

STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2018- 48

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 PROPERTY FOR USE BY THE CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE BATTLE CREEK ROAD WIDENING PROJECT (FROM VALLEY HILL ROAD TO SOUTHLAKE PARKWAY) (STP-9108-00(005)); TO AUTHORIZE THE CHAIRMAN TO EXECUTE ANY AND ALL DOCUMENTS RELATING THERETO, AND OTHERWISE TO PERFORM ALL ACTS NECESSARY TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES.

WHEREAS, Clayton County desires to exercise its powers of eminent domain in accordance with provisions of Georgia Law for the purpose of acquiring certain property for use by the Clayton County Department of Transportation and Development for the Battle Creek Road Widening Project (from Valley Hill Road to Southlake Parkway) (STP-9108-00(005)) (the "Project"); and

WHEREAS, reasonable offers based on the appraisal of a real estate appraiser licensed in the State of Georgia have been made to the owner, but have not been accepted; and

WHEREAS, the Clayton County Department of Transportation and Development has been unable to reach an agreement to acquire the rights and interests necessary for the Project; and

WHEREAS, funding is available in the 2004 SPLOST Program to facilitate payment of just and adequate compensation for the rights to be acquired; and

WHEREAS, the Board of Commissioners deems it in the best interest of Clayton County, and the County will best be served by acquiring the rights-of-way and related interests for the 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 Law for the purpose of acquiring certain properties, or portions thereof, for use by the Clayton County Department of Transportation and Development for the Battle Creek Road Widening Project (from Valley Hill Road to Southlake Parkway) (STP-9108-00(005)), those properties being specifically the following:

Parcel	Tax Map Identification #	Name	Address
77	13 0177A A002	Averly Holdings, LLC	100 Chaselake Dr Jonesboro, GA 30236
79	13 0177C B003	Pine Knoll Apartments LLC	7393 Tara Rd Jonesboro, GA 30236
80	13 0177B A002	Bk Village LLC & NA Village, LLC	1110 Battle Creek Rd Jonesboro, GA 30236
83	13 0179D A001	Astenjohnson Inc	1145 Battlecreek Rd Jonesboro, GA 30236
84	13 0179D A005	Battlecreek Village Limited Partnership	1174 Battlecreek Rd Jonesboro, GA 30236

The property to be acquired is more fully depicted on Exhibit "A", attached hereto and incorporated herein by this reference.

Section 2. The Chairman is hereby authorized to execute any and all documents relating thereto, and otherwise to perform all acts necessary or prudent to effectuate the intent of this Resolution.

Section 3. This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the 5th day of June, 2018.

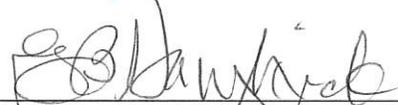
CLAYTON COUNTY BOARD OF
COMMISSIONERS



JEFFREY E. TURNER, CHAIRMAN



MICHAEL EDMONDSON, VICE CHAIRMAN



GAIL B. HAMBRICK, COMMISSIONER



SONNA SINGLETON GREGORY,
COMMISSIONER



FELICIA FRANKLIN WARNER,
COMMISSIONER

ATTEST:



SANDRA DAVIS, CLERK

[SEAL]