A RESOLUTION APPROVING THE CONVEYANCE OF A UNDERGROUND UTILITY 1 2 EASEMENT AGREEMENT BETWEEN FULTON COUNTY, GEORGIA, AND THE GEORGIA POWER COMPANY FOR THE PURPOSE OF COMPLETING PLANNED 3 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 THE UNDERGROUND UTILITY EASEMENT AGREEMENT AND RELATED DOCUMENTS AS TO FORM AND MAKE NECESSARY MODIFICATIONS THEREOF 8 9 PRIOR TO EXECUTION; AND FOR OTHER PURPOSES. 10 11 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 southeasterly of the Chattahoochee River, comprising nine hundred eighty-five (985) 17 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 Recue and Fire Fighting ("ARFF") Facility Phase II -24 Airport Administration Offices at 3960 Aero Drive, Atlanta, Georgia at the Fulton County Executive Airport, will require that the County convey a Utility Easement Area to 25 26 Georgia Power Company; and 27 WHEREAS, DREAM recommends approval for the granting of a utility easement

to Georgia Power Company at Fulton County Executive Airport in Fulton County,

28

1	Georgia located in 14FF District of Land Lots 16 & 22 and more particularly described in
2	Exhibit "A", attached hereto; and
3	WHEREAS, pursuant to Fulton County Code § 1-117, the Board of
4	Commissioners has exclusive jurisdiction and control over directing and controlling all
5	property of the County.
6	NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of
7	Fulton County, Georgia, hereby approves of the conveyance of utility easement from
8	Fulton County to the Georgia Power Company, as more particularly described in Exhibit
9	"A" attached hereto.
0	BE IT FURTHER RESOLVED, that the Chairman of Fulton County Board of
1	Commissioners is hereby authorized and directed to execute and deliver a utility
2	easement agreement and other necessary documents to Georgia Power Company to
3	complete the transfer of the real property rights.
4	BE IT FURTHER RESOLVED that prior to execution of any documents, the
5	County Attorney shall approve all documents as to form and make any necessary
6	changes thereto to protect the County's interests.
7	BE IT FINALLY RESOLVED, that this Resolution shall become effective upon its
.8	adoption and that all resolutions and parts of resolutions in conflict with this Resolution
9	are hereby repealed to the extent of such conflict.
20	SO PASSED AND ADOPTED, this day of 2022.
21 22 23 24	FULTON COUNTY BOARD OF COMMISSIONERS:
22 23 24 25 26 27 28	Robert L. Pitts Chairman
	2 ITEM # 22 -0352 RCs 51/820 RECESS MEETING

22-0352

2		
3		ATTEST:
4		1.
5		Janua R. Aria
6		Tonya R Grier
7		Clerk to the Commission
8		
9	APPROVED AS TO FORM:	OF COMMISSION
10		
11 12	Y. Soo Jo	PUTON COUNTY Society
12		
13	County Attorney	Wynn 1853
13 14 15	County Attorney P:\CALegislation\Land\3965 Aero Road Georgia Power Easement A	ONDED, 1853

ITEM #22-0352 RCs 5,1822
RECESS MEETING

Tax Parcel ID = 14F0022 LL0281
After recording, return to:
Georgia Power Company
Attn: Land Acquisition (Recording)
241 Ralph McGIII Blvd NE
Bin 10151
Atlanta, GA 30308-3374

PROJECT 2022030313 LETTER FILE DEED FILE ACCOUNT NUMBER 10549137-GPC9596-VBS-0
NAME OF LINE/PROJECT: 3965 Aero Drive (FULTON COUNTY) DISTRIBUTION LINE PARCEL NUMBER 001

MAP FILE

STATE OF GEORGIA FULTON COUNTY

UNDERGROUND EASEMENT

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, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA (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 4155 M.L. King Jr, Drive NW, Atlanta, Georgia 30336 (Tax Parcel ID No. 14F0022 LL0281) in Land Lot 16, 22 of the 14FF District of Fulton County, Georgia.

The "Easement Area" is defined as any portion of the Property located within ten (10) feet of the centerline of the underground distribution line(s) and related equipment as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

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 wires, transformers, service pedestals, manholes, conduits, cables and other necessary apparatus, fixtures and appliances; the right to stretch communication or other lines of any other company or person under the Easement Area; the right to assign this Underground 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 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 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.

Jnderground	(LIMS 2	2) 2017.08.	17
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Page 1 of 3

PARCEL 001 NAME OF 3965 AERO DRIVE (FULTON COUNTY) DISTRIBUTION LINE/ PROJECT: LINE

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)

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

PROJECT 2022030313 LETTER FILE

DEED FILE MAP FILE

ACCOUNT NUMBER 10549137-GPC9596-VBS-0

NAME OF LINE/PROJECT: 3965 AERO DR. (FULTON COUNTY) DISTRIBUTION LINE

PARCEL NUMBER 001

STATE OF GEORGIA FULTON COUNTY

UNDERGROUND EASEMENT

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, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 141 Pryor St., SW, Suite 7000, Atlanta, GA 30303, 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 3965 AERO DR. (PARCEL ADDRESS OF 4155 M.L.KING, JR. DR., NW), ATLANTA, GA 30336 (Tax Parcel ID No. 14F0022 LL0281) in Land Lot 16, 22 of the 14FF District of Fulton County, Georgia.

