

PLANNING JURISDICTION AGREEMENT
BALDWIN COUNTY COMMISSION/CITY OF FAIRHOPE

WHEREAS, the BALDWIN COUNTY COMMISSION, hereinafter referred to as "the COMMISSION" and the CITY OF FAIRHOPE, hereinafter referred to as "the MUNICIPALITY" desire to enter into an agreement concerning the areas of their respective planning jurisdictions, with the COMMISSION having responsibility for the review of subdivisions in the unincorporated areas of the County lying outside the MUNICIPALITY'S planning jurisdiction and not lying inside the planning jurisdiction of any other municipality in Baldwin County, and the MUNICIPALITY having particular responsibility for the review of subdivisions located inside its corporate limits and all land lying within its planning jurisdiction; and

WHEREAS, State law authorizes a municipality to exercise such planning jurisdiction up to five miles outside its corporate limits and not located in any other municipality;

NOW THEREFORE, THE COMMISSION AND THE MUNICIPALITY do hereby mutually agree as follows:

1. The MUNICIPALITY'S planning jurisdiction shall include all land located inside its corporate limits and all land lying within five miles of its corporate limits West of Fish River and not located in any other municipality, and as per map and description attached hereto.

2. The MUNICIPALITY, through its Planning Commission, will exercise review authority over all subdivision developments all or any part of which lie within the area described in Item 1 above.

3. The MUNICIPALITY will require developer's engineer to submit a copy of each planning jurisdiction to the County Engineer for his approval as required in Section 11-52-30 of the Code of Alabama, prior to such plat being filed for recording with the Judge of Probate of Baldwin County. The more strict requirements, whether of the municipality or of the county, must be complied with by the developer.

4. The COMMISSION will exercise review authority through the Baldwin County Planning Commission over all subdivision developments lying outside the MUNICIPALITY'S planning jurisdiction described in Item 1 above, and not lying inside the planning jurisdiction of any other municipality in Baldwin County.

a. Upon execution of agreements between the COMMISSION and each MUNICIPALITY in Baldwin County, the COMMISSION will have prepared a map delineating the respective planning jurisdictions of the COMMISSION and each MUNICIPALITY in Baldwin County, which map shall be incorporated into this agreement and become part of it.

b. A copy of this agreement, including the map delineating the respective planning jurisdictions of the COMMISSION and the County municipalities for the exercise of subdivision development controls shall be kept on file by the COMMISSION and the MUNICIPALITY and shall be filed with the Judge of Probate of Baldwin County.

5. This agreement shall become effective upon the last date signed below and shall continue in force and effect until such time as it is mutually abolished or amended by the COMMISSION and the MUNICIPALITY, or determined by proper authority to be invalid or inconsistent with State Law.

6. It is expressly understood that this agreement can be modified or amended by mutual action of the COMMISSION and the MUNICIPALITY whenever such modification or amendment is deemed necessary.

