

**AGREEMENT BETWEEN  
THE BALDWIN COUNTY COMMISSION,  
THE TOWN OF ELBERTA  
AND THE  
PLANNING COMMISSION OF THE TOWN OF ELBERTA  
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 TOWN OF ELBERTA, an Alabama municipal corporation (hereinafter referred to as the "MUNICIPALITY"), and the PLANNING COMMISSION OF THE TOWN OF ELBERTA (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, 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.
4. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that if any portion of a proposed subdivision is located within the MUNICIPAL PLANNING COMMISSION'S planning jurisdiction and outside the corporate limits of the MUNICIPALITY, the subdivision regulations of the MUNICIPALITY shall apply.
5. 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.

6. 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.

7. 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.

8. This Agreement shall become effective on the later of the following two dates: (1) July 26, 2021, or (2) 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.

9. 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

By: Joe Davis, III James E. Ball  
Its: Chairman

MUNICIPALITY:

ELBERTA,  
ALABAMA

Jeri Hamby  
By: Jim Hamby  
Its: Mayor

MUNICIPAL PLANNING COMMISSION:

PLANNING COMMISSION OF THE  
TOWN OF ELBERTA, ALABAMA

Clark S. Cathey  
By: CLARK S. CATHEY  
Its: Chairman



ATTEST:

Caryn H. Woerner  
By: Caryn H. Woerner  
Its: Town Clerk



STATE OF ALABAMA  
COUNTY OF BALDWIN

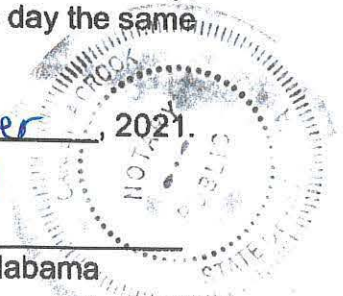
I, Carjetta Crook, a Notary Public in and for said County in said State, hereby certify that ~~JOE DAVIS, III~~ <sup>James F. Ball</sup>, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and WAYNE DYESS, whose name as County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of 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 16<sup>th</sup> day of November, 2021.

Carjetta Crook

Notary Public, Baldwin County, Alabama

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



STATE OF ALABAMA  
COUNTY OF BALDWIN

I, KARRI D. BOTTS, a Notary Public in and for said County in said State, hereby certify that Jim Hamby, whose name as Mayor of the TOWN OF ELBERTA, ALABAMA and Carin H. Woerner whose name as Town Clerk of the TOWN OF ELBERTA, 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 21<sup>st</sup> day of OCTOBER, 2021.

Karri D. Botts

Notary Public, Baldwin County, Alabama

My Commission Expires: 02/04/2025

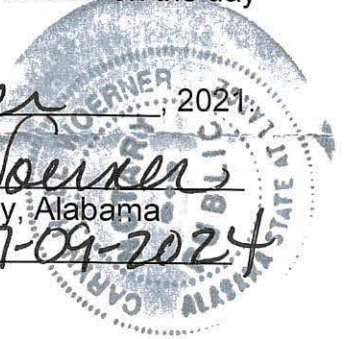


STATE OF ALABAMA  
COUNTY OF BALDWIN

I, Caryn Hall Woerker, a Notary Public in and for said County in said State, hereby certify that Clark Cathey, whose name as Chairman of the PLANNING COMMISSION OF THE ELBERTA, 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 21 day of October, 2021.

Caryn Hall Woerker  
Notary Public, Baldwin County, Alabama  
My Commission Expires: 07-09-2024



ORDINANCE NO. 2021-05

AN ORDINANCE TO APPROVE AND ADOPT  
AGREEMENT BETWEEN BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA,  
AND THE TOWN OF ELBERTA PLANNING COMMISSION

WHEREAS, the State Legislature has recently enacted Act No. 2021-297, which modified certain statutes related to the authority of municipalities within the municipalities' subdivision planning jurisdiction;

WHEREAS, the Town of Elberta did previously enter into an Agreement with the Baldwin County Commission to divest the Town of subdivision authority within the Town's planning jurisdiction;


WHEREAS, the Town Council of the Town of Elberta does determine that it is still in the public interest for the Town Planning Commission not to exercise planning and subdivision authority within the Town's planning jurisdiction, and only to exercise planning and subdivision authority within the Town's corporate limits; and

WHEREAS, the Baldwin County Commission has presented the Town with a proposed Agreement in which the Baldwin County Commission agrees to continue to be responsible for regulation of subdivision planning outside the corporate limits of the Town of Elberta.

