

1 A RESOLUTION APPROVING A RIGHT OF ACCESS LICENSE AGREEMENT
2 BETWEEN FULTON COUNTY, GEORGIA, A POLITICAL SUBDIVISION OF THE
3 STATE OF GEORGIA (“LICENSOR”), AND THE CITY OF ATLANTA (“LICENSEE”),
4 TO FACILITATE THE CONSTRUCTION OF ADA-COMPLIANT WARNING SURFACE
5 TACTILES ADJACENT TO COUNTY-OWNED PROPERTY; TO AUTHORIZE THE
6 CHAIRMAN TO EXECUTE A RIGHT OF ACCESS LICENSE AGREEMENT; TO
7 AUTHORIZE THE COUNTY ATTORNEY TO APPROVE A RIGHT OF ACCESS
8 LICENSE AGREEMENT AS TO FORM AND TO MAKE MODIFICATIONS THERETO
9 TO PROTECT THE INTERESTS OF FULTON COUNTY PRIOR TO EXECUTION; AND
10 FOR OTHER PURPOSES.

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

15 **WHEREAS**, Fulton County is the fee simple owner of (i) 135 Peachtree Street SW,
16 Atlanta (Tax Parcel ID: 14-0077-00-060-151), (ii) 162 Pryor Street, Atlanta, (Tax Parcel
17 ID. 14-0077-00-060-581), (iii) 141 Pryor Street, SW, Atlanta, (Tax Parcel ID 14-0077-00-
18 061-068, "Fulton County Government Center,"), and (iv) 136 Pryor Street, Atlanta, (Tax
19 Parcel ID 014-0077-00-070-010 (collectively the “Property”); and

20 **WHEREAS**, the City of Atlanta (the “City”) recognizes the importance of providing
21 safe and accessible public sidewalks for individuals with disabilities; and

22 **WHEREAS**, the City is committed to enhancing and improving the mobility for the
23 visually impaired pedestrians within the City; and

24 **WHEREAS**, the City desires to install ADA-compliant detectable warning surface
25 tactiles adjacent to the Property as part of the Summerhill/Capitol Avenue Bus Rapid
26 Transit Improvement Project as more particularly identified in Exhibits A through C
27 attached hereto and incorporated by reference (the “Project”); and

28 **WHEREAS**, the City has requested that Fulton County grant access via a Right of
29 Access License Agreement to complete planned sidewalk improvements as part of the
30 Project; and

1 **WHEREAS**, it is the recommendation of the Department of Real Estate and Asset
2 Management (“DREAM”) to grant the City access to Property for the purpose of
3 completing improvements to the existing sidewalks; and

4 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Board of Commissioners
5 has exclusive jurisdiction and control over directing and controlling the property of the
6 County as they may deem expedient, according to law.

7 **NOW THEREFORE BE IT RESOLVED** that the Fulton County Board of
8 Commissioners hereby approves a Right of Access License Agreement, in substantially
9 the form attached hereto as Exhibit A, to the City so as to allow the City to access (i) 135
10 Peachtree Street SW, Atlanta (Tax Parcel ID: 14-0077-00-060-151), (ii) 162 Pryor Street,
11 Atlanta, (Tax Parcel ID. 14-0077-00-060-581), (iii) 141 Pryor Street, SW, Atlanta, (Tax
12 Parcel ID 14-0077-00-061-068, "Fulton County Government Center,"), and (iv) 136 Pryor
13 Street, Atlanta, (Tax Parcel ID 014-0077-00-070-010 for the Project as more particularly
14 identified in Exhibits A through C attached hereto and incorporated by reference.

15 **BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners
16 is authorized and directed to execute a Right of Access License Agreement with the City
17 of Atlanta, in substantially the form attached hereto as Exhibit D, to access the Property.

18 **BE IT FURTHER RESOLVED** that prior to execution of any documents by the
19 Chairman, the County Attorney shall approve the documents as to form and make any
20 necessary changes thereto to protect the 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

1 **SO PASSED AND ADOPTED**, this ____ day of September 2023.

