroline Oswalt
Request: Annexation

Tyler and Caroline Oswalt requests annexation of approximately 5.28 acres located at 2121 Mitt Lary Road. The property will be zoned RS-1. The property meets the requirements for annexation.

Any action on this item will be a recommendation to the City Council.

PETITION FOR ANNEXATION

Submission Deadline: 12 Noon _____

Hearing Date: _____

CITY OF NORTHPORT PLANNING DEPARTMENT

3500 McFarland Blvd., Northport, AL 35476

(205) 333-3002/FAX (205) 333-3046

PLEASE READ ALL INFORMATION CAREFULLY AND COMPLETE FULLY

	--OFFICIAL USE ONLY--
APPLICANT'S NAME <u>Tyler Oswald</u> <u>Caroline Oswald</u>	CITY ADDRESS ASSIGNMENT
ADDRESS <u>PO Box 1438 Northport 35476</u>	ORDINANCE #
DAYTIME TELEPHONE <u>205-292-0067</u>	CASE #
EMAIL <u>Toswalt@pscl201.com</u>	XREF. CASES:
County Address (if any) of subject property	REQUESTED ZONING (if other than RS-1):

Applicant must attach deed(s) covering the entire subject property. All metes and bounds descriptions must be supplied in a compatible electronic format (Microsoft Word).

OWNERSHIP CONFIGURATION: ☒ single parcel/single ownership ☐ multiple parcels/single ownership
☐ single parcel/multiple ownership ☐ multiple parcels/multiple ownership

THE FOLLOWING INFORMATION IS REQUIRED BY THE U.S. JUSTICE DEPT. AND BUREAU OF THE CENSUS.

Answers to the following questions should reflect the conditions existing on the subject property at the time of annexation.

1. a. Is this property your principal residence? ☒ YES ☐ NO (if "yes," answer part B)
- b. Applicant's Marital Status: ☒ Now Married ☐ Separated ☐ Divorced ☐ Widowed ☐ Never Married
2. a. Total number of buildings on subject property: 1
☒ Number of houses ☐ Number of manufactured homes ☐ Other:
- b. Number of persons living on subject property: 4
- c. Of all persons residing on the property, how many are of voting age (18 years or older)? ☒ 2
- d. Of all persons residing on the property, how many are:
☒ White ☐ Black ☐ Hispanic ☐ Asian or Pacific Islander ☐ American ☐ Other
Indian/Eskimo/Aleut
- e. Number of children in household: 2 Ages: 4 & 7
- f. Proposed Use of Property (if any): Living

GENERAL DESCRIPTION OF PROPERTY (Include Acreage, Subdivision Name, Lot Number, etc.):

I, the applicant, certify that all of the above facts are true and correct to the best of my knowledge.

APPLICANT'S SIGNATURE: <u>Tyler Oswald</u>	DATE: <u>3/24/23</u>
PRINT NAME: <u>Tyler Oswald</u>	

Note: If Applicant is not the current owner of record a "Designation of Agent" form must be completed and submitted with this petition

Received by: _____ Date: _____

(Received Date is considered official date of submission)

Updated 1/10

PETITION FOR ANNEXATION

To The City of Northport, Alabama:

We, the undersigned, constituting all of the owners of all of the hereinafter described real property do hereby execute and file with the City of Northport this written petition requesting that our property as described be annexed to the City of Northport, Alabama, under the authority of §11-42-20 through §11-42-24, Code of Ala. 1975.

We further certify that said property is contiguous to the city limits of City of Northport, Alabama, and that none of the property lies within the corporate limits of another municipality. We further certify that all of the property included in the preceding description which lies within the police jurisdiction of both the annexing municipality and another municipality is located closer to the annexing municipality than to the other municipality as required by §11-42-21, Code of Ala. 1975. A map and written legal description of said property is hereto attached.

Initials: T.O. C.O.

We, the undersigned, fully understand that the City will provide police and fire protection and, if available, the City **may** provide water and sewer service under our current adopted procedures. **The City makes no commitment to extend water and sewer lines to property that is annexed into the City, or to upgrade drainage or roads by virtue of an annexation. Further, the city is prohibited from improving private property.**

Initials: TO CO

We understand that if the subject property lies within the territory of a fire district, it is our responsibility to remove the subject property from the fire district and provide written proof from said fire district that they have released the subject property from the fire district before this petition will be processed by the City. **We understand and hereby agree to pay to the City of Northport all costs and attorney's fees which the City may pay in the future to remove this property from any fire district if it is not removed by us prior to this annexation.**

Initials: TO CO

Furthermore, we certify that we understand fully that, following annexation, **the subject property shall be subject to all laws and codes administered by the City of Northport**, including, but not limited to, the zoning code, the subdivision regulations and the municipal code of the City of Northport.

Initials: TO CO

We do hereby request that the City give such notice, hold such hearing and adopt such ordinance and do all such things or acts as is required by law so that the corporate limits of the City of Northport, Alabama shall be rearranged so as to include such territory.

IN WITNESS WHEREOF, we have hereunto subscribed our names this the 24th day of March, 2023.

Names and Signatures of
ALL property owners:

Signature: Tyler Oswald
Print Name: Tyler Oswald

Signature: Laura Caroline Oswald
Print Name: Laura Caroline Oswald

Signature: _____
Print Name: _____

Signature: _____
Print Name: _____

Map or Survey Attached? yes

Legal Description Attached? yes

Recorded Subdivision Plat Attached? _____ or Metes and Bounds descriptions in electronic format? _____

Any Property which is found to have been divided in violation of the City of Northport subdivision regulations in effect at the time of said division, will be required to be legally subdivided in accordance with the current regulations prior to, or concurrent with, this petition.

Updated 1/10

Property Description

Part the NE 1/4 Section 21 and the NW 1/4 of Section 22, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

Part the NE 1/4 Section 21 and the NW 1/4 of Section 22, Township 20 South, Range 10 West in
Tuscaloosa County, Alabama; said parcel being more particularly described as follows:

As a POINT OF COMMENCEMENT, start at a capped rebar marking the Southwest corner of Lot 281 Bristol Park Phase I, as recorded in Plat Book 2015 at Page 42-45 in the Probate Records of Tuscaloosa County, Alabama; thence run S85°27'43"E for a distance of 85.04' to a capped rebar found marking the Southeast corner of the aforementioned Lot 281; thence run S4°22'08"W for a distance of 1,020.55' to a capped rebar set marking the POINT OF BEGINNING of the parcel herein described; thence run N84°39'08"W for a distance of 478.79' to a capped rebar set on the centerline of Haley Branch; thence run S42°43'55"E and along the centerline of Haley Branch for a distance of 26.99' to a capped rebar set; thence run S38°03'05"W and along the centerline of Haley Branch for a distance of 29.94' to a capped rebar set; thence run S74°41'05"E and along the centerline of Haley Branch for a distance of 82.52' to a capped rebar set; thence run S15°06'32"E and along the centerline of Haley Branch for a distance of 63.61' to a capped rebar set; thence run S28°34'16"W and along the centerline of Haley Branch for a distance of 64.06' to a capped rebar set; thence run N55°16'01"W and along the centerline of Haley Branch for a distance of 35.96' to a capped rebar set; thence run N82°24'36"W and along the centerline of Haley Branch for a distance of 49.45' to a capped rebar set; thence run S32°42'53"W and along the centerline of Haley Branch for a distance of 57.59' to a capped rebar set; thence run S14°17'47"E and along the centerline of Haley Branch for a distance of 45.73' to a capped rebar set; thence run N78°21'53"E and along the centerline of Haley Branch for a distance of 85.27' to a capped rebar set; thence run S33°53'44" and along the centerline of Haley Branch for a distance of 73.46' to a capped rebar set; thence run S19°37'31"E and along the centerline of Haley Branch for a distance of 55.88' to a capped rebar set; thence run S16°55'56"W and along the centerline of Haley Branch for a distance of 55.79' to a capped rebar set; thence run S51°25'56"W and along the centerline of Haley Branch for a distance of 60.71' to a capped rebar set; thence run S67°37'59"W for a distance of 64.10' to a capped rebar set; thence run S11°36'42"E and along the centerline of Haley Branch for a distance of 57.78' to a capped rebar set; thence run S42°12'31"E and along the centerline of Haley Branch for a distance of 91.87' to a capped rebar set; thence run S70°26'57"E and along the centerline of Haley Branch for a distance of 39.31' to a capped rebar set; thence run S13°47'16"E and along the centerline of Haley Branch for a distance of 47.37' to a capped rebar set; thence run S5°23'46"E and along the centerline of Haley Branch for a distance of 57.93' to a capped rebar set; thence run S17°57'50"E and along the centerline of Haley Branch for a distance of 42.22' to a capped rebar set; thence departing from the centerline of said Haley Branch, run S87°56'17"E for a distance of 146.97' to a capped rebar set; thence run N16°03'55"E for a distance of 731.51' to the POINT OF BEGINNING, said parcel containing approximately 5.28 acres, more or less.

THIS INSTRUMENT WAS PREPARED WITHOUT
BENEFIT OF SURVEY OR TITLE SEARCH BY:
Cynthia Lee Almond
Almond Attorneys LLC
2704 8th Street
Tuscaloosa, AL 35401
205-523-0198

DEED Book 2023 Page 6176
Recorded: 3/21/2023 4:21:30 PM
Ward D. Robertson, III, Probate Judge
Tuscaloosa County, Alabama
Term/Cashier: PRO-RECORDING4/mmdavidson
Tran: 54203
Deed Tax \$39.00
Probate Judge Fee \$2.00
Recording Fee - By Page Count \$21.00
Deed of Title \$1.25
Total: \$63.25

Source of Title: Deed Book 993, Page 116
Deed Book 2023 Page 6170

STATE OF ALABAMA §

COUNTY OF TUSCALOOSA §

WARRANTY DEED
with right of survivorship

KNOW ALL MEN BY THESE PRESENTS, that in consideration of other good and valuable consideration and the further sum of \$10.00, the undersigned **William E. Rice** and **Laura M. Rice** ("GRANTORS"), husband and wife, do hereby grant, bargain, sell and convey, subject to existing covenants and covenants contained in this Deed, unto **Caroline Rice Oswalt and Tyler Oswalt** ("GRANTEES") as joint tenants with right of survivorship the following described real estate situated in Tuscaloosa County, Alabama:

See Exhibit "A" attached hereto and made a part hereof as if set out fully at this point.