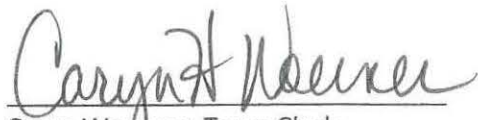
NOW THEREFORE, in consideration of the foregoing premises, IT IS HEREBY ORDAINED by the Town Council of the Town of Elberta, Alabama in open meeting on September 21, 2021 as follows:

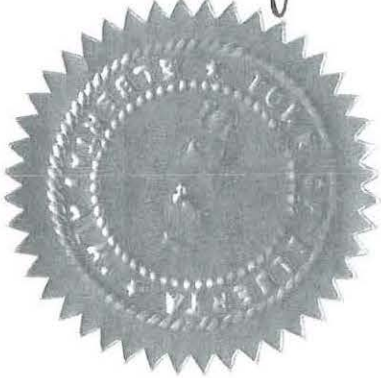
1. That the Town Council does hereby adopt and approve the "Agreement Between the Baldwin County Commission, the Town of Elberta, and the Town of Elberta Planning Commission Concerning the Exercise of Subdivision Regulations Within the Planning Jurisdiction of the Municipal Planning Commission" as presented by the Baldwin County Commission.
2. That the Mayor is hereby authorized and directed to execute the Agreement for and as the act of the Town of Elberta, and on behalf of the Town of Elberta, and that the Town Clerk shall attest the Mayor's signature and affix the seal of the Town thereon.
3. That this Ordinance continue in force until repealed, and shall become effective upon its posting as required by law and shall be posted in three public places in the corporate limits of the Town of Elberta.

TOWN OF ELBERTA, ALABAMA

  
Jim Hamby, Mayor

ATTEST:

  
Caryn Woerner, Town Clerk





TOWN OF ELBERTA PLANNING COMMISSION  
RESOLUTION NO. 2021-01

A RESOLUTION TO ADOPT AGREEMENT BETWEEN  
BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA,  
AND THE TOWN OF ELBERTA PLANNING COMMISSION

BE IT HEREBY RESOLVED by the Town of Elberta Planning Commission in open meeting on October 21, 2021, that the Planning Commission does hereby ADOPT AND APPROVE the "Agreement Between the Baldwin County Commission, the Town of Elberta, and the Town of Elberta Planning Commission Concerning the Exercise of Subdivision Regulations Within the Planning Jurisdiction of the Municipal Planning Commission," and the Planning Commission does authorize and direct the Planning Chairman, Mr. Clark Cathey, to execute the Agreement on behalf of the Planning Commission.

Done this 21 day of October, 2021.

TOWN OF ELBERTA PLANNING COMMISSION

  
Clark Cathey, Chairman

ATTEST:

  
Caryn Woerner, Secretary





THE COURIER • THE ONLOOKER • THE ISLANDER • THE BALDWIN TIMES

**Printer Affidavit:**

This is to certify the attached advertisement

Appeared in The Courier, The Islander & The Onlooker Issue of Gulf Coast Media.

