

**Columbus Consolidated Government  
Council Meeting Agenda Item**

<b>TO:</b>	Mayor and Councilors
<b>AGENDA SUBJECT:</b>	<b>Agreement Regarding Parking Lot at 5601 Veteran's Parkway</b>
<b>AGENDA SUMMARY:</b>	Approval is requested authorizing the execution of an agreement for the repair of the parking lot located at 5601 Veteran's Parkway, Department of Public Health.
<b>INITIATED BY:</b>	<b>Engineering Department</b>

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**Recommendation:** Approval is requested authorizing the execution of an agreement for the repair of the parking lot located at 5601 Veteran's Parkway, Department of Public Health.

**Background:** The Columbus, Georgia Consolidated Government holds the primary leasehold interest in the property owned and leased to it by the Columbus Building Authority, which is located at 5601 Veteran's Parkway, Columbus, Georgia, and more specifically described in the survey attached as Exhibit A. The Adjacent Landowner, Old Gregg, LLC, located at 5547 Veteran's Parkway in Columbus, Georgia has a waterline that runs across the parking lot area of the Premises pursuant to an Easement shown on the plat attached as Exhibit B. The waterline ruptured causing damage to the parking lot of the Premises.

**Analysis:** The parties have agreed to resolve all claims relating to the damage to the parking lot.

**Financial Considerations:** The City is not required to provide any funding.

**Legal Considerations:** Council is the approving authority for all agreements and acceptances.

**Recommendation/Action:** Approval is requested authorizing the execution of an agreement for the repair of the parking lot located at 5601 Veteran's Parkway, Department of Public Health.

**A RESOLUTION  
NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT  
FOR THE REPAIR OF THE PARKING LOT LOCATED AT 5601 VETERAN'S  
PARKWAY, DEPARTMENT OF PUBLIC HEALTH.**

**WHEREAS**, the Columbus, Georgia Consolidated Government (hereinafter "CCG") holds the primary leasehold interest in the property owned and leased to it by the Columbus Building Authority, which is located at 5601 Veteran's Parkway, Columbus, Georgia, and more specifically described in the survey attached as Exhibit A (hereinafter, "the premises").

**WHEREAS**, the Adjacent Landowner, Old Gregg, LLC, located at 5547 Veteran's Parkway in Columbus, Georgia, has a waterline that runs across the parking lot area of the Premises pursuant to an Easement shown on the plat attached as Exhibit B; and,

**WHEREAS**, the waterline ruptured, causing damage to the parking lot of the Premises; and,

**WHEREAS**, the parties have agreed to resolve all claims relating to the damage to the parking lot; and,

**WHEREAS**, the Adjacent Landowner will, at its own expense, engage Wolford Contracting Company and Gordy Construction Company (hereinafter, "the Contractor") as the contractor to repair the damage to the parking lot; and,

**WHEREAS**, repair shall be made in accordance with the proposal document attached hereto as Exhibit C, and Adjacent Landowner and Contractor will be responsible for obtaining all legally required permits for the work; and,

**WHEREAS**, the water pipe will be capped and abandoned by the Adjacent Landowner, who hereby releases any rights to continue to use the water pipe; and,

**WHEREAS**, after capping the pipe, the contractor will repair all damaged surfaces of the parking lot, which are designated on Exhibit C; and,

**WHEREAS**, the Adjacent Landowner will warrant the parking lot repairs for a period of two years from the "Completion Date," which is defined as the date on which the completed work required is inspected and accepted by CCG; and,

**WHEREAS**, the Adjacent Landowner shall require the contractor to supply a performance bond covering its work in favor of the CCG in the form acceptable to the CCG; and,

**WHEREAS**, the bond shall cover the work up to and including a period of two years after the Completion Date.

**WHEREAS**, the Contractor shall also provide proof of liability insurance satisfactory to the CCG and naming it as an additional insured for the period while Contractor is working on the Premises; and,

**WHEREAS**, CCG hereby releases any additional claims against Old Gregg, LLC arising out of the water damage to the Premises caused by the water pipes shown on Exhibit B except the ability to enforce the terms of this Agreement in the courts of law or equity; and,

**WHEREAS**, after the Completion Date, assuming compliance with all the terms of the Agreement, CCG will prepare and file in the real estate records of the Muscogee County Superior Court a release extinguishing any easement held by the Adjoining Property Owner which allowed the placement of the waterlines shown on Exhibit B.

**NOW, THEREFORE, THE COUNCIL OF COLUMBUS, GEORGIA HERBY RESOLVES:**

That the City Manager is hereby authorized to execute an agreement for the repair of the parking lot located at 5601 Veteran’s Parkway, Department of Public Health, which contains the terms set forth above.

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2023 and adopted at said meeting by the affirmative vote of ten members of said Council.

Councilor Allen voting	_____.
Councilor Barnes voting	_____.
Councilor Begly voting	_____.
Councilor Cogle voting	_____.
Councilor Crabb voting	_____.
Councilor Davis voting	_____.
Councilor Garrett voting	_____.
Councilor Huff voting	_____.
Councilor Thomas voting	_____.
Councilor Tucker voting	_____.

\_\_\_\_\_  
Sandra T. Davis, Clerk of Council

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B.H. “Skip” Henderson III, Mayor