

1 A RESOLUTION APPROVING THE CONVEYANCE OF A UNDERGROUND UTILITY
2 EASEMENT AGREEMENT BETWEEN FULTON COUNTY, GEORGIA, AND THE
3 GEORGIA POWER COMPANY FOR THE PURPOSE OF COMPLETING PLANNED
4 ONSITE IMPROVEMENTS AT 3960 AERO DRIVE; AUTHORIZING THE CHAIRMAN
5 TO EXECUTE AN UNDERGROUND UTILITY EASEMENT AGREEMENT AND
6 RELATED DOCUMENTS; AUTHORIZING THE COUNTY ATTORNEY TO APPROVE
7 THE UNDERGROUND UTILITY EASEMENT AGREEMENT AND RELATED
8 DOCUMENTS AS TO FORM AND MAKE NECESSARY MODIFICATIONS THEREOF
9 PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.

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

15 **WHEREAS**, Fulton County is the owner of a tract of land in Fulton County,
16 Georgia, lying north and northwesterly of M. L. King, Jr. Drive and east and
17 southeasterly of the Chattahoochee River, comprising nine hundred eighty-five (985)
18 acres, more or less, which Fulton County has developed for use as an airport commonly
19 referred to as the Fulton County Executive Airport – Charlie Brown Field, hereinafter
20 referred to as the "Fulton County Executive Airport;" and

21 **WHEREAS**, it has been determined by Georgia Power Company and the
22 Department of Real Estate and Asset Management ("DREAM") that planned onsite
23 improvements to the Aircraft Rescue and Fire Fighting ("ARFF") Facility Phase II –
24 Airport Administration Offices at 3960 Aero Drive, Atlanta, Georgia at the Fulton County
25 Executive Airport, will require that the County convey a Utility Easement Area to
26 Georgia Power Company; and

27 **WHEREAS**, DREAM recommends approval for the granting of a utility easement
28 to Georgia Power Company at Fulton County Executive Airport in Fulton County,

Georgia located in 14FF District of Land Lots 16 & 22 and more particularly described in Exhibit "A", attached hereto; and

WHEREAS, pursuant to Fulton County Code § 1-117, the Board of Commissioners has exclusive jurisdiction and control over directing and controlling all property of the County.

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

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

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

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

SO PASSED AND ADOPTED, this ____ day of _____ 2022.

FULTON COUNTY BOARD OF COMMISSIONERS:

Robert L. Pitts
Chairman

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ATTEST:

Tonya R Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
County Attorney

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