

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2020-20

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF CLAYTON COUNTY, GEORGIA TO ENTER INTO AN AGREEMENT WITH CENTRAL OF GEORGIA RAILROAD COMPANY FOR ROAD WIDENING ACTIVITIES ASSOCIATED WITH THE BATTLE CREEK ROAD WIDENING PROJECT; TO AUTHORIZE THE CHAIRMAN TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMEND THE BUDGET WHERE NECESSARY TO REFLECT AN APPROPRIATE REVENUE SOURCE AND EXPENSE RELATING THERETO; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Clayton County Board of Commissioners (“the County”) has authorized a project to widen the existing Battle Creek Road which necessitates construction on or near the vicinity of Milepost S-275.6 (“the Facilities”) owned and operated by Central of Georgia Railroad Company (“Railway”), and

WHEREAS, Railway is willing to permit the County to enter upon Railway’s right of way for installation, construction, maintenance, operation and removal of the Facilities; and

WHEREAS, the County and the Railway desire to state the terms and conditions under which the County will make modifications to Railway’s right of way and/or appurtenances rendered necessary by the County’s installation, construction, maintenance, operation and removal of its Facilities; and

WHEREAS, the terms and conditions of the construction have been set forth in an agreement (“the Agreement”) between the County and the Railway; and

WHEREAS, the County deems it in the best interest of the County and the County will best be served by entering into the Agreement with the Railway as it relates to the construction.

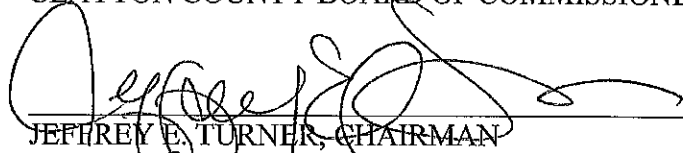
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF
CLAYTON COUNTY AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to enter into an Agreement with Central of Georgia Railroad Company ("the Railway") to state the terms and conditions under which Clayton County will widen Battle Creek Road at or near Railway Milepost S-275.6. The Agreement shall be in substantially the form attached hereto as Exhibit "A," subject to such minor changes, insertions or deletions as the County Attorney and/or Chairman of the Board of Commissioners may approve. The Board authorizes the Chairman to execute the Agreement and to otherwise perform all acts necessary to accomplish the intent of this Resolution. The Board also authorizes the Chief Financial Officer to amend the Budget where necessary to reflect an appropriate revenue source and expense relating thereto. The Agreement shall be in substantially the form attached hereto.

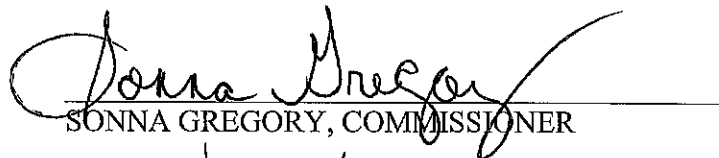
Section 2. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 21 day of January, 2020.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN

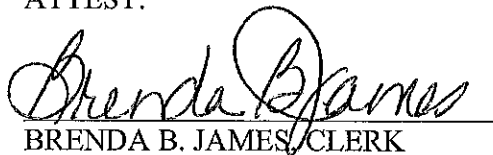

DEMONT DAVIS, VICE CHAIRMAN


SONNA GREGORY, COMMISSIONER


GAIL HAMBRICK, COMMISSIONER


FELICIA FRANKLIN WARNER, COMMISSIONER

ATTEST:


BRENDA B. JAMES, CLERK