

## **RESOLUTION 23-11**

### **RESOLUTION AUTHORIZING MUNICIPAL UTILITY PROPERTY EASEMENT**

**WHEREAS**, the City of Dalton, Georgia, an incorporated municipality of the State of Georgia (the “City”), acting by and through the Board of Water, Light and Sinking Fund Commissioners of the City of Dalton, Georgia, d/b/a Dalton Utilities (“Dalton Utilities”) owns certain real property located on South Riverbend Road, Dalton, Georgia 30721 (Tax Parcel Numbers 12-330-03-000, 12-356-03-000, and 12-355-03-000) and Looper Bridge Road, Dalton, Georgia 30721 (Tax Parcel Number 13-013-08-000) (collectively the “Dalton Utilities Property”); and

**WHEREAS**, Georgia Power Company, a Georgia corporation (“Georgia Power”) owns certain power poles, transmission lines, and other utility related equipment on said property; and

**WHEREAS**, Georgia Power has agreed to maintain certain of Dalton Utilities’s power lines and utility related equipment in exchange for receiving certain easement rights from the City to construct, operate, maintain, repair, renew and rebuild the power poles, transmission lines, and related equipment as more particularly described on Exhibit “A,” items 1-4, attached hereto and incorporated herein by reference (the “Easements”); and

**WHEREAS**, Dalton Utilities has determined that it is consistent with the best interests of Dalton Utilities that Dalton Utilities enter into the above described Easements and accordingly, under the authority of O.C.G.A. § 36-37-8, has approved such Easements and recommended approval of such Easements to the Mayor and Council of the City of Dalton, a copy of such resolution of Dalton Utilities is attached hereto as Exhibit “B” and incorporated herein by reference;

**NOW, THEREFORE, BE IT RESOLVED**, that Dalton Utilities or the City, as the case may be, is hereby authorized to convey the easement rights in the Dalton Utilities Property as set forth in the Easements and to execute the same, subject to satisfaction of certain statutory formalities for effectuation of such transaction.

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Dalton be, and he hereby is, authorized and empowered to take such action and to execute for and on behalf of the City the Easements and such other documents, instruments, and papers which, in the judgment of the Mayor, may be necessary and desirable to effect the proposed transaction. Such agreements, instruments, 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, 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, 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, papers, and other documents on behalf of the City.

**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 the Easement, any agreement, instrument, 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 or the City's seal on any such document shall not affect its validity or the obligation of the Mayor and Council 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.

**SO RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

**The City of Dalton, Georgia**

By: \_\_\_\_\_  
David Pennington, Mayor

Attest: \_\_\_\_\_  
City Clerk

(seal)

## **EXHIBIT “A”**

### **Easements**

See attached.

After recording, return to:  
Georgia Power Company  
Attn: Land Acquisition (Recording)  
241 Ralph McGill Blvd NE  
Rm 10151  
Atlanta, GA 30308-3374

PROJECT 2022110252      LETTER FILE      DEED FILE      MAP FILE  
ACCOUNT NUMBER    11046897-GPC4013-KPT-12.01  
NAME OF LINE/PROJECT: GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD COUNTY)  
DISTRIBUTION LINE  
  
PARCEL NUMBER 002

STATE OF GEORGIA  
WHITFIELD COUNTY

### E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, THE CITY OF DALTON (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 114 N. Pentz Street, Dalton, GA 30720, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at SOUTH RIVERBEND ROAD, DALTON, GA 30721 (Tax Parcel ID No. 12-330-03-000) in Land Lot 330 of the 12 District of Whitfield County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or

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PARCEL 002

NAME OF  
LINE/PROJECT:

GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD  
COUNTY) DISTRIBUTION LINE  
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in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said overhead or underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the 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 Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

[Signature(s) on Following Page(s)]

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PARCEL 002                      NAME OF                      GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD  
                                 LINE/PROJECT:                      COUNTY) DISTRIBUTION LINE  
-----

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their  
hand(s) and seal(s), this \_\_\_\_\_ day of \_\_\_\_\_,

