



COUNTY COMMISSION

BALDWIN COUNTY
312 Courthouse Square, Suite 12
BAY MINETTE, ALABAMA 36507
(251) 937-0264
Fax (251) 580-2500
www.baldwincountyal.gov

MEMBERS
DISTRICT 1. JAMES E. BALL
2. MATTHEW P. MCKENZIE
3. BILLIE JO UNDERWOOD
4. CHARLES F. GRUBER

May 6, 2025

The Honorable Ralph Hellmich, Mayor
City of Foley
ATTN: Kathryn Taylor, City Clerk
Post Office Box 1750
Foley, Alabama 36536

RE: Resolution #2025-118 - Transfer of Portion of County Road 65 to City of Foley

Dear Mayor Hellmich:

The Baldwin County Commission, during its regularly scheduled meeting held on May 6, 2025, adopted *Resolution #2025-118* authorizing the transfer of ownership, maintenance, and responsibility for a portion of County Road 65 from 620 feet north of Airport Road to 1,316 feet south of Airport Road to the City of Foley.

Enclosed is the **fully executed original** *Resolution* for your files.

If you have any questions or need further assistance, please do not hesitate to contact me or Mark Acreman, P.E., Assistant County Engineer, at (251) 937-0264.

Sincerely,

MATTHEW P. MCKENZIE, Chairman
Baldwin County Commission

MPM/bga Item CO8

cc: Frank Lundy
Mark Acreman
Seth Peterson
Sierra Stilwell
Lisa Sangster

ENCLOSURE(S)

RESOLUTION #2025-118

**RESOLUTION OF THE COUNTY COMMISSION OF
BALDWIN COUNTY, ALABAMA,
AUTHORIZING AND CONSENTING TO THE TRANSFER OF
OWNERSHIP, MAINTENANCE, AND RESPONSIBILITY FOR A
PORTION OF COUNTY ROAD 65 FROM BALDWIN COUNTY TO THE
CITY OF FOLEY**

WHEREAS, a portion of County Road 65 beginning approximately 620 feet north of the intersection of County Road 65 and Airport Road, and then commencing in a southerly direction for approximately 1,936 feet and ending at a point approximately 1,316 feet south of the intersection of County Road 65 and Airport Road, is a right-of-way inside or abutting the corporate limits of the City of Foley (hereinafter described as "County Road 65"); and

WHEREAS, an accurate description of County Road 65, together with a map thereof showing its relationship to the corporate limits of the City of Foley, is attached hereto as Exhibit "A" and incorporated herein; and

WHEREAS, a portion of County Road 65 that is not already the responsibility of the City of Foley has been a County-maintained Road for a period of at least one (1) year prior to the effective date of this instrument; and

WHEREAS, Baldwin County has found and determined that allowing the City of Foley to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and responsibility of a portion of County Road 65, is in the best interest of Baldwin County; and

WHEREAS, the portion of County Road 65 subject to this agreement is bounded on both sides by the corporate limits of the City of Foley as a result of annexation of territory after July 7, 1995, or located within the City of Foley but responsibility is vested in the County; and

WHEREAS, in order to clarify and simplify the City of Foley's assumption of responsibility for County Road 65 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 Foley to annex a portion of County Road 65 and to assume the responsibility thereof; and

WHEREAS, Baldwin County has the legal authority to carry out the intent of this resolution pursuant to *Code of Alabama*, §11-49-80 and other state laws and constitutional amendments; and

WHEREAS, the City of Foley desires to take over sole and exclusive ownership, control, management, supervision, regulation, repair, maintenance, improvement, and responsibility for such portion of County Road 65 to facilitate the orderly development and maintenance of this area within its corporate limits.

NOW, THEREFORE, BE IT RESOLVED by the Baldwin County Commission as follows:

Section 1. That the Baldwin County Commission hereby consents to and petitions for the annexation of County Road 65 by the City of Foley pursuant to *Code of Alabama*, §11-49-80(b), (c), and (d) and 11-42-20 to 24.

Section 2. That the Chairman of the Baldwin County Commission and other appropriate County officials are hereby authorized to execute and deliver such documents or agreements to the City of Foley as are necessary or requested to carry out the intent of this Resolution.

Section 3. To the extent that portion of County Road 65, if any, is already located within the corporate limits of the City of Foley but responsibility is vested in the County, the Baldwin County Commission hereby consents to the assumption of responsibility of said portion of County Road 65 by the City of Foley, pursuant to *Code of Alabama*, §11-49-80(b), in addition to its annexation or re-annexation as described herein. In accordance with *Code of Alabama*, §11-49-81, the City of Foley's assumption of responsibility for County Road 65 is in exchange for the payment of One Hundred Dollars (\$100.00) from the County. The Baldwin County Commission and the City of Foley agree that said consideration is a reasonable charge for being relieved of the burden of the control, management, supervision, repair, maintenance and improvement of the road described herein.

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 held or 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 6th day of May 2025.

