

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2022-106

A RESOLUTION AUTHORIZING AN EASEMENT TO GEORGIA POWER; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ALL DOCUMENTS NECESSARY TO CARRY OUT THE SAME, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County owns property located at 485 Valley Hill Road, Riverdale, Georgia 30274 identified on the County's Tax Map Parcel ID Number 13179B D009 in Land Lot 179 of the 13th District of Clayton County, Georgia ("the Property"); and

WHEREAS, Georgia Power Company ("Georgia Power") desires to acquire an easement ("the Easement") across the Property for use of a proposed distribution line ("the Project") as described in detail in Exhibit "A"; and

WHEREAS, Georgia Power desires to extend existing underground facilities 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 in connection with the running of distribution line(s) under, through and across the Property for the Project; and

WHEREAS, the County consents to grant an Easement to Georgia Power and grant the right to construct, install, and maintain the Project; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County and its citizens, and the County and its citizens will best be served by granting the Easement to Georgia Power.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA, AND IT IS HEREBY RESOLVED:

Section 1. Approval of Easement. The Board of Commissioners hereby authorizes the execution and delivery of the Easement in substantially the form attached hereto as Exhibit "A", subject to such changes, insertions, or omissions as may be approved by the Chairman and approved as to form by the County Attorney; and the execution of such Easement Agreement by the Chairman, as hereby authorized, shall be conclusive evidence of such approval.

Section 2. Other Actions Authorized. The Chairman, officers, and employees of the County shall perform such acts, execute and deliver such instruments and documents, and do all other such things as may be necessary or prudent to accomplish and effectuate the intent of this resolution.

Section 3. Repealer. All motions, orders, ordinances, bylaws, resolutions, and parts thereof inconsistent herewith are hereby repealed to the extent only of such

inconsistency. This repealer shall not be construed as reviving any motion, order, ordinance, bylaw, resolution, or part thereof.

Section 4. Effective Date; Severability. This resolution shall become effective immediately, and if any section, paragraph, clause, or provision hereof shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining provisions hereof.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this the 7th day of June, 2022.


CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN




GAIL HAMBRICK, VICE-CHAIR



ALIEKA ANDERSON, COMMISSIONER



FELICIA FRANKLIN, COMMISSIONER



DEMONT DAVIS, COMMISSIONER

ATTEST:



COURTNEY RUSHIN, CLERK