

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

INTERGOVERNMENTAL AGREEMENT

THIS INTERGOVERNMENTAL AGREEMENT is entered into this _____day of _____, 2020, by and between the Mayor and Council of the City of Savannah ("Savannah"), a municipal corporation chartered under the laws of the State of Georgia and the City of Garden City ("Garden City"), a municipal corporation chartered under the laws of the State of Georgia.

WHEREAS, Norfolk Southern, the owner of real property has filed an application and supporting documents to Savannah under the procedural requirements of O.C.G.A. 36-36-22 to deannex certain property, which Norfolk Southern holds by fee title, from the incorporated limits of Savannah into corporate limits of Garden City, as more particularly described in Exhibit A, attached and made a part of this Agreement, and referred hereinafter as the "Property;" and

WHEREAS, under the requirements of O.C.G.A. 36-36-22, Savannah has agreed to deannex the Property based on the Garden City's agreement to annex said Property contained herein; and

WHEREAS, under the requirements of O.C.G.A. 36-36-3, Garden City has agreed to add the Property as part of incorporated Garden City and provide for services, facilities and equipment necessary to protect the health, safety and welfare of the businesses and property at the Property; and

WHEREAS, the Georgia Constitution provides in Article IX, Paragraph III, Section I that any county, municipality, or instrumentality of the State may enter into an Intergovernmental contract for period not to exceed fifty (50) years with each other for the provision of services, facilities, and equipment; and

NOW, THEREFORE, for the mutual covenants and benefits of each to the other, the parties enter into this Intergovernmental Agreement for purposes of providing specified government services to the Property as authorized under Georgia law, as more particularly described as follows:

1. Savannah shall comply in accordance with O.C.G.A. 36-36-22 to approve Norfolk Southern's application by ordinance to deannex the Property from the City's incorporated boundaries. Garden City shall act upon Norfolk Southern's application to approve an effective date prior to December 31, 2020.

2. Garden City shall consent to the annexation of the Property into incorporated Garden City and comply with O.C.G.A. 36-36-3 to add the Property as part of incorporated Garden City. Furthermore, adding the Property as part of incorporated Garden City does not constitute an unincorporated island since the Property remains contiguous to areas of incorporated Garden City along the Property's western boundary line.

3. Garden City shall be responsible for the provision of all other municipal-type services to the Property at the same level of municipal-type service as provided to other incorporated areas within the municipal boundaries effective December 31, 2020.

This Intergovernmental Agreement is executed the day and year written above by the authorized representatives of the Mayor and Council of the City of Savannah and the Mayor and Council of the City of Garden City.

CITY OF SAVANNAH

Witness

BY: _____
Patrick Monahan, City Manager
City of Savannah

Notary Public

ATTEST: _____
Mark Massey
Clerk of Council

[SEAL]

CITY OF GARDEN CITY

Witness

BY: _____
Ron Feldner, City Manager
City of Garden City

Notary Public

ATTEST: _____
Rhonda Ferrell-Bowles
Clerk of Council

[SEAL]

STATE OF GEORGIA)
)
COUNTY OF CHATHAM)

RESOLUTION OF THE CITY OF GARDEN CITY

BE IT RESOLVED that the City of Garden City, at a regularly scheduled City Council meeting did, in accordance with the City's governmental charter, authorize the Mayor to execute an Intergovernmental Agreement among the parties including the City of Savannah to an area known as the Property, as authorized under Georgia law.

SO ADOPTED AND APPROVED, this __ day of _____, 2015,
BY THE CITY OF GARDEN CITY.

CITY OF GARDEN CITY

Witness

BY: _____
Ron Feldner, City Manager
City of Garden City

Notary Public

ATTEST: _____
Rhonda Ferrell-Bowles
Clerk of Council

[SEAL]