

1 **RESOLUTION APPROVING A UNDERGROUND EASEMENT AGREEMENT**
2 **BETWEEN FULTON COUNTY, GEORGIA AND GEORGIA POWER COMPANY FOR**
3 **THE PURPOSE OF INSTALLING ELECTRICAL UTILITY SERVICE EQUIPMENT AT**
4 **1838 DONALD LEE HOLLOWELL PARKWAY, ATLANTA, GEORGIA, FORMALLY**
5 **KNOWN AS THE DOGWOOD BRANCH LIBRARY; TO AUTHORIZE THE CHAIRMAN**
6 **TO EXECUTE A UNDERGROUND EASEMENT AGREEMENT AND RELATED**
7 **DOCUMENTS; TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE AS TO**
8 **FORM AND MAKE MODIFICATIONS AS NECESSARY PRIOR TO EXECUTION; AND**
9 **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**, Fulton County Department of Library Services operates libraries
15 throughout Fulton County that offer a wide array of services for the residents of Fulton
16 County and the public; and

17 **WHEREAS**, Georgia Power Company is converting its overhead electric
18 distribution lines to underground electric distribution lines in order to improve service
19 reliability and the existing grid infrastructure within the community; and

20 **WHEREAS**, the planned onsite utility improvements at Dogwood Branch Library
21 include a Three Phase Terminating Cabinet and a Pull Box that will be installed onsite
22 adjacent to the right of way of Donald Lee Howell Parkway; and

23 **WHEREAS**, it has been determined by Georgia Power Company and the Fulton
24 County Department of Real Estate and Asset Management that a utility easement will
25 be required to install the aforementioned electrical service equipment and to relocate
26 overhead service lines underground; and

27 **WHEREAS**, The Fulton County Department of Real Estate and Asset
28 Management recommends approval for the granting of a utility easement to the Georgia
29 Power Company at 1838 Donald Lee Hollowell Parkway, Atlanta, Georgia 30318,

1 formally known as the Dogwood Branch Library, in Fulton County, Georgia, located in
2 the 14th District and Land Lot 176 and more particularly described in Exhibit "A",
3 attached hereto; and

4 **WHEREAS**, 36-10-1, "[a]ll contracts entered into by the county governing
5 authority with other persons in behalf of the county shall be in writing and entered on its
6 minutes".

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

11 **BE IT FURTHER RESOLVED**, that the Chairman of Fulton County Board of
12 Commissioners be authorized and directed to execute and deliver a utility easement
13 agreement and other necessary documents to Georgia Power Company to complete
14 the grant of easement rights.

15 **BE IT FURTHER RESOLVED** that prior to execution of any documents, the
16 County Attorney shall approve any and all documents as to form and make any
17 necessary substantive changes thereto to protect the County's interests.

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

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

SPONSORED BY:

Robert L. Pitts
Fulton County Board of Commissioners

ATTEST:

Tonya Grier
Clerk to the Commission

APPROVED AS TO FORM:

Kaye Burwell
Interim County Attorney

P:\CALegislation\Land\Resolution Authorizing the Utility Easement Georgia Power Dogwood Library mg pjo.doc