2

3

FULTON COUNTY BOARD OF COMMISSIONERS

4

5

6

Robert L. Pitts, Chairman

7

8

9

10

11 **ATTEST:**

12

13

Tonya R. Grier, Clerk to the Commission

15

16 **APPROVED AS TO FORM:**

17

18

Y. Soo Jo, County Attorney

19

EXHIBIT A

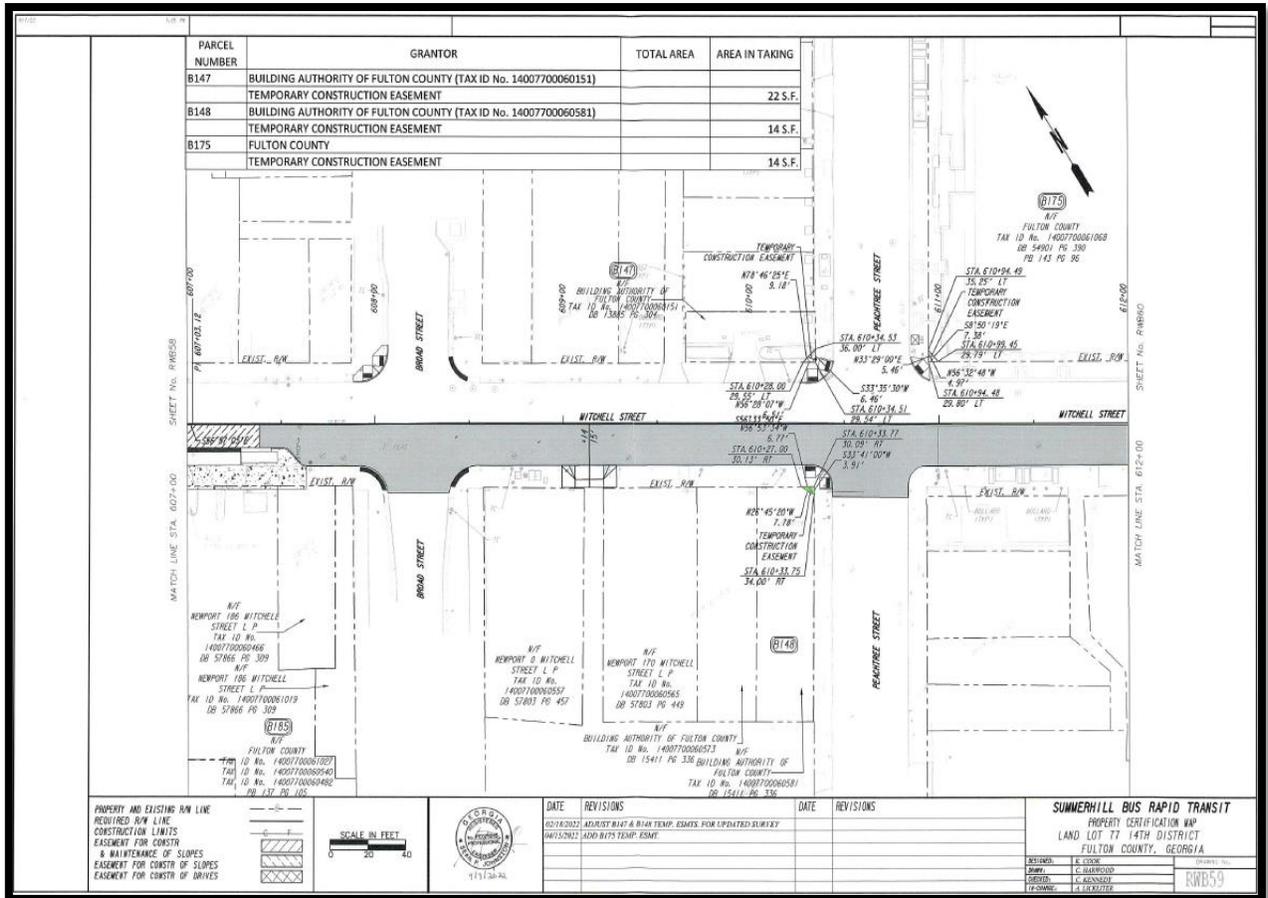


EXHIBIT C

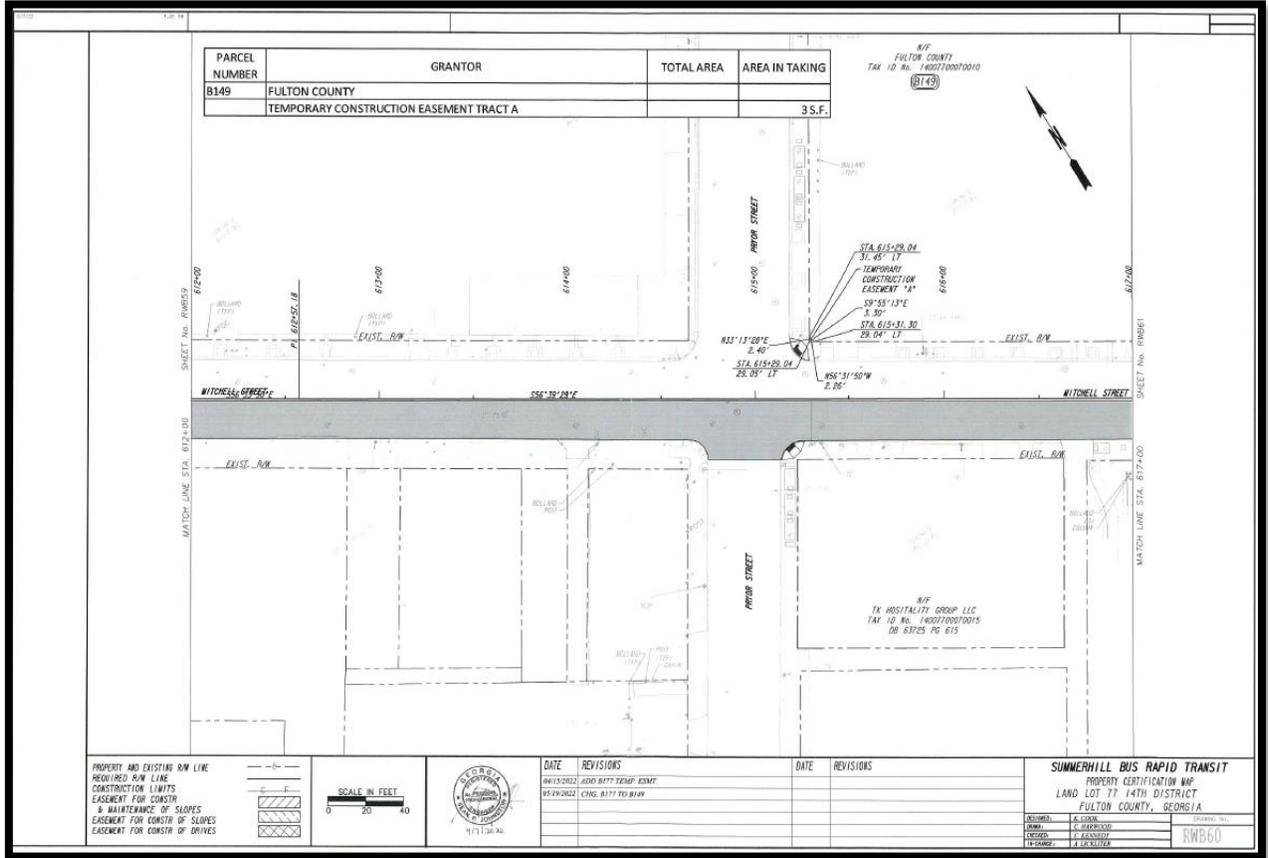


EXHIBIT D
RIGHT OF ACCESS LICENSE AGREEMENT