

1 **RESOLUTION APPROVING AN EASEMENT AGREEMENT BETWEEN FULTON**
2 **COUNTY, GEORGIA, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA,**
3 **AND THE GEORGIA POWER COMPANY FOR THE PURPOSE OF RELOCATING**
4 **ONSITE UTILITY SERVICE EQUIPMENT AT THE ROSWELL NEIGHBORHOOD**
5 **SENIOR CENTER; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE**
6 **EASEMENT AGREEMENT AND RELATED DOCUMENTS; TO AUTHORIZE THE**
7 **COUNTY ATTORNEY TO APPROVE THE EASEMENT AGREEMENT AND RELATED**
8 **DOCUMENTS AS TO FORM AND TO MAKE NECESSARY MODIFICATIONS**
9 **THEREOF PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.**

10
11 **WHEREAS,** Fulton County, Georgia ("Fulton County") is a political subdivision of
12 the State of Georgia, existing as such under and by the Constitution, statutes, and laws
13 of the State; and

14 **WHEREAS,** the Fulton County Department of Senior Services operates senior
15 centers throughout Fulton County which offer a wide array of programming for older
16 adults, with these centers include both Neighborhood Senior Centers and Senior
17 Multipurpose Facilities; and

18 **WHEREAS,** the City of Roswell Department of Transportation desires to replace
19 the existing traffic signal and construct additional lanes of capacity on approaches,
20 including dual left turn lanes, at Holcomb Bridge Road and southbound Warsaw Road;
21 and

22 **WHEREAS,** the planned road improvement project will widen Warsaw Road to
23 two lanes in each direction, with a raised median and improve the sidewalks on both
24 sides of the roadway, and require the acquisition of right of way and permanent
25 construction easements on Warsaw Road; and

26 **WHEREAS,** it has been determined by the Georgia Power Company and the
27 Fulton County Department of Real Estate and Asset Management that a new utility
28 easement will be required to relocate service lines and the onsite service pole prior to
29 completing the plan roadway improvements; and

1 **WHEREAS**, the Fulton County Department of Real Estate and Asset
2 Management recommends approval for the granting of a utility easement to the Georgia
3 Power Company at 1250 Warsaw Road, Roswell, Georgia 30076, formally known as
4 the Roswell Neighborhood Senior Center, in Fulton County, Georgia, located in the 1st
5 District and 2nd Section of Land Lots 524 & 525 and more particularly described in
6 Exhibit "A", attached hereto; and

7 **WHEREAS**, Fulton County is authorized pursuant to O.C.G.A. § 32-3-3 to
8 donate, transfer or devise property to the Georgia Power Company that is suitable for
9 present or future public utility purposes.

10 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners of
11 Fulton County, Georgia, hereby approves of the conveyance of utility easement from
12 Fulton County, Georgia to the Georgia Power Company, as more particularly described
13 in Exhibit "A" attached hereto.

14 **BE IT FURTHER RESOLVED**, that the Chairman of Fulton County Board of
15 Commissioners is authorized and directed to execute and deliver a utility easement
16 agreement and other necessary and related documents to the Georgia Power Company
17 to complete the transfer of the real property rights.

18 **BE IT FURTHER RESOLVED** that prior to execution of any documents, the
19 County Attorney shall approve any and all documents as to form and make any
20 necessary modifications thereto to protect Fulton County's interests.

21 **BE IT FINALLY RESOLVED**, that this Resolution shall become effective upon its
22 adoption and that all resolutions and parts of resolutions in conflict with this Resolution
23 are hereby repealed to the extent of such conflict.

24 **SO PASSED AND ADOPTED**, this ____ day of _____ 2021.
25

**FULTON COUNTY BOARD OF
COMMISSIONERS:**

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

ATTEST:

Tonya Grier, Clerk to the Commission

APPROVED AS TO FORM:

Patrise Perkins-Hooker
County Attorney