

## **RIGHT OF ENTRY**

**CHATHAM COUNTY, GEORGIA**

**PROJECT: CSHPP-0007-00(631), Truman Linear Park Trail, Phase II-A**

THIS AGREEMENT, made this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between Chatham County, Georgia, a political subdivision of the State of Georgia, hereinafter called the COUNTY, first party, and the Mayor and Aldermen of the City of Savannah, a municipal corporation chartered under the laws of the State of Georgia, hereinafter called the CITY, second party; and

WITNESS that:

WHEREAS, the COUNTY, in conjunction with the Georgia Department of Transportation, proposes under the above referenced project to construct Truman Linear Park Trail, Phase II-A in its entirety, which said project is located within the corporate boundaries of the City of Savannah;

WHEREAS, the CITY owns certain parcels of land along said project, portions of which are required to facilitate the construction of said project and are shown on said project right of way plans, a copy of which in pertinent part being attached hereto and made a part hereof by reference; and

WHEREAS, the CITY also has water, storm sewer and sanitary sewer facilities (hereinafter "Facilities") located within the existing right of way of several streets; and

WHEREAS, the existing Facilities that are in conflict with the project construction presently contemplated will be relocated or adjusted to accommodate the proposed project construction, as necessary; arrangements to handle the cost for adjustment of the Facilities, if necessary, will be provided through a separate agreement between the CITY and COUNTY;

NOW THEREFORE, in consideration of ten dollars (\$10.00) in hand paid and other valuable consideration received by the CITY and further in consideration of the premises and the mutual covenants of the parties hereinafter set forth, it is hereby agreed;

- 1) It is specifically understood that the project name shown above is for the COUNTY'S identification purposes only and may be subject to change by the COUNTY and the Georgia Department of Transportation. In the event it becomes necessary for the COUNTY to assign a different project name, the COUNTY will notify the CITY of the project designation. Such change in project designation shall have no effect whatsoever on any of the other terms of this agreement.
- 2) The CITY grants to the COUNTY the right to enter upon the required easements described as Parcel Numbers 6, 7, 11, 12, 15, 17, 19, 21, 22, 23, 24 and 26 and reflected in color on said project right of way plans for the purpose of constructing said project.
- 3) The COUNTY agrees to notify the CITY when the project construction contract is awarded by Chatham County and furnish the name of the COUNTY'S Contractor who will perform the work. The CITY agrees to plan with the COUNTY'S Contractor a schedule of operations which will clearly set forth at which stage of the Contractor's operations the CITY will relocate or adjust its facilities if such action is required.
- 4) The Covenants herein contained shall except as otherwise provided, accrue to the benefit of, and be binding upon the successors and assigns of the parties hereto.
- 5) It is mutually agreed between the parties hereto that this document shall be deemed to have been executed in the City of Savannah, Georgia and that all questions of interpretation and construction shall be governed by the Laws of the State of Georgia.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in two counterparts, each to be considered as an original by their authorized representative the day and date hereinabove written.

WITNESS AS TO THE COUNTY

COUNTY:  
THE COUNTY COMMISSIONERS  
OF CHATHAM COUNTY, GEORGIA

DATE: \_\_\_\_\_

BY: \_\_\_\_\_  
Albert J. Scott, Chairman

\_\_\_\_\_  
WITNESS

ATTEST: \_\_\_\_\_  
Janice Bocook, Clerk of Commission

\_\_\_\_\_  
NOTARY

WITNESS AS TO THE CITY

CITY:  
THE MAYOR AND ALDERMEN  
OF THE CITY OF SAVANNAH, GEORGIA

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_  
WITNESS

ATTEST: \_\_\_\_\_

TITLE: \_\_\_\_\_

\_\_\_\_\_  
NOTARY