

RESOLUTION #2022-082

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA,
AUTHORIZING ANNEXATION AND TRANSFER OF RESPONSIBILITY
FOR PORTIONS OF COUNTY ROAD 95
FROM BALDWIN COUNTY TO THE CITY OF ORANGE BEACH**

WHEREAS, County Road 95 from the intersection of South Bayou Lane northwest approximately 1400 feet to the end of County maintenance (hereinafter "County Road 95"), are road segments inside or abutting the corporate limits of the City of Orange Beach; and

WHEREAS, County Road 95 includes all improvements within the right-of-way including, but not limited to, the road, drainage structures, signs, etc.; and

WHEREAS, an accurate description of County Road 95 is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, those portions of County Road 95 that are not already the responsibility of the City of Orange Beach have been County maintained roads for a period of one (1) year prior to the effective date of this instrument; and

WHEREAS, County Road 95 is located within the City of Orange Beach, but responsibility is vested in the County; and

WHEREAS, in order to clarify and simplify the City of Orange Beach's assumption of responsibility for County Road 95 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 Orange Beach to annex County Road 95 and assume the responsibility thereof; and

WHEREAS, the City of Orange Beach desires to assume responsibility for County Road 95, 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 County Road 95 by the City of Orange Beach pursuant to *Code of Alabama*, §11-49-80(c), and (d) and §11-42-20 to 24.

Section 2. To the extent that portions of County Road 95, if any, are already located within the corporate limits of City of Orange Beach, but responsibility is vested in the County, the Baldwin County Commission hereby consents to the assumption of responsibility of said portion or portions of County Road 95 by the City of Orange Beach, pursuant to *Code of Alabama*, §11-

49-80(b), in addition to their annexation or re-annexation as described herein. In accordance with *Code of Alabama*, §11-49-81, the City of Orange Beach's assumption of responsibility for County Road 95 is in exchange for the County agreeing that it shall resurface, one time, County Road 95 with a minimum one and a half inch (1.5") overlay. The Baldwin County Commission and the City of Orange Beach 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 Orange Beach 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 holding shall not be 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 3rd day of May, 2022.

BALDWIN COUNTY COMMISSION

By: _____

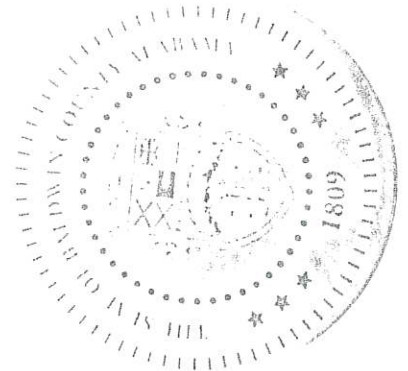
JAMES E. BALL

Its: _____

Chairman


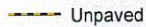
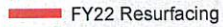
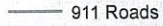

ATTEST:

Ronald J. Cink
Ronald J. Cink
Budget Director



Legend
County Maintained Roads

SurfaceType

-  Paved
-  Unpaved
-  FY22 Resurfacing
-  911 Roads
-  Water

County Road 95

A strip of land forty (80) feet in width running forty (40) feet east and forty (40) feet west of and parallel to the centerline of County Rd 95 in Section 26, Township 8 south, Range 5 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent to convey unto the City of Orange Beach, Alabama, any and all right and title to that portion of right-of-way owned and maintained by Baldwin County along County Road 95, beginning at the intersection of S Bayou Dr running in a northwesterly direction for approximately 1,400 feet to the end of County maintenance. Including all improvements within the right-of-way such as, but not limited to, the road, drainage structures, signs, etc. Said right-of-way being Quitclaimed is part of property conveyed in Deed Book 211 page 534. It is also the intent to convey any and all prescriptive right-of-way that Baldwin County, Alabama may own.

Subject to any reservations, restrictions, exceptions, and encumbrances of record.

