

**AGREEMENT BETWEEN
THE BALDWIN COUNTY COMMISSION,
THE CITY OF BAY MINETTE
AND THE
PLANNING COMMISSION OF THE CITY OF BAY MINETTE
CONCERNING THE EXERCISE OF SUBDIVISION REGULATIONS
WITHIN THE PLANNING JURISDICTION OF THE
MUNICIPAL PLANNING COMMISSION**

The BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama (hereinafter referred to as the "COMMISSION"), the CITY OF BAY MINETTE, an Alabama municipal corporation (hereinafter referred to as the "MUNICIPALITY"), and the PLANNING COMMISSION OF THE CITY OF BAY MINETTE (hereinafter referred to as the "MUNICIPAL PLANNING COMMISSION"), hereby enter into an agreement, the terms and conditions of which shall govern the regulation of subdivisions outside the MUNICIPALITY's corporate limits but within the MUNICIPAL PLANNING COMMISSION's planning jurisdiction for a period of time until July 25, 2023.

1. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the planning jurisdiction of the MUNICIPALITY shall include all land located in the corporate limits of the MUNICIPALITY.
2. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the COMMISSION shall be responsible for all regulation of subdivision planning outside the corporate limits of the MUNICIPALITY.
3. The COMMISSION agrees that it will notify the MUNICIPALITY if a subdivision is approved within the MUNICIPALITY'S police jurisdiction.
4. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that the boundaries for the land subject to the provisions of this Agreement may automatically change from time to time as permitted by state law, and such changes shall not affect the validity or enforceability of this Agreement, except as expressly limited herein.
5. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that if any portion of a proposed subdivision is located within the MUNICIPALITY'S CORPORATE LIMITS, the subdivision regulations of the MUNICIPALITY shall apply.
6. Except as provided in paragraph 3 regarding the automatic adjustment of planning jurisdiction boundaries as permitted by state law, it is expressly understood that this Agreement can be modified or amended only by mutual action of the COMMISSION, the MUNICIPALITY, and the MUNICIPAL PLANNING COMMISSION, whenever such modification is needed.

7. If any part, section, or subdivision of this Agreement 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 Agreement which shall continue in full force.

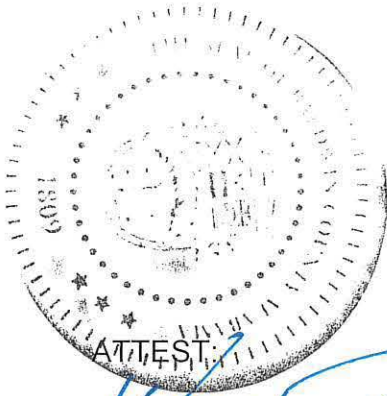
8. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that any previous Agreement entered into between the COMMISSION, MUNICIPALITY, and/or MUNICIPAL PLANNING COMMISSION regarding the regulation of subdivisions outside the MUNICIPALITY'S corporate limits but with the MUNICIPAL PLANNING COMMISSION'S planning jurisdiction, is hereby terminated and replaced by this Agreement.

9. This Agreement shall become effective on the date upon which the last of the following have been completed: a resolution adopted by the COMMISSION approving this Agreement, an ordinance adopted by the MUNICIPALITY approving this Agreement, and a resolution adopted by the MUNICIPAL PLANNING COMMISSION approving this Agreement.

10. This Agreement shall be published once a week for two consecutive weeks in a newspaper of general circulation in both the County and the MUNICIPALITY.

IN WITNESS WHEREOF, the parties have set their hands and seals, by and through their duly authorized representatives, on the dates indicated below with the full intent and authority to bind the parties hereto.

[SIGNATURES ON THE FOLLOWING PAGE]



ATTEST:

Wayne Dyess
County Administrator

COMMISSION:

BALDWIN COUNTY COMMISSION

Joe Davis, III
By: Joe Davis, III
Its: Chairman

MUNICIPALITY:

BAY MINETTE,
ALABAMA

ATTEST:

Clair Dorough
By: Clair Dorough
Its: City Planner

Robert Wills
By: Robert Wills
Its: Mayor

MUNICIPAL PLANNING COMMISSION:

PLANNING COMMISSION OF THE
CITY OF BAY MINETTE, ALABAMA

Todd F. Stewart
By: Todd F. Stewart
Its: Chairman

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Carjetta Crook, a Notary Public in and for said County in said State, hereby certify that JOE DAVIS, III, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and WAYNE DYESS, whose name as County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, a political subdivision of the State of Alabama, 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 such instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said commission on the day the same bears date.

