STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2013- 233

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 FLINT RIVER 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 OR THE FINANCE DIRECTOR 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 Flint River Road Widening Improvement Project, specifically that a certain tract and parcel of land known as:

8713 Dorsey Road, Tax Parcel No. 13; 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 2004 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 has contacted the property owner and an option was signed but the agent was unable to obtain a release from the lender because the owner filed for bankruptcy 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 acquisition for the Flint River 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 a certain property for use by the Clayton County Department of Transportation and Development for the Flint River Road Widening 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 17th day of September, 2013.

SIGNATURES ON THE FOLLOWING PAGE

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