Publication Date(s):

December 8, 2021

Account # 987101 PO # \_\_\_\_\_

Cost \$ 1,417.50 Ad # 282346

Bethany Summerlin

**Bethany Summerlin**

**Sales Representative**

Bill To:

BC Planning & Zoning

Mail payments to:

Gulf Coast Media PO Box 1677- Sumter, SC 29151

Sworn to and subscribe before me

This 8<sup>th</sup> day of December, 20 21

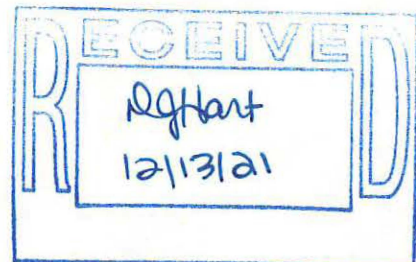
Amber Kimbler

Amber Kimbler

Notary Public for Alabama



AMBER KIMBLER  
My Commission Expires  
April 10, 2022



**MARKET**

Arts, Crafts, and Antique Mall  
 100 State Hwy 59 N, Summerdale, AL  
 Open 7 days 10:00-5:30  
 Ph: (251) 989-6680

ANTIQUE GUNS • SWORDS • KNIVES  
 BOOKS • MILITARY COLLECTIBLES • ETC.  
**CASH PAID**

15296 Co. Rd 3  
 Fairhope, AL 36532  
 251-610-5007

James Mitchell  
 Certified Appraiser



**RESOLUTION 2022-019  
 AGREEMENT BETWEEN  
 THE BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA AND THE PLANNING COMMISSION OF THE TOWN OF ELBERTA  
 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 TOWN OF ELBERTA, an Alabama municipal corporation (hereinafter referred to as the "MUNICIPALITY"), and the PLANNING COMMISSION OF THE TOWN OF ELBERTA (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.

- 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.
- 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.
- 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.
- The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that if any portion of a proposed subdivision is located within the MUNICIPAL PLANNING COMMISSION's planning jurisdiction and outside the corporate limits of the MUNICIPALITY, the subdivision regulations of the MUNICIPALITY shall apply.
- 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.
- 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.
- 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.
- This Agreement shall become effective on the later of the following two dates: (1) July 26, 2021, or (2) 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.
- 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.

**STATE OF ALABAMA  
 COUNTY OF BALDWIN**

*Carroll Beaman*  
 I, *Carroll Beaman*, a Mayor Public in and for said County do hereby certify that the following is a true and correct copy of the Resolution of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, a political subdivision of the State of Alabama, as passed by the Commission on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

*Carroll Beaman*  
 My Commission Expires: 11/23/2023

**STATE OF ALABAMA  
 COUNTY OF BALDWIN**

*Wesley D. Pugh*  
 I, *Wesley D. Pugh*, a Mayor Public in and for said County do hereby certify that the following is a true and correct copy of the Resolution of the TOWN OF ELBERTA, a political subdivision of the State of Alabama, as passed by the Town Council on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

*Wesley D. Pugh*  
 My Commission Expires: 11/23/2023

**STATE OF ALABAMA  
 COUNTY OF BALDWIN**

*Carroll Beaman*  
 I, *Carroll Beaman*, a Mayor Public in and for said County do hereby certify that the following is a true and correct copy of the Resolution of the MUNICIPAL PLANNING COMMISSION OF THE TOWN OF ELBERTA, a political subdivision of the State of Alabama, as passed by the Planning Commission on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

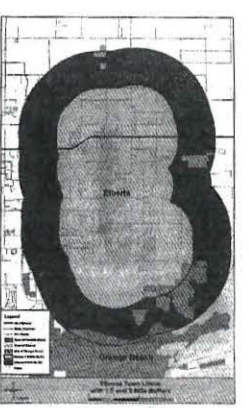
*Carroll Beaman*  
 My Commission Expires: 11/23/2023

**STATE OF ALABAMA  
 COUNTY OF BALDWIN**

*Carroll Beaman*  
 I, *Carroll Beaman*, a Mayor Public in and for said County do hereby certify that the following is a true and correct copy of the Resolution of the PLANNING COMMISSION OF THE TOWN OF ELBERTA, a political subdivision of the State of Alabama, as passed by the Planning Commission on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

*Carroll Beaman*  
 My Commission Expires: 11/23/2023



**ORDINANCE NO. 2021-05  
 AN ORDINANCE TO APPROVE AND ADOPT  
 AGREEMENT BETWEEN BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA,  
 AND THE TOWN OF ELBERTA PLANNING COMMISSION**

