

RESOLUTION 24-09

A RESOLUTION TO APPROVE THE ACCEPTANCE OF FUNDS FROM THE DISTRIBUTION OF CERTAIN CEMETERY TRUSTS

WHEREAS, Wells Fargo Bank, N.A. (the “Petitioner”), in its capacity as trustee of the Elizabeth Roberts Cemetery Trust, the Margaret H. Bard Cemetery Trust and the W.C. Martin Cemetery Trust (each, a “Trust” and collectively, the “Trusts”) has petitioned (the “Petition”) the Superior Court of Whitfield County to terminate the Trusts and distribute the assets in the Trusts to the City of Dalton; and

WHEREAS, the City of Dalton has agreed to accept the trust funds upon certain conditions as described in the Petition;

NOW THEREFORE BE IT RESOLVED, that the Mayor and Council of the City of Dalton hereby agrees to accept the assets of the Trust and hereby authorizes the Mayor to execute the Petition or Joinder to the Petition on behalf of the City and such other documents, instruments, certificates, assignments, and papers which, in the judgment of the Mayor, may be necessary and desirable to effect the proposed transaction. Such agreements, instruments, certificates, assignments, papers and/or documents shall be in such form and contain such terms and conditions as may be approved by the Mayor on behalf of the City in accordance with this Resolution, and the execution of such agreements, instruments, certificates, assignments, papers, and documents by the Mayor on behalf of the City is herein authorized and 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 transaction which are in conformity with the purposes and intents of these Resolutions and in furtherance of the transaction 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 other documents on behalf of the City.

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of the City of Dalton in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.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.

SO RESOLVED, this ____ day of _____, 2024.

CITY OF DALTON, GEORGIA

Mayor/Mayor Pro Tem

ATTESTED TO:

City Clerk