

RESOLUTION NO. 2026-106

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA,
AUTHORIZING AND CONSENTING TO THE TRANSFER OF
OWNERSHIP, MAINTENANCE, AND RESPONSIBILITY FOR
PORTIONS OF BUCKINGHAM BOULEVARD AND
ARLINGTON BOULEVARD**

WHEREAS, the following are right-of-way inside or abutting the corporate limits of the City of Spanish Fort: (i) Buckingham Boulevard from U.S. Highway 31, thence running in a northerly direction for approximately 2,600 feet; (ii) Arlington Boulevard from intersection of Buckingham Boulevard thence running in westerly and northerly direction for approximately 1,500 feet (collectively “Spanish Fort Roads”); and

WHEREAS, an accurate description of the Spanish Fort Roads, together with a map thereof showing its relationship to the corporate limits of the City of Spanish Fort, is attached hereto as Exhibit “A” and incorporated herein; and

WHEREAS, the portions of the Spanish Fort Roads that are not already the responsibility of the City of Spanish Fort have been a County-maintained road for a period of at least one (1) year prior to the effective date of this instrument; and

WHEREAS, Baldwin County has found and determined that allowing the City of Spanish Fort to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and responsibility for the Spanish Fort Roads is in the best interest of Baldwin County; and

WHEREAS, the character and nature of the Spanish Fort Roads varies, as certain portions are either (i) bounded on both sides by the corporate limits of the City of Spanish Fort as a result of annexation of territory after July 7, 1995, (ii) bounded on one side by the corporate limits of Spanish Fort, or (iii) or located within the City of Spanish Fort but responsibility is vested in the County; and

WHEREAS, in order to clarify and simplify the City of Spanish Fort’s assumption of responsibility for Spanish Fort Roads in accordance with *Code of Alabama*, §11-49-80(b), (c), and (d), the Baldwin County Commission is submitting its consent and petition to the City of Spanish Fort to annex Spanish Fort Roads and to assume the responsibility thereof; and

WHEREAS, Baldwin County has the legal authority to carry out the intent of this resolution pursuant to *Code of Alabama*, §11-49-80 and other state laws and constitutional amendments; and

WHEREAS, the City of Spanish Fort desires to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and

responsibility for the Spanish Fort Roads in order to facilitate the orderly development and maintenance of this area in its corporate limits.

NOW, THEREFORE, BE IT RESOLVED by the Baldwin County Commission as follows:

Section 1. That the Baldwin County Commission hereby consents to and petitions for the annexation of the Spanish Fort Roads by the City of Spanish Fort pursuant to *Code of Alabama*, §§11-49-80(c), and (d) and 11-42-20 to 24.

Section 2. That the Chairman of the Baldwin County Commission and other appropriate County officials are hereby authorized to execute and deliver such documents or agreements to the City of Spanish Fort as are necessary or requested to carry out the intent of this Resolution.

Section 3. To the extent that portions of the Spanish Fort Roads, if any, are already located within the corporate limits of the City of Spanish Fort, but responsibility is vested in the County, the Baldwin County Commission hereby consents to the assumption of responsibility of said portion or portions of the Spanish Fort Roads by the City of Spanish Fort, pursuant to *Code of Alabama*, §11-49-80(b), in addition to their annexation or re-annexation as described herein. In accordance with *Code of Alabama*, §11-49-81, the City of Spanish Fort's assumption of responsibility for the Spanish Fort Roads is in exchange for the County agreeing that it shall resurface, one-time, the Spanish Fort Roads with a minimum one-inch (1") overlay. The Baldwin County Commission and the City of Spanish Fort respectively acknowledge and agree that this one-time resurfacing has been scheduled to occur as soon as possible as consideration for this transfer and may be completed prior to the transfer of maintenance. The Baldwin County Commission and the City of Spanish Fort agree that said consideration is a reasonable charge for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of the road described herein.

Section 4. If any part, section or subdivision of this Resolution shall be held to be illegal, invalid or unenforceable for any reason, such holding shall not be held or construed to invalidate or impair the remaining provisions of this Resolution which shall continue in full force and effect notwithstanding such holding.

ADOPTED and **APPROVED** by the County Commission of Baldwin County, Alabama, on the _____ day of _____, 2026.

BALDWIN COUNTY COMMISSION

By: _____
JAMES E. BALL, Chairman

ATTEST:

ROGER H. RENDLEMAN, County Administrator