WHEREAS, the State Legislature has recently enacted Act No. 2021-297, which modified certain statutes related to the authority of municipalities within the municipalities' subdivision planning jurisdiction;

WHEREAS, the Town of Elberta did previously enter into an Agreement with the Baldwin County Commission to divest the Town of subdivision authority within the Town's planning jurisdiction;

WHEREAS, the Town Council of the Town of Elberta does determine that it is still in the public interest for the Town Planning Commission not to exercise planning and subdivision authority within the Town's planning jurisdiction, and only to exercise planning and subdivision authority within the Town's corporate limits; and

WHEREAS, the Baldwin County Commission has presented the Town with a proposed Agreement in which the Baldwin County Commission agrees to continue to be responsible for regulation of subdivision planning outside the corporate limits of the Town of Elberta.

NOW THEREFORE, in consideration of the foregoing premises, IT IS HEREBY ORDAINED by the Town Council of the Town of Elberta, Alabama in open meeting on September 21, 2021 as follows:

- That the Town Council does hereby adopt and approve the "Agreement Between the Baldwin County Commission, the Town of Elberta, and the Town of Elberta Planning Commission Concerning the Exercise of Subdivision Regulations Within the Planning Jurisdiction of the Municipal Planning Commission" as presented by the Baldwin County Commission.
- That the Mayor is hereby authorized and directed to execute the Agreement for and as the act of the Town of Elberta, and on behalf of the Town of Elberta, and that the Town Clerk shall attest the Mayor's signature and affix the seal of the Town thereon.
- That this Ordinance continue in force until repealed, and shall become effective upon its posting as required by law and shall be posted in three public places in the corporate limits of the Town of Elberta.

**TOWN OF ELBERTA, ALABAMA**

*Carroll Beaman*  
 I, *Carroll Beaman*, a Mayor Public in and for said Town do hereby certify that the following is a true and correct copy of the Ordinance of the TOWN OF ELBERTA, a political subdivision of the State of Alabama, as passed by the Town Council on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

*Carroll Beaman*  
 My Commission Expires: 11/23/2023

**TOWN OF ELBERTA PLANNING COMMISSION  
 REVISION: 2021-05**

I, *Carroll Beaman*, a Mayor Public in and for said Town do hereby certify that the following is a true and correct copy of the Ordinance of the TOWN OF ELBERTA, a political subdivision of the State of Alabama, as passed by the Town Council on the date indicated below on the day that being indicated in the caption of each instrument. My seal office and with full authority, executed the same voluntarily for and on the act of said commission on the day the same were filed.

Given under my hand and seal this 21 day of October, 2021.

*Carroll Beaman*  
 My Commission Expires: 11/23/2023



THE COURIER • THE ONLOOKER • THE ISLANDER • THE BALDWIN TIMES

**Printer Affidavit:**

This is to certify the attached advertisement

Appeared in The Courier, The Islander & The Onlooker Issue of Gulf Coast Media.

Publication Date(s):

December 1, 2021

Account # 987101 PO # \_\_\_\_\_

Cost \$ 1,417.50 Ad # 282346

Bethany Summerlin

**Bethany Summerlin**

**Sales Representative**

Bill To:

bc Planning

2022-019

Mail payments to:

Gulf Coast Media PO Box 1677- Sumter, SC 29151

Sworn to and subscribe before me

This 1st day of December, 2021

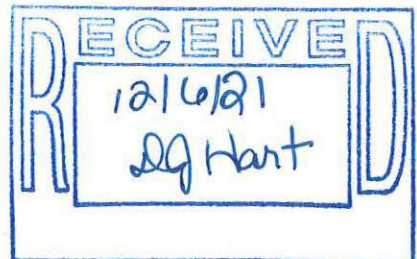
Amber Kimbler

Amber Kimbler

Notary Public for Alabama



AMBER KIMBLER  
My Commission Expires  
April 10, 2022





Is your current communications provider not hearing you? You call us, you get us: friendly local experts with quick service response times. At Harbor, we understand you. (866) 414.9090 • harborcom.com • Serving the Gulf Coast



Dr. Charles Bennett "C.B." Smith, age 77, a resident of Fairhope, Alabama, passed away Wednesday, Nov. 17, 2021.

