

RESOLUTION NO. 2020 - 130

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA,
AUTHORIZING ANNEXATION AND TRANSFER OF RESPONSIBILITY
FOR PARKER ROAD
FROM BALDWIN COUNTY TO THE CITY OF FAIRHOPE**

WHEREAS, Parker Road from US Highway 98 easterly approximately 1,373 feet to the end of County maintenance (hereinafter the "Parker Road"), is a road or road segment inside the corporate limits of the City of Fairhope; and

WHEREAS, an accurate description of Parker Road is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, those portions of Parker Road that are not already the responsibility of the City of Fairhope have been County maintained streets for a period of one (1) year prior to the effective date of this instrument; and

WHEREAS, the character and nature of Parker Road varies, as certain portions are either (i) maintained by the City of Fairhope, (ii) bounded on both sides by the corporate limits of the City of Fairhope as a result of annexation of territory after July 7, 1995, or (iii) bounded on one side by the corporate limits of Fairhope; and

WHEREAS, in order to clarify and simplify the City of Fairhope's assumption of responsibility for Parker Road 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 Fairhope to annex Parker Road and assume the responsibility thereof; and

WHEREAS, the City of Fairhope desires to assume responsibility for Parker Road, to the extent it is not already maintaining portions thereof, in order to facilitate the orderly development and maintenance of this area and its corporate limits.

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

Section 1. That Baldwin County hereby consents to and petitions for the annexation of Parker Road by the City of Fairhope pursuant to *Code of Alabama*, §11-49-80(c), and (d) and §11-42-20 et seq.

Section 2. To the extent that portions of Parker Road are within the City of Fairhope but maintained by the County, the Baldwin County Commission hereby consents to the assumption of responsibility for Parker Road by the City of Fairhope, pursuant to *Code of Alabama*, §11-49-80(b). In accordance with *Code of Alabama*, §11-49-81, the City of Fairhope's assumption of responsibility for Parker Road is in exchange for the County agreeing that it shall resurface, one

time, Parker Road from US Highway 98 easterly approximately 1,373 feet to the end of County maintenance with a minimum one and a half inch overlay. The Baldwin County Commission and the City of Fairhope 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.

Section 3. The Baldwin County Commission and the City of Fairhope agree that said consideration is a reasonable charge.

Section 4. If any part, section or subdivision of this resolution shall be held to be illegal, invalid, or unenforceable for any reason, such resolution 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.

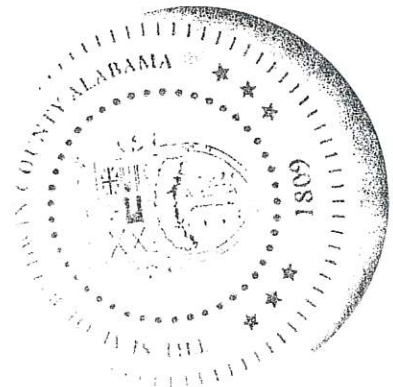
ADOPTED and **APPROVED** by the County Commission of Baldwin County, Alabama, on the 1st day of September, 2020.

BALDWIN COUNTY COMMISSION

By: Billie Jo Underwood
BILLIE JO UNDERWOOD
Its: Chairman

ATTEST:

Wayne Dyess
WAYNE DYESS
County Administrator



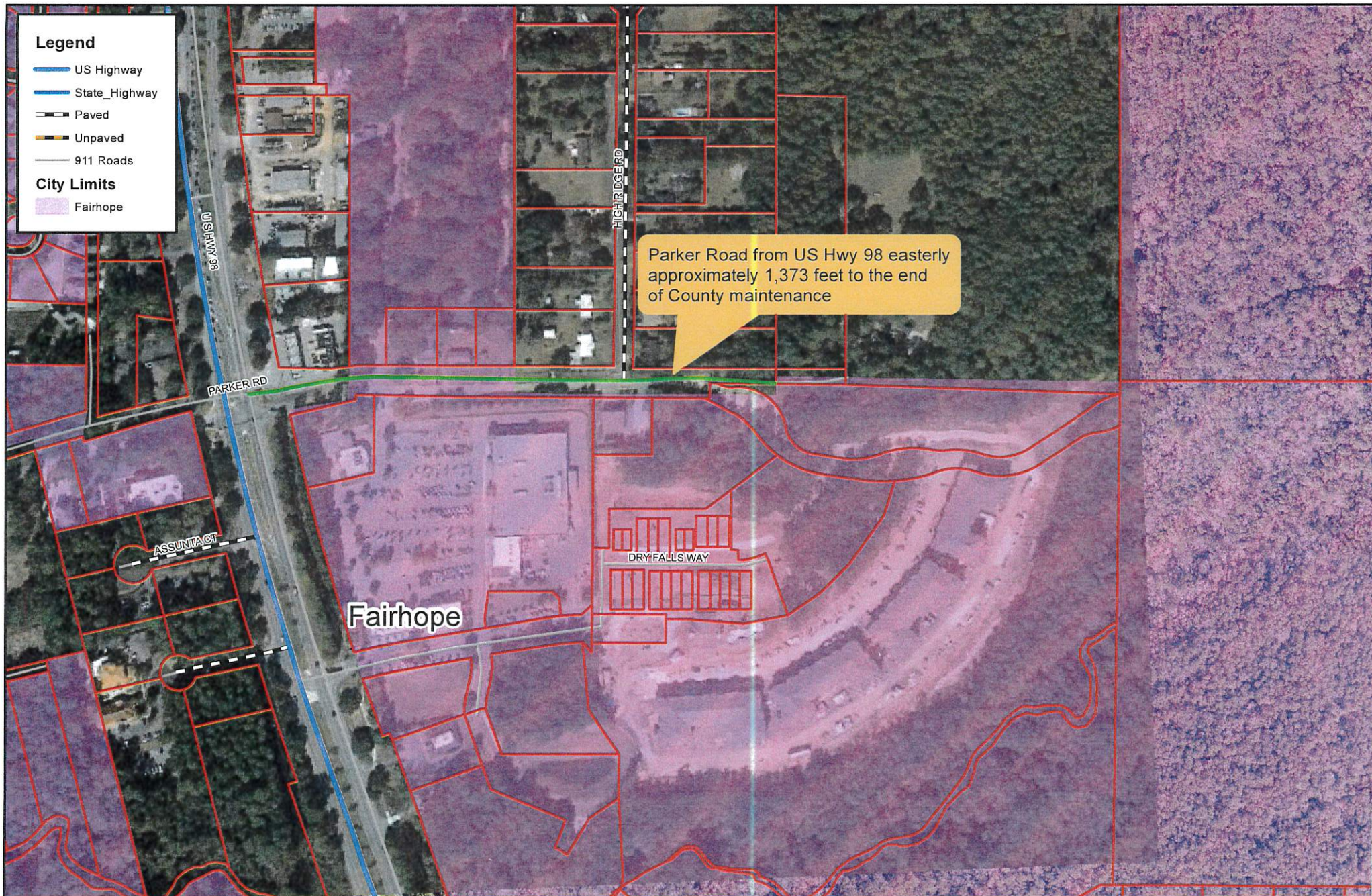


Exhibit A

Transfer of Maintenance Agreement



0 0.04 0.08 0.12 0.16 Miles