Given under my hand and seal this the 21st day of September, 2021.

Carjetta Crook

Notary Public, Baldwin County, Alabama

My Commission Expires: My Commission Expires:
July 14, 2025



STATE OF ALABAMA
COUNTY OF BALDWIN

I, Jessica Peed, a Notary Public in and for said County in said State, hereby certify that Robert Wills, whose name as Mayor of BAY MINETTE, ALABAMA, and Clair Dorough, whose name as Planner of the CITY OF BAY MINETTE, ALABAMA, 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 such instrument, they, as such officers and with full authority, executed the same voluntarily for and as the act of said municipality on the day the same bears date.

Given under my hand and seal this 9th day of September, 2021.

Jessica Peed

Notary Public, Baldwin County, Alabama

My Commission Expires: 07-22-2025

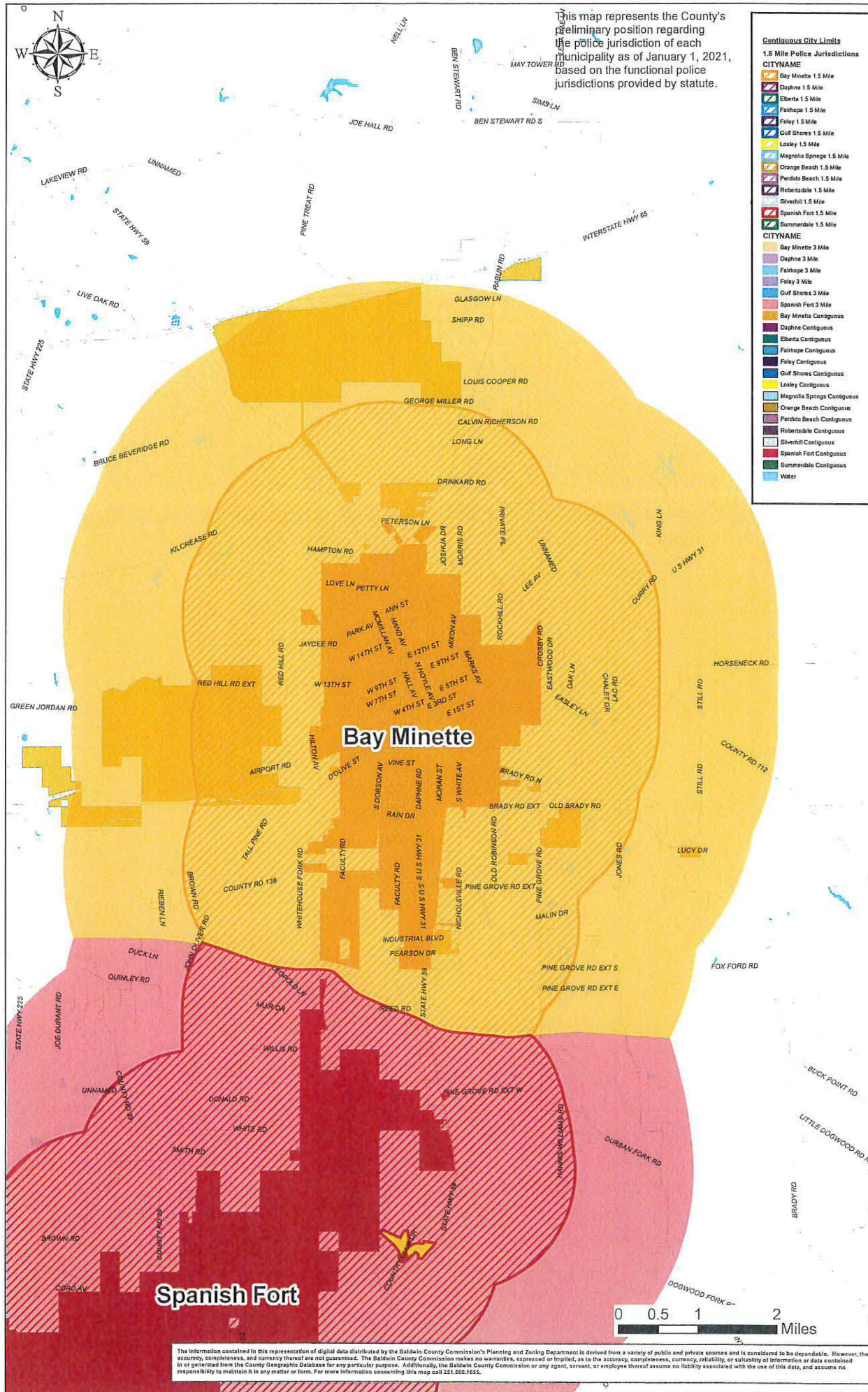


Exhibit A



This map represents the County's preliminary position regarding the police jurisdiction of each municipality as of January 1, 2021, based on the functional police jurisdictions provided by statute.

- Contiguous City Limits**
1.5 Mile Police Jurisdictions
- CITYNAME**
- Bay Minette 1.5 Mile
 - Daphne 1.5 Mile
 - Elberta 1.5 Mile
 - Fairhope 1.5 Mile
 - Foley 1.5 Mile
 - Gulf Shores 1.5 Mile
 - Loxley 1.5 Mile
 - Magnolia Springs 1.5 Mile
 - Orange Beach 1.5 Mile
 - Perdido Beach 1.5 Mile
 - Robertsdale 1.5 Mile
 - Silverhill 1.5 Mile
 - Spanish Fort 1.5 Mile
 - Sumterdale 1.5 Mile
- CITYNAME**
- Bay Minette 3 Mile
 - Daphne 3 Mile
 - Fairhope 3 Mile
 - Foley 3 Mile
 - Gulf Shores 3 Mile
 - Spanish Fort 3 Mile
 - Bay Minette Contiguous
 - Daphne Contiguous
 - Elberta Contiguous
 - Fairhope Contiguous
 - Foley Contiguous
 - Gulf Shores Contiguous
 - Loxley Contiguous
 - Magnolia Springs Contiguous
 - Orange Beach Contiguous
 - Perdido Beach Contiguous
 - Robertsdale Contiguous
 - Silverhill Contiguous
 - Spanish Fort Contiguous
 - Sumterdale Contiguous
 - Water