1997 WILL DR. SMITH BECOMING a leading surgeon within the community. Early on, Dr. Smith served as an advocate for advanced patient care beginning with his role as the President of the Medical Society of Mobile

WHICH ALLOWED FOR A MORE advanced diagnostic method evaluating breast masses mammographic abnormalties. In August of 2015, Dr. S SEE OBITUARIES, PAG

Data Voice TV VoIP Cloud

RESOLUTION 2022-019  
 AGREEMENT BETWEEN  
 THE BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA AND THE PLANNING COMMISSION OF THE TOWN OF ELBERTA  
 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 TOWN OF ELBERTA, an Alabama municipal corporation (hereinafter referred to as the "MUNICIPALITY"), and the PLANNING COMMISSION OF THE TOWN OF ELBERTA (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, 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 validity or enforceability of this Agreement, except as expressly limited herein.
4. The COMMISSION, MUNICIPALITY, and MUNICIPAL PLANNING COMMISSION hereby agree that if any portion of a proposed subdivision is located within the MUNICIPAL PLANNING COMMISSION'S planning jurisdiction and outside the corporate limits of the MUNICIPALITY, the subdivision regulations of the MUNICIPALITY shall apply.
5. 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.
6. 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.
7. 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.
8. This Agreement shall become effective on the later of the following two dates: (1) July 26, 2021, or (2) 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.
9. 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.

ELBERTA - (MUNICIPALITY) Police Jurisdiction as of January 1, 2021

STATE OF ALABAMA  
 COUNTY OF BALDWIN  
 I, Charles Bennett Smith, a Notary Public in and for said County to and for said State, do hereby certify that Dr. Charles Bennett Smith, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and Dr. Charles Bennett Smith, whose name as County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, is a public subdivision of the State of Alabama, are named in the foregoing instrument and who are known to me, the undersigned before me on this day that, being informed of the contents of such instrument, he, as each officer 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 10<sup>th</sup> day of September, 2021.

Charles Bennett Smith  
 Notary Public, Baldwin County, Alabama  
 My Commission Expires: July 14, 2022

STATE OF ALABAMA  
 COUNTY OF BALDWIN  
 I, Dr. Charles Bennett Smith, a Notary Public in and for said County to and for said State, do hereby certify that Dr. Charles Bennett Smith, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and Dr. Charles Bennett Smith, whose name as County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, is a public subdivision of the State of Alabama, are named in the foregoing instrument and who are known to me, the undersigned before me on this day that, being informed of the contents of such instrument, he, as each officer and with full authority, executed the same voluntarily for and as the act of said commission on the day the same bears date.

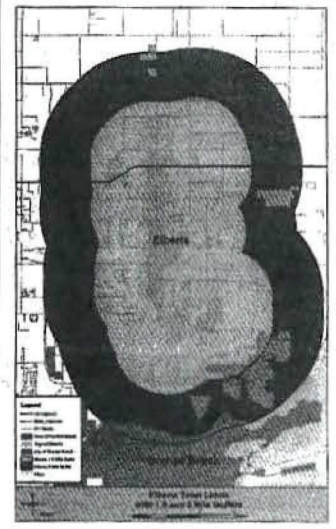
Given under my hand and seal this 21<sup>st</sup> day of October, 2021.

