

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2016- 180

RESOLUTION AUTHORIZING CLAYTON COUNTY TO EXERCISE ITS POWERS OF EMINENT DOMAIN IN ACCORDANCE WITH THE PROVISIONS OF GEORGIA LAW FOR THE PURPOSE OF AQUIRING CERTAIN PROPERTY FOR USE BY THE CLAYTON COUNTY PARKS AND RECREATION DEPARTMENT FOR THE INTERNATIONAL PARK BIKE PATH; TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY DOCUMENTS RELATING THERETO, AND OTHERWISE PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO AUTHORIZE THE CHIEF FINANCIAL OFFICER TO AMENT 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 the provisions of Georgia Law for the purpose of acquiring certain property for use by the public as a multi-use pathway for pedestrians and non-motorized vehicles (such as bicycles) known as the International Park Bike Path, specifically that tract and parcel of land known as 8440 Winston Way, Tax Parcel ID No. 12012A B004 (Owner Charles R. Burns and Estate of Anne F. Burns); and

WHEREAS, Clayton County has offered to the property owner just and adequate compensation for the property rights to be acquired; and

WHEREAS, Clayton County has been unable to reach an agreement with the property owner; and

WHEREAS, the Board of Commissioners deems it to be in the best interest of Clayton County and its citizens, and the County and its citizens will best be served by acquiring the property for the International Park Bike Path.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISIONERS OF CLAYTON COUNTY, GEORGIA, AS FOLLOWS:

1. The Board of Commissioners hereby authorizes Clayton County, Georgia, to exercise its powers of eminent domain in accordance with the provisions of Georgia Law for the purpose of acquiring certain real property for use by the public as a multi-use pathway for pedestrians and non-motorized vehicles (such as bicycles) known as the International Park Bike Path, specifically that tract and parcel of land known as 8440 Winston Way, Tax Parcel ID No. 12012A B004 (Owner Charles R. Burns and Estate of Anne F. Burns), as shown on Exhibits "A" and "B" respectively, each of which is attached hereto and incorporated herein by this reference.

2. The Board of Commissioners 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.

3. The Chief Financial Officer is hereby authorized and directed to amend the budget as necessary to accommodate the acquisition authorized by this Resolution.

4. All motions, orders, ordinances, bylaws, resolutions, and parts thereof in conflict herewith are hereby repealed to the extent only of such conflict. This repealer shall not be construed as reviving any motion, order, ordinance, bylaw, resolution, or part thereof.

5. This resolution shall become effective immediately, and if any section, paragraph, clause, or provision hereof shall for any reason be held invalid or unenforceable, the invalidity or unenforceability thereof shall not affect any of the remaining provisions hereof.

PASSED, ADOPTED, SIGNED, APPROVED, and EFFECTIVE this 6th day of December 2016.

CLAYTON COUNTY BOARD OF COMMISSIONERS


JEFFREY E. TURNER, CHAIRMAN


SONNA SINGLETON GREGORY, VICE CHAIRMAN


SHANA ROOKS, COMMISSIONER


GAIL B. HAMBRICK, COMMISSIONER


MICHAEL EDMONDSON, COMMISSIONER

ATTEST:


SANDRA DAVIS, CLERK

[SEAL]