

## RESOLUTION 21-51

### A RESOLUTION OF THE CITY OF MEXICO BEACH, FLORIDA, APPROVING A SETTLEMENT AGREEMENT WITH SOUTHWEST GEORGIA OIL COMPANY, INC. PROVIDING FOR DELAYED ANNEXATION INTO THE CITY AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

WHEREAS, the City of Mexico Beach (the "City") has authority to provide water and sewer service to parcels located in unincorporated Bay County west of the City limits; and

WHEREAS, the City Council may consider such requests on a case by case basis pursuant to the City Code and the City Council has determined that additional requests for utility services to parcels located west of the City limits will be approved only if the parcel is being annexed into the City; and

WHEREAS, Southwest Georgia Oil Company, Inc. is in the process of developing a convenience store just to the west of the City limits, has applied to the City to receive utility services, and has disputed the City's right to require annexation to receive utility services from the City; and

WHEREAS, the City and Southwest Georgia Oil Company, Inc. have negotiated a settlement of their dispute, which provides for the annexation of the parcel as provided by the terms of the agreement, certain donations by Southwest Georgia Oil Company, Inc. to the City, and the City providing utility service to the parcel prior to annexation (the "Settlement Agreement"); and

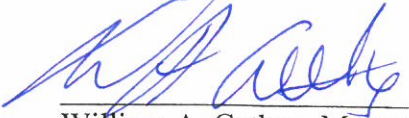
WHEREAS, the Settlement Agreement does not set precedent for future utility service applications and is in settlement of a legal dispute between Southwest Georgia Oil Company, Inc., while still providing for the eventual annexation of the parcel into the City, certain more immediate financial benefits to the City, and ensuring that the parcel will be developed in an environmentally sound manner with municipal water and sewer connections instead of relying on a well and septic tank; and

**BE IT RESOLVED** that the City Administrator or other appropriate officers of the City of Mexico Beach, Florida (the "City") are authorized to accept and deliver on behalf of the City that certain Settlement Agreement between the City and Southwest Georgia Oil Company, Inc, attached and incorporated herein as Exhibit A.

THIS resolution shall take effect immediately upon passage.

PASSED this 12 day of October, 2021.

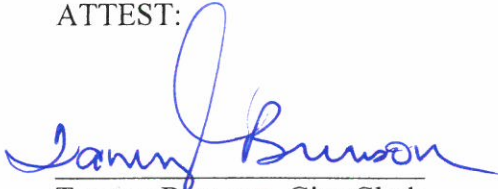
CITY OF MEXICO BEACH



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William A. Cathey, Mayor

ATTEST:



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Tammy Brunson, City Clerk