RESOLUTION OF THE PLANNING COMMISSION
OF THE CITY OF BAY MINETTE

WHEREAS, the Planning Commission of the City of Bay Minette ("Bay Minette Planning Commission") is the duly organized and validly existing Planning Commission for the City of Bay Minette, Alabama; and

WHEREAS, the City of Bay Minette and the Baldwin County Commission have heretofore authorized an agreement between the Baldwin County Commission, the City of Bay Minette and the Bay Minette Planning Commission concerning the regulations of subdivisions inside the municipal limits of the City of Bay Minette and the territorial jurisdiction outside the said municipal limits; and

WHEREAS, the Bay Minette Planning Commission has considered and hereby takes action to authorize the chairman of the Bay Minette Planning Commission to execute and deliver the agreement in form as attached hereto as Exhibit A (the "Agreement").

NOW, THEREFORE, BE IT RESOLVED BY THE BAY MINETTE PLANNING COMMISSION, in regular meeting assembled, that the chairman is authorized and directed to enter into the Agreement on behalf of the Bay Minette Planning Commission and to take all other actions necessary to effectuate said Agreement.

Approved and adopted by the Bay Minette Planning Commission on September 9, 2021.



TODD F. STEWART, chairman

STATE OF ALABAMA
COUNTY OF BALDWIN

I, Jessica Peed, a Notary Public in and for said County in said State, hereby certify that Todd Stewart, whose name as Chairman of the PLANNING COMMISSION OF THE CITY OF BAY MINETTE, ALABAMA, is signed to the foregoing instrument and who is known to me, acknowledged before me on this day that, being informed of the contents of such instrument, he, as such officer and with full authority, executed the same voluntarily for and as the act of said Planning Commission on the day the same bears date.

Given under my hand and seal this 9th day of September, 2021.



Jessica Peed
Notary Public, Baldwin County, Alabama
My Commission Expires: 07-22-2025