THE PROPERTY CONVEYED HEREIN DOES NOT CONSTITUTE THE HOMESTEAD OF GRANTORS.

Together with all and singular the tenements, hereditaments and appurtenances thereto belonging or in any wise appertaining in fee simple.

TO HAVE AND TO HOLD, to the GRANTEES and to the successors and assigns of GRANTEES together with every contingent remainder and right of reversion.

And GRANTORS do for themselves and for their heirs, executors, and administrators covenant with the said GRANTEES, the successors and assigns of GRANTEES, that GRANTORS are lawfully seized in fee simple of said premises; that it is free from all encumbrances, unless otherwise noted above; that they are entitled to the immediate possession thereof; that they have a good right to sell and convey the same as aforesaid; that they do and their heirs, executors, and administrators shall warrant and defend the same to the said GRANTEES, their successors and assigns forever, against the lawful claims of all persons.

FIRST RIGHT-OF-REFUSAL: If GRANTEES elect to sell the subject property at any time after conveyance by this instrument, GRANTORS are granted a First Right-of-Refusal.

IN WITNESS WHEREOF, we have hereunto set our hands and seals, this 9 day of March, 2023. DEED BOOK 2023 Page 6177
Tuscaloosa County, Alabama

William E. Rice
William E. Rice

STATE OF ALABAMA §
COUNTY OF TUSCALOOSA §

I, the undersigned, a Notary Public in and for said County and State, hereby certify that William E. Rice, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 9 day of March, 2023

Lisa R. Shirley
Notary Public in and for the
State of Alabama at Large
My Commission Expires: 7-11-26



Laura M. Rice
Laura M. Rice

STATE OF ALABAMA §
COUNTY OF TUSCALOOSA §

I, the undersigned, a Notary Public in and for said County and State, hereby certify that Laura M. Rice, whose name is signed to the foregoing instrument, and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal on this the 9 day of March, 2023

Lisa R. Shirley
Notary Public in and for the
State of Alabama at Large
My Commission Expires: 7-11-26

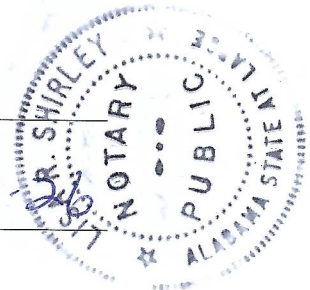


EXHIBIT " A "

DEED Book 2023 Page 6178
Tuscaloosa County, Alabama

Property Description
Property Owner: William E. Rice
Source of Title: Deed Book 993 Page 116
Part the NE 1/4 Section 21 and the NW 1/4 of Section 22, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

Part the NE 1/4 Section 21 and the NW 1/4 of Section 22, Township 20 South, Range 10 West in Tuscaloosa County, Alabama; said parcel being more particularly described as follows:

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20' ACCESS & UTILITY EASEMENT
Property Owner: William E. Rice
Source of Title: Deed Book 993 Page 116
Part of the NW 1/4 of Section 22, Township 20 South, Range 10 West
Tuscaloosa County, Alabama

A 20' Access and Utility Easement located in the NW 1/4 of Section 22, Township 20 South, Range 10 West in Tuscaloosa County, Alabama; the centerline of which is more particularly described as follows:

As a POINT OF COMMENCEMENT, start at a capped rebar found marking the Southwest corner of Lot 281 Bristol Park Phase I, as recorded in Plat Book 2015 at Page 42-45 in the Probate Records of Tuscaloosa County, Alabama; thence run S85°27'43"E for a distance of 85.04' to a capped rebar found marking the Southeast corner of the aforementioned Lot 281; thence run S60°31'17"E for a distance of 308.60' to a point on the Southern right-of-way margin of Mitt Lary Road, said road having a 110' right-of-way, said point also marking the POINT OF BEGINNING of the easement's centerline herein described; thence run S9°37'37"W for a distance of 119.79' to a point; thence run S1°44'20"W for a distance of 79.98' to a point; thence run S5°35'45"E for a distance of 60.82' to a point; thence run S10°43'20"E for a distance of 61.95' to a point; thence run S16°45'52"E for a distance of 55.10' to a point; thence run S21°09'08"E for a distance of 70.69' to a point; thence run S23°46'10"E for a distance of 61.88' to a point; thence run S26°45'21"E for a distance of 55.89' to a point; thence run S33°08'45"E for a distance of 64.52' to a point; thence run S35°51'37"E for a distance of 41.93' to a point; thence run S27°05'30"E for a distance of 44.11' to a point; thence run S3°36'31"E for a distance of 63.30' to a point; thence run S17°44'42"W for a distance of 123.32' to a point; thence run S50°15'41"W for a distance of 391.00' to a point; thence run S52°59'48"W for a distance of 149.61' to a point; thence run S85°45'41"W for a distance of 156.98' to the end of the easement's centerline herein described.

TO WHOM IT MAY CONCERN:

I, James L. Duncan, Jr., a Licensed Professional Land Surveyor in the State of Alabama of the firm of Duncan Coker Associates, P.C., Tuscaloosa, Alabama, hereby certify that all parts of this survey and drawing have been completed in accordance with the current requirements of the Standards of Practice for Surveying in the State of Alabama to the best of my knowledge, information, and belief.

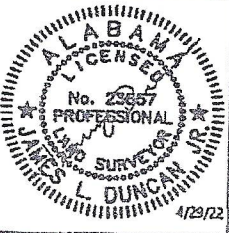
Witness my hand this the 29th day of April, 2022.

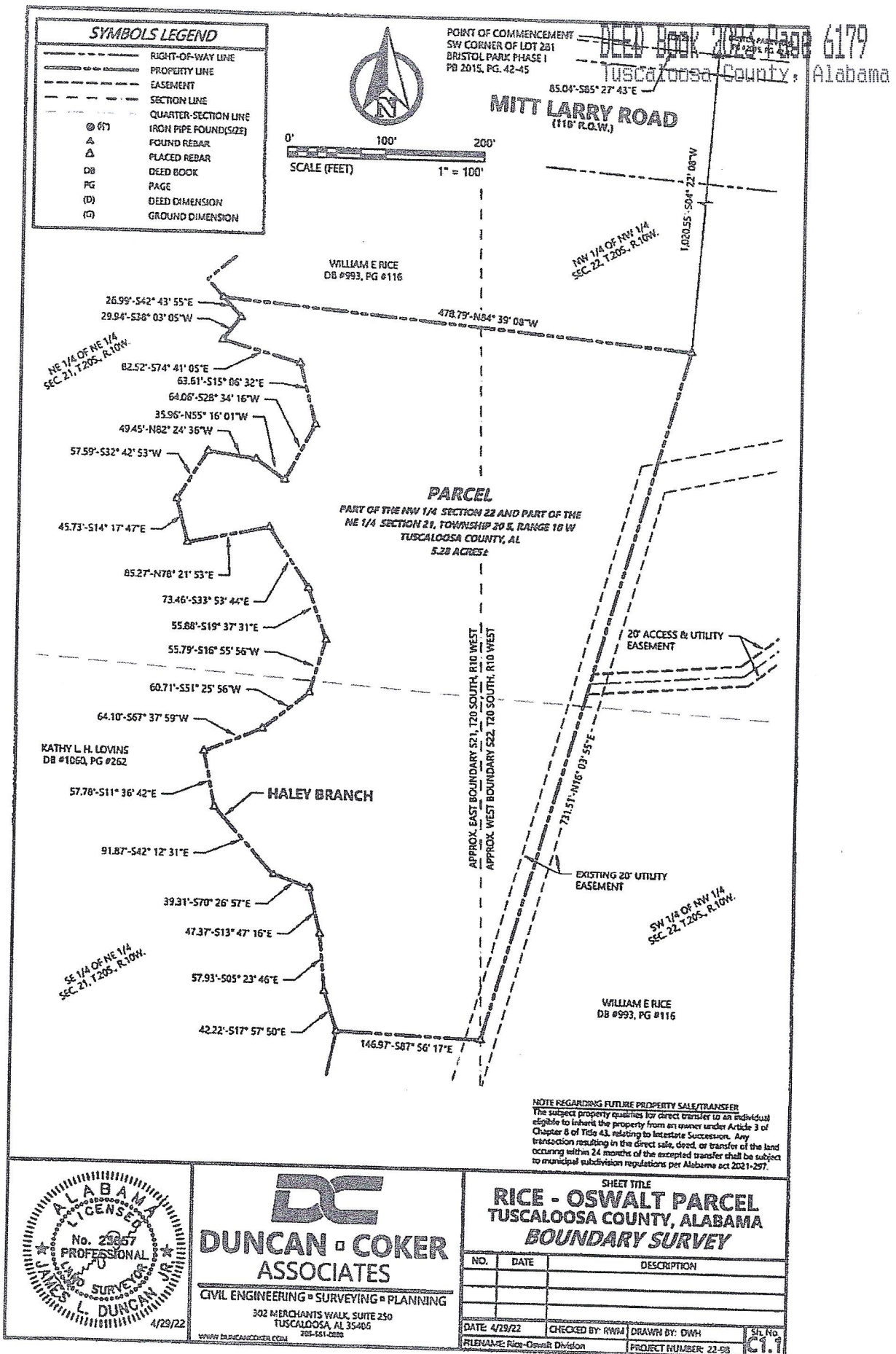
James L. Duncan, Jr.

