

RESOLUTION NO. 2023 - 124

A RESOLUTION APPROVING CERTAIN ENCROACHMENT IN THE RIGHT OF WAY; AUTHORIZING THE MAYOR TO EXECUTE AN ENCROACHMENT AGREEMENT; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS the Heartwood multifamily development is currently under construction at the northeast corner of Brownsville Road and Oglesby Road; and

WHEREAS the right of way along Oglesby Road and adjacent to the sidewalk and development has a steep slope and the developer has requested that the development's perimeter fence be placed behind the sidewalk; and

WHEREAS the City finds it in the public interest to allow the fence to be installed at the back of the sidewalk on the condition that the developer and management association understand that the fence, grass and landscaping behind the fence shall be maintained by the development and at no cost to the City.

NOW THEREFORE, be it hereby resolved by the Mayor and Council of the City of Powder Springs that it authorizes the Mayor to execute an encroachment agreement with Heartwood for the placement of a fence in the right-of-way behind the sidewalk along Oglesby Road, subject to review and approval by the City Attorney. This resolution shall be effective immediately upon adoption.

SO RESOLVED this 20th day of June 2023.

Absent- City Business

Albert Thurman, Mayor

Henry Lust

Henry Lust, Council Member

Doris Dawkins

Doris Dawkins, Council Member

Absent

Dwayne Green, Council Member

Patrick Bordelon

Patrick Bordelon, Council Member

Patricia Wisdom

Patricia Wisdom, Council Member

ATTEST:

Kelly Axt, City Clerk

Kelly Axt