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

transformers, service pedestals, manholes, conduits, cables and other necessary apparatus, fixtures and appliances; the right to stretch communication or other lines of any other company or person under the Easement Area; the right to assign this Underground 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 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 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 001	NAME OF LINE/PROJECT:	3965	AERO	DR.	(FULTON	COUNTY)	DISTRIBUTION	LINE

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their hand(s) and seal(s), this day of Weeker, 2022.

Signed, sealed and delivered in the presence of:

FULTON COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF GEORGIA

Name: ROBERT L. PITTS

Title: CHAIRMAN OF FULTON COUNTY BOARD OF COMMISSIONERS

Name: TONYA GRIER

(SEAL)

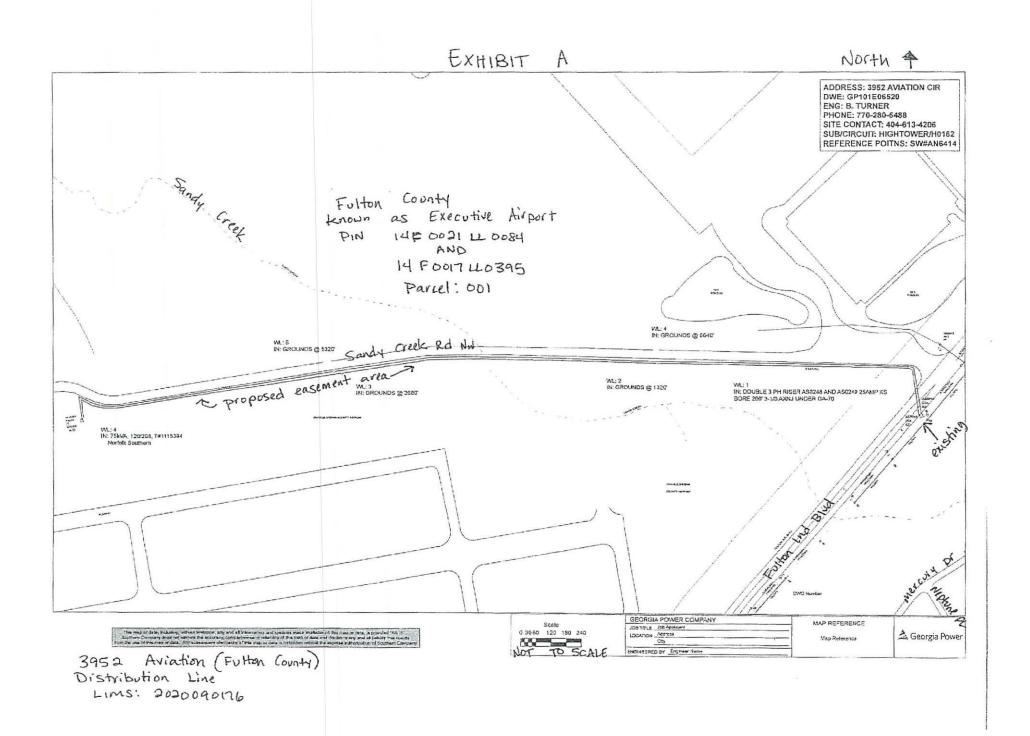
Title: CLERK OF THE COMMISSION

APPROVED AS TO FORM

This 18 day of Normber, 2022.

County Attorney

350 RCS 5 18 128



Release for Construction Agreement

To release 3965 Aero Drive, Atlanta, Georgia for construction, all of the following items must be verified. Complete this form, sign and return to GPC engineer: X The Underground Distribution Construction Agreement has been signed by the Customer / Developer. N/A The \$ 1,000.00 per service point underground service fee (where applicable) and any other CIAC has been paid. X The easement has been signed and properly witnessed by the Property Owner. X Lot Corners have been marked on the curb with paint in lieu of permanent property pins. X Clearance behind the curb of 12 feet is level with curb and free from obstructions and within three (3) inches of final grade. X Sewer laterals, water lines and any other privately owned facilities are adequately located and plainly marked. X Paving and curbing or final grading, as applicable, is complete. X The property owner / developer approves the distribution design and lighting represented on GPC's construction print. X Removal of unforeseen obstructions and supply of suitable backfill material, X A) will be provided by the Developer / Customer. The Developer / Customer agrees to remove rock and have suitable backfill available during construction while ensuring there are no construction delays. -or-B) will be provided for by Georgia Power crews / contractors. The Developer / Customer may be billed for any additional charges that GPC incurs for the rock removal and select dirt for backfill charged to Georgia Power if actual costs exceed cost allowances. X Erosion, Sedimentation, and Pollution Control Plan. The Developer's Storm Water Pollution Prevention Plan (SWPPP) is in place and available for review. A certification Statement is available for GPC or its subcontractor to sign on the Developer's SWPPP. This project: X A) requires a NOI and a copy is enclosed., with the permit number is enclose. The owner/ developer agrees to provide a copy of the Notice of Termination (NOT) when filed. -or-B) will not have land disturbance activities to more than one (1) acres of land in the common development or it will not trigger any other requirements of the Georgia Water Quality Control Act.