James L. Duncan, Jr., PE/PLS
Licensed Professional Land Surveyor
Alabama License No. 23657

This survey has been prepared without the benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

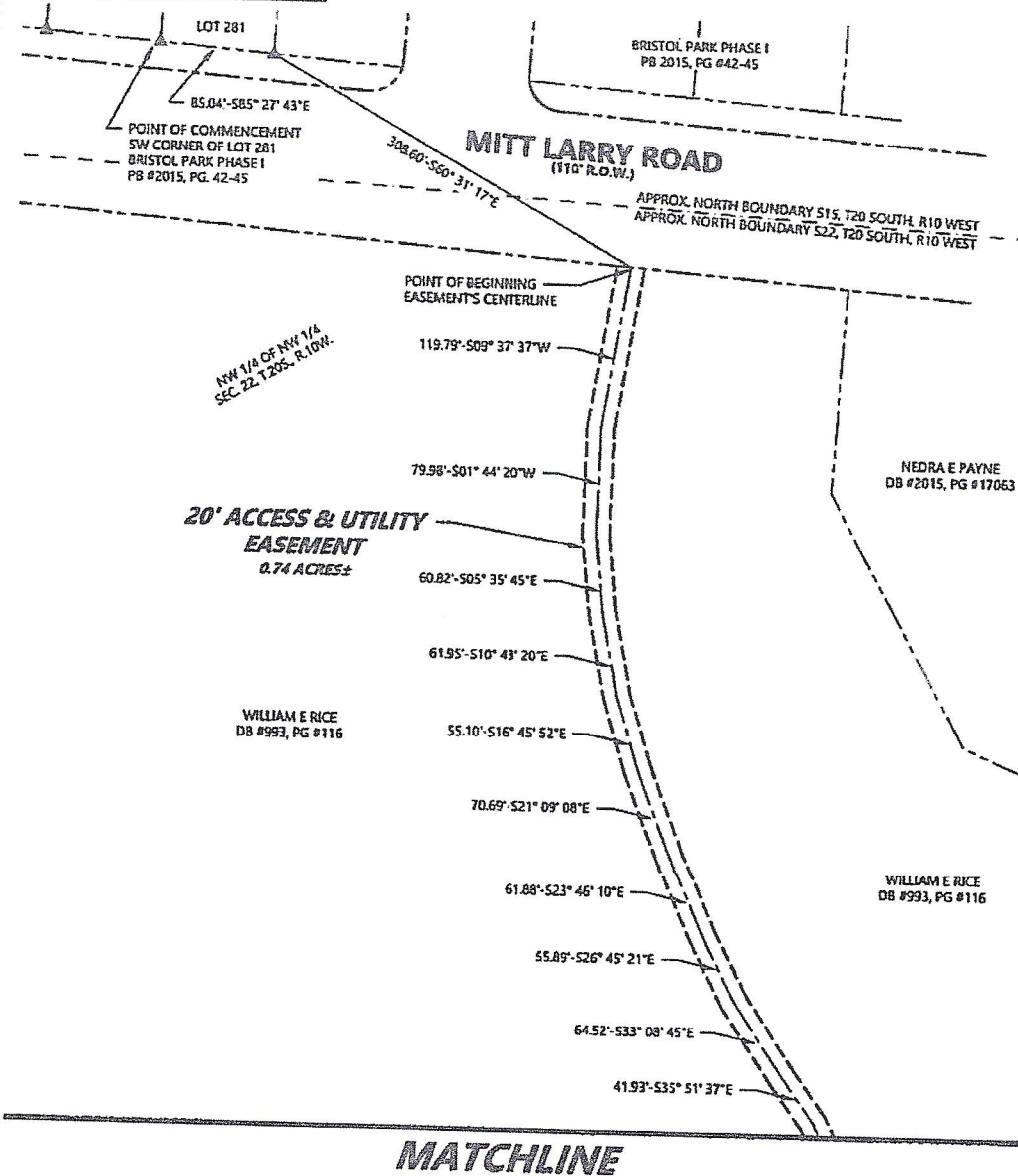
NOTE REGARDING FUTURE PROPERTY SALE/TRANSFER
The subject property qualifies for direct transfer to an individual eligible to inherit the property from an owner under Article 3 of Chapter 8 of Title 43, relating to Intestate Succession. Any transaction resulting in the direct sale, deed, or transfer of the land occurring within 24 months of the executed transfer shall be subject to municipal subdivision regulations per Alabama Act 2021-297.

 4/29/22	 DUNCAN & COKER ASSOCIATES CIVIL ENGINEERING • SURVEYING • PLANNING 302 MERCHANTS WALK, SUITE 250 TUSCALOOSA, AL 35406 WWW.DUNCANCOKER.COM 205-661-0020	SHEET TITLE RICE - OSWALT PARCEL TUSCALOOSA COUNTY, ALABAMA PROPERTY DESCRIPTION																			
		<table border="1"><thead><tr><th>NO.</th><th>DATE</th><th>DESCRIPTION</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	NO.	DATE	DESCRIPTION										<table border="1"><tr><td>DATE: 4/29/22</td><td>CHECKED BY: RWB</td><td>DRAWN BY: DPH</td><td>Sh. No.</td></tr><tr><td>FILENAME: Rice-Oswalt Division</td><td>PROJECT NUMBER: 22-55</td><td> </td><td>C1.0</td></tr></table>	DATE: 4/29/22	CHECKED BY: RWB	DRAWN BY: DPH	Sh. No.	FILENAME: Rice-Oswalt Division	PROJECT NUMBER: 22-55
NO.	DATE	DESCRIPTION																			
DATE: 4/29/22	CHECKED BY: RWB	DRAWN BY: DPH	Sh. No.																		
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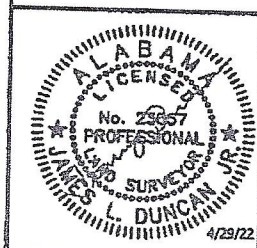


SYMBOLS LEGEND	
	RIGHT-OF-WAY LINE
	PROPERTY LINE
	EASEMENT
	SECTION LINE
	QUARTER-SECTION LINE
	IRON PIPE FOUND(SIZE)
	FOUND REBAR
	PLACED REBAR
	DEED BOOK
	PAGE
	DEED DIMENSION
	GROUND DIMENSION

0' 100' 200'
SCALE (FEET) 1" = 100'



NOTE REGARDING FUTURE PROPERTY SALE/TRANSFER
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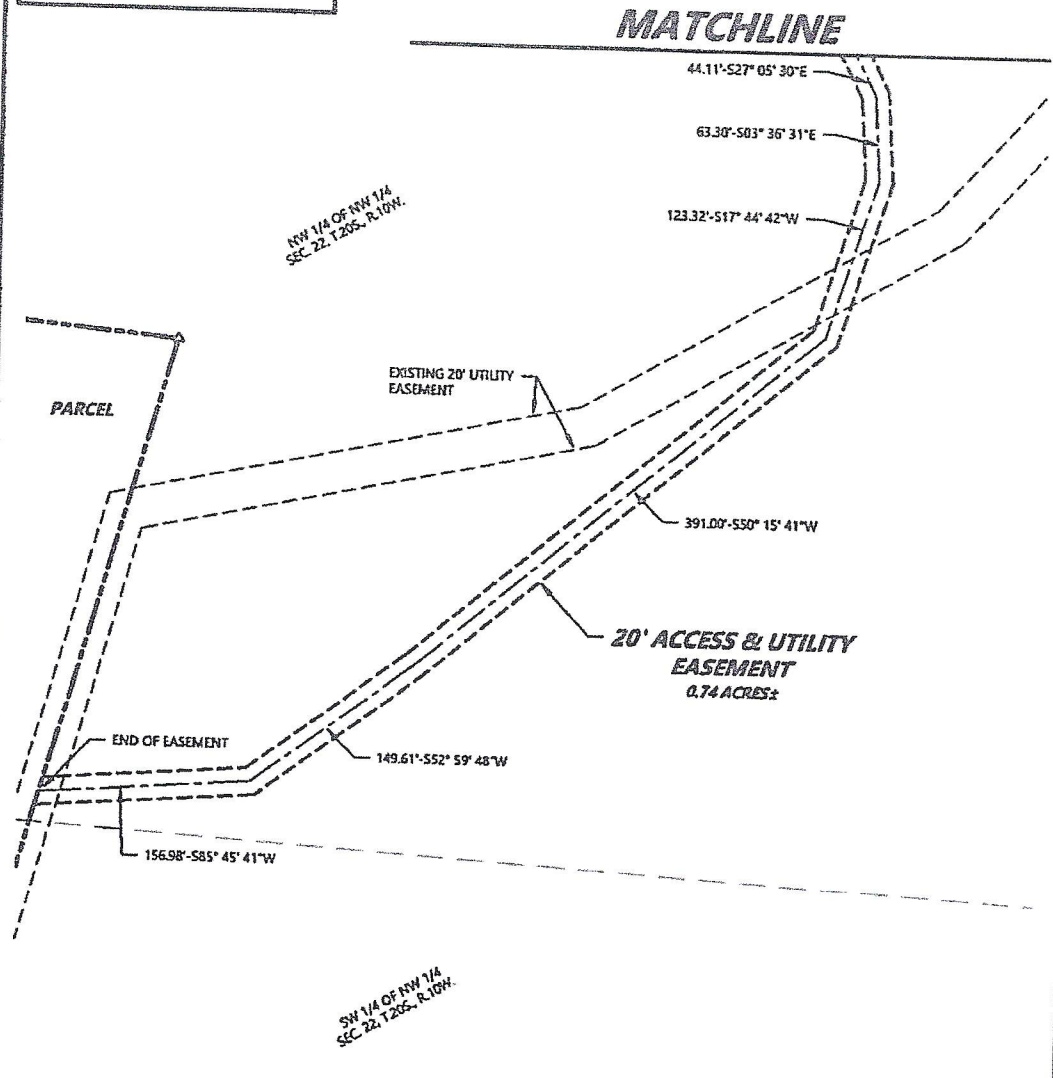
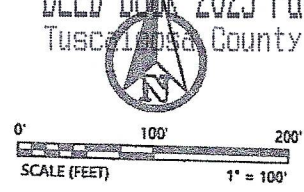


