



Town of Perdido Beach

RESOLUTION 2011-11 AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE BALDWIN COUNTY COMMISSION FOR THE TOWN TO ASSUME RESPONSIBILITY TO CONTROL, MANAGE, SUPERVISE, REGULATE, REPAIR, MAINTAIN AND IMPROVE ALL PUBLIC STREETS OR PARTS THEREOF LYING WITHIN THE INCORPORATED LIMITS OF THE TOWN OF PERDIDO BEACH, ALABAMA

WHEREAS, the Town of Perdido Beach, Alabama, was declared incorporated by Baldwin County Probate Judge Adrian Johns on June 10, 2009; and

WHEREAS, Section 11-41-1, Code of Alabama, 1975, states, "After August 1, 2004, any municipality incorporated under the procedures set out in this section shall assume responsibility to control, manage, supervise, regulate, repair, maintain, and improve all public streets or parts thereof lying within the incorporated limits no later than 24 months after the incorporation is finalized."; and

WHEREAS, Section 11-49-80(a), Code of Alabama, 1975, states, "Where authority to control, manage, supervise, regulate, repair, maintain, and improve a street or streets or part thereof lying within a municipal corporation is vested in the county commission of the county within which a municipal corporation is located, a municipal corporation may resume or take over the authority to control, manage, supervise, repair, maintain, and improve such street or streets or part thereof designated in the resolution adopted by the governing body of a municipal corporation to resume or take over such authority."; and

WHEREAS, Section 11-49-81, Code of Alabama, 1975, states, "Such resolution shall designate the sum or sums ascertained to be the reasonable charge to be paid by such county for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of such street or streets or part thereof designated in said resolution, and no such resolution shall become effective until and unless the county shall by appropriate action of its county commission pay or contract to pay such sum or sums as may be designated in such resolution."; and

WHEREAS, Section 11-49-80, Code of Alabama, 1975, also states, "Nothing contained in Sections 11-49-80 and 11-49-81 shall prohibit a county and municipality from entering into a mutual agreement providing for an alternative arrangement for the control, management, supervision, regulation, repair, maintenance, or improvement of public streets or parts thereof lying within the corporate limits of an incorporated municipality.".

NOW, THEREFORE, BE IT RESOLVED by the Council of the Town of Perdido Beach that Mayor Patsy Parker is hereby authorized to enter into an agreement with the Baldwin

County Commission for the Town to assume control, management, supervision, regulation, repair, maintenance, and improvement of all public streets or parts thereof within the incorporated limits of the Town of Perdido Beach, Alabama with consideration given to mutual agreements providing for possible alternate arrangements made between the Town of Perdido Beach and the Baldwin County Commission and for a sum of \$232,946.93 to be paid to the Town of Perdido Beach by the Baldwin County Commission for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of such streets or parts thereof lying within the incorporated limits of the Town of Perdido Beach as shown by map - Exhibit "A".

This resolution will become effective upon appropriate action of the Baldwin County Commission to pay or contract to pay to the Town of Perdido Beach the sum designated herein.

ADOPTED this 23rd day of August, 2011 by the Town Council of the Town of Perdido Beach, Alabama, while in Special Session and under the Seal of the Town of Perdido Beach.

Patsy W. Parker

Patsy W. Parker, Mayor

ATTEST:

Lynn Thompson

Lynn Thompson, Town Clerk

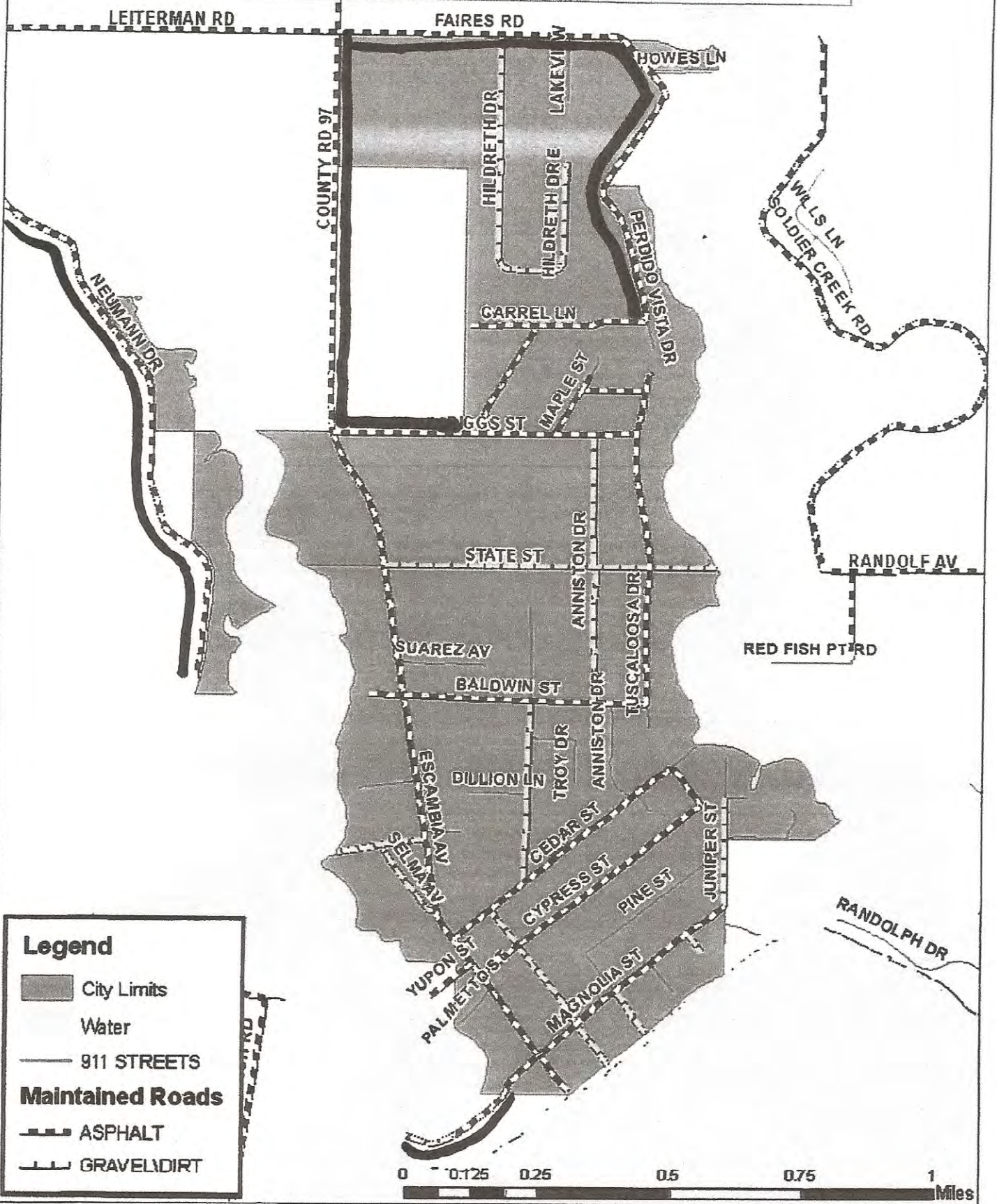
ATTACHMENT: Map



Ronald Bernado
Dennis T. Karsen
Al Thompson



Town of Perdido Beach



Baldwin County Maintained
 All others within Town Limits Maintained by Town of Perdido Beach
 Juniper St. maintained by Town