

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2019-28

A RESOLUTION AUTHORIZING THE EXECUTION, DELIVERY, AND PERFORMANCE OF A REIMBURSEMENT AGREEMENT WITH TRANSCONTINENTAL GAS PIPE LINE COMPANY, INC. IN CONNECTION WITH THE BATTLE CREEK ROAD WIDENING PROJECT (VALLEY HILL ROAD TO MOUNT ZION BOULEVARD); 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 AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Department of Transportation plans to widen Battle Creek Road from Valley Hill Road to Mount Zion Boulevard (the "Project"), which Project already has been approved by the Board of Commissioners; and

WHEREAS, the current Project plans call for construction of a portion of the roadway on, over, or across property where Transcontinental Gas Pipe Line Company, LLC ("Transco") owns easements or rights of way; and

WHEREAS, TRANSCO currently has facilities for the distribution and transmission of natural gas located in or on such easements or rights of way; and

WHEREAS, the Project as currently designed will not affect TRANSCO's existing facilities or require the adjustment or relocation of such facilities; and

WHEREAS, TRANSCO is willing to allow the construction of the Project on, over, and across its existing easements and rights of way, provided that its actual expenses for preliminary engineering and field inspection services required during the design and construction of the road project (initially estimated to be \$15,000.00); and

WHEREAS, the parties desire to enter into a Reimbursement Agreement for the purpose of granting the County the right to construct, install, and maintain the Project on, over, and across TRANSCO's easements and rights of way and setting the terms for granting such rights; 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 entering into the Reimbursement Agreement with TRANSCO.

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

Section 1. Approval of Reimbursement Agreement. The Board of Commissioners hereby authorizes the execution, delivery, and performance of the Reimbursement Agreement 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 Reimbursement 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. Budget Amendment. The Chief Financial Officer is hereby authorized and directed to amend the budget as necessary to accommodate the transaction authorized by this Resolution.

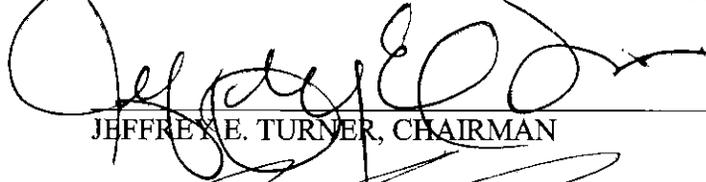
Section 4. Repealer. All motions, orders, ordinances, bylaws, resolutions, and parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency. This repealer shall not be construed as reviving any motion, order, ordinance, bylaw, resolution, or part thereof.

Section 5. 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 _____ day of February, 2019.

{Signatures on the following page}

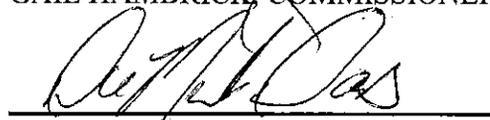
CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN


FELICIA FRANKLIN WARNER, VICE CHAIRMAN


SONNA GREGORY, COMMISSIONER


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ATTEST:


BRENDA JAMES, CLERK