

RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY OF HAPEVILLE TO ENTER INTO A RIGHT OF ENTRY AGREEMENT WITH FULTON COUNTY; TO AUTHORIZE THE MAYOR TO SIGN ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; TO AUTHORIZE THE CITY ATTORNEY TO PREPARE ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE THIS RESOLUTION; TO AUTHORIZE THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; TO REPEAL INCONSISTENT RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES

W I T N E S S E T H :

WHEREAS, the City of Hapeville (“City”) is a municipal corporation duly organized and existing under the laws of the State of Georgia; and

WHEREAS, the City wishes to enter into a Right of Entry Agreement (the “Agreement”) with Fulton County for Fulton County to build a new library on the property as defined in Exhibit “A” of the Agreement for the entry to the current building and/or grounds to perform certain tests and investigations, preliminary construction activity for which access to the property is required; and

WHEREAS, the Mayor and Council of the City of Hapeville, in the exercise of their sound judgment and discretion, after giving thorough consideration to all the implications involved, and keeping in mind the public interest and welfare of the citizens of the City, have determined that entry to said property would be advantageous to and would benefit the citizens of the City.

THEREFORE, IT IS NOW RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAPEVILLE, GEORGIA, AS FOLLOWS:

1. **Incorporation of Pre-Amble.** The pre-amble is incorporated herein as fully set forth above.
2. **Right of Entry Agreement.** The Hapeville City Council hereby authorizes the Mayor to enter into a Agreement, as permitted under Georgia law and in substantially the same terms set forth in **Exhibit “A”** attached hereto and incorporated herein by reference, to allow entry/access to said property.
3. **Authorization for Mayor.** That the Hapeville City Council hereby authorizes the Mayor to execute said Agreement and any and all documents necessary for entry/access to the building and property on City property. A copy of said documents shall be filed with the City Clerk.

4. **Attestation.** That the Hapeville City Council hereby authorizes the City Clerk or Assistant City Clerk to attest the signature of the Mayor appearing on the documents, to affix the official seal of the City thereto as necessary to effectuate this Resolution and to place this Resolution and an executed copy of all documents regarding this conveyance among the minutes or official records of the City for future reference.

5. **Authorization for Attorney.** The Hapeville City Council hereby authorizes the City Attorney to approve the Agreement as to its form and negotiate and finalize said Agreement and any and all documents necessary for the entry/access to the property to ensure that such Agreement and documents conform to state law.

6. **Severability.** To the extent any portion of this Resolution is declared to be invalid, unenforceable, or nonbinding, that shall not affect the remaining portions of this Resolution.

7. **Repeal of Conflicting Provisions.** All City resolutions are hereby repealed to the extent they are inconsistent with this Resolution.

8. **Effective Date.** This Resolution shall take effect immediately.

RESOLVED this ____ day of _____, 2019.

CITY OF HAPEVILLE, GEORGIA

ALAN H. HALLMAN, MAYOR

ATTEST:

CRYSTAL EPPS-GRIGGS, CITY CLERK
(seal)

APPROVED BY:

CITY ATTORNEY

EXHIBIT "A"

RIGHT OF ENTRY AGREEMENT