1400 FEET TO BE TRANSFERRED TO THE CITY OF ORANGE BEACH

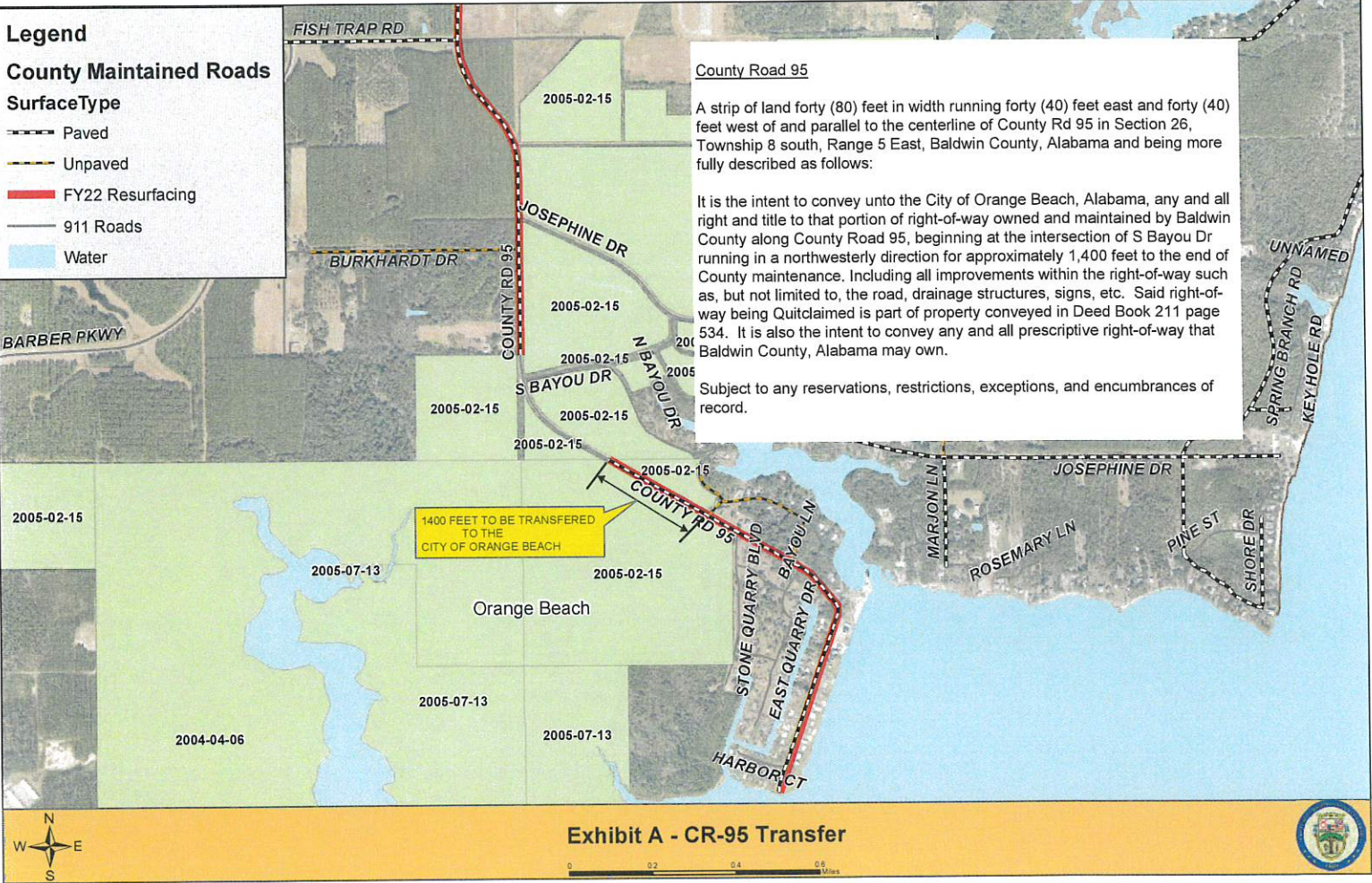


Exhibit A - CR-95 Transfer