emergency access of all equipment and personnel.	ment serving this site. This includes routine or
APPROVED	
Signed, sealed and delivered this day of 2022 in the presence of:	Fulton County, a political subdivision of the State of Georgia
Advan adduns Witness	By: Robert L. Pitts, Chairman Fulton County Board of Commissioners
Notary Fulfic BILL/A Chariel Seal]	Attest: Duya Frier, Clerk to the Commission
APPROVED AS TO FORM	COMM G

This 18 day of November, 2022.

County Attorney

ITEM # OF THE RECESS MEETING

Underground Distribution Construction Agreement

PROJECT / CUSTOMER: 3965 Aero Drive Animal Shelter
LOCATION: 3965 Aero Drive Atlanta, Georgia
DEVELOPER / CUSTOMER: Trident Construction /Fulton County
AREA OF CONSTRUCTION: Per Attached Exhibit A

Customer / Developer does hereby attest that the above referenced area of construction in which underground electric distribution facilities are to be installed is clear of all obstructions; that all property lines, where required, are clearly marked and that the area is finished to a grade which shall not change more than three (3+/-) inches of the final grade.

Georgia Power Company, its employees, and contractors working on this project are hereby released from all claims due to damage of underground facilities that have not been located in the field and that are not covered by the "Utilities Protection Act of Georgia".

Customer / Developer does hereby agree to bear any and all costs to alter the installed underground electric distribution facilities as a result of grade changes or Developer design changes.

Customer / Developer shall be responsible for providing Georgia Power Company a clear unpaved route where underground electric distribution facilities can be installed. If this area is paved and conduit has not been installed, before Georgia Power Company facilities are installed the Developer shall be responsible for opening and re-paving the area required by Georgia Power Company.

Customer / Developer shall be responsible to communicate with contractors and subcontractors warning them of underground electric distribution facilities in the area and for notifying the Georgia Power Company by calling the Utilities Protection Center at GA 811 at least three (3) working days in advance to locate underground electric distribution facilities before digging or grading in the vicinity of installed underground electrical facilities. If Georgia Power Company is not notified, and the underground electric distribution facilities are damaged, then the Developer shall bear the cost of repairs.

Should underground electric distribution facilities become damaged in any way, Customer / Developer will notify the Georgia Power Company at phone #1-888-660-5890 and the Utilities Protection Center at GA 811.

Developer will establish and maintain the appropriate clearances for the transformer(s) on this site per Georgia Power Company Distribution Specification GUK 00.5003, dated 2/07/07. Electric service will not be provided until this specification is satisfied.

Georgia Power Company is not responsible for any damages to locks, gates, fences, walls, vehicles, equipment, trees, landscaping, sidewalks, or any other items that inhibit Georgia Power's access to the

x Emergency and Standby Generation will be installed on-site: _X_NoYes - if yes, then the
installation must meet requirements as stated in GPC Distribution Bulletin 18-23, and the application
referenced below must be completed.
X The Application for Emergency and Standby Generation Installation & Operation document has been completed and returned to a GPC Engineer or Key Account Manager.
GPC scheduling meetings are usually held weekly. After being released for construction, the job will

scheduled and the Customer/ Developer will be notified of the proposed start date.

Signed, sealed and delivered this day of November 2022 in the presence of:

Fulton County, a political subdivision of the State of Georgia

Robert L. Pitts, Chairman

Fulton County Board of Commissioners

APPROVED AS TO FORM

This 18 day of Novante 2022.

County Attorney

Attest:

Tonya Grier,

Clerk to the Commission

352 RC 18 129 RECESS MEETING

DISTRIBUTION LINE

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their Hand (s) and seal(s), this day of wee, 2022;

Signed, sealed and delivered this 3kg day of www., 2022 in the presence of:

Fulton County, a political subdivision of the State of Georgia

Monario

Witness

A PARTIE

[Notarial Seal Apr. 16]

APPROVED AS TO FORM

This

day of

10/2

2022.

Y. Soo Jo, County Attorney

Ву:_

Robert L. Pitts, Chairman

Fulton County Board of Commissioners

Attest:

Tonya Grier,

Clerk to the Commission



Page 3 of 4

ITEM # 22-1352 RCs 5,18,22