Dr. Charles Bennett Smith  
 Notary Public, Baldwin County, Alabama  
 My Commission Expires: July 14, 2022

STATE OF ALABAMA  
 COUNTY OF BALDWIN  
 I, Dr. Charles Bennett Smith, a Notary Public in and for said County to and for said State, do hereby certify that Dr. Charles Bennett Smith, whose name as Chairman of the BALDWIN COUNTY COMMISSION, and Dr. Charles Bennett Smith, whose name as County Administrator of the BALDWIN COUNTY COMMISSION, the governing body of Baldwin County, Alabama, is a public subdivision of the State of Alabama, are named in the foregoing instrument and who are known to me, the undersigned before me on this day that, being informed of the contents of such instrument, he, as each 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 21<sup>st</sup> day of October, 2021.

Dr. Charles Bennett Smith  
 Notary Public, Baldwin County, Alabama  
 My Commission Expires: July 14, 2022



**ORDINANCE NO. 2021-05**  
**AN ORDINANCE TO APPROVE AND ADOPT**  
**AGREEMENT BETWEEN BALDWIN COUNTY COMMISSION, THE TOWN OF**  
**ELBERTA,**  
**AND THE TOWN OF ELBERTA PLANNING COMMISSION**

WHEREAS, the State Legislature has recently enacted Act No. 2021-297, which modified certain statutes related to the authority of municipalities within the municipalities' subdivision planning jurisdiction;

WHEREAS, the Town of Elberta did previously enter into an Agreement with the Baldwin County Commission to divest the Town of subdivision authority within the Town's planning jurisdiction;

WHEREAS, the Town Council of the Town of Elberta does determine that it is still in the public interest for the Town Planning Commission not to exercise planning and subdivision authority within the Town's planning jurisdiction, and only to exercise planning and subdivision authority within the Town's corporate limits; and

WHEREAS, the Baldwin County Commission has presented the Town with a proposed Agreement in which the Baldwin County Commission agrees to continue to be responsible for regulation of subdivision planning outside the corporate limits of the Town of Elberta.

NOW THEREFORE, in consideration of the foregoing premises, IT IS HEREBY ORDAINED by the Town Council of the Town of Elberta, Alabama in open meeting on September 21, 2021 as follows:

1. That the Town Council does hereby adopt and approve the "Agreement Between the Baldwin County Commission, the Town of Elberta, and the Town of Elberta Planning Commission Concerning the Exercise of Subdivision Regulations Within the Planning Jurisdiction of the Municipal Planning Commission" as presented by the Baldwin County Commission.
2. That the Mayor is hereby authorized and directed to execute the Agreement for and as the act of the Town of Elberta, and on behalf of the Town of Elberta, and that the Town Clerk shall attest the Mayor's signature and affix the seal of the Town thereon.
3. That this Ordinance continue in force until repealed, and shall become effective upon its posting as required by law and shall be posted in three public places in the corporate limits of the Town of Elberta.

Town of Elberta, Alabama  
John Phelan  
 Mayor

Town of Elberta, Alabama  
Carroll Weaver  
 Town Clerk

TOWN OF ELBERTA PLANNING COMMISSION  
 RESOLUTION NO. 2021-05

A RESOLUTION TO ACCEPT AGREEMENT BY BETWEEN BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA, AND THE TOWN OF ELBERTA PLANNING COMMISSION

ALL IT BEING REFERRED BY THE TOWN OF ELBERTA PLANNING COMMISSION TO SPECIFIC ORDINANCE NO. 2021-05, BEING, WITH THE PLANNING COMMISSION (HOWEVER AND WHERE APPROVED) APPROVED BETWEEN THE BALDWIN COUNTY COMMISSION, THE TOWN OF ELBERTA, AND THE TOWN OF ELBERTA PLANNING COMMISSION CONCERNING THE EXERCISE OF SUBDIVISION REGULATIONS WITHIN THE PLANNING JURISDICTION OF THE MUNICIPAL PLANNING COMMISSION, AND THE PLANNING COMMISSION (HOWEVER AND WHERE APPROVED) APPROVED BY AGREEMENT ON BEHALF OF THE PLANNING COMMISSION, IN THE CITY OF ELBERTA, ALABAMA, ON THIS 21<sup>st</sup> DAY OF October, 2021.

TOWN OF ELBERTA PLANNING COMMISSION  
Carroll Weaver  
 Town Clerk