DC
DUNCAN & COKER
ASSOCIATES
CIVIL ENGINEERING • SURVEYING • PLANNING
302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35405
WWW.DUNCAN-COKER.COM 205-561-0223

SHEET TITLE		
RICE - OSWALT PARCEL TUSCALOOSA COUNTY, ALABAMA UTILITY & ACCESS EASEMENT		
NO.	DATE	DESCRIPTION
DATE: 4/29/22	CHECKED BY: RWB	DRAWN BY: DWB
FILENAME: Rice-Oswalt Division	PROJECT NUMBER: 22-98	Sht. No. 612

SYMBOLS LEGEND	
---	RIGHT-OF-WAY LINE
---	PROPERTY LINE
---	EASEMENT
---	SECTION LINE
---	QUARTER-SECTION LINE
⊙ 17	IRON PIPE FOUND(SIZE)
△	FOUND REBAR
△	PLACED REBAR
DB	DEED BOOK
PG	PAGE
(D)	DEED DIMENSION
(G)	GROUND DIMENSION

DEED Book 2023 Page 6181
Tuscaloosa County, Alabama



NOTE REGARDING FUTURE PROPERTY SALE/TRANSFER
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DC
DUNCAN & COKER ASSOCIATES
CIVIL ENGINEERING • SURVEYING • PLANNING
302 MERCHANTS WALK, SUITE 250
TUSCALOOSA, AL 35405
WWW.DUNCAN-COKER.COM 205-381-0204

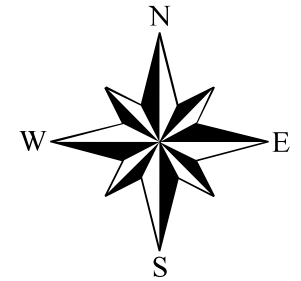
SHEET TITLE		
RICE - OSWALT PARCEL TUSCALOOSA COUNTY, ALABAMA UTILITY & ACCESS EASEMENT		
NO.	DATE	DESCRIPTION
DATE: 4/29/22	CHECKED BY: RWM	DRAWN BY: DWH
FILENAME: Rice-Oswalt Division	PROJECT NUMBER: 22-08	SHEET NO. 4 OF 4

Northport Planning & Zoning Commission

Zoning

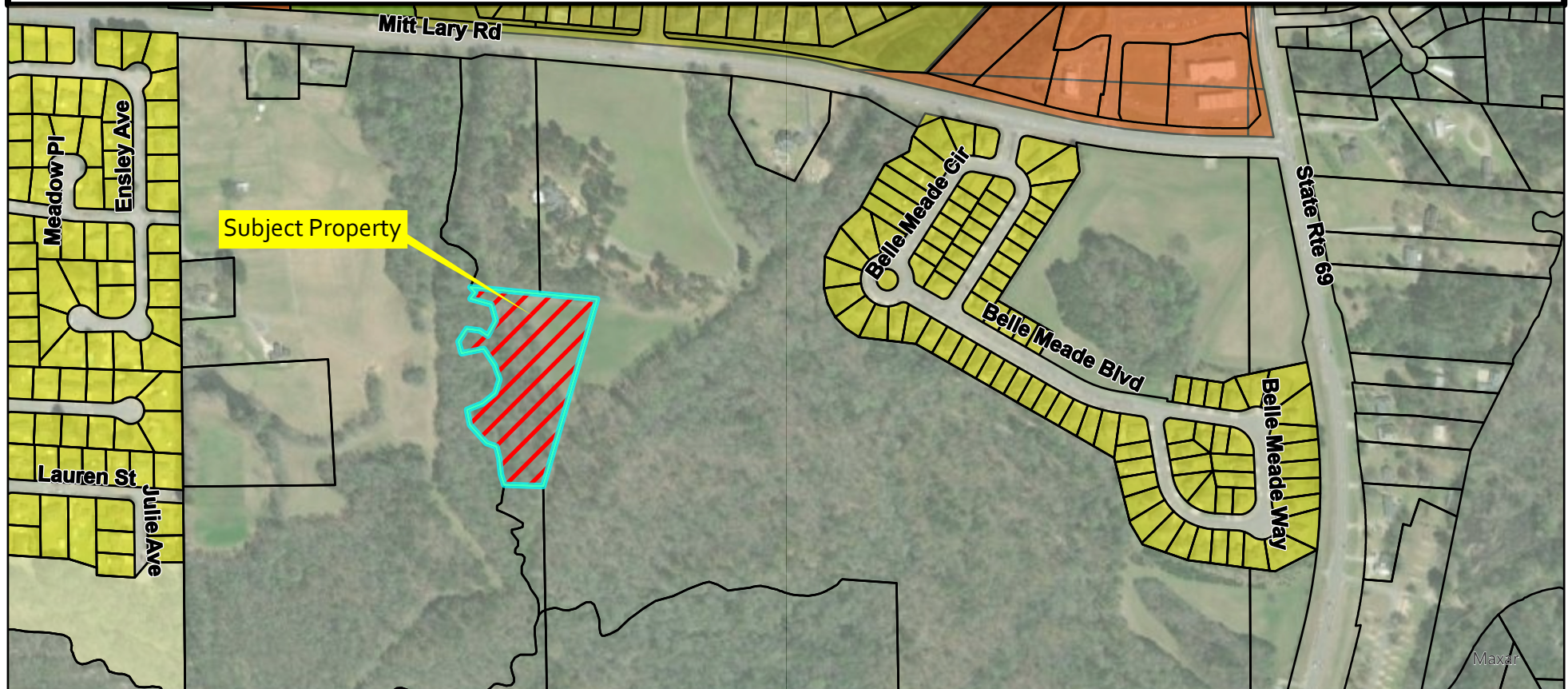
-  Agriculture
-  Neighborhood Commercial
-  General Commercial
-  Residential Single-Family - SD
-  Residential Single-Family - 1
-  Residential Single-Family - 3
-  Residential Single-Family - 4
-  Parcels
-  Subject Property

Annexation Request



While the City of Northport, Alabama makes every effort to maintain and distribute accurate information, No Warranties and/or Representations of Any Kind are made regarding information, data or services provided. In no event, shall the City of Northport, Alabama be liable in any way to the users of this data. Users of this data shall hold the City of Northport, Alabama harmless in all matters and accounts arising from the use and/or accuracy of this data.

0 500 1,000 2,000 Feet



City of Northport
Planning and Zoning Commission – August 8, 2023
Planning Staff Report

Case: S-14-23PP
Applicant: Magdalena Diego Juan
Location: 3120 32nd Street
Request: Preliminary Plat

Magdalena Diego Juan requests preliminary plat approval for the Resurvey of Lots 1, 2, and 3, Block E Crestmont Subdivision located at 3120 32nd Street. The plat will combine three lots and one unplatted lot into one lot. The total acreage is 2.97 acres. The following waiver is requested:

Sidewalks

The petitioner is requesting a waiver from the construction of sidewalks along 28th Street and 37th Avenue. There are no sidewalks in the near vicinity of either of these streets. Since this is a residential subdivision, the Commission has the option to require the installation of the sidewalks or the option to require payment into the Sidewalk Trust Fund.

Approval of this agenda item will require six affirmative votes of the Commission.

Preliminary Subdivision Plat Approval

City of Northport
3500 McFarland Blvd.
Northport, AL 35476
205-333-3002

Date of Application: 6/28/2023

1. Name of Subdivision A RESURVEY OF LOTS 1, 2 AND 3, BLOCK "E" CRESTMONT SUBDIVISION PLAT BOOK 11, PAGE 9 AND UNPLATTED LAND
2. Name of Applicant: Magdalena Diego Juan Phone: _____
Full Address: 3120 32nd Street
3. Name of Agent Designated by Owner: Chris Sentell
Full Address: 639 Black Bears Way
4. Owner of Record: Magdalena Diego Juan Phone: _____
Full Address: 3120 32nd Street
5. Engineer: _____ Phone: _____
Full Address: _____
6. Land Surveyor: Sentell Engineering Inc. Phone: 205-752-5564
Full Address: _____
7. Subdivision Location: On the West side of 37th Ave & 28th St (Street)
_____ Feet _____ (Direction) of _____
8. Total Acreage: 2.97 Zone: RS-2 Number of Lots: 1
9. Tax Map Parcel I.D. #: 63 31 02 09 3 002 026.000
10. List any Requested Waivers: Sidewalks
11. Date of any Pre-Application Conference: 6/28/2023
12. Attach Names and Addresses of Adjacent Property Owners.
13. Attach Sixteen (16) folded copies of the Proposed Preliminary Plat with electronic copy in Autocad or Microstation. **If this is not submitted at the time the application is submitted it will not be placed on the agenda.**
14. Attach three (3) copies of a Construction Plan Including: Erosion Control Plan, Street Plans, Profiles, and Other Required Plans.
15. Described contiguous undeveloped land holdings in the same ownership and number of acres: None

I understand that this application is subject to review prior to formal acceptance for processing for a hearing by the planning and Zoning Commission; that I will be notified in writing upon acceptance (or if unacceptable, the reasons thereof) and the date

scheduled for such hearing to be held within thirty (30) days subsequent to such acceptance.

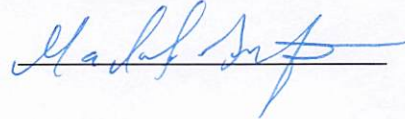
Attached hereto is an affidavit of ownership indicating the dates the respective holdings of land were acquired, together with the book and page of each conveyance into this present owner as recorded in the County Recorder of Deeds (County Clerk) Office. This affidavit shall indicate the legal owner of the property, the contract owner of the property, and the date the Contract of Sale was executed.

IN THE EVENT OF CORPORATE OWNERSHIP: A list of all directors, officers, stockholders of each corporation owning more than five percent (5%) of any class of stock must be attached.