BALDWIN COUNTY COMMISSION

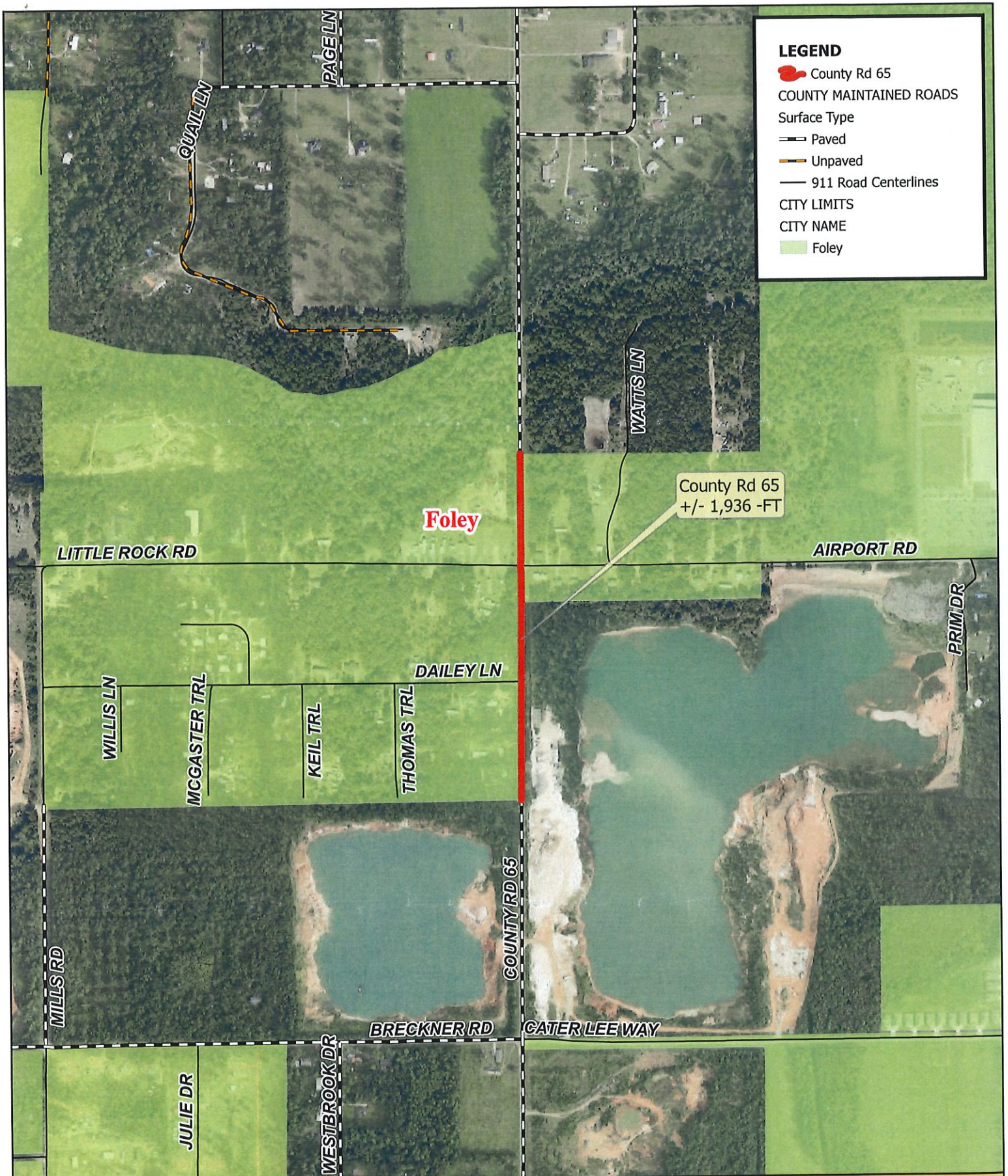


MATTHEW P. MCKENZIE
CHAIRMAN






ATTEST:



ROGER H. RENDLEMAN
COUNTY ADMINISTRATOR



LEGEND

-  County Rd 65
- COUNTY MAINTAINED ROADS
- Surface Type
 -  Paved
 -  Unpaved
-  911 Road Centerlines
- CITY LIMITS
- CITY NAME
 -  Foley

County Rd 65
+/- 1,936 -FT

Foley



Exhibit A: Portion of County Road 65



Portion of County Road 65

A part of the Southwest Quarter of the Southwest Quarter of the Northwest Quarter and part of the Northwest Quarter of the Southwest Quarter of Section 19, Township 7 South, Range 4 East; A part of the Southeast Quarter of the Southeast Quarter of the Northeast Quarter and a part of the Northeast Quarter of the Southeast Quarter of Section 24, Township 7 South, Range 3 East, Baldwin County, Alabama and being more fully described as follows:

It is the intent to convey unto the City of Foley, Alabama, any and all right and title to that portion of right-of-way owned or maintained by Baldwin County along County Road 65, beginning approximately 620 feet north of the intersection of County Road 65 and Airport Road, thence in a southerly direction for approximately 1,936 feet to a point being approximately 1,316 feet south of the intersection of County Road 65 and Airport Road, to the end of the right-of-way being conveyed. Including all improvements within the right-of-way such as, but not limited to the road, drainage structures, signs, trails, sidewalks, etc. Said right-of-way being Quitclaimed is part of property in Deed Book 22 page 314, Deed Book 381 page 131, Deed Book 381 page 132, and Probate Case # 6097. It is also the intent to convey any and all prescriptive right-of-way that Baldwin County, Alabama may own.