

State of Alabama)
City of Tuscaloosa)

EXECUTIVE ORDER OF THE MAYOR

To: Chief A. J. Martin, Tuscaloosa Fire & Rescue Service

Number: 2007-030

Date: January 22, 2007

Regarding: Mercedes Fire Protection
 File Nos: A05-0989/A00-0619/A07-0054

Authority:

By the authority vested in me by the applicable provisions of the laws of the State of Alabama, including but not limited to Ala. Code §11-44B-7 (1975), pursuant to which the Mayor of the City as the Chief Executive Officer has the general supervision and control of all other officers and the affairs of the City, except as otherwise provided by law, I, Walter Maddox, as Mayor do hereby order and direct as follows:

Executive Orders 2005-014 and 2006-19 are hereby amended and superseded to conform to this Executive Order. Based upon assurances of State funding, in regard to fire calls to Mercedes Benz Plant No. 2, you are directed that the City will, on a temporary basis, continue to provide fire suppression and emergency medical services to, *inter alia*, Mercedes Benz Plant No. 2 with equipment and personnel from Fire Station No. 11. These services will be in accordance with existing city ordinances regarding fire and rescue service responses.

Nothing herein shall be construed in any manner whatsoever as a permanent assumption by the City of Tuscaloosa of any fire protection or suppression services to the Mercedes Benz Plant No. 2 or any obligation of the State of Alabama assumed by it in the Project Triad Agreement in regard to such services. In addition, nothing herein contained shall be interpreted as an acknowledgement or agreement in any manner whatsoever by the City of Tuscaloosa or by me that any term and/or condition in the Project Rosewood Agreement and in regard to the initial Mercedes Benz Plant obligates and/or requires the City of Tuscaloosa to provide fire protection or suppression services to the Mercedes Benz Plant No. 2. To the contrary, any such assertion is disputed by the City.

This Executive Order, unless amended or extended by a further Order or arrangements with the State of Alabama or other appropriate funding source, will expire on September 30, 2007, and fire suppression and emergency medical services to, *inter alia*, Mercedes Benz Plant No. 2 with equipment and personnel from Fire Station No. 11 shall cease.

Implementation:

All Departments of the City and their respective employees to whom this Executive Order applies shall forthwith implement the same in accordance with its terms and requirements. Nothing contained in this Order shall relieve a person from any requirement to obtain a license or other authorization in compliance with applicable laws and regulations. This Order is not intended to conflict with, supersede or contradict any lawful ordinance or resolution duly enacted by the City Council. This Order does not create any right, benefit, or privilege, substantive or procedural, enforceable at law or in equity by a party against the City, its departments, agencies, entities, officers, employees, or agents, or any other person.

So Ordered from City Hall on the date indicated above.

A handwritten signature in black ink, reading "Walter Maddox", is written over a horizontal line.

Walter Maddox
Mayor, City of Tuscaloosa