

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION 2012-209

A RESOLUTION AUTHORIZING CLAYTON COUNTY 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 CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE PANOLA ROAD WIDENING 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 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 previously deemed it in the best interest of Clayton County, and determined that Clayton County would best be served, by acquiring certain property and temporary construction easement rights for Panola Road; and

WHEREAS, the Board of Commissioners previously authorized the exercise of Clayton County's powers of eminent domain for the purpose of acquiring temporary construction easement rights on said property for the Panola road widening; and

WHEREAS, the Board of Commissioners previously authorized the taking of a portion of that certain tract and parcel of land known as 5211 Benjamin Trail, being tax parcel no. 12-185A 00C-0010 (0.04 acres of temporary construction easement); and

WHEREAS, the Clayton County Department of Transportation and Development is offering \$700.00, which is the appraised value of the easement, to the property owner for the temporary construction easement; and

WHEREAS, funding is available in the 2004 SPLOST Program to facilitate this payment to the property owner as compensation for the temporary easement; and

WHEREAS, the Clayton County Department of Transportation and Development has been unable to reach an agreement with the property owner for temporary easement; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and Clayton County will best be served, by acquiring the 0.04 acre tract and parcel of land on the property known as 5211 Benjamin Trail, being tax parcel no. 12 185A 00C-0010, for the temporary construction easement for the Panola Road widening project;

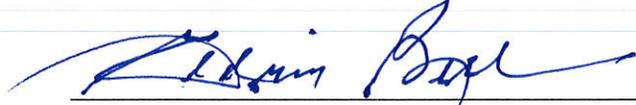
NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS
OF CLAYTON COUNTY AND IT IS HEREBY RESOLVED

Section 1. The Board of Commissioners hereby authorizes Clayton County to exercise its powers of eminent domain in accordance with the provisions of Georgia law for the purpose of acquiring a portion of certain property for use by the Clayton County Department of Transportation and Development for the Panola Road Widening Project, specifically that certain tract and parcel of land known as 5211 Benjamin Trail, being tax parcel no. 12 185A 00C-0010, containing approximately 0.04 acres, more or less. 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 to be acquired is more fully described on Exhibit "A" 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 9th day of October, 2012.

CLAYTON COUNTY BOARD OF COMMISSIONERS



ELDRIN BELL, CHAIRMAN



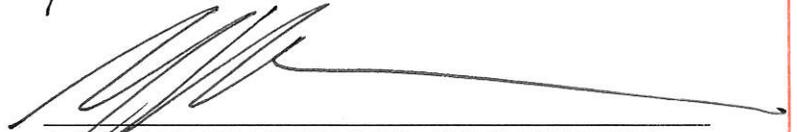
WOLE RALPH, VICE CHAIRMAN



GAIL B. HAMBRICK, COMMISSIONER

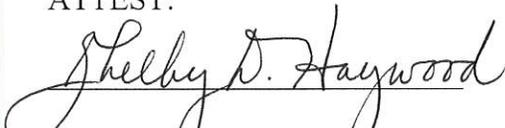


SONNA SINGLETON, COMMISSIONER



MICHAEL EDMONDSON, COMMISSIONER

ATTEST:



SHELBY D. HAYWOOD, CLERK