

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2013-302

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO EXERCISE ITS POWERS OF EMINENT DOMAIN IN ACCORDANCE WITH PROVISIONS OF GEORGIA LAWS FOR THE PURPOSE OF ACQUIRING CERTAIN PROPERTIES FOR USE BY THE CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE ANVIL BLOCK ROAD WIDENING IMPROVEMENT PROJECT; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS RELATING THERETO, AND TO OTHERWISE 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; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Commissioners desires to exercise its powers of eminent domain in accordance with provisions of Georgia Laws for the purpose of acquiring certain portions of properties for use by the Clayton County Department of Transportation and Development for the Anvil Block Road Widening Improvement Project, specifically that certain tracts and parcels of land known as:

4583 Mitchell's Meadow Lane, Tax Parcel No.59,

3676 Mitchell's Valley Court, Parcel No. 60 & 62; and

WHEREAS, the Clayton County Department of Transportation and Development has offered appraised values to the property owners for the right-of-way acquisitions; and

WHEREAS, funding is available in the 2004 SPLOST Program to facilitate payments to the property owners as compensation for the right-of-way acquisitions; and

WHEREAS, the managing agent for the property owner has agreed to the acquisition but the right-of-way agent has not been able to obtain a copy the property owner's operating agreement yet and time is of the essence to obtain all necessary right-of-way for the project to meet Georgia DOT's schedule for authorization; and

WHEREAS, the Board of Commissioners deems it is in the best interest of Clayton County, and the County will best be served by acquiring the right-of-way acquisitions for the Anvil Block Road Widening Improvement Project for the reasons set forth herein.

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

Section 1. The Board of Commissioners hereby authorizes Clayton County to exercise its powers of eminent domain in accordance with provisions of Georgia Laws for the purpose of acquiring a portion of certain properties for use by the Clayton County Department of Transportation and Development for the Anvil Block Road Widening Improvement Project, specifically that certain tract and parcel of land as shown on Exhibits attached hereto. Further, the Board of Commissioners hereby authorizes the Chairman to execute any and all documents relating thereto; and otherwise to perform all acts necessary to accomplish the intent of this Resolution. The properties sought to be acquired are more fully depicted on Exhibits attached hereto and incorporated herein by this reference.


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

SIGNATURES ON THE FOLLOWING PAGE

SO RESOLVED, this the 19th day of November, 2013.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN


MICHAEL EDMONDSON, VICE CHAIRMAN


SONNA SINGLETON, COMMISSIONER


GAIL B. HAMBRICK, COMMISSIONER


SHANA M. ROOKS, COMMISSIONER

ATTEST:


SHELBY D. HAYWOOD, CLERK