



# City of Bay Minette

## Planning & Development Services

301 D'Olive Street · Bay Minette, Alabama 36507

Phone (251) 580-1650 · COBM\_Planning@cityofbayminetteal.gov

### NOTICE OF PUBLIC HEARINGS

**Case No. VAC-23001, BV Capital LLC Property  
801 S US Hwy 31  
Request to Vacate a Portion of Public Alleyway  
& Determination of Statutory Vacation of Right-of-Way Fee**

Notice is hereby given, pursuant to §23-4-20 of the Code of Alabama, Act No. 73-386 of the Alabama Legislature and authority as set forth in Title 11, Chapter 52 of the Code of Alabama, that the Planning Commission and City Council of the City of Bay Minette will each conduct a public hearing to consider a petition by BV Capital LLC to vacate a portion of that certain unimproved public alleyway located at 801 S US Hwy 31 on property identified as Parcel I.D 05-23-05-16-3-001-080.000 // PIN 65752. The petition is to vacate a portion of public way described as a 22-foot alley for a length of approximately 209 feet lying East of S US Highway 31 and North of Dr Martin Luther King Jr Blvd within the municipal limits of the City of Bay Minette, and said property being more specifically described as follows:

*That part of a 20-foot alley as shown by the plat of East Douglasville which is recorded in Map Book 1, Page 69 in the Office of the Judge of Probate of Baldwin County, Alabama which lies West of Lot 13 in Mayo's Subdivision as per the plat recorded in Map Book 1, Page 112 in the Office of the Judge of Probate of Baldwin County, Alabama and shown on said plat as a 22-foot alley extending from the Westward extension of the North line of said Lot 13 South to the Northeasterly right of way of U.S. Highway 31.*

The Bay Minette Planning Commission will conduct the first such public hearing during its regularly scheduled meeting on **Thursday, June 8, 2023** beginning at 8:00 a.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

The Bay Minette City Council will conduct the second such public hearing during its regularly scheduled meeting on **Tuesday, June 20, 2023** beginning at 6:00 p.m. in the Council Chambers of Bay Minette City Hall located at 301 D'Olive Street, Bay Minette, AL 36507.

Such public hearings will be held following (a) the posting of this legal notice in a conspicuous location at the Baldwin County Courthouse for a period of thirty (30) days pursuant to §23-4-2 of the Code of Alabama, (b) the publication of this notice once a week for four consecutive weeks in The Baldwin Times, a newspaper of general circulation published in Baldwin County, Alabama which is nearest the street and public way which is the subject of the proposed vacation pursuant to Act No. 73-386 of the Alabama Legislature, (c) mailing of the notice of public hearing to the abutting owners and utilities by U.S. mail at least thirty (30) days prior to the scheduled meeting pursuant to §23-4-20(a) of Code of Alabama, and (d) the posting of this legal notice in a conspicuous location at the Bay Minette City Hall for a period of thirty (30) days pursuant to §36-25A-3 of the Code of Alabama.

Pursuant to §11-49-6 of the Code of Alabama, the City Council may require abutting landowners who will directly benefit from the vacation being considered to pay to the City a vacation of right-of-way fee equal to the fair market value of the land which will be added to the holdings of such abutting landowners. Such fair market value and the form of payment in connection with the proposed vacation described above shall be determined by the City Council after the public hearing on **June 20, 2023** as scheduled above.

Further, notification is given that any citizen or interested party may appear before the Commission or Council on said dates and will be given an opportunity to be heard, or may direct written comments to the Planning & Development Services Department prior to the meeting. Any citizen alleging to be affected by the proposed vacation may submit a written objection to the governing body or may request an opportunity to be heard at the public hearing as herein advertised.

The application materials will be available for public review at Bay Minette City Hall. If you desire to speak with someone by telephone about this application, please contact Planning & Development Services at (251) 580-1650. Written comments or objections may be emailed to COBM\_Planning@cityofbayminetteal.gov or address your correspondence to:

City of Bay Minette Planning & Development Services  
301 D'Olive Street  
Bay Minette, AL 36507

Please include the case number noted above in all correspondence. If you desire to address the Planning Commission or City Council in person about this application, please attend the public hearings at the time and location listed above.

*Public participation is solicited without regard to race, color, national origin, sex, age, religion, disability or family status. Persons who require special accommodations under the Americans with Disabilities Act or those requiring language translation services should contact Planning & Development Services.*

Notice Date – May 18, 2023





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