

## **INTERGOVERNMENTAL AGREEMENT**

This Intergovernmental Agreement is made and entered into as of the execution date entered below, by and between Chatham County, Georgia (the “County”), and the Mayor and Aldermen of the City of Savannah (the “City”).

**Whereas**, the City and County agree that the proper provision of water and sewer services to the citizens of the unincorporated areas of Chatham County requires a coordinated effort, and;

**Whereas**, the City recognizes that the County has the responsibility of ownership, operation, and maintenance of certain rights-of-ways throughout the County, and;

**Whereas**, the County recognizes that the City has the responsibility of ownership, operation, and maintenance of certain City-owned water and sanitary sewer facilities which are located in County-owned rights-of-way throughout the unincorporated areas of the County for the provision of water and sanitary sewer services to certain residents and businesses of Unincorporated Areas of Chatham County, and;

**Whereas**, both parties recognize that it generally is in the public interest to locate water and sewer lines within publicly-owned rights of way; and

**Whereas**, the County requires the relocation of some of these City-owned facilities, from time to time, to facilitate construction within County-owned rights-of-way, and the parties wish to memorialize their agreement on payment of costs for the relocation of these facilities;

**Now therefore**, it is agreed that the following understandings apply to the payment of costs for relocation of all City-owned water and sanitary sewer facilities which are located within County’s owned, operated, or maintained rights-of-way:

1. In the event the County requires the City to relocate any City-owned water and sewer facility which is located within a County-owned right-of-way to facilitate any project, construction, improvement, road, sidewalk, or other capital improvement (a “Project”), the City will relocate the facility within or without the right of way in accordance with plans approved by both parties.
2. In the event of such a relocation, the parties shall share the costs as follows:

- a. If the Project for which the relocation is required is funded by the County's Special Service District Tax funds, the City will pay the full cost of the relocation.
  - b. If the Project for which the relocation is required is funded by any other source the parties will equally share the first \$100,000 in cost, and the County shall include the balance of the cost of such relocation in the Project cost, and reimburse the City for such relocation from the Project budget.
3. Each governing authority agrees to notify the other governing authority when any relocation is necessary to repair the facilities, or to complete a road, sidewalk, or other capital improvement Project, and be allowed to review any plans required for construction and/or relocation.

This \_\_\_\_ day of \_\_\_\_\_, 2018

Mayor and Aldermen of the  
City of Savannah

Board of Commissioners  
of Chatham County, GA

\_\_\_\_\_  
City Manager

\_\_\_\_\_  
Al Scott, Chairman Board of Commission

Attest:

Attest:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Janice E. Bocoock, Clerk of Commission

(SEAL)

Reviewed and Approved By

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W. Brooks Stillwell  
City Attorney

R. Jonathan Hart  
County Attorney