

STATE OF GEORGIA

COUNTY OF CLAYTON

**RESOLUTION NO. 2018- 83**

A RESOLUTION AUTHORIZING ENTERING INTO AN EASEMENT AGREEMENT WITH VERIZON WIRELESS LLC; 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 2310 Highway 138 in Jonesboro, Georgia identified on the County's tax map as parcel id 12012A A001 (the "Property"); and

WHEREAS, Verizon Wireless LLC d/b/a Verizon Wireless ("Verizon") leases a portion of the Property ("Leased Premises") from a third party for the purpose of operating a communications facility and is entitled to use an access and utility easement under the terms of its lease to, among other things access the Leased Premises; and

WHEREAS, Verizon desires to install and run fiber cables over, under, through and across the Property ("the Project"); and

WHEREAS, the parties desire to enter into an Easement Agreement granting Verizon the right to construct, install, and maintain the Project on, over, and across 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 Easement Agreement with Verizon.

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

**Section 1.** Approval of Easement Agreement. The Board of Commissioners hereby authorizes the execution and delivery of the Easement Limited 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 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 All motions, orders, ordinances, bylaws, resolutions, and parts thereof inconsistent herewith are hereby repealed to the extent only of such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.

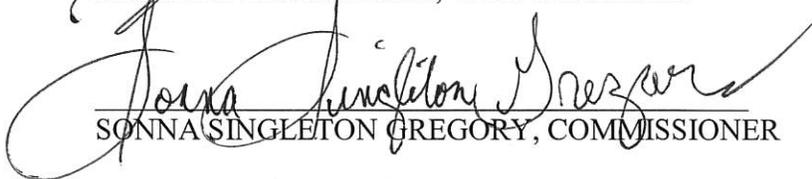
**Section 4.** Effective Date; Severability. This resolution shall become effective immediately, and if any section, paragraph, clause, or provision hereof shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining provisions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

**PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE** this the 7<sup>th</sup> day of August, 2018.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
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JEFFREY E. TURNER, CHAIRMAN

  
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MICHAEL EDMONDSON, VICE CHAIRMAN

  
\_\_\_\_\_  
SONNA SINGLETON GREGORY, COMMISSIONER

  
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GAIL B. HAMBRICK, COMMISSIONER

  
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FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:

  
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SANDRA DAVIS, CLERK

[SEAL]