



Fulton County

Legislation Text

File #: 22-0353, Version: 1

Department

Real Estate and Asset Management

Requested Action *(Identify appropriate Action or Motion, purpose, cost, timeframe, etc.)*

Request approval of a Resolution approving a Consent to Use Agreement between Fulton County, Georgia, and TowerCom V.B. LLC, a Delaware limited liability company, and the City of Chattahoochee Hills related to the installation of a cell tower at Cochran Mill Park; Authorizing the Chairman to execute a Consent to Use agreement to carry out this purpose; authorizing the County Attorney to approve the Consent to Use agreement as to form prior to execution by the Chairman; and for other purposes. **(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)**

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

Pursuant to Fulton County Code § 1-117, the Board of Commissioners has exclusive jurisdiction and control in directing and controlling all the property of the county, as they may deem expedient, according to law.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts ☒
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☐
- District 6 ☐

Is this a purchasing item?

No

Summary & Background *(First sentence includes Agency recommendation. Provide an executive summary of the action that gives an overview of the relevant details for the item.)*

Scope of Work: The Fulton County Department of Real Estate and Asset Management has received a request from the City of Chattahoochee Hills to execute a Consent to Use Agreement addressing a public use deed restriction in the Quit Claim Deed executed on March 17, 2010, Deed Book 49534 Page 553, that conveyed the real property formally known as Cochran Mill Park to the City of

Chattahoochee Hills.

The City of Chattahoochee Hills has executed a cellular lease agreement with TowerCom V.B. LLC that will permit the installation of a cell tower at Cochran Mill Park. Prior to incurring costs related to the installation of the cell tower, TowerCom and the City of Chattahoochee Hills are requesting the County confirm in writing that the installation of the tower does not violate the public use restriction. In addition to providing convenience to park visitors and the surrounding area, the addition of cellular telecommunication services will provide needed security to park visitors and the surrounding community.

Community Impact: TowerCom V.B. LLC and the City of Chattahoochee Hills' planned cell tower installation within Cochran Mill Park will enhance wireless cellular services for all residents and visitors to the City of Chattahoochee Hills.

Department Recommendation: The Department of Real Estate and Asset Management recommends approval of the Consent to Use Agreement for the purpose of acknowledging that the cell tower installation does not violate the public purpose deed restrictions contained in the Quit Claim Deed from Fulton County to the City of Chattahoochee Hills.

Project Implications: Installation of a new cell tower at Cochran Mill Park requires the approval of the Fulton County Board Commissioners prior to installation.

Community Issues/Concerns: None.

Department Issues/Concerns: None.

History of BOC Agenda Item: The Fulton County Board of Commissioners approved the conveyance of Cochran Mill Park via Quit Claim Deed at the Board of Commissioners Meeting held March 17, 2010 as Agenda Item 10-0348.