

STATE OF ALABAMA)

COUNTY OF BALDWIN)

**RESOLUTION # 2022-142
OF THE
BALDWIN COUNTY COMMISSION**

EXERCISING THE AUTHORITY PROVIDED IN ALABAMA ACT 2021-297 TO AGREE WITH THE CITY OF BAY MINETTE FOR THE BALDWIN COUNTY COMMISSION TO ASSUME JURISDICTION OVER AND ISSUE PERMITS FOR THE SOUTH ALABAMA MEGASITE.

WHEREAS, pursuant to Alabama Act 2021-297, the Baldwin County Commission (“County”) may enter into an agreement with a municipality to assume jurisdiction over and issue permits for properties which lie partially in the police jurisdiction of the municipality and partially in the unincorporated area of the County; and

WHEREAS, the City of Bay Minette, Alabama (“City”) is a municipal corporation located in Baldwin County and organized and existing under the laws of the State of Alabama; and

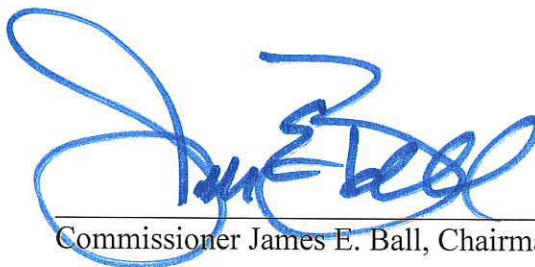
WHEREAS, the South Alabama Megasite, which is shown on Exhibit “A” hereto, is an industrial development that lies partially in the City’s police jurisdiction and partially in the unincorporated area of Baldwin County; and

WHEREAS, the County has determined that it is wise, expedient, and economical for the County to assume responsibility for all building permitting for the South Alabama Megasite to promote cohesive development of the property; and

WHEREAS, the City has determined that it will relinquish jurisdiction over the South Alabama Megasite.; now therefore

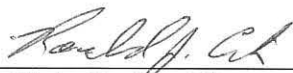
BE IT RESOLVED BY THE BALDWIN COUNTY COMMISSION, IN REGULAR SESSION ASSEMBLED, that that, pursuant to the authority granted the Baldwin County Commission in Alabama Act 2021-297, and to protect the health, safety and welfare of the public, the Baldwin County Commission will enter into an agreement, attached as Exhibit “B” hereto, with the City of Bay Minette for the Baldwin County Building Official to assume jurisdiction over and issue all permits for the South Alabama Megasite development.

DONE, under the Seal of Baldwin County, Alabama, as affixed on this the 2nd day of August 2022.

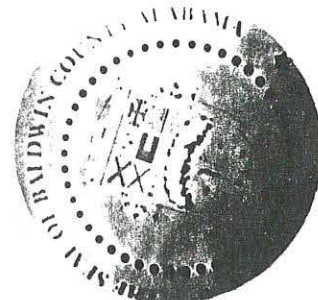


Commissioner James E. Ball, Chairman

ATTEST:



Ronald J. Cink, Budget Director



A map of the New York City area, showing the Hudson River valley and surrounding regions. The map includes major roads, rivers, and city boundaries. A shaded area in the Hudson River valley indicates the location of the study area. The map is labeled with 'N. Y. S.' at the bottom.

POWER POLE	0	CARRIER AC	0
POWERLINE CARRIER	0	CLN ANCHOR	0
LINE POOL	2	PROPERTY LINE	0
WOMENANT	0	WATER VALVE	0
STON	0	PIPE WINDING	0
UTILITY WARMER GAS	LINE	WARM	0
CABLE LINE FENCE		RAILROAD	PROPERTY LINE
FENCE	-----	4-12 LINE	-----
EXISTING EXISTING	-----	PRESENT R/F	-----
SECTION LINE	-----	QUARTER LINE	-----
QUARTER QUARTER LINE	-----	ONE CENTERLINE	-----
PROPERTY LINE	-----	TOWNSHIP 1 SOUTH	3-6-0
SECTION 13	13	RANGE 4 EAST	0-0-0

