

RESOLUTION 18-13

RESOLUTION AUTHORIZING THE SALE OF UTILITY PROPERTY

WHEREAS, the Board of Water, Light and Sinking Fund Commissioners of the City of Dalton has determined that it is consistent with the best interests of Dalton Utilities that Dalton Utilities to sell certain real property, as described in Exhibit "A" (the "Property") to Inteplast Group, Ltd. or its Affiliates (the "Proposed Sale") and accordingly has approved such transactions and recommended approval of such transactions to the Mayor and Council of the City of Dalton;

NOW, THEREFORE, BE IT RESOLVED, that the City of Dalton is hereby authorized to enter into any and all contracts necessary to consummate the Proposed Sale; and

WHEREAS, the City of Dalton, under the authority of O.C.G.A. § 36-37-7 has agreed to the Proposed Sale;

WHEREAS, the terms of the Proposed Sale, including the proposed sales price of \$113,745.00, have been reviewed and approved by the City of Dalton;

BE IT FURTHER RESOLVED, that the Mayor of the City of Dalton be, and is hereby is, authorized and empowered to take such actions and to execute for and on behalf of the City of Dalton those certain Warranty Deeds, Settlement Statements, Affidavits, and such other agreements, instruments, certificates, assignments, papers and documents which, may be necessary or desirable to effect the said Proposed Sale; and such agreements, instruments, certificates, assignments, papers and documents shall be in such form and contain such terms and conditions as may be approved by the Mayor on behalf of the City of Dalton, and the execution of such agreements, instruments, certificates, assignments, papers and documents by the Mayor on behalf of the City of Dalton as herein authorized shall be conclusive evidence of any such approval.

BE IT FURTHER RESOLVED, that all acts and doings of the Mayor in connection with the Proposed Sale which are in conformity with the purposes and intents of these Resolutions and in the furtherance of the transactions contemplated hereby and thereby shall be, and the same hereby are, in all respects approved and confirmed.

BE IT FURTHER RESOLVED, that the signature of the Mayor to any of the consents, agreements, instruments, certificates, assignments, papers and documents executed and delivered in connection therewith shall be conclusive evidence of the authority of the Mayor to execute and deliver such consents, agreements, instruments, certificates, assignments, papers and documents on behalf of the City of Dalton.

BE IT FURTHER RESOLVED, that the Clerk or any Assistant Clerk of the City of Dalton be, and each hereby is, authorized to attest the signature of any officer of the City of Dalton and impress or attest the City of Dalton's seal appearing on any agreement, instrument,

certificate, financing statement, assignment, paper or document executed in connection with any of the foregoing Resolutions, but shall not be obligated to do so, and the absence of the signature of the Clerk or any Assistant Clerk of the City of Dalton or the City of Dalton's seal on any such agreement, instrument, certificate, financing statement, assignment, paper or other document shall not affect its validity or the obligation of the Mayor and Council of the City of Dalton thereunder.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof of the City of Dalton in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

BE IT FURTHER RESOLVED, that these Resolutions shall take effect immediately upon their adoption.

ADOPTED AND APPROVED this _____ day of _____, 2018.

City of Dalton, Georgia

By: _____
Dennis Mock, Mayor

Attest: _____
Clerk

(SEAL)

EXHIBIT "A"

Tract No. 1:

All that tract or parcel of land lying and being in Land Lot No. 276 in the 12th District and 3rd Section of Whitfield County, Georgia, and being more particularly described according to a plat of survey prepared for P & O Packaging Acquisition, LLC by William C. White, Georgia Registered Land Surveyor No. 2947, dated April 14, 2015, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin located in the east right of way line of Needham Drive (50' R/W, f/k/a Dee Street), said point being located in an southerly direction, as measured along said right of way line, a distance of 1,016.85 feet from the point of intersection of said right of way line with the south right of way line of Grace Street; thence south 79 degrees 58 degrees 53 seconds east a distance of 328.86 feet to an iron pin; thence south 11 degrees 30 feet 20 seconds west a distance of 117.67 feet to an iron pin; thence south 80 degrees 10 minutes feet 20 seconds west, along the north right of way line of the Southern Railway Company Spur, a distance of 193.09 feet; running in a westerly direction, along the north right of way line of the Southern Railway Company Spur, along a curve to the left (550.0' Radius) an arc distance of 129.68 feet, said curve being subtended by a chord bearing of south 73 degrees 25 feet 03 seconds west, and a chord length of 129.38 feet; thence south 66 degrees 39 feet 45 seconds west, along the north right of way line of the Southern Railway Company Spur, a distance of 72.41 feet to an iron pin; thence north 16 degrees 30 feet 44 seconds east, along the east right of way line of Needham Drive, a distance of 282.75 feet to the TRUE POINT OF BEGINNING.

Tract No. 2:

All that tract or parcel of land lying and being in Land Lot No. 276 in the 12th District and 3rd Section of Whitfield County, Georgia, and being more particularly described according to a plat of survey prepared for P & O Packaging Acquisition, LLC by William C. White, Georgia Registered Land Surveyor No. 2947, dated April 14, 2015, and being more particularly described according to said survey as follows:

BEGINNING at an iron pin located in the east right of way line of Needham Drive (50' R/W, f/k/a Dee Street), said point being located in an southerly direction, as measured along said right of way line, a distance of 1,377.75 feet from the point of intersection of said right of way line with the south right of way line of Grace Street; thence north 66 degrees 39 feet 45 seconds east, along the south right of way line of the Southern Railway Company Spur, a distance of 122.49 feet; thence running in an easterly direction, along the south right of way line of the Southern Railway Company Spur, along a curve to the right (490.0' Radius) an arc distance of 115.54 feet, said curve being subtended by a chord bearing of north 73 degrees 25 minutes 03 seconds east, and a chord length of 115.27 feet; thence north 80 degrees 10 minutes 20 seconds east, along the south right of way line of the Southern Railway Company Spur, a distance of 169.75 feet to an iron pin; thence south 11 degrees 25 feet 21 seconds west a distance of 85.09 feet to an iron pin; thence south 23 degrees 58 feet 16 seconds west a distance of 131.23 feet to an iron pin; thence

south 64 degrees 20 feet 21 seconds west a distance of 517.24 feet to an iron pin; thence north 26 degrees 01 feet 05 seconds east, along the east right of way line of Needham Drive a distance of 48.60 feet; thence north 25 degrees 57 feet 19 seconds east along the east right of way line of Needham Drive, a distance of 80.06 feet; thence north 25 degrees 52 feet 27 seconds east, along the east right of way line of Needham Drive, a distance of 177.84 feet; thence north 16 degrees 30 feet 44 seconds east, along the east right of way line of Needham Drive, a distance of 43.00 feet to the TRUE POINT OF BEGINNING.