STATE OF Alabama

COUNTY OF Tuscaloosa

I, Magdalena Diego Juan hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.



(Mailing Address)

Subscribed and sworn to before me this 11th day July, 2023


Notary Public

My Commission Expires: 3-3-2026

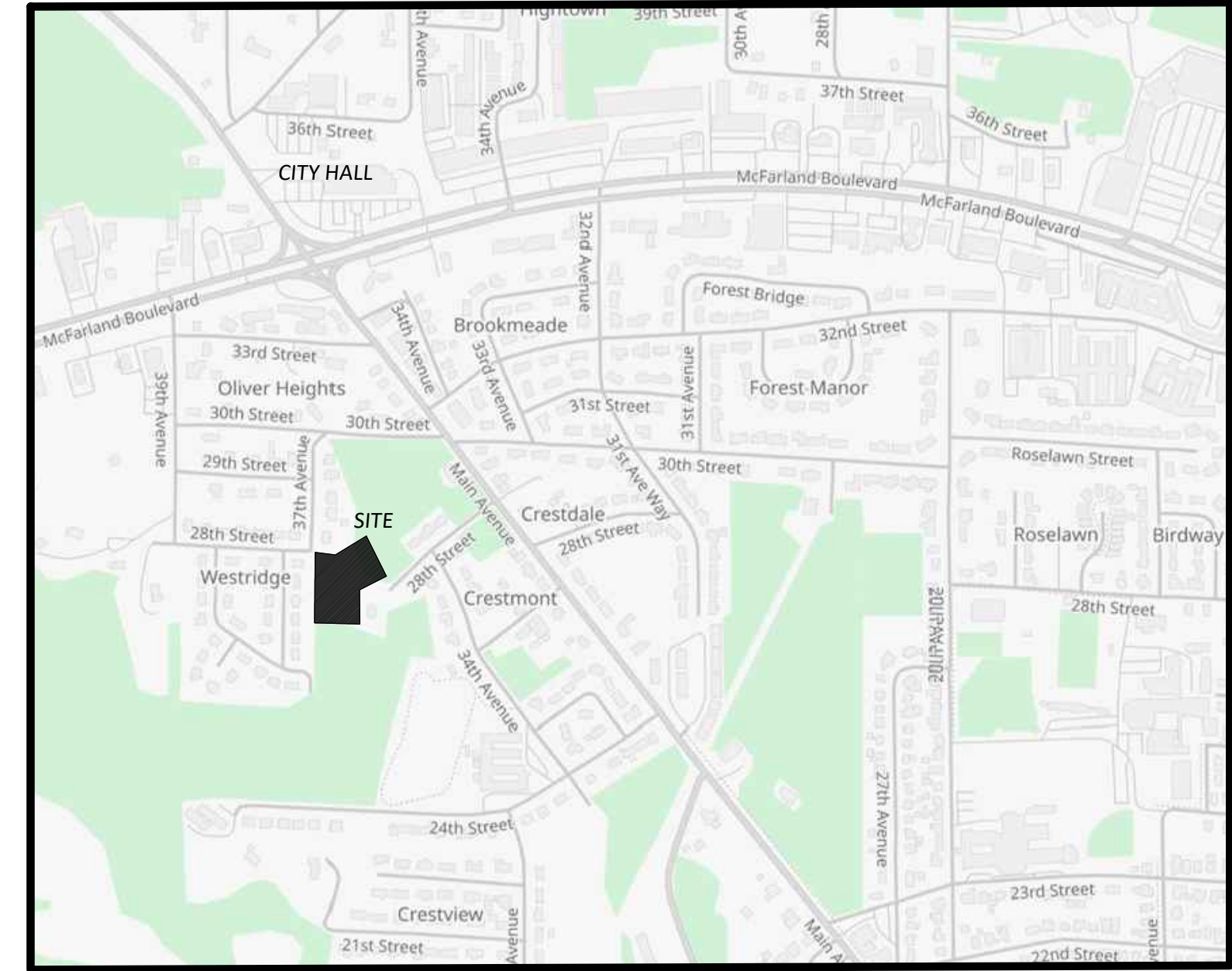
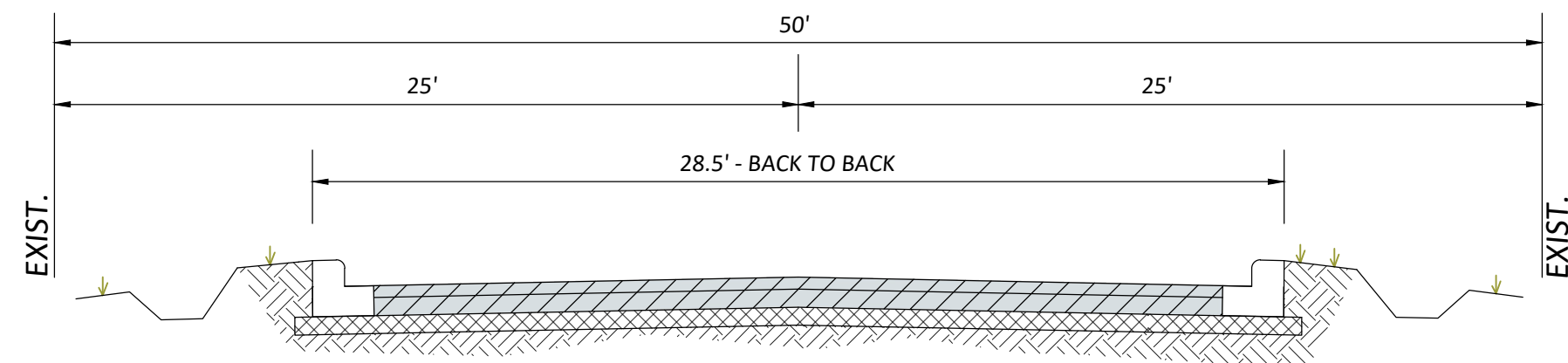
TO BE COMPLETED BY THE CITY OF NORTHPORT

Fee Collected: \$ _____
Received By _____ Date _____

Application is accepted for processing and is scheduled for hearing by the Planning and Zoning Commission at 6:00 p.m. on _____ in the Council Chambers at City Hall.

Departmental Secretary

Date



VICINITY MAP

NOTES:

- | | |
|--|---|
| 1. OWNER/DEVELOPER: | MAGDALENA DIEGO JUAN
3120 32ND ST
NORTHPORT, AL 35476 |
| 2. SOURCE OF TITLE: | D.B. 2019, PG. 5869 |
| 3. TOTAL ACRES OWNED/DEVELOPED: | 2.97 ACRES±. |
| 4. WAIVERS REQUESTED: | SIDEWALKS |
| 5. THE PROPERTY IS LOCATED INSIDE CITY LIMITS AND ZONED RS-2. | |
| 6. THE PROPERTY DOES PARTIALLY FALL WITHIN THE 100 YEAR FLOOD HAZARD BOUNDARY. LISTED AS ZONE AE ON PANEL NUMBER 01125C0502G EFFECTIVE DATE: 1/16/2014. MINIMUM FINISHED FLOOR EL IS 194.00' | |
| 7. THE NORTH ARROW AND BEARINGS SHOWN ARE BASED ON GRID NORTH. | |
| 8. ALL LOTS IN THIS SUBDIVISION WILL BE SERVED BY NORTHPORT WATER AND SEWER. | |
| 9. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN ON THIS PLAT. ANY UTILITIES SHOWN ARE FROM THE FIELD SURVEY, UNLESS NOTED OTHERWISE. OBSERVED EVIDENCE TOGETHER WITH EVIDENCE FROM PLANS OBTAINED FROM UTILITY COMPANIES OR PROVIDED BY CLIENT, AND MARKINGS BY UTILITY COMPANIES AND OTHER APPROPRIATE SOURCES (WITH REFERENCE AS TO THE SOURCE OF INFORMATION), SOURCE INFORMATION FROM PLANS AND MARKINGS WILL BE COMBINED WITH OBSERVED EVIDENCE OF UTILITIES TO DEVELOP A VIEW OF THOSE UNDERGROUND UTILITIES. HOWEVER, LACKING EXCAVATION, THE EXACT LOCATION OF UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY AND RELIABLY DEPICTED. WHERE ADDITIONAL OR MORE DETAILED INFORMATION IS REQUIRED, THE CLIENT IS ADVISED THAT EXCAVATION MAY BE NECESSARY. | |



LEGEND

- | | |
|--------------------------------|---------------|
| IRON PIPE/PIN FOUND (IPF) | ○ |
| CAPPED PIPE/PIN SET (CPS) | ● |
| CAPPED PIPE/PIN FOUND (CPF) | ○ |
| CONC. MONUMENT FOUND (CMF) | △ |
| POINT NOT MONUMENTED | □ |
| NORTH | N |
| SOUTH | S |
| EAST | E |
| WEST | W |
| RECORD BOOK - DEED AND/OR PLAT | () |
| FRONT SETBACK LINE | FSL |
| RIGHT OF WAY | ROW |
| PLAT BOOK | PB |
| DEED BOOK | DB |
| PAGE | PG |
| EXISTING FENCE (TYPE) | —x—x—x— |
| SECTION LINES | — · — · — · — |
| EXISTING POWER POLE | ⚡ |
| EXISTING LIGHT POLE | ☀ |
| EXISTING GUY WIRE | → |

PRELIMINARY PLAT



A RESURVEY OF LOTS 1, 2 AND 3, BLOCK "E" CRESTMONT
SUBDIVISION PLAT BOOK 11, PAGE 9 AND UNPLATTED LAND
TUSCALOOSA COUNTY, ALABAMA

NO.	DATE	DESCRIPTION
DRAWN :	CGS	
CHECKED :	GLS	
DATE :	05/30/2023	
JOB NO :	23-119	
SHEET :		



639 BLACK BEARS WAY
TUSCALOOSA, AL 35401
OFFICE (205) 752-5564
FAX (205) 752-5569

July 11, 2023

Mr. Shaun Patten, Zoning Administrator
City of Northport Planning & Zoning
P.O. Box 569
Northport, Alabama 35476

Re: Variance Request for Sidewalks
Resurvey of Lots 1 & 2, Blk E
Of Crestmont Subdivision

Dear Mr. Patten:

We are requesting the following variance:

- **Sidewalks:**
No sidewalks exist within the area of Lots 1 & 2 Blk E, Crestmont Subdivision and no sidewalks along either road. These lots have limited road frontage also.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

SENTTELL ENGINEERING INC.

