STATE OF GEORGIA

COUNTY OF CLAYTON

RESOLUTION NO. 2018- 60

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
85	12080C B003	Hennessy Cadillac, LLC	1200 Battlecreek Rd. Jonesboro, GA 30236
85A	12080C B007	T & G Realty, Inc.	1250 Battle Creek