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      $SP = SPUNITS
      CD = COMPAIR
      COMC = COMEATL
      COMV = COMPEL
      ED = DEED BACK
      EM = EMMENTMENT
      AW = NOT TO LEAVE
      RE = PALE
      FOR = POINT OF BEGINNING
      FOR = POINT OF COMMENCEMENT
      FOR, AW = RIGHT OF WAY
      RE = REAL PROPERTY
      TEE = SECTION

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[illegible][illegible]

If I really wanted to, I could get all the money and things
that have been promised to me, but I don't want to
(I don't want to be a member of the Church of Jesus Christ
in the Kingdom of God, I don't want to be a member
of a church and a man)

Robert's Daughter *Robert L. H. H.*

HORIZ. SCALE (FEET)

VOLKERT BOUNDARY SURVEY

INTERGOVERNMENTAL AGREEMENT

This Intergovernmental Agreement ("Agreement") is entered into by and between the Baldwin County Commission (hereinafter "County") and the City of Bay Minette, Alabama (hereinafter "City"), as follows:

RECITALS

WHEREAS, the County is the duly formed governing body in and for Baldwin County, Alabama, and the City is an incorporated municipality of the State of Alabama; and

WHEREAS, on August 2, 2022, the County adopted and approved Resolution #2022-142, attached hereto and incorporated herein, authorizing entering into an Agreement to assume jurisdiction over the South Alabama Megasite and handle all necessary permitting for its development; and

WHEREAS, on August 1, 2022, the City adopted and approved Resolution 0822-02, attached hereto and incorporated herein, relinquishing jurisdiction over the South Alabama Megasite; and

WHEREAS, the County and the City desire for the County to assume all responsibility for regulating and issuing building permits for the South Alabama Megasite;

WHEREAS, the County and City agree that such an arrangement is in the best interests of both parties and the citizens of Baldwin County and the City; and

WHEREAS, Alabama Act 2021-297 authorizes the parties to enter into an agreement determining which governing body will have jurisdiction over property in a municipality's police jurisdiction;

NOW, THEREFORE, in consideration of the premises and the mutual covenants contained herein, the sufficiency of which being hereby acknowledged, the County and City do hereby agree as follows:

1. **Recitals:** The recitals set out above are incorporated into this Agreement as though the same were set out in full in this paragraph.
2. **Independent Entities:** By entering into this Agreement, the City is not an agent of the County, its officers, employees, agents or assigns. The City is an independent entity from the County, and nothing in this Agreement creates an agency relationship between the parties.
3. **Purpose:** The parties acknowledge and agree that the purpose of this Agreement is for the County to assume jurisdiction over and manage all permitting for the South Alabama Megasite, which is shown on Exhibit "A" hereto, and for the City

4. **Approval and Effective Date:** This Agreement shall become effective upon the date of full execution by both parties ("Effective Date").
5. **Entire Agreement:** This Agreement represents the entire and integrated agreement between County and City and supersedes all prior negotiations, representations, or agreements, either written or oral. This Agreement may be amended only by written instrument signed by the parties.

IN WITNESS WHEREOF, the parties have executed this Agreement by and through their duly authorized representatives as of the date of full execution below.

BALDWIN COUNTY COMMISSION

DATE: 8/11/2022

BY:


JAMES E. BALL
Chairman

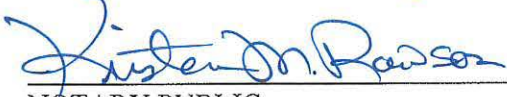
ATTEST:


RONALD J. CINK
County Administrator

STATE OF ALABAMA)
COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that **JAMES E. BALL**, as Chairman of the Baldwin County Commission, and **RONALD CINK**, as County Administrator of the Baldwin County Commission, whose names are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, they, as such officers and with full authority, executed the same voluntarily for and as the act of said Baldwin County Commission.

