

RESOLUTION NO. _____

A RESOLUTION APPROVING A CROSSING AND ENCROACHMENT CONSENT AGREEMENT WITH ENBRIDGE AND AUTHORIZING THE MAYOR TO SIGN THE AGREEMENT AND ALL OTHER DOCUMENTS NECESSARY AND PROPER TO EFFECTUATE THE PURPOSE OF THE AGREEMENT

WHEREAS, city has undertaken a water project which includes the installation of water line along Tennessee State Route 93, Double Springs Road and Link Road; and

WHEREAS, in certain areas the installation of these water lines comes within close proximity to or intersects with natural gas lines owned or maintained by East Tennessee Natural Gas, LLC and/or Enbridge; and

WHEREAS, Enbridge requires city to execute a Crossing and Encroachment Consent Agreement; and

WHEREAS, execution of the agreement is necessary for completion of the water project.

Now therefore,

BE IT RESOLVED BY THE BOARD OF MAYOR AND ALDERMEN AS FOLLOWS:

SECTION I. That the Crossing and Encroachment Consent Agreement with Enbridge is approved.

SECTION II. That the mayor, or in his absence, incapacity, or failure to act, the vice-mayor, is authorized to execute, in a form approved by the city attorney, and subject to the requirements of Article X, Section 10 of the Charter of the City of Kingsport, the Crossing and Encroachment Consent Agreement with Enbridge, to deliver the agreement and take any and all action as may be required on the part of the city to carry out, give effect to, and consummate the transactions contemplated by the agreement and this resolution.

SECTION III. That the board finds that the actions authorized by this resolution are for a public purpose and will promote the health, comfort and prosperity of the public.

SECTION IV. That this resolution shall take effect from and after its adoption, the public welfare requiring it.

ADOPTED this the 19th day of December, 2023.

PATRICK W. SHULL, MAYOR

ATTEST:

ANGELA MARSHALL, DEPUTY CITY RECORDER

APPROVED AS TO FORM:

RODNEY B. ROWLETT, III, CITY ATTORNEY