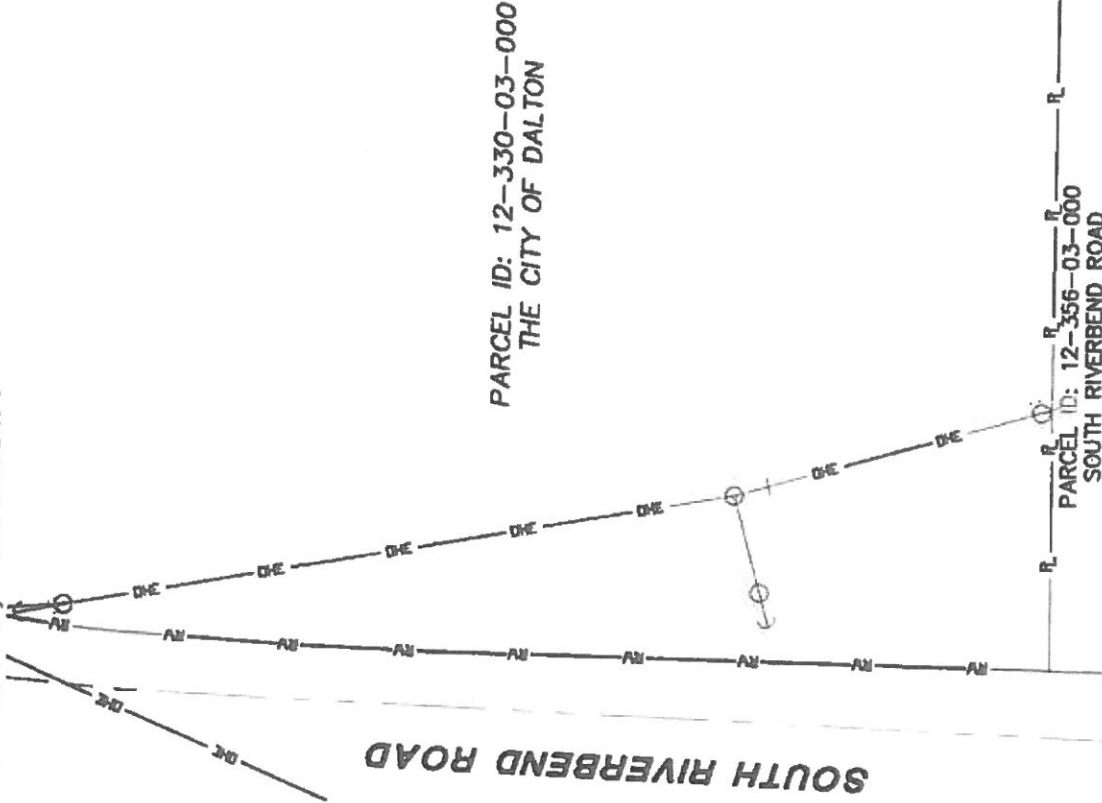
Signed, sealed and delivered in the                      THE CITY OF DALTON  
presence of:

_____	By: _____	(SEAL)
Witness	Name: _____	
	Title: _____	
_____	Attest: _____	(SEAL)
Notary Public	Name: _____	
	Title: _____	

[CORPORATE SEAL]

# SOUTH RIVERBEND ROAD DALTON, WHITFIELD COUNTY, GEORGIA

EXHIBIT A



## LEGEND

- ↑ EXISTING DOWN GUY
- ↑ PROPOSED DOWN GUY
- EXISTING POLE
- ⊕ PROPOSED POLE
- RV — PROPERTY LINE
- — — RIGHT OF WAY LINE
- DHE — EXISTING OVERHEAD POWER LINE
- DH — PROPOSED OVERHEAD WIRE
- UG — PROPOSED UNDERGROUND WIRE
- — — EASEMENT AREA

THE PURPOSE OF THIS EXHIBIT IS TO SHOW INFORMATION PERTAINING TO THE GEORGIA POWER EASEMENT AREA DEPICTED HEREON. OTHER FEATURES AND IMPROVEMENTS MAY EXIST WHICH ARE NOT SHOWN. THIS EXHIBIT IS NOT INTENDED TO BE A BOUNDARY SURVEY.

