

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2015 - 247

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 PANHANDLE ROAD SIDEWALK 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 a certain portion of properties for use by the Clayton County Department of Transportation and Development (the "Department") for the Panhandle Road Sidewalk Improvement Project, specifically certain tracts and parcels of land known as:

1485 Beech Grove Drive, Tax Parcel 06129B A002, Project Parcel No. 10;

1487 Buckingham Court, Tax Parcel 06097D A011, Project Parcel No. 22; and

WHEREAS, the Department has offered appraised value to the property owners for the right-of-way acquisition; and

WHEREAS, one property owner is not responsive to communications by the Department, and the other property is in pre-foreclosure status which prevents the owner from conveying title for an easement; and

WHEREAS, funding is available in the 2009 SPLOST Program to facilitate payments to the property owners as compensation for the right-of-way acquisition; 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 Panhandle Road Sidewalk 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 Panhandle Road Sidewalk Improvement Project, specifically certain tracts and parcels 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 FOLLOWING PAGE}**

SO RESOLVED, this the 6<sup>th</sup> day of October, 2015.

CLAYTON COUNTY BOARD OF COMMISSIONERS

  
JEFFREY E. TURNER, CHAIRMAN

  
GAIL B. HAMBRICK, VICE CHAIRMAN

  
MICHAEL EDMONDSON, COMMISSIONER

  
SONNA GREGORY, COMMISSIONER

  
SHANA M. ROOKS, COMMISSIONER

ATTEST:

  
SANDRA T. DAVIS, CLERK