

**RESOLUTION OF THE BOARD OF COMMISSIONERS OF LIBERTY COUNTY, GEORGIA AUTHORIZING PRIVATE DEVELOPMENT AGREEMENTS TO MITIGATE THE IMPACT TO ISLANDS HWY. TRANSPORTATION INFRASTRUCTURE RESULTING FROM ONGOING AND FUTURE DEVELOPMENT, COMMISSIONING A STUDY TO ENSURE THAT CONDITIONS IMPOSED BY SUCH AGREEMENTS ARE RELATED AND PROPORTIONAL TO SAID IMPACT, AND FOR OTHER PURPOSES**

**WITNESSETH:**

**WHEREAS**, the Board of Commissioners of Liberty County (the “**Board**”) finds that ongoing and proposed development along the County right-of-way known as “Islands Hwy.” will result in significant degradation of the maintenance, condition, levels of service (“**LOS**”), and operational integrity of the public right-of-way known as “Islands Hwy.” and related transportation infrastructure (as the same may be more particularly identified in the Impact Analysis authorized below, the “**Islands Hwy. Transportation Infrastructure**”); and

**WHEREAS**, due to the impact of such development, and in order to maintain the integrity of the Islands Hwy. Transportation Infrastructure and appropriate LOS with respect thereto, improvements to said Islands Hwy. Transportation Infrastructure will be required; and

**WHEREAS**, the Board is authorized to enter into private development agreements with involved developers to mitigate the impact to the Islands Hwy. Transportation Infrastructure by either constructing required improvements in order to maintain an acceptable LOS or contributing funding, based on a proportionate share of the impact, to offset the cost of needed future improvement(s); and

**WHEREAS**, the Board has determined that in order to maintain the health, safety, security, peace, and general welfare of the unincorporated areas of the County, it is appropriate that such private, binding development agreements be pursued with respect to the Islands Hwy. Transportation Infrastructure (as defined below, the “**Development Agreements**”); and

**WHEREAS**, this Resolution is presented and otherwise considered at a meeting of the Board pursuant to lawful and duly given notice as required by O.C.G.A. § 50-14-1 et seq.

**NOW, THEREFORE, BE IT RESOLVED**, and it is hereby resolved, that the findings and determinations set forth in the foregoing recitals are incorporated in the body of this Resolution in their entirety by this reference.

**BE IT FURTHER RESOLVED**, and it is hereby resolved, as follows:

1. Impact Analysis and Development Agreements. The Board hereby authorizes and requests that the County Administrator, with the assistance of the County Attorney, County Engineer, and such other consultants, engineers, and professionals as determined appropriate by

the County Administrator, (a) prepare an impact analysis (the “**Impact Analysis**”) necessary to (i) quantify and evaluate the concerns and needs implicated by this Resolution with respect to the Islands Hwy. Transportation Infrastructure, and (ii) otherwise support the development and use of appropriate Development Agreements with respect thereto; and (b) develop a binding, model Development Agreement to better ensure the integrity of the Islands Hwy. Transportation Infrastructure and appropriate LOS with respect thereto.

2. Use of Development Agreements. As soon as the Impact Analysis is completed, the Chairman of the Board is authorized to enter into any and all Development Agreements with respect to the Islands Hwy. Transportation Infrastructure to the extent determined appropriate by the Chairman, in consultation with the County Attorney and County Administrator, to maintain the integrity and LOS of said Islands Hwy. Transportation Infrastructure, all as informed by the aforesaid Impact Analysis and consistent with applicable law.

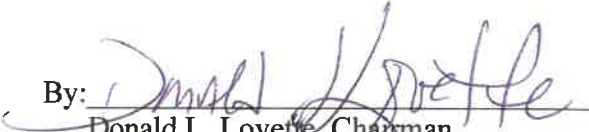
3. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and the County Administrator or such other appropriate official shall place of public record this Resolution in the minutes of the Board. Without limiting the foregoing, and so as to better ensure that all affected landowners are advised of this Resolution and the future use of Development Agreements, the County Administrator shall post this Resolution on the website maintained by the Board; provided that the failure to so post this Resolution or to otherwise specifically advise affected landowners shall in no way invalidate or impair the operation or effectiveness of this Resolution or any resulting Development Agreements.

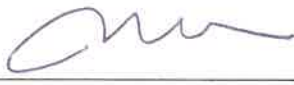
**DULY ADOPTED** this the 6th day of September, 2022.

**BOARD OF COMMISSIONERS OF  
LIBERTY COUNTY, GEORGIA**

(OFFICIAL SEAL)



By:   
Donald L. Lovette, Chairman

Attest:   
Joseph W. Brown, Cnty. Admin.