STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2018- 59

A RESOLUTION AUTHORIZING CLAYTON COUNTY TO EXERCISE ITS POWERS OF EMINENT DOMAIN IN ACCORDANCE WITH PROVISIONS OF GA. LAWS FOR THE PURPOSE OF ACQUIRING CERTAIN PROPERTY FOR USE BY THE CLAYTON COUNTY DEPARTMENT OF TRANSPORTATION AND DEVELOPMENT FOR THE BATTLE CREEK ROAD AND MOUNT ZION BOULEVARD WIDENING PROJECT (FROM SOUTHLAKE PARKWAY TO SOMERTON DRIVE) (STP-9108-00(004)); 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 and Mount Zion Boulevard Widening Project (From Southlake Parkway to Somerton Drive) (STP-9108-00(004)) (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 authorized Clayton County to exercise its powers of eminent domain in accordance with provisions of Georgia Law for the purpose of acquiring certain properties for use by the Clayton County Department of Transportation and Development for the Battle Creek Road and Mount Zion Boulevard Widening Project (From Southlake Parkway to Somerton Drive) (STP-9108-00(004)), those properties being specifically the following:

Parcel	Tax Map Identification #	Name	Address
145	12083B B007A	Mt Zion Exxon, LLC #119	2058 Mount Zion Rd. Morrow, GA 30260
148	12084C A006	McDonald's Corporation	2125 Mount Zion Pkwy. Morrow, GA 30260
149	12084C A007	Mark Hutchens Group, LLC	2147 Mount Zion Pkwy. Morrow, GA 30260
153	12109C B022	Southern Springs Homeowner's Association, Inc.	Mount Zion Blvd. Morrow, GA 30260
156	12084A B003	Steak N Shake Operations, Inc.	2118 Mount Zion Pkwy. Morrow, GA 30260
157	12083B B009	John T. Archer, Michael J. Messina, Jim Hund, Harry Thomas Abernathy, et al	7041 Mount Zion Blvd. Morrow, GA 30260
158/159	12083B B008 & 12083B B0011	Home Depot USA, Inc.	2034 Mount Zion Rd. Morrow, GA 30260
162	12109C F005	Realty Income Corporation, a Maryland corporation	6849 Mount Zion Blvd. Morrow, GA 30260
163	12109D A005	Morrow Land Investments, LLC	6857 Mount Zion Blvd. Morrow, GA 30260

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 19th 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

(Opposed)

FELICIA FRANKLIN WARNER,
COMMISSIONER

ATTEST:

SANDRA DAVIS, CLERK

[SEAL]