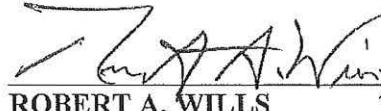
Given under my hand and official seal, this the 11th day of August, 2022.


NOTARY PUBLIC
Print Name: KRISTEN M. RAWSON
My Commission Expires: _____

My Commission Expires:
December 28, 2024

CITY OF BAY MINETTE

BY:



ROBERT A. WILLS

Mayor

ATTEST:



RITA DIEDTRICH

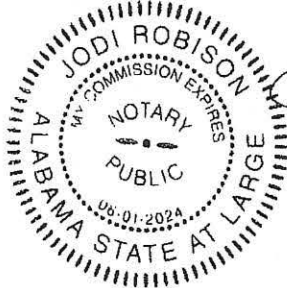
City Clerk

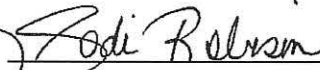
STATE OF ALABAMA)

COUNTY OF BALDWIN)

I, the undersigned, a Notary Public in and for said County, in said State, hereby certify that, **ROBERT A. WILLS**, whose name as Mayor of the City of Bay Minette, and **RITA DIEDTRICH**, whose name as City Clerk of the City of Bay Minette, are signed to the foregoing instrument and who are known to me, acknowledged before me on this day that, being informed of the contents of the Agreement, they, as such officers and with full authority, executed the same voluntarily for and as the act of said City of Bay Minette.

Given under my hand and official seal, this the 3rd day of August, 2022.





NOTARY PUBLIC

Print Name: Jodi Robison

My Commission Expires: 6-01-2024

RESOLUTION NO. 0822-02

**RESOLUTION AGREEING TO ALLOW THE BALDWIN COUNTY COMMISSION
("COUNTY") TO HANDLE ALL PERMITTING FOR THE SOUTH ALABAMA
MEGASITE AND SURRENDERING JURISDICTION OF THE MEGASITE TO THE
COUNTY**

WHEREAS, the City of Bay Minette, Alabama ("City") is a municipal corporation organized and existing under the laws of the State of Alabama; and

WHEREAS, the South Alabama Megasite, which is shown on Exhibit "A" hereto, is an industrial development site outside of the City of Bay Minette's corporate limits that lies partially in the City of Bay Minette's police jurisdiction and partially in the unincorporated area of Baldwin County; and

WHEREAS, Alabama Act 2021-297, authorizes a county and a municipality to enter into an agreement about which governing body will assume jurisdiction over and manage building permitting for properties located outside a city's corporate limits and inside a city's police jurisdiction; and

WHEREAS, Alabama Act 2021-297 allows a city to relinquish jurisdiction over property lying within the police jurisdiction to the county embracing the city; and

WHEREAS, the City finds that it is in the best interest of the public for the County to have jurisdiction over the entirety of the South Alabama Megasite to promote cohesive development of the property; and

WHEREAS, the public good will be served by the agreement to relinquish jurisdiction over the Megasite and allow the permitting to be managed by the County, as the County has more resources to oversee development of the large industrial site; and

WHEREAS, it is wise, expedient and economical for the building permitting and regulation of the Megasite to be handled by a single entity; and

WHEREAS, the City hereby resolves to enter into an agreement, attached as Exhibit "B" hereto, to relinquish all jurisdiction over the South Alabama Megasite; and

NOW THEREFORE, BE IT RESOLVED that the Mayor is authorized and directed to take all actions necessary to agree to relinquish jurisdiction over the South Alabama Megasite to Baldwin County.

DONE, this the 1st day of August, 2022.



