

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2019-107

A RESOLUTION AUTHORIZING AN EASEMENT TO THE CITY OF MORROW; 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 0 Jonesboro Road, Morrow, Georgia 30260 in land lot 146 of the 12th District in Morrow, Georgia identified on the County's tax map as parcel id 12146C D007 (referred to as "the Property"); and

WHEREAS, the City of Morrow ("the City") desires to acquire an easement ("the Easement") as described in detail in Exhibit "A" across the Property to connect a pedestrian underpass with an existing path system that follows Jester's Creek ("the Project"); and

WHEREAS, the easement rights granted herein would include and embrace the right of the City to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area the Project; and

WHEREAS, the County consents to grant an Easement to the City 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 the City.

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 All motions, orders, ordinances, bylaws, resolutions, and parts thereof inconsistent herewith are hereby repealed to the extent only of such inconsistency.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

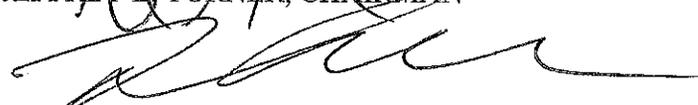
Section 4. Effective Date; Severability. This resolution shall become effective immediately, and if any section, paragraph, clause, or provision hereof shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining provisions hereof.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this the 3rd day of September, 2019.

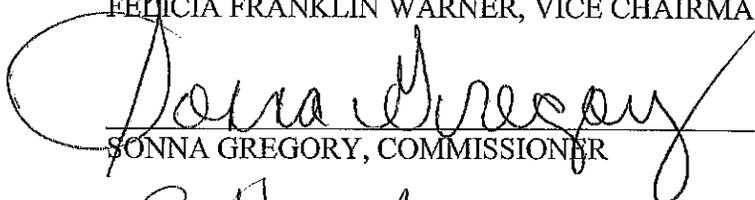
CLAYTON COUNTY BOARD OF COMMISSIONERS



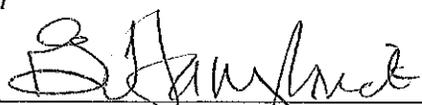
JEFFREY E. TURNER, CHAIRMAN



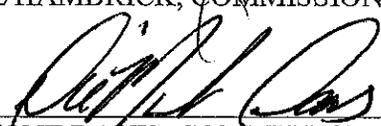
FELICIA FRANKLIN WARNER, VICE CHAIRMAN



SONNA GREGORY, COMMISSIONER



GAIL HAMBRICK, COMMISSIONER



DEMONT DAVIS, COMMISSIONER

ATTEST:



BRENDA B. JAMES, CLERK