

03-0-1959

(Do Not Write Above This Line)

AN ORDINANCE

BY: *Hand Shovel*

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EASEMENT AGREEMENT WITH GEORGIA POWER COMPANY FOR THE PLACEMENT OF GUY-WIRES AND POLES ON PRIVATE PROPERTY OWNED BY THE CITY OF ATLANTA ALONG ROXBORO ROAD; AND FOR OTHER PURPOSES.

ADOPTED BY

NOV 17 2003

COUNCIL

- CONSENT REFER
- REGULAR REPORT REFER
- ADVERTISE & REFER
- 1st ADOPT 2nd READ & REFER
- PERSONAL PAPER REFER

Date Referred 11/3/03

Referred To: *City Utilities*

Date Referred

Referred To:

Date Referred

Referred To:

First Reading

Committee _____
Date _____
Chair _____
Referred To _____

City Council
Date *11/17/03*

Chair
Clare Williams

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Hand Shovel

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Committee

Date

Chair

Action
Fav, Adv, Hold (see rev. side)
Other

Members

Refer To

Refer To

FINAL COUNCIL ACTION
 2nd 1st & 2nd 3rd
 Consent V Vote RC Vote

CERTIFIED

CERTIFIED
NOV 17 2003

William R. Moore
COUNCIL PRESIDENT/PROTEM

CERTIFIED
NOV 17 2003

Hand Shovel
MAYOR

APPROVED

NOV 24 2003

Hand Shovel
MAYOR

03-0-1959

AN ORDINANCE

BY: *Hand Shook*

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN EASEMENT AGREEMENT WITH GEORGIA POWER COMPANY FOR THE PLACEMENT OF GUY-WIRES AND POLES ON PRIVATE PROPERTY OWNED BY THE CITY OF ATLANTA ALONG ROXBORO ROAD; AND FOR OTHER PURPOSES.

WHEREAS, the City of Atlanta has entered into various agreements with the Georgia Department of Transportation and other entries regarding the construction of the Roxboro Road Widening project; and

WHEREAS, in order to facilitate the construction of the project, the City of Atlanta has acquired the necessary rights-of-way, which in some cases resulted in the purchase of entire parcels of land s presently divided; and

WHEREAS, in order to facilitate the construction of the project, Georgia Power Company must relocate its electric power line on private property owned by the City.

WHEREAS, the abutting property owner has agreed to acquire said streets from the City of Atlanta for the appraised fair market value; and

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA as follows:

SECTION 1. That the mayor is hereby authorized to enter into Easement Agreements with Georgia Power Company, in substantially the form attached hereto, Exhibit "A", for the construction, installation, operation, and use of power line poles and/or guy-wires on certain parcels of private property owned by the City of Atlanta along Roxboro Road.

SECTION 2. Property affected is 3552 Rockhaven Circle, NE and a description is attached hereto as Exhibit "B".

SECTION 3. If and when the City sells said properties, the easements will be transferred to and become the responsibility of the purchaser.

SECTION 4. That this agreement shall not become binding upon the City and the City shall incur no liability upon the same until said agreement has been executed by the Mayor and delivered to the contracting parties.

SECTION 5. This ordinance or part of any ordinance that may be in conflict, is hereby waived with regard to and to the extent of the conflict for this location only.

A true copy,

[Signature]
Deputy Clerk

ADOPTED by the Council
APPROVED by the Mayor

NOV 17, 2003
NOV 24, 2003



 Name of Line ROXBORO ROAD (FULTON) DISTRIBUTION LINE
 No 3950
 Parcel No 004 Account No 69596-001971-0-89251-30000000
 Letter File 9-3500 Deed File 10649 Map File N/A

State of Georgia **E A S E M E N T**
Fulton County

Received of Georgia Power Company, hereinafter called the Company, the sum of Ten and 00/100 ***** Dollars
\$ 10.00 and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, in exchange for which the undersigned City of Atlanta
 whose Post Office Address is

3552 Rockhaven Circle, Atlanta, GA 30324

does hereby grant and convey to said Company, its successors and assigns, the right, privilege and easement to go in, upon along and across that tract of land owned by the undersigned at

3552 Rockhaven Circle, Atlanta, GA 30324

(address of property) in Land Lot 9 of the 17th District of FULTON County, State of Georgia, said lands being bounded as follows:

- on the North by lands of Roxboro Road
- on the South by lands of 0017-009-007-002
- on the East by lands of Rockhaven Circle
- on the West by lands of Southern Railroad

together with the right to construct, operate and maintain continuously upon and under said land, its lines for transmitting electric current with poles, wires, transformer, service pedestals, and other necessary apparatus, fixtures and appliances, including the right to stretch communication wires on said poles, or under said lands with necessary appliances; with the right to permit the attachment of the wires and appliances of any other company, or person, to said poles: together with the right at all times to enter upon said premises for the purpose of inspecting said lines, making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom: together with the right to cut away and keep clear of said overhead or underground lines, transformers, fixtures and appliances, all trees and other obstructions that may now or hereafter in any way interfere or be likely to interfere with the proper operation of said overhead or underground lines, transformers, fixtures and appliances: also the right of ingress and egress over said land to and from said lines. Any timber cut

Parcel 004 Name of Line ROXBORO ROAD (FULTON) DISTRIBUTION LINE

on said land by or for said Company shall remain the property of the owner of said timber.

The undersigned does not convey any land, but merely grants the rights, privileges and easements hereinbefore set out.

The rights herein include and embrace the right to clear and keep clear all trees and other obstructions located within fifteen (15') feet of the distribution pole line, plus the right to install and maintain anchors and guy wires as needed in the construction and maintenance of the above mentioned distribution line.

Said Company shall not be liable for or bound by any statement or understanding not herein expressed.

IN WITNESS WHEREOF, the Undersigned ha___ hereunto set _____ hand___ and seal, this _____ day of _____, _____.

Signed, sealed and delivered
in the presence of:

Witness

City of Atlanta

(SEAL)

Notary Public