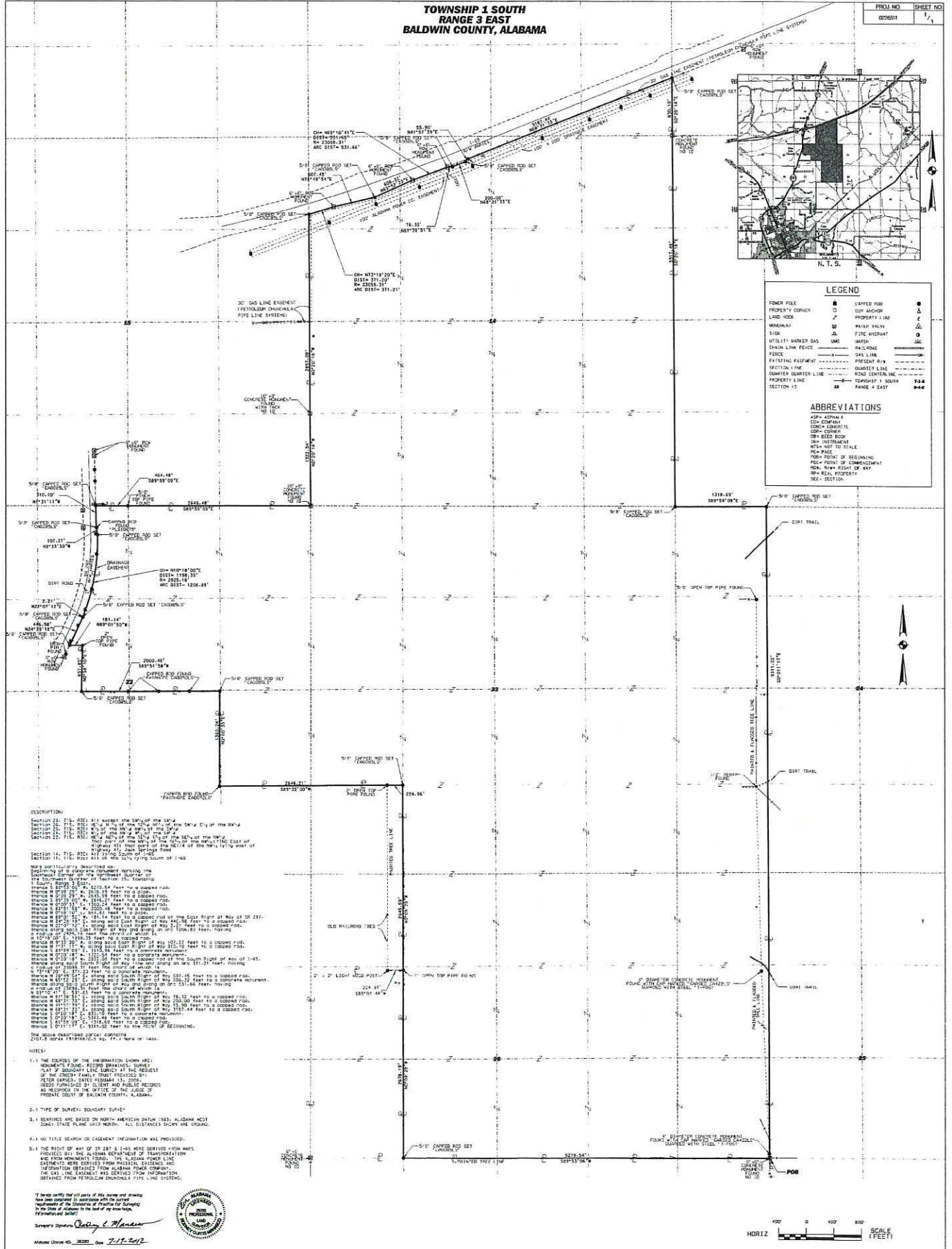
ROBERT A. WILLS
Mayor

ATTEST:



RITA DIEDTRICH
City Clerk

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