

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2014-62

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO EXERCISE ITS POWERS OF EMINENT DOMAIN IN ACCORDANCE WITH PROVISIONS OF GEORGIA LAWS FOR THE PURPOSE OF ACQUIRING A CERTAIN PROPERTY FOR USE BY THE CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE EVANS DRIVE SIDEWALK AND 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 property for use by the Clayton County Department of Transportation and Development for the Evans Drive Sidewalk and Improvement Project, specifically that a certain tract and parcel of land known as:

6448 Highway 42, Tax Parcel No. 1; and

WHEREAS, the Clayton County Department of Transportation and Development has offered appraised value to the property owner for the right-of-way acquisition; and

WHEREAS, funding is available in the 2009 SPLOST Program to facilitate payments to the property owner as compensation for the right-of-way acquisition; and

WHEREAS, the Clayton County Department of Transportation and Development had contacted the property owner and an agreement was reached, but the right of way agent has not been able to close the property since the property owner was unable to obtain the necessary lien waivers from the lien holders; 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 acquisition for the Evans Drive Sidewalk and 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 a certain property for use by the Clayton County Department of Transportation and Development for the Evans Drive Sidewalk and Improvement Project, specifically that a 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 property 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.

SO RESOLVED, this the 18<sup>th</sup> day of March, 2014.

SIGNATURES ON THE FOLLOWING PAGE

CLAYTON COUNTY BOARD OF COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



SHANA M. ROOKS, VICE CHAIRMAN



MICHAEL EDMONDSON, COMMISSIONER



SONNA SINGLETON, COMMISSIONER



GAIL B. HAMBRICK, COMMISSIONER

ATTEST:



SHELBY D. HAYWOOD, CLERK