THE BALDWIN COUNTY COMMISSION

BY Frank Burk
Chairman

DATE 6-5-91

THE CITY OF FAIRHOPE

BY James P. Wain
Mayor

DATE 5/10/91

PROPOSED REVISED PLANNING JURISDICTION
FAIRHOPE PLANNING COMMISSION
APRIL 1991

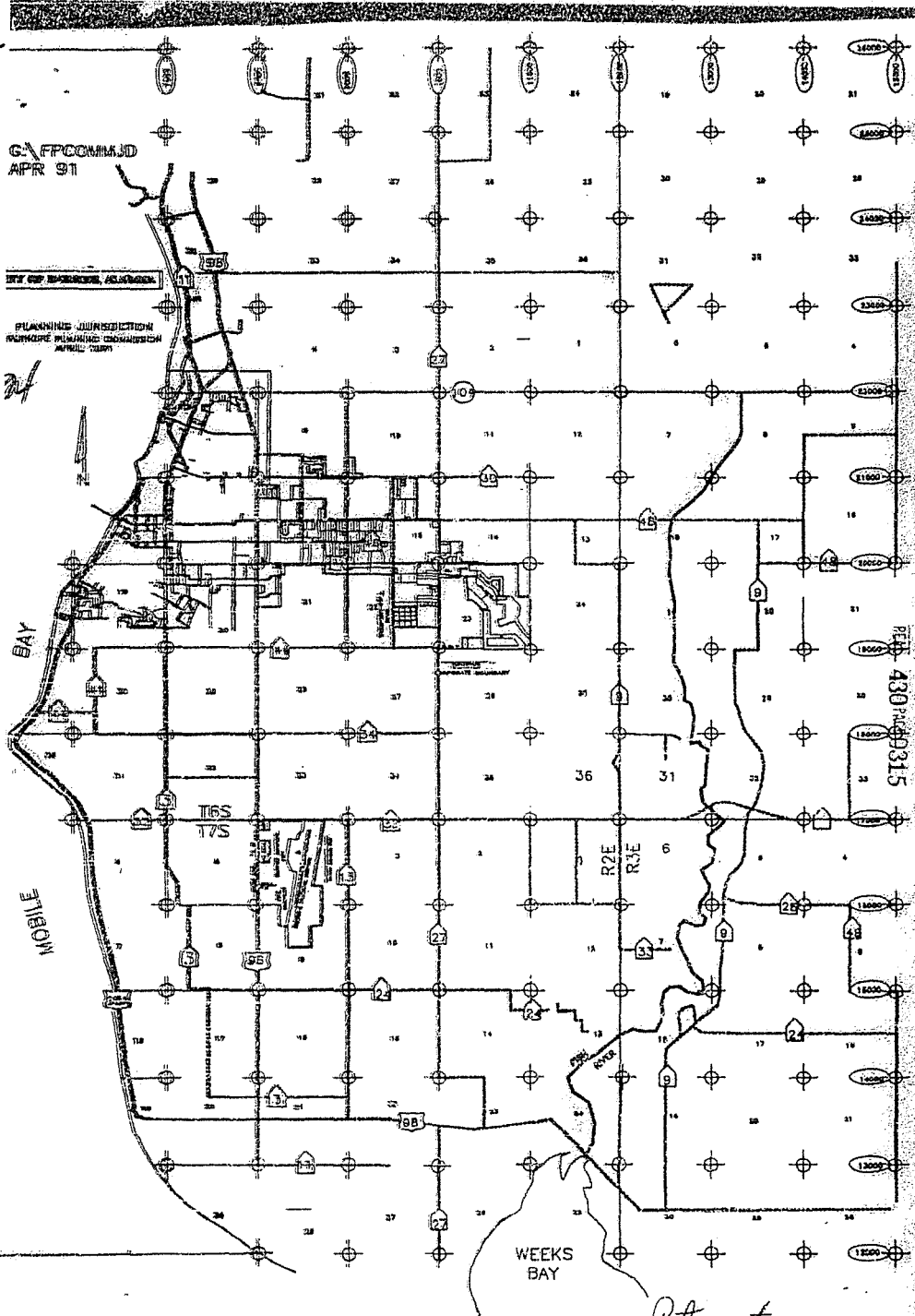
BEGINNING at a point where the eastern margin of the Mobile Bay is intersected by an east-west line drawn midway between the Corporate Limits of the City of Fairhope and the City of Daphne; run thence East along said midline to a point on the range line dividing Ranges 2 and 3 East; thence run South along the range line to the southeast corner of Section 1, T6S, R2E Baldwin County, Alabama which is on the centerline of Alabama Highway 104; thence run east along the centerline of said highway 1.3 miles, more or less, to an intersection with the west margin of the west fork of Fish River; thence run southerly along the west margin of Fish River to the mouth of Weeks Bay; thence run southwesterly along the western shore of Weeks Bay to an intersection with the eastern shore of Mobile Bay; thence northerly along the eastern shore of Mobile Bay to the point of BEGINNING.

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CITY OF FAIRHOPE, ALABAMA
PLANNING JURISDICTION
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APRIL 1991

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