Christopher G. Sentell, PLS
Vice-President

CITY OF NORTHPORT PRELIMINARY PLAT CHECKLIST

A RESURVEY OF LOTS 1, 2 AND 3, BLOCK "E" CRESTMONT SUBDIVISION PLAT BOOK 11, PAGE 9 AND UNPLATTED LAND

Name of Plat: _____

Developer: Magdalena Diego Juan

Developer's Engineer/Surveyor: Sentell Engineering Inc.

All preliminary plats submitted to the Northport Planning and Zoning Commission shall include with the application the preliminary plat checklist. Please check accordingly before submittal.

- ☒ Name and address of owners and the designer of the plat. Said designer shall be a land surveyor registered to practice in the State of Alabama.
- ☒ Names and addresses of current record (as per the tax assessor's records) of adjoining property owners, which shall include those across public rights-of-way, other rights-of-way, easements, creeks, etc.
- ☒ Date of the plat, north arrow, scale of not less than one inch equals 100 feet, amount of acreage contained in the plat and a statement as to the remaining adjoining acreage the developer or subdivider owns, has an option on or leases.
- ☒ Contours shall be shown at an interval of not more than five feet for slopes over five percent, and for slopes less than five percent contours shall be shown at an interval of not more than two feet. All contours shall be based on the true city elevation, which is the USGS-MSL datum. No assumed datum will be accepted. A note on the plat shall indicate which city B.M. was used.
- ☒ Lot dimensions, building lines and back and side setback lines and lot and block numbers and proposed street names.
- ☒ Rights-of-way, easements, alleys, location and proposed widths.
- ☒ Proposed subdivision boundaries, with dimensions and tie to nearest government monument, with description of monument.
- ☒ Any pertinent topographic features existing on the site.
- ☒ Proposed storm drains, sanitary sewer with approximate sizes and design data.
- ☒ Location and dimensions of existing storm and sanitary sewers.
- ☒ A statement as to the current and proposed zoning (if applicable); or a statement of the allowable use of each lot, if required pursuant to section 107.
- ☒ A vicinity sketch showing location of proposed site in relation to existing major streets, etc.
- ☒ Erosion control measures to be used during construction of the subdivision as required by article XI.
- ☒ Width of all proposed paving in the proposed project from back to back of curb.
- ☒ Proposed location of "stop," "yield" and other traffic control signs and devices to be installed. If the proposed subdivision abuts an existing street, the location of any intersecting streets on the other side abutting street shall be depicted.

- ☒ Evidence from the appropriate governing body (state, county, federal, or city) that the proposed subdivision has access over a publicly dedicated and maintained street or road.
- ☒ The names, locations, widths, and other dimensions of existing or proposed parks, playgrounds, open spaces or other public property.
- ☒ The locations of existing and proposed property lines and existing buildings, watercourses, railroads, power lines, bridges, culverts, and drainpipes on the land to be subdivided and immediately adjoining land.
- ☒ Street cross-section, showing proposed construction and statements concerning type of material to be used in construction.
- ☒ Location of proposed sidewalks.
- ☒ If any portion of the land included in, or immediately adjacent to, the proposed subdivision is located within the floodway or the 100-year flood boundary of a stream or river, as depicted on the flood boundary and floodway map, or is located in a special flood hazard area, as depicted on a flood hazard boundary map, then such floodway, boundary, or flood hazard area shall be indicated on the preliminary plats accurately as possible.
- ☐ Designation of Agent.

Chris Sentell, PLS
Signature of Engineer/Surveyor

6/28/2023

Date

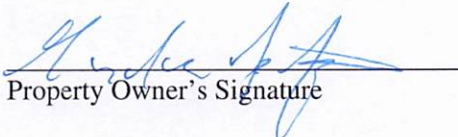
F:\jw/forms/preplatchecklist03

**DESIGNATION OF AGENT
CITY OF NORTHPORT
PLANNING AND ZONING DEPARTMENT**

I, Magdalena Diego Juan, being the owner of the property which is the subject of this application (63 31 02 09 3 002 026.000)
Name of proposed subdivision, address, or Tax Parcel ID
(A RESURVEY OF LOTS 1, 2 AND 3, BLOCK "E" CRESTMONT SUBDIVISION PLAT BOOK 11, PAGE 9 AND UNPLATTED LAND)
) hereby authorize _____
to act as my representative with the City of Northport's Zoning Board of Adjustment, and/or Planning and Zoning Commission as required by the type of request listed hereon.

Such representation shall be for all purposes concerning any matter, right or obligation relating to this petition. This designation authorizes my agent to make verbal or written representations and/or declarations on my behalf and I shall be legally bound by said verbal or written representations and/or declarations relating to this petition.

The petitioner understands and acknowledges that the City will rely upon the agent's representations in approval or denial of said petition.


Property Owner's Signature

7-11-23
Date

STATE OF ALABAMA *
 *
COUNTY OF TUSCALOOSA *

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Magdalena Diego Juan, whose name is signed to the foregoing instrument and who is known to me, acknowledged before me on this day, being informed of the contents of the instrument, he/she executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 11th day of July, 20023.


NOTARY PUBLIC
My Commission Expires: 3-3-26

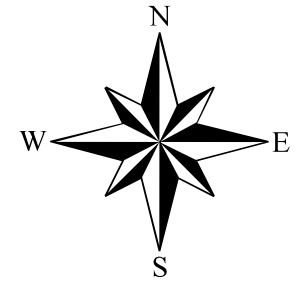
SEAL

Northport Planning & Zoning Commission

Zoning

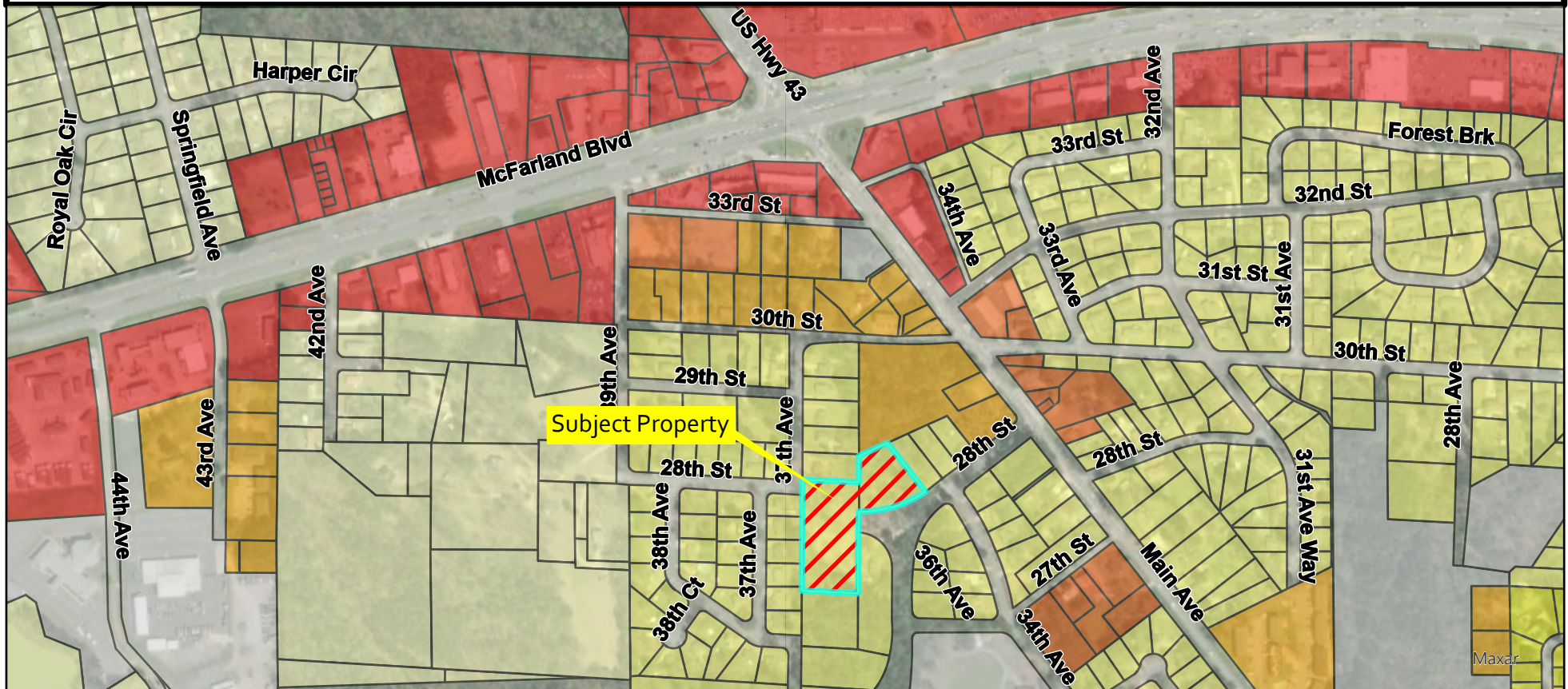
- Neighborhood Commercial
- General Commercial
- Commercial Highway
- Office and Institutional
- Residential Multi-Family
- Residential Single-Family - 1
- Residential Single-Family - 2
- Residential Single-Family - 4
- Subject Property

Preliminary Plat



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0 500 1,000 2,000 Feet



City of Northport
Planning and Zoning Commission – August 8, 2023
Staff Report

Case: SP-08-23
Applicant: TBG Canetuck
Location: Clearlake Street
Request: Access Easement

TBG Canetuck requests approval of an Access Easement for property located south of Clearlake Street and east of Northwood Lake Drive East. The Zoning Ordinance requires, prior to the issuance of a building permit, the subject lot to have legal access to a publicly owned and maintained road. Legal access can be granted by the property having road frontage, a flag lot approval, or by access easement. The plat that was denied at last month's Commission meeting would have given the lot road frontage and legal access. However, since that plat was denied, TBG Cantuck is requesting approval of an access easement to provide legal access to the landlocked parcel. If approved, the access easement would only be allowed to serve one single family dwelling and permitted accessory structure.

Any action on this item will require the affirmative vote of a majority of those present at the meeting.

HERNDON, HICKS & ASSOCIATES, INC.

Professional Land Surveyors

July 21, 2023

Northport Planning and Zoning Commission
Northport City Hall
3500 McFarland Blvd.
Northport, AL 35476

Clearlake Street property

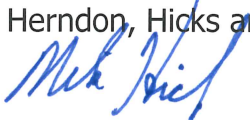
Dear Sirs,

We are requesting approval of a 15-foot wide ingress-egress easement to provide access to the landlocked parcel (Tax ID#63 31 02 03 3 003 015.000) in lieu of a subdivision plat, which was denied. This is the only practical access to subject property.

Please find attached a sketch and description of the proposed easement.

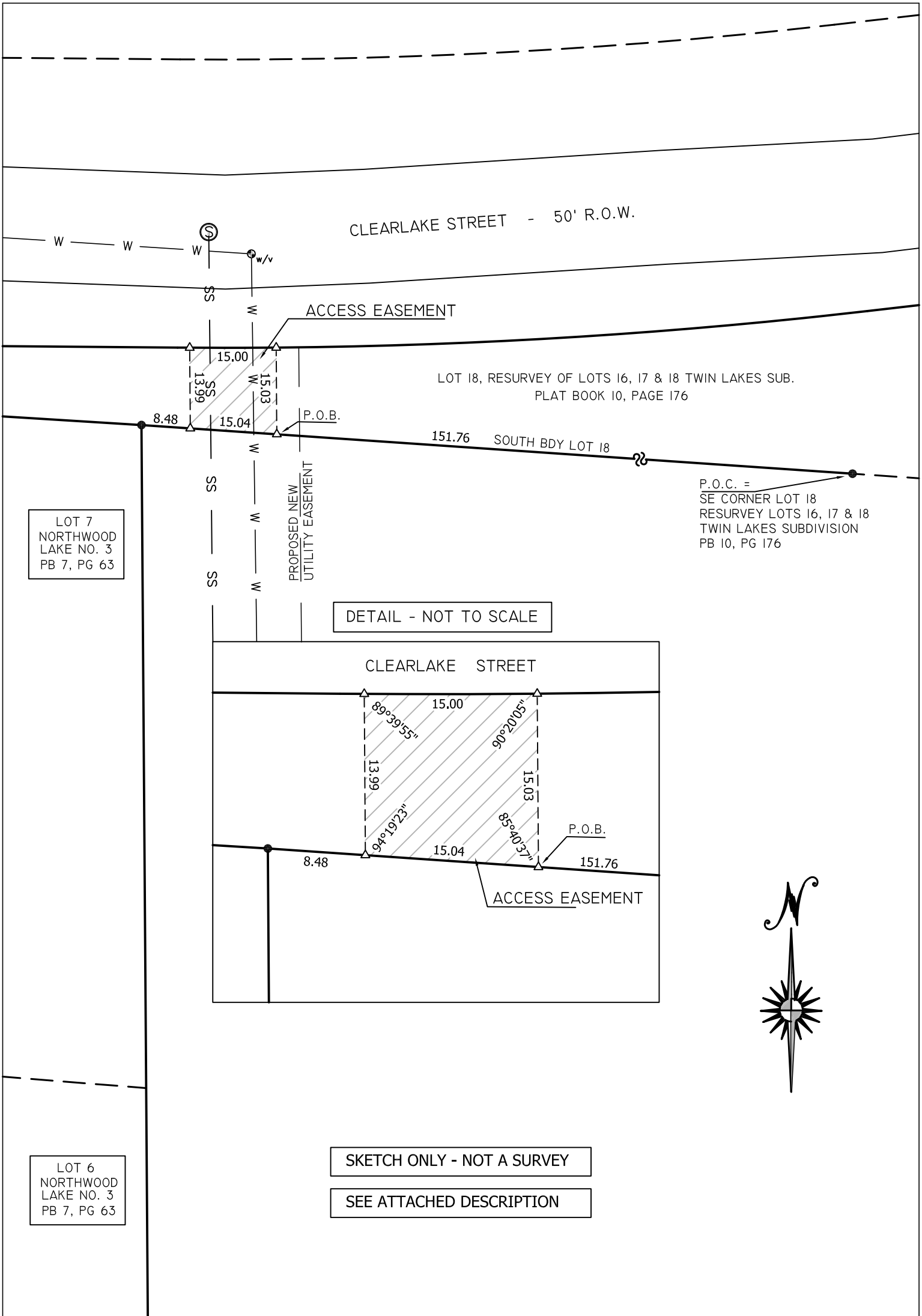
Thank you

Herndon, Hicks and Associates, Inc.



Mike Hicks, vice president

hhasurveyors.com
2728 Lurleen Wallace Boulevard
Post Office Box 508
Northport, Alabama 35476
Phone: (205) 333-0003



LOT 7
NORTHWOOD
LAKE NO. 3
PB 7, PG 63

LOT 6
NORTHWOOD
LAKE NO. 3
PB 7, PG 63

DETAIL - NOT TO SCALE

SKETCH ONLY - NOT A SURVEY

SEE ATTACHED DESCRIPTION



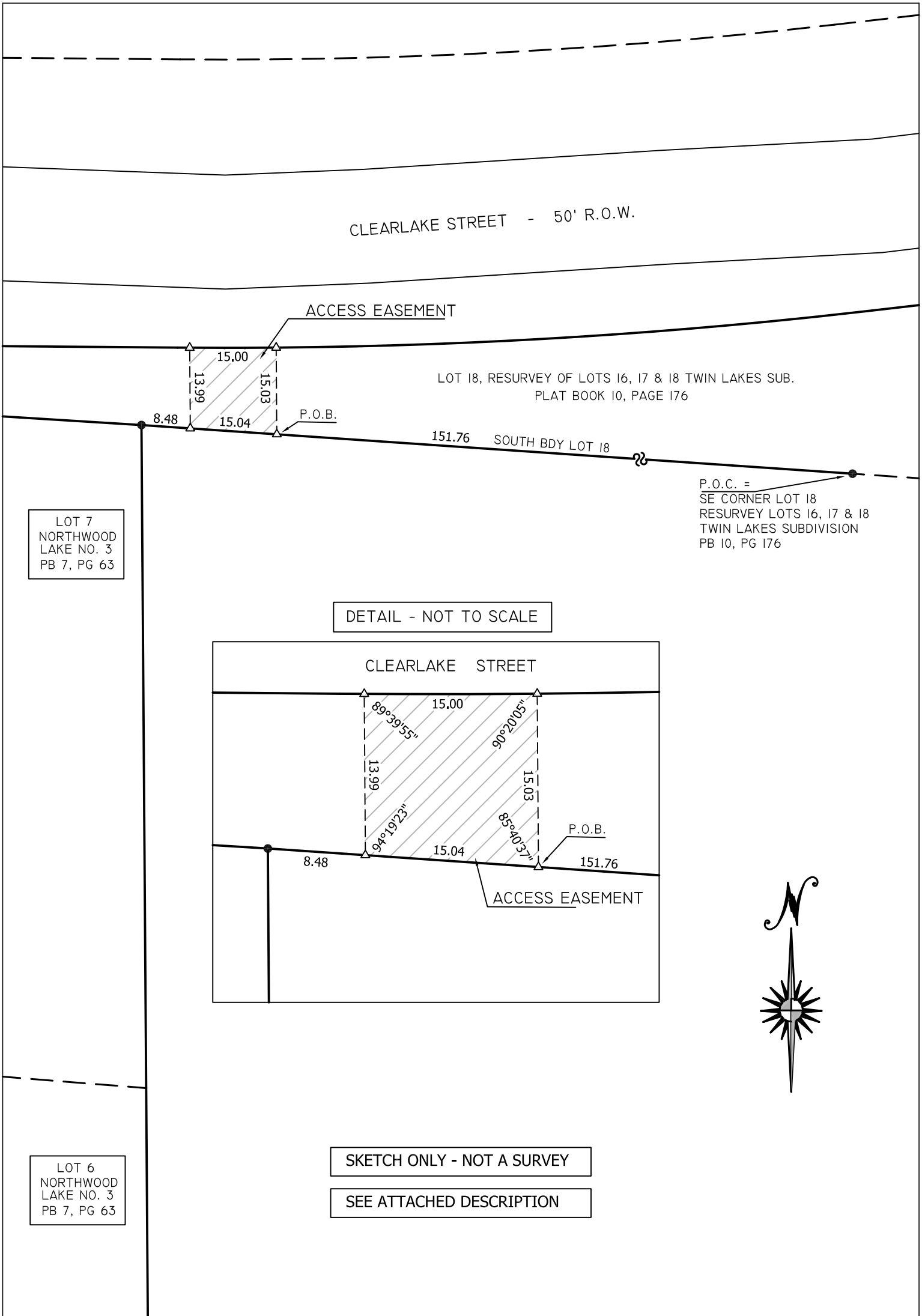
HERNDON, HICKS & ASSOCIATES, INC.
Professional Land Surveyors
2728 Lurleen Wallace Blvd. (P.O. Box 508) - Northport, AL 35476
Phone (205) 333-0003
mike@hhasurveyors.com

Drawn By	JMH
Scale	1"=20'
Date	7-19-23
Drawing No.	2306-003 ACCESS EASEMENT
Job No.	2306-003

STATE OF ALABAMA
TUSCALOOSA COUNTY

A 15-foot wide easement for ingress and egress lying in and running across a part of the southwest northwest quarter of the southwest quarter of Section 3, Township 21 South, Range 10 West and being more particularly described as follows

COMMENCE at the southeast corner of Lot 18 of the Resurvey of Lots 16, 17 & 18 Twin Lakes Subdivision as recorded in the Probate Office of said County in Plat Book 10 at Page 176; thence run westwardly along the south boundary of said Lot 10 a distance of 151.76 feet to the POINT OF BEGINNING of said easement; thence continue westwardly along said south boundary 15.04 feet; thence, with an interior angle left of 94 degrees, 19 minutes, 23 seconds run northwardly 13.99 feet to a point on the north boundary of said Lot 18 and the south right-of-way of Clearlake Street, a 50-foot wide right-of-way; thence, with an interior angle left of 89 degrees, 39 minutes, 55 seconds run eastwardly along said north boundary and said south right-of-way 15.00 feet; thence, with an interior angle left of 90 degrees, 20 minutes, 05 seconds run southwardly 15.03 feet to the POINT OF BEGINNING, thus making a closing interior angle left of 85 degrees, 40 minutes, 37 seconds.





HERNDON, HICKS & ASSOCIATES, INC.
Professional Land Surveyors
2728 Lurleen Wallace Blvd. (P.O. Box 508) - Northport, AL 35476
Phone (205) 333-0003
mike@hhasurveyors.com

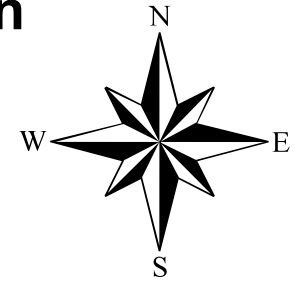
Drawn By	JMH
Scale	1"=20'
Date	7-19-23
Drawing No.	2306-003 ACCESS EASEMENT
Job No.	2306-003

City of Northport Planning & Zoning Commission

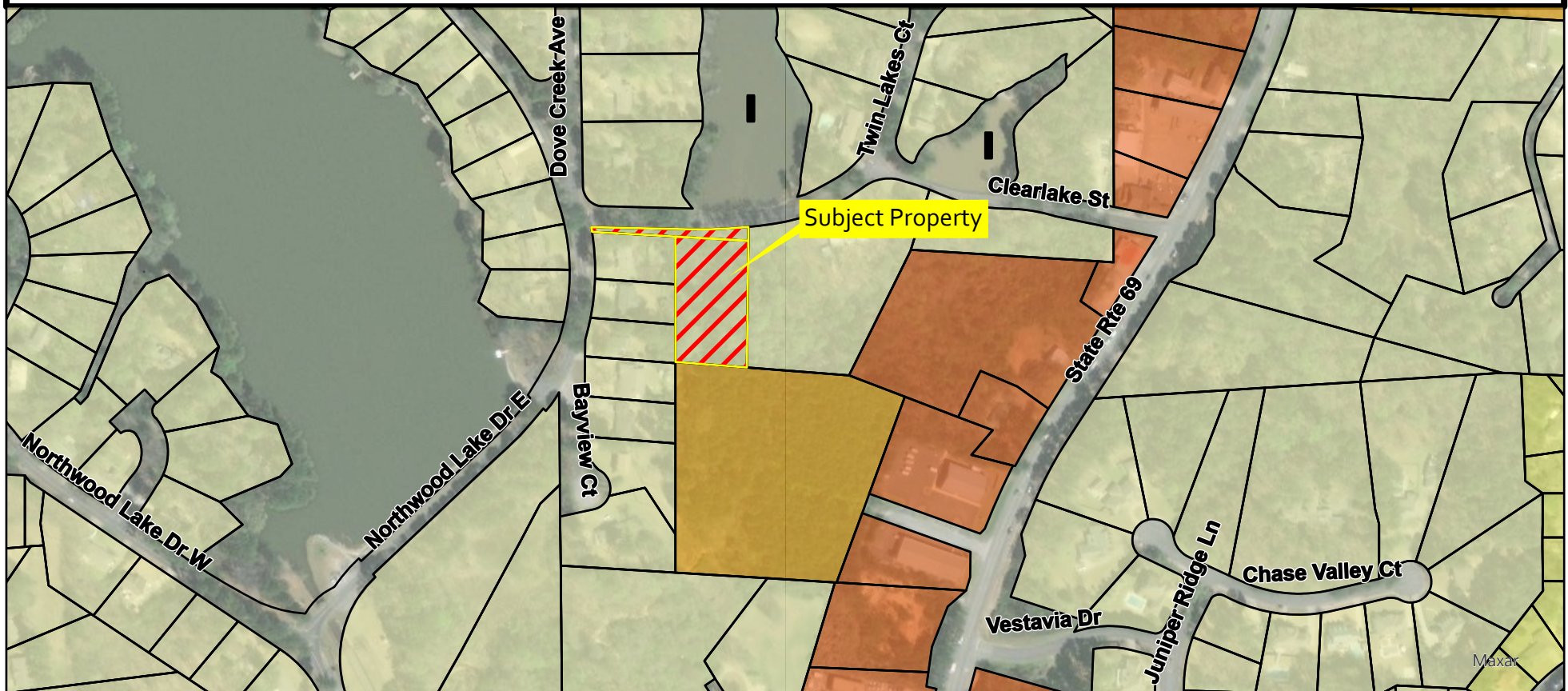
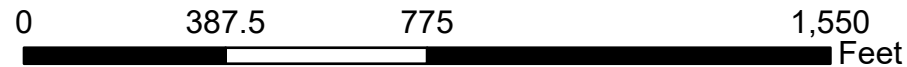
Zoning

-  General Commercial
-  Office and Institutional
-  Residential Multi-Family
-  Residential Single-Family - 1
-  Residential Single-Family - 2
-  Parcels
-  Subject Property

Access Easement



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Recorded: 8/3/2023 10:58:43 AM
Ward D. Robertson, III, Probate Judge
Tuscaloosa County, Alabama
Term/Cashier: PRO-RECORDING5/JMCATEER
Tran: 65759
Probate Judge Fee \$2.00
Deed Tax \$0.50
Recording Fee - By Page Count \$12.00
Source of Title \$1.00
Total: \$15.50

THIS DOCUMENT PREPARED BY:
MICHAEL J. CARTEE
CARTEE AND LLOYD, ATTORNEYS AT LAW
2210 8TH STREET SUITE B
TUSCALOOSA, ALABAMA 35401

STATE OF ALABAMA

TUSCALOOSA COUNTY

RIGHT OF WAY EASEMENT FOR ACCESS

For and in consideration of the sum of One Dollar and other good and valuable consideration, in hand paid by said TBG Canetuck LLC, an Alabama Limited Liability Company, the receipt and sufficiency of which is hereby acknowledged, TBG Canetuck LLC, an Alabama Limited Liability Company, does hereby grant, bargain, sell and convey unto the said TBG Canetuck LLC, an Alabama Limited Liability Company, a nonexclusive easement for Access over and upon the following described property, lying and being in Tuscaloosa County, Alabama, to-wit:

FOR COMPLETE LEGAL DESCRIPTION SEE ATTACHED EXHIBIT
"A", SAID EXHIBIT "A" BEING MADE A PART OF THIS
CONVEYANCE BY SAID REFERENCE.

SOURCE OF TITLE: Deed Book 2023 Page 10605

PREPARED WITHOUT THE BENEFIT OF A TITLE EXAMINATION OR
SURVEY

TO HAVE AND TO HOLD unto the TBG Canetuck LLC, an Alabama Limited Liability Company, its successors and assigns, forever.

IN WITNESS WHEREOF, the said GRANTOR, a limited liability company, by its Managing Member, Brock Corder, who is authorized to execute this conveyance, has hereto set its signature and seal this the 2nd day of August, 2023.

TBG Canetuck LLC, an Alabama Limited Liability Company

BY: [Signature]
Brock Corder
Managing Member

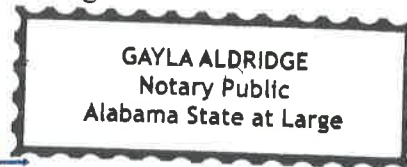
STATE OF Alabama

COUNTY OF Tuscaloosa

I, the undersigned authority, a Notary Public in and for said County, in said State, hereby certify that Brock Corder, whose name as Managing Member of TBG Canetuck LLC, an Alabama Limited Liability Company, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day, that, being informed of the contents of the conveyance, he, as such Managing Member and with full authority, executed the same voluntarily for and as the act of said limited liability company.

Witness my hand and official seal, this the 2nd day of August 2023.

[Signature]
Notary Public



My Commission Expires July 6, 2024

(SEAL)

My Commission Expires
July 6, 2024

EXHIBIT "A"

A 15-foot wide easement for ingress and egress lying in and running across a part of the southwest northwest quarter of the southwest quarter of Section 3, Township 21 South, Range 10 West and being more particularly described as follows

COMMENCE at the southeast corner of Lot 18 of the Resurvey of Lots 16, 17 & 18 Twin Lakes Subdivision as recorded in the Probate Office of said County in Plat Book 10 at Page 176; thence run westwardly along the south boundary of said Lot 10 a distance of 151.76 feet to the POINT OF BEGINNING of said easement; thence continue westwardly along said south boundary 15.04 feet; thence, with an interior angle left of 94 degrees, 19 minutes, 23 seconds run northwardly 13.99 feet to a point on the north boundary of said Lot 18 and the south right-of-way of Clearlake Street, a 50-foot wide right-of-way; thence, with an interior angle left of 89 degrees, 39 minutes, 55 seconds run eastwardly along said north boundary and said south right-of-way 15.00 feet; thence, with an interior angle left of 90 degrees, 20 minutes, 05 seconds run southwardly 15.03 feet to the POINT OF BEGINNING, thus making a closing interior angle left of 85 degrees, 40 minutes, 37 seconds.