THE TRACT SHOWN HEREON IS BASED UPON A COMBINATION OF RECORD DEED BOOK AND PAGE AND/OR GIS DATA PER THE WHITFIELD COUNTY, GEORGIA TAX ASSESSOR.



375 NORTHRIDGE ROAD  
SUITE 100  
ATLANTA, GA 30350  
OFF: 678.342.2775  
GEORGIA LSF 001114

JOB NUMBER: 102209520RF  
DATE: 02/17/2023  
SCALE: N/A  
CHECKED BY: J. DAVIES  
DRAWN BY: D. WALTER  
DRAWING: 12-330-03-000 EXHIBIT - REV1  
PARCEL ID: 12-330-03-000  
REVISION: 1

ANTIOCH ROAD N0442

LIMS PROJECT 2022110252  
LIMS PARCEL 002

DRAWING NOT TO SCALE

GEORGIA POWER COMPANY  
PERMANENT EASEMENT EXHIBIT A ON THE PROPERTY OF  
THE CITY OF DALTON

WHITFIELD COUNTY

GEORGIA

SHEET 1  
OF 2

After recording, return to:  
Georgia Power Company  
Attn: Land Acquisition (Recording)  
241 Ralph McGill Blvd NE  
Bin 10151  
Atlanta, GA 30308-3374

-----  
PROJECT 2022110252      LETTER FILE      DEED FILE      MAP FILE  
ACCOUNT NUMBER    11046897-GPC4013-KPT-12.01  
NAME OF LINE/PROJECT: GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD COUNTY)  
DISTRIBUTION LINE  
  
PARCEL NUMBER 003  
-----

STATE OF GEORGIA  
WHITFIELD COUNTY

## E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, CITY OF DALTON (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 300 West Waugh Street, Dalton, GA 30720, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at RIVERBEND ROAD, DALTON, GA 30721 (Tax Parcel ID No. 12-356-03-000) in Land Lot 356, 357 of the 12 District of Whitfield County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or



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PARCEL 003                      NAME OF                      GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD  
                                 LINE/PROJECT:                      COUNTY) DISTRIBUTION LINE  
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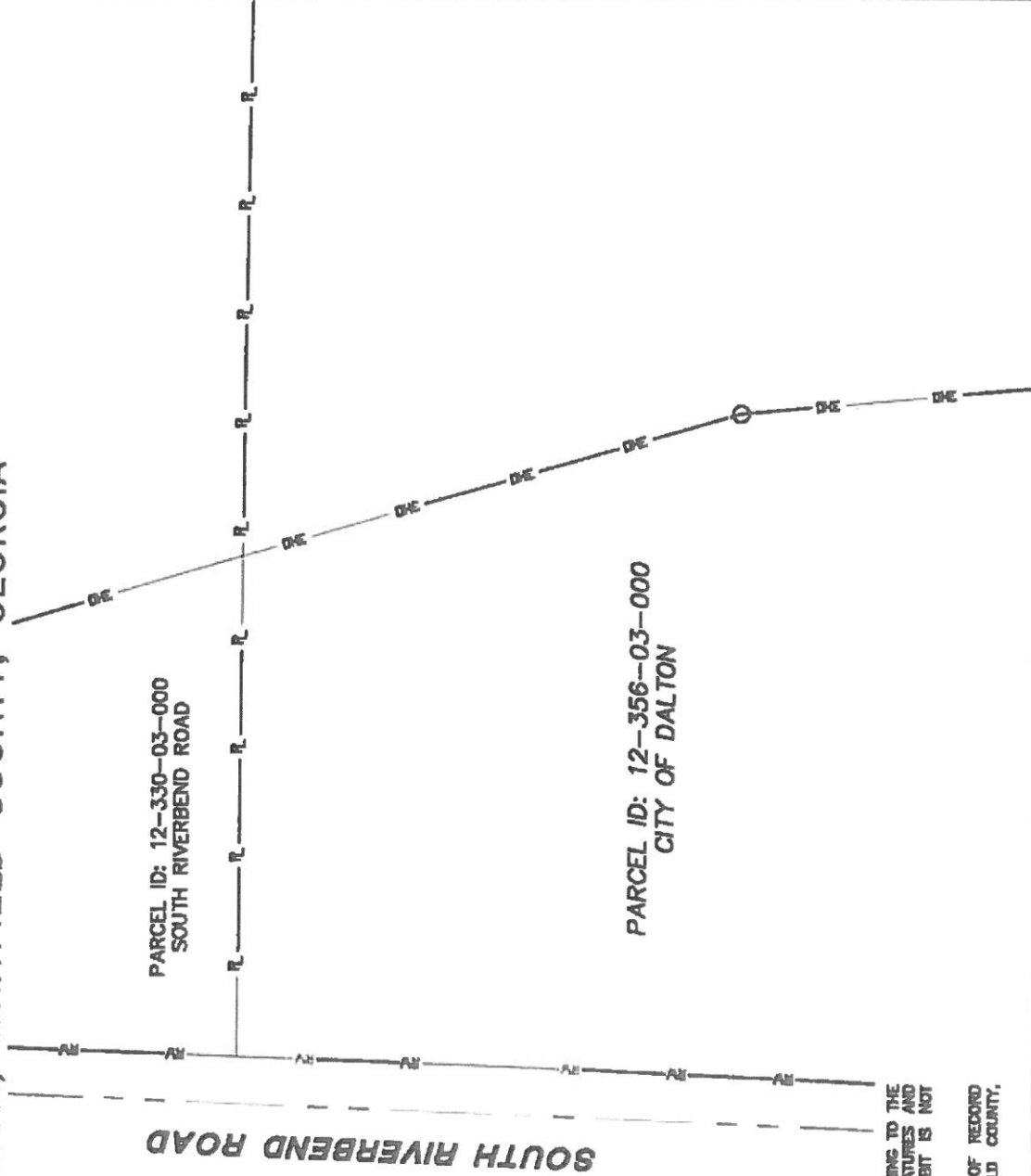
IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their  
hand(s) and seal(s), this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Signed, sealed and delivered in the                      CITY OF DALTON  
presence of:

_____	By: _____ (SEAL)
Witness	Name: _____
	Title: _____
_____	Attest: _____ (SEAL)
Notary Public	Name: _____
	Title: _____

[CORPORATE SEAL]

# SOUTH RIVERBEND ROAD DALTON, WHITFIELD COUNTY, GEORGIA



## LEGEND

- EXISTING DOWN GUY
- PROPOSED DOWN GUY
- EXISTING POLE
- PROPOSED POLE
- PROPERTY LINE
- RIGHT OF WAY LINE
- EDGE OF PAVEMENT
- EXISTING OVERHEAD POWER LINE
- PROPOSED OVERHEAD WIRE
- PROPOSED UNDERGROUND WIRE
- EASEMENT AREA

THE PURPOSE OF THIS EXHIBIT IS TO SHOW INFORMATION PERTAINING TO THE GEORGIA POWER EASEMENT AREA DEPICTED HEREON. OTHER FEATURES AND IMPROVEMENTS MAY EXIST WHICH ARE NOT SHOWN. THIS EXHIBIT IS NOT INTENDED TO BE A BOUNDARY SURVEY.

THE TRACT SHOWN HEREON IS BASED UPON A COMBINATION OF RECORD DEED BOOK AND PAGE AND/OR GIS DATA PER THE WHITFIELD COUNTY, GEORGIA TAX ASSESSOR.



375 NORTHBIDGE ROAD  
SUITE 100  
ATLANTA, GA 30350  
CFC 678.342.2775  
GEORGIA LSF 001114

JOB NUMBER: 1022065006  
DATE: 02/01/2023  
SCALE: N/A  
CHECKED BY: J. DAVIES  
DRAWN BY: D. WALTER  
DRAWING: 12-356-03-000 EXHIBIT  
PARCEL ID: 12-356-03-000  
REVISION:

ANTIOCH ROAD N0442

LMS PROJECT 2022110252  
LMS PARCEL 003

DRAWING NOT TO SCALE

GEORGIA POWER COMPANY  
PERMANENT EASEMENT EXHIBIT A ON THE PROPERTY OF  
CITY OF DALTON

WHITFIELD COUNTY

GEORGIA

After recording, return to:  
Georgia Power Company  
Attn: Land Acquisition (Recording)  
241 Ralph McGill Blvd NE  
Bin 10151  
Atlanta, GA 30308-3374

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PROJECT 2022110252      LETTER FILE      DEED FILE      MAP FILE  
ACCOUNT NUMBER    11046897-GPC4013-KPT-12.01  
NAME OF LINE/PROJECT: GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD COUNTY)  
DISTRIBUTION LINE  
  
PARCEL NUMBER 005  
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STATE OF GEORGIA  
WHITFIELD COUNTY

### E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, THE CITY OF DALTON (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 300 West Waugh Street, Dalton, GA 30720, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at SOUTH RIVERBEND ROAD, DALTON, GA 30721 (Tax Parcel ID No. 12-355-03-000) in Land Lot 355, 366 of the 12 District of Whitfield County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or

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PARCEL 005	NAME OF	GPC GRID ANTIOCH ROAD W0442 CWP 3 (WHITFIELD
	LINE/PROJECT:	COUNTY) DISTRIBUTION LINE

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in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said overhead or underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the 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 Company shall not be liable for or bound by any statement, agreement or understanding not herein expressed.

[Signature(s) on Following Page(s)]

[illegible]

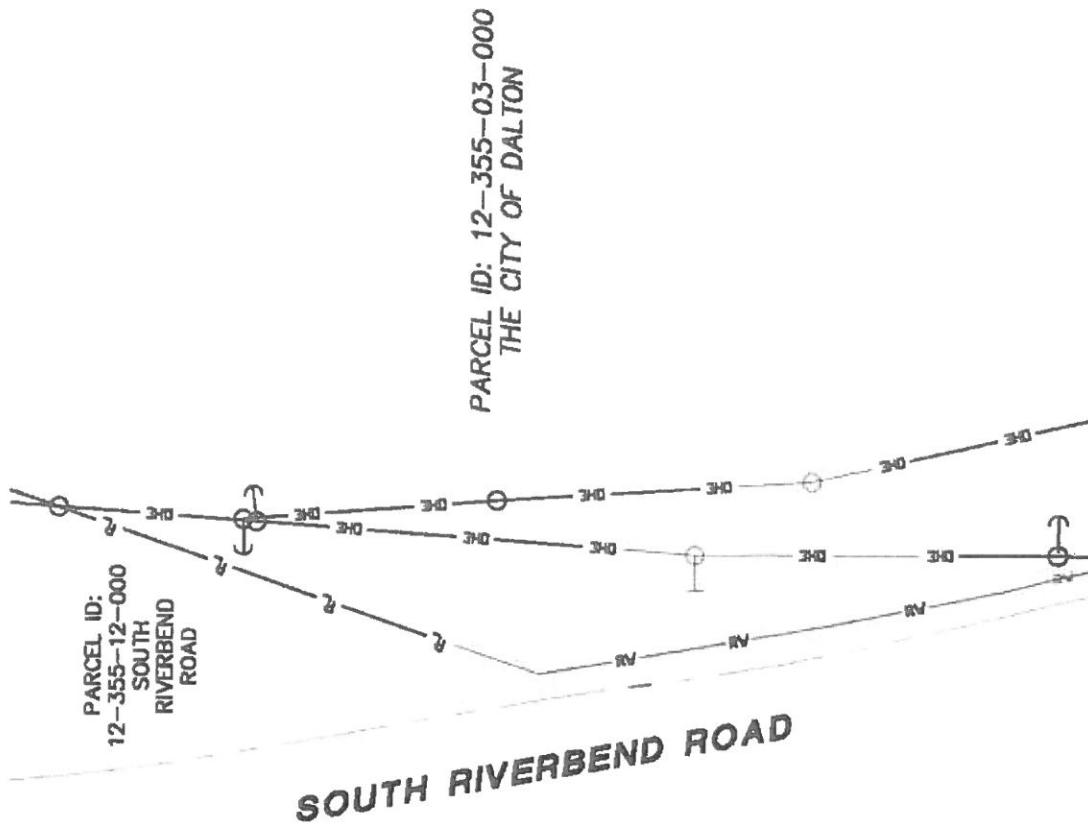
Signed, sealed and delivered in the presence of: THE CITY OF DALTON

Witness

Notary Public

[CORPORATE SEAL]

# SOUTH RIVERBEND ROAD DALTON, WHITFIELD COUNTY, GEORGIA



## LEGEND

- EXISTING DOWN GUY
- PROPOSED DOWN GUY
- EXISTING POLE
- PROPOSED POLE
- PROPERTY LINE
- RIGHT OF WAY LINE
- EDGE OF PAVEMENT
- EXISTING OVERHEAD POWER LINE
- PROPOSED OVERHEAD WIRE
- PROPOSED UNDERGROUND WIRE
- EASEMENT AREA

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**SAM**  
375 NORTHWIDGE ROAD  
SUITE 100  
ATLANTA, GA 30350  
OFF: 678.342.2775  
GEORGIA LSF 001114

JOB NUMBER: 102206950NF  
DATE: 02/17/2023  
SCALE: N/A  
CHECKED BY: Z DAVIES  
DRAWN BY: E SQUETI  
DRAWING: 12-355-03-000 EXHIBIT REV2  
PARCEL ID: 12-355-03-000  
REVISION: 2

ANTIOCH ROAD N0442

LIMS PROJECT 2022110252  
LIMS PARCEL 005

DRAWING NOT TO SCALE

GEORGIA POWER COMPANY  
PERMANENT EASEMENT EXHIBIT A ON THE PROPERTY OF  
THE CITY OF DALTON

WHITFIELD COUNTY

GEORGIA

After recording, return to:  
Georgia Power Company  
Attn: Land Acquisition (Recording)  
241 Ralph McGill Blvd NE  
Rm 10151  
Atlanta, GA 30308-3374

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PROJECT 2022110252      LETTER FILE      DEED FILE      MAP FILE  
ACCOUNT NUMBER    11046897-GPC4013-KPT-12.01  
NAME OF LINE/PROJECT: GPC GRID ANTIOCH ROAD N0442 CNF 3 (WHITFIELD COUNTY)  
DISTRIBUTION LINE  
  
PARCEL NUMBER 008  
-----

STATE OF GEORGIA  
WHITFIELD COUNTY

### E A S E M E N T

For and in consideration of the sum of Ten and No/100 Dollars (\$10.00) and other good and valuable consideration, in hand paid by GEORGIA POWER COMPANY, a Georgia corporation (the "Company"), the receipt and sufficiency of which are hereby acknowledged, THE CITY OF DALTON (the "Undersigned", which term shall include heirs, successors and/or assigns), whose mailing Address is 300 West Waugh Street, Dalton, GA 30720, does hereby grant and convey to the Company, its successors and assigns, the right, privilege and easement to go in, upon, along, across, under and through the Property (as defined below) for the purposes described herein.

The "Property" is defined as that certain tract of land owned by the Undersigned at LOOPER BRIDGE ROAD, DALTON, GA 30721 (Tax Parcel ID No. 13-013-08-000) in Land Lot 13, 14 of the 13 District of Whitfield County, Georgia.

The "Easement Area" is defined as any portion of the Property located within fifteen (15) feet of the centerline of the overhead distribution line(s) as installed in the approximate location shown on "Exhibit A" attached hereto and made a part hereof.

The rights granted herein include and embrace the right of the Company to construct, operate, maintain, repair, renew and rebuild continuously upon and under the Easement Area its lines for transmitting electric current with poles, wires, transformers, service pedestals, anchors, guy wires and other necessary apparatus, fixtures, and appliances; the right to attach communication facilities and related apparatus, fixtures, and appliances to said poles; the right to stretch communication or other lines within the Easement Area; the right to permit the attachment of the cables, lines, wires, apparatus, fixtures, and appliances of any other company or person to said poles for electrical, communication or other purposes; the right to assign this Easement in whole or

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PARCEL 008	NAME OF	GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD
	LINE/PROJECT:	COUNTY) DISTRIBUTION LINE

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in part; the right at all times to enter upon the Easement Area for the purpose of inspecting said lines and/or making repairs, renewals, alterations and extensions thereon, thereunder, thereto or therefrom; the right to cut, trim, remove, clear and keep clear of said overhead or underground lines, transformers, fixtures, and appliances all trees and other obstructions that may in the opinion of the Company now or hereafter in any way interfere or be likely to interfere with the proper maintenance and operation of said overhead or underground lines, transformers, fixtures, and appliances; the right of ingress and egress over the Property to and from the Easement Area; and the right to install and maintain electrical and communication lines and facilities to existing and future structure(s) within the Easement Area under the easement terms provided herein. Any timber cut on the Easement Area by or for the Company shall remain the property of the owner of said timber.

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[Signature(s) on Following Page(s)]



PARCEL 008

NAME OF  
LINE/PROJECT:

GPC GRID ANTIOCH ROAD N0442 CWP 3 (WHITFIELD  
COUNTY) DISTRIBUTION LINE

IN WITNESS WHEREOF, the Undersigned has/have hereunto set his/her/their hand(s) and seal(s), this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_

Signed, sealed and delivered in the presence of: THE CITY OF DALTON

## Witness

Notary Public

By: \_\_\_\_\_ (SEAL)

**Name :**

**Title:**

Attest: \_\_\_\_\_ (SEAL)

**Name :**

Title:

[CORPORATE SEAL]

LOOPER BRIDGE ROAD  
DALTON, WHITFIELD COUNTY, GEORGIA

PARCEL ID: 12-355-03-000  
SOUTH RIVERBEND ROAD

PARCEL ID: 13-013-08-000  
THE CITY OF DALTON

PARCEL ID: 13-014-05-000  
LOOPER BRIDGE ROAD

LOOPER BRIDGE ROAD SOUTHEAST

LEGEND

- EXISTING DOWN GUY
- PROPOSED DOWN GUY
- EXISTING POLE
- PROPOSED POLE
- PROPERTY LINE
- RIGHT OF WAY LINE
- EDGE OF PAVEMENT
- EXISTING OVERHEAD POWER LINE
- PROPOSED OVERHEAD WIRE
- PROPOSED UNDERGROUND WIRE
- EASEMENT AREA

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375 NORTHBRIDGE ROAD  
SUITE 100  
ATLANTA, GA 30350  
OFF: 878.340.2775  
GEORGIA LSF 001114

FOR NUMBER 102208950NF  
DATE: 01/31/2023  
SCALE: N/A

CHECKED BY: Z DAVIES  
DRAWN BY: E SCORIE

DRAWING: 13-013-08-000 EXHIBIT REV1  
PARCEL ID: 13-013-08-000

REVISION: 1

ANTIOCH ROAD N0442

LIMS PROJECT 2022110252  
LIMS PARCEL 008

DRAWING NOT TO SCALE

GEORGIA POWER COMPANY  
PERMANENT EASEMENT EXHIBIT A ON THE PROPERTY OF  
THE CITY OF DALTON

WHITFIELD COUNTY

GEORGIA

## **EXHIBIT “B”**

### **RESOLUTIONS OF THE BOARD OF WATER, LIGHT AND SINKING FUND COMMISSIONERS OF THE CITY OF DALTON, GEORGIA D/B/A DALTON UTILITES AUTHORIZING MUNICIPAL UTILITY EASEMENT**

**WHEREAS**, the City of Dalton, Georgia, an incorporated municipality of the State of Georgia (the “City”), acting by and through the Board of Water, Light and Sinking Fund Commissioners of the City of Dalton, Georgia, d/b/a Dalton Utilities (“Dalton Utilities”) owns certain real property located on South Riverbend Road, Dalton, Georgia 30721 (Tax Parcel Numbers 12-330-03-000, 12-356-03-000, and 12-355-03-000) and Looper Bridge Road, Dalton, Georgia 30721 (Tax Parcel Number 13-013-08-000) (collectively the “Dalton Utilities Property”); and

**WHEREAS**, Georgia Power Company, a Georgia corporation (“Georgia Power”) owns certain power poles, transmission lines, and other utility related equipment on said property; and

**WHEREAS**, Georgia Power has agreed to maintain certain of Dalton Utilities’s power lines and utility related equipment in exchange for receiving certain easement rights from the City to construct, operate, maintain, repair, renew and rebuild the power poles, transmission lines, and related equipment as more particularly described on Exhibit “1,” items A-D, attached hereto and incorporated herein by reference (the “Easements”); and

**WHEREAS**, Dalton Utilities has determined with the concurrence of the City of Dalton that it is consistent with the best interests of Dalton Utilities that Dalton Utilities for City of Dalton to convey the easement rights to the Dalton Utilities Property as set forth in the Easements under the authority of O.C.G.A. § 36-37-8, subject to the parties’ satisfaction of statutory formalities governing the effectuation of conveyance of said Easements;

**NOW, THEREFORE, BE IT RESOLVED**, that the proposed transfer and disposition of the easement rights set forth in the Easements is hereby approved and Dalton Utilities is hereby authorized to enter into and execute the Easements, subject to satisfaction of certain statutory formalities for effectuation of such transaction.

**BE IT FURTHER RESOLVED**, that Dalton Utilities recommends to the Mayor and Council of the City of Dalton that they approve the proposed transfer and disposition of the easement rights as set forth in the Easements and authorize the appropriate officials of the City of Dalton to execute the Easements, subject to fulfillment of all legal conditions precedent.

**BE IT FURTHER RESOLVED**, that that subject to fulfillment of all legal conditions precedent, the Chairman, Vice Chairman, and/or President of Dalton Utilities (the “Authorized Officers”) be, and each hereby is, authorized and empowered to take such action and to execute for and on behalf of Dalton Utilities the Easements and such other documents, instruments, and papers which, in the judgment of any of the Authorized Officers, may be necessary and desirable to effect the proposed transaction. Such agreements, instruments, papers and/or documents shall be in such form and contain such terms and conditions as may be approved by any of the Authorized Officers on behalf of Dalton Utilities, and the execution of such agreements, instruments, papers, and documents by any of the Authorized Officers on behalf of Dalton Utilities is herein authorized and shall be conclusive evidence of any such approval.

**BE IT FURTHER RESOLVED**, that all acts and doings of the Authorized Officers 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 any Authorized Officer to any of the consents, agreements, instruments, papers, and documents executed and delivered in connection therewith shall be conclusive evidence of the authority of such Authorized Officer to execute and deliver such consents, agreements, instruments, papers, and other documents on behalf of Dalton Utilities.

**BE IT FURTHER RESOLVED**, that any and all actions heretofore taken by any of the Authorized Officers of Dalton Utilities relating to or in connection with the proposed transaction be, and the same hereby are, approved, ratified, and confirmed as the duly authorized actions of Dalton Utilities.

**BE IT FURTHER RESOLVED**, that the Secretary or any Assistant Secretary of Dalton Utilities be, and each hereby is, authorized to attest the signature of any officer of Dalton Utilities and impress or attest Dalton Utilities' seal appearing on any agreement, instrument, 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 Secretary or any Assistant Secretary of Dalton Utilities or Dalton Utilities' seal on any such agreement, instrument, paper or other documents shall not affect its validity or the obligation of Dalton Utilities thereunder.

**BE IT FURTHER RESOLVED**, that all Resolutions or parts thereof of Dalton Utilities 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 ADOPTED**, this \_\_\_\_ day of \_\_\_\_\_, 2023.

BOARD OF WATER, LIGHT AND SINKING  
FUND COMMISSIONERS OF THE CITY OF  
DALTON, GEORGIA D/B/A DALTON  
UTILITIES

By: \_\_\_\_\_

Chairman

Attest: \_\_\_\_\_  
Secretary

(SEAL)

## **EXHIBIT “1”**

### **Easements**

See attached.