

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

#21-0086

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

1
2
3
4
5
6
7
8
9
10
FULTON COUNTY BOARD OF
COMMISSIONERS:

Robert L. Pitts

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

11 ATTEST:



12 *Tonya Grier*
13 Tonya Grier, Clerk to the Commission
14 APPROVED AS TO FORM.

15
16 *Kaye W. Burwell*
17 Kaye W. Burwell
18 Interim County Attorney
19
20
21
22
23

3
ITEM # 21-0086 RM 23/21
REGULAR MEETING

Tax Parcel ID = 12 219005240909

After recording, return to:
Georgia Power Company
Attn: Land Acquisition (Recording)
241 Ralph McGill Blvd NE
Bin 10151
Atlanta, GA 30308-3374

PROJECT 2020010064 LETTER FILE DEED FILE MAP FILE
ACCOUNT NUMBER 69596-VBS-0-JD00L6-0-0-89200500-0
NAME OF LINE/PROJECT: PI # L6833 BIG CREEK PKWY WARSAW ROAD FM CRESTA CT (FULTON
COUNTY) DISTRIBUTION LINE
PARCEL NUMBER 011

E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, FULTON COUNTY (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 141 Pryor St SW # 7000, Atlanta, GA 30303-3466, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at 1250 WARSAW RD, ROSWELL, GA 30076 (Tax Parcel ID No. 12 219005240909) in Land Lot 524, 525 of the 1 District of Fulton County, Georgia.

The "Easement Area" is defined as any portion of the Property located (a) within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location(s) shown on "Exhibit A" attached hereto and made a part hereof, (b) within ten (10) feet of the centerline of the underground distribution line(s) as installed in the approximate location(s) shown on "Exhibit A," and (c) within ten (10) feet from each side of any related above-ground equipment and facilities, including without limitation cubicles, transformers and service pedestals, as installed in the approximate location(s) shown in "Exhibit A."

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles,

PARCEL 011 NAME OF PI # L6833 BIG CREEK PKWY WARSAW ROAD FM CRESTA
 LINE/PROJECT: CT (FULTON COUNTY) DISTRIBUTION LINE

wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said overhead or underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the Company shall remain the property of the owner of said timber.

The Undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

[Signature(s) on Following Page(s)]

PARCEL 011

NAME OF
LINE/PROJECT:

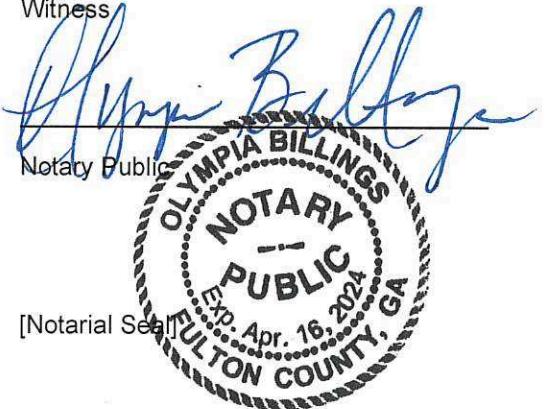
PI # L6833 BIG CREEK PKWY WARSAW ROAD FM CRESTA
CT (FULTON COUNTY) DISTRIBUTION LINE

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their
Hand (s) and seal(s), this 24 day of February, 2020,

Signed, sealed and delivered this 24th day of February, 2020 in the presence of:

Kayla Bull

Witness



[Notarial Seal]

APPROVED AS TO FORM

This 12 day of Feb, 2020.

Kayla Bull

County Attorney

Fulton County, a political subdivision of the
State of Georgia

Robert L. Pitts

By: _____

Robert L. Pitts, Chairman

Fulton County Board of Commissioners



Attest: _____

Tonya Grier
Tonya Grier
Clerk to the Commission

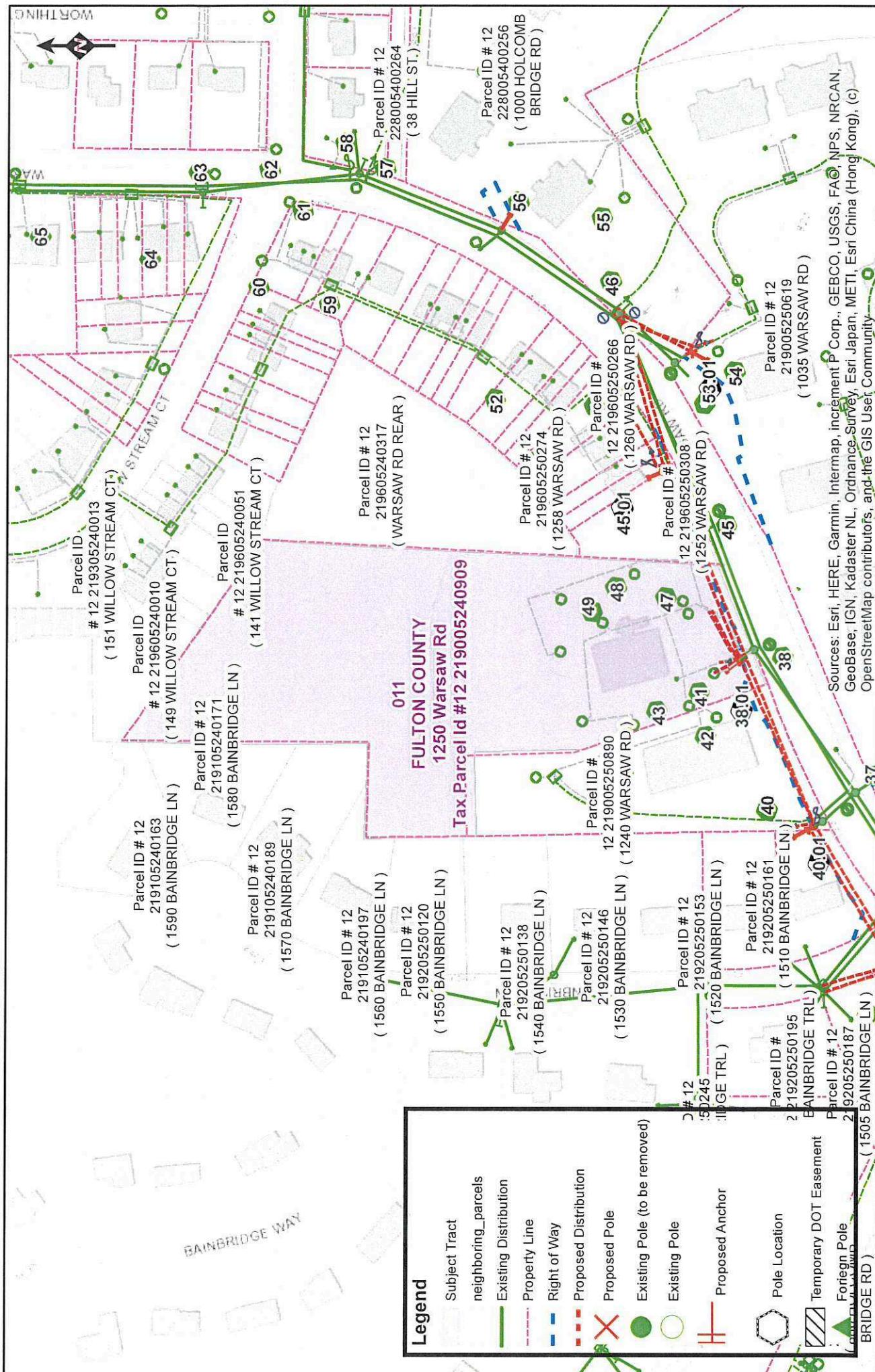


Exhibit A
PARCEL 011

FACULTY
MAP NOT TO SCALE

MAP NOT TO SCALE
Structure and line locations based on Pre-Engineering

Land Engineering
Prepare Date: 2/14/20

G CREEK PKWY WARSAW ROAD
FM CRESTA CT
(FULTON COUNTY)
DISTRIBUTION LINE
LIMS # 2020010064

MAP NOT TO SCALE

MAP NOT TO SCALE
Locations based on Pre-

Land Engineering
Prepare Date: 2/14/20