

ORDINANCE No. 2021- 06

**AN ORDINANCE OF THE TOWN OF TRIANA RELATING TO ZONING;
AMENDING THE OFFICIAL ZONING MAP, AS LAST AMENDED,
BY CLASSIFYING CERTAIN PARCELS OF LAND HEREINAFTER DESCRIBED
FROM R-1 TO A MIXED USE OF R-3 AND R-4**

WHEREAS, application was made for the parcels of land described below to be re-zoned from R-1 classification to a mixed use of R-3 and R-4 on July 19, 2021 and said application for re-zoning was considered at a public hearing held on August 23, 2021;

WHEREAS, the application for rezoning on the parcels described below is recommended for approval by the Planning and Zoning Board;

**BE IT ORDAINED BY THE COUNCIL OF THE TOWN OF TRIANA,
ALABAMA AS FOLLOWS:**

SECTION 1: That pursuant to Section 11 of the Zoning Ordinance of the Town of Triana, Alabama, as amended, and the authority granted to municipalities by the Code of Alabama 1975 §§ 11-52-77 and -78, classifying the following areas of real property, which are depicted on the map attached to this Ordinance, from R-1 to a mixed use of R-3 and R-4 and are more fully described in Exhibits A through G attached hereto.

SECTION 2: That the above-described parcels be outlined and the boundaries established by the Town of Triana on the Official Zoning Map of the Town of Triana, as last amended, with the direction and assistance of the proper zoning authority of the Town, and that the classification of said parcels be changed from R-1 to a mixed use of R-3 and R-4, with certain limitations stated in this ordinance. A copy of Town of Triana zoning map reflecting the changes authorized herein is attached to this ordinance for reference as Exhibit H.

SECTION 3: The Town may elect to restrict the amount of lots constructed on these parcels combined to no more than fifty (50) in any given year.

SECTION 4: The Town may elect to restrict the total use of these parcels as R-3 to no more than twenty-eight (28) total acres combined on all parcels, whether contiguous or not.

SECTION 5: That this Ordinance shall become effective upon its publication.

APPROVED and ADOPTED this ___ day of August, 2021.

///SIGNED ON FILE///

Mary Caudle, Mayor

ATTEST:

///SIGNED ON FILE///

Sharron Humphrey, Town Clerk

TRACT 1:

Address: 1.00 +/- acre off Carr Lane, Madison, AL 35756; Parcel No. 25-05-21-2-000-052.012
Commencing at the Northeast corner of Section 21, Township 5 South, Range 2 West at a spike in the center of a paved road. Thence South 87 degrees 01 minutes 00 seconds West along the Section line 2702.78 feet. Thence South 01 degrees 26 minutes 00 seconds East 751.78 feet to a 3/8 inch rebar by a wood post. Thence continuing South 01 degrees 26 minutes 00 seconds East 574.53 feet to a 1/2 inch rebar being the point of beginning for the property herein described. Thence South 01 degrees 26 minutes 00 seconds East 258.24 feet to an iron pin. Thence South 88 degrees 24 minutes 27 seconds West 168.68 feet to a 1/2 inch rebar. Thence North 1 degree 26 minutes 00 seconds West 258.24 feet to a 1/2 inch capped rebar. Thence North 88 degrees 24 minutes 26 seconds East 168.68 feet to the point of beginning. Property being in Madison County, Alabama and containing 1.00 acre.
Source of Title: Deed Book 976, Page 1076

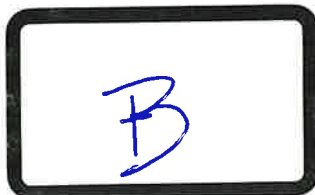
A

TRACT 2:

Address: 1.00+/- acre, Madison, Alabama 35756; Parcel No. 25-05-21-2-000-052.009

Commencing at the Northeast corner of Section 21, Township 5 South, Range 2 West at a spike in the center of a paved road. Thence South 87 degrees 01 minutes 00 seconds West along the Section line 2702.78 feet. Thence South 01 degrees 26 minutes 00 seconds East 751.78 feet to a 3/8 inch rebar by a wood post. Thence continuing South 01 degrees 26 minutes 00 seconds East 832.77 feet to a 1/2 inch rebar being the point of beginning for the property herein described. Thence South 88 degrees 24 minutes 26 seconds West 168.68 feet to a 1/2 inch rebar. Thence South 00 degrees 58 minutes 57 seconds East 258.24 feet to an iron pin. Thence North 88 degrees 24 minutes 43 seconds East 170.71 feet to a 1/2 inch rebar. Thence North 01 degrees 26 minutes 00 seconds West 258.24 feet to the point of beginning. Property being in Madison County, Alabama and containing 1.00 acres. Property has ingress and egress easement described as follows:

Commencing at the Northwest corner of the above described one acre tract. Thence South 00 degrees 58 minutes 57 seconds East 97.33 feet to the point of beginning for said easement. Thence South 88 degrees 00 minutes 50 seconds West 796.90 feet to the Eastern right-of-way of Lakeside Drive. Thence South 02 degrees 05 minutes 10 seconds East along said right-of-way 20.00 feet. Thence North 88 degrees 00 minutes 50 seconds East 796.52 feet to the Western boundary of the above described 1.00 acre tract. Thence North 00 Degrees 58 minutes 57 seconds West to the point of beginning. Source of Title: Deed Book 976, Page 1084



Legal Description
Madison County, Alabama

4 acres
Dorothy Foster

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2232.09 feet to an iron pin set (BSS) and the point of beginning. Thence from the true point of beginning South 87 degrees 50 minutes 11 seconds West 41.97 feet to an iron pin set (BSS)

Thence South 88 degrees 20 minutes 56 seconds West 168.55 feet to an iron pin set (BSS) to an iron pin set (BSS) on the East right of way for Oregon Drive

Thence along said right of way for Oregon Drive South 01 degree 05 minutes 13 seconds East 309.68 feet to an iron pin found (Burgett)

Thence South 01 degree 33 minutes 41 seconds East 533.24 feet to a 1/2" rebar found

Thence leaving said Oregon Drive and along the North right of way for Lakeside Drive North 87 degrees 23 minutes 31 seconds East 206.16 feet to an iron pin set (BSS)

Thence leaving said right of way for Lakeside Drive North 01 degrees 05 minutes 13 seconds West 839.88 feet; to the point of beginning and containing 4 acres more or less

Subject to two 30' ingress-egress easements described as:

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 195.73 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and along said East right of way for Oregon Drive South 01 degree 05 minutes 13 seconds East 30.01 feet to a point

Thence leaving said East right of way for Oregon Road North 87 degrees 45 minutes 11 seconds East 240.55 feet to a point

Thence North 01 degree 05 minutes 13 seconds West 30.01 feet to a point

Thence South 87 degrees 45 minutes 11 seconds West 240.55 feet; to the point of beginning.

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 309.68 feet; and South 01 degree 33 minutes 41 seconds East 307.52 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and leaving said East right of way for Oregon Drive North 87 degree 30 minutes 44 seconds East 238.02 feet to a point

Thence South 01 degree 05 minutes 13 seconds East 30.01 feet to a point

Thence South 87 degrees 30 minutes 44 seconds West 237.87 feet; to a point of the East right of way for Oregon Drive

Thence along said Right of way for Oregon Drive North 01 degree 33 minutes 41 seconds West 30.00 feet; to the point of beginning.

18-5319 - 4 ac

Big Spring Surveyors

William T Agrelus P.L.S.
Al. Reg. 21461



Legal Description
Madison County, Alabama

10.12 acres
Dorothy Foster

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 106.39 feet to an iron pin set(BSS) and the point of beginning.

Thence from the true point of beginning South 87 degrees 50 minutes 11 seconds West 2125.70 feet to an iron pin set (BSS)
Thence South 01 degree 05 minutes 13 seconds East 208.92 feet to an iron pin set (BSS)
Thence North 87 degrees 45 minutes 11 seconds East 2127.53 feet to an iron pin set (BSS)
Thence North 01 degrees 34 minutes 40 seconds West 205.80 feet; to the point of beginning and containing 10.12 acres more or less

Subject to all rights of way and any easements recorded or unrecorded.

Together with and Subject to a 30' ingress-egress easement described as:

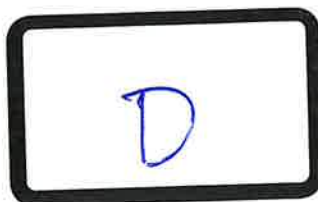
All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 195.73 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and along said East right of way for Oregon Drive South 01 degree 05 minutes 13 seconds East 30.01 feet to a point
Thence leaving said East right of way for Oregon Drive North 87 degrees 45 minutes 11 seconds East 240.55 feet to a point
Thence North 01 degree 05 minutes 13 seconds West 30.01 feet to a point
Thence South 87 degrees 45 minutes 11 seconds West 240.55 feet; to the point of beginning.

18-5319 - .10.12 ac

Big Spring Surveyors

William T Agrelius P.L.S.
Al. Reg. 21461



Legal Description
Madison County, Alabama

10.16 acres
Dorothy Foster

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 106.39 feet ; South 01 degree 34 minutes 40 seconds East 205.80 feet to an iron pin set (BSS) and the point of beginning.

Thence from the true point of beginning South 87 degrees 45 minutes 11 seconds West 2127.53 feet to an iron pin set (BSS)

Thence South 01 degree 05 minutes 13 seconds East 210.31 feet to an iron pin set (BSS)

Thence North 87 degrees 37 minutes 58 seconds East 2129.39 feet to an iron pin set (BSS)

Thence North 01 degrees 34 minutes 40 seconds West 205.81 feet; to the point of beginning and containing 10.16 acres more or less

Subject to all rights of way and any easements recorded or unrecorded.

Together with and Subject to a 30' ingress-egress easement described as:

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 195.73 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and along said East right of way for Oregon Drive South 01 degree 05 minutes 13 seconds East 30.01 feet to a point

Thence leaving said East right of way for Oregon Drive North 87 degrees 45 minutes 11 seconds East 240.55 feet to a point

Thence North 01 degree 05 minutes 13 seconds West 30.01 feet to a point

Thence South 87 degrees 45 minutes 11 seconds West 240.55 feet; to the point of beginning.

18-5319 - 10.16 ac

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Al. Reg. 21461



Legal Description
Madison County, Alabama

10.17 acres
Dorothy Foster

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 106.39 ; South 01 degree 34 minutes 40 seconds East 411.61 feet to an iron pin set (BSS) and the point of beginning.

Thence from the true point of beginning South 87 degrees 37 minutes 58 seconds West 2129.39 feet to an iron pin set (BSS)

Thence South 01 degree 05 minutes 13 seconds East 210.32 feet to an iron pin set (BSS)

Thence North 87 degrees 30 minutes 44 seconds East 2131.25 feet to an iron pin set (BSS)

Thence North 01 degrees 34 minutes 40 seconds West 205.81 feet; to the point of beginning and containing 10.17 acres more or less

Subject to all rights of way and any easements recorded or unrecorded.

Together with and Subject to a 30' ingress-egress easement described as:

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 309.68 feet; and South 01 degree 33 minutes 41 seconds East 307.52 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and leaving said East right of way for Oregon Drive North 87 degree 30 minutes 44 seconds East 238.02 feet to a point

Thence South 01 degree 05 minutes 13 seconds East 30.01 feet to a point

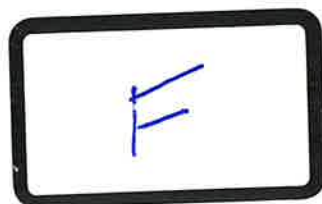
Thence South 87 degrees 30 minutes 44 seconds West 237.87 feet; to a point of the East right of way for Oregon Drive

Thence along said Right of way for Oregon Drive North 01 degree 33 minutes 41 seconds West 30.00 feet; to the point of beginning.

18-5319 - 10.17 ac

Big Spring Surveyors

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Legal Description
Madison County, Alabama

10.18 acres
Dorothy Foster

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 106.39 feet; South 01 degree 34 minutes 40 seconds East 617.42 feet to an iron pin set (BSS) and the point of beginning.

Thence from the true point of beginning South 87 degrees 30 minutes 44 seconds West 2131.25 feet to an iron pin set (BSS)
Thence South 01 degree 05 minutes 13 seconds East 210.33 feet to an iron pin set (BSS)
Thence North 87 degrees 23 minutes 31 seconds East 2133.13 feet to an iron pin set (BSS)
Thence North 01 degrees 34 minutes 40 seconds West 205.81 feet; to the point of beginning and containing 10.18 acres more or less

Subject to all rights of way and any easements recorded or unrecorded.

Together with and Subject to a 30' ingress-egress easement described as:

All that part of Section 21, Township 5 South, Range 2 West, more particularly described as commencing at the Northeast corner of said Section 21; Thence South 88 degrees 11 minutes 43 seconds West 34.22 feet; South 01 degree 53 minutes 08 seconds East 1616.90 feet; North 88 degrees 06 minutes 52 seconds East 10.00 feet; South 01 degree 41 minutes 00 seconds East 267.04 feet; South 88 degrees 19 minutes 43 seconds West 208.71 feet; South 87 degrees 51 minutes 52 seconds West 208.76 feet; and South 87 degrees 50 minutes 11 seconds West 2274.06 to an iron pin set (BSS) South 88 degrees 20 minutes 56 seconds West 168.55 feet; South 01 degree 05 minutes 13 seconds East 309.68 feet; and South 01 degree 33 minutes 41 seconds East 307.52 feet; to a point on the East right of way for Oregon Drive and the point of beginning.

Thence from the true point of beginning and leaving said East right of way for Oregon Drive North 87 degree 30 minutes 44 seconds East 238.02 feet to a point
Thence South 01 degree 05 minutes 13 seconds East 30.01 feet to a point
Thence South 87 degrees 30 minutes 44 seconds West 237.87 feet; to a point of the East right of way for Oregon Drive
Thence along said Right of way for Oregon Drive North 01 degree 33 minutes 41 seconds West 30.00 feet; to the point of beginning.

18-5319 - 10.18 ac

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