

**A Resolution
of the Board of Commissioners of Lowndes County
Approving Release, Conveyance, and Termination of Easement and Easement Agreement**

WHEREAS, pursuant to that certain Permanent Utility Easement Agreement dated December 13, 2016, recorded at Deed Book 6098, Pages 59-64, in the records of the Clerk of Superior Court of Lowndes County, Georgia (the “Easement Agreement”), the County was granted an easement for utility purposes (the “Easement”) in the Utility Easement Area (as such term is defined in the Easement Agreement);

WHEREAS, the Easement Agreement also conveys to the County certain rights of ingress, egress, and recess over, through, and upon the lands of the Grantors of the Easement adjacent to the Utility Easement Area;

WHEREAS, on or about June 7, 2019, Tim Blanton, an individual resident of Lowndes County (“Owner”), acquired fee simple title to the Utility Easement Area and all property abutting the Utility Easement Area and is thus the successor in interest to the Grantors of the Easement;

WHEREAS, the County has not made use of the Easement for a period of years, and the Easement no longer provides any benefit to the public.

WHEREAS, Owner has asked the County to release and convey the Easement to Owner and to terminate the Easement Agreement;

WHEREAS, the Easement Agreement provides that in the event the County shall cease to use the Easement Area for a continuous period of six (6) months for utility purposes, and the County determines by Resolution that the County no longer needs the Easement for utility purposes, the Easement and other rights granted in the Easement Agreement shall terminate and the County’s interest in the Utility Easement Area shall revert to the Grantors under and as defined in the Easement Agreement or their successors in interest and the County will execute such instruments reasonably requested to reflect the termination of the County’s interest in the Utility Easement Area;

WHEREAS, the County is authorized by OCGA § 36-9-3(h) to convey its interest in the Utility Easement Area to Owner without first submitting the conveyance to the process of auction or solicitation of bids;

WHEREAS, Owner, in consideration of the County’s release and conveyance of the Easement to Owner and termination of the Easement Agreement, has agreed to release the County from any claim or claims Owner has or may have arising out of or related to the County’s use of the Utility Easement Area, including, without limitation, the construction, installation, use, or maintenance of any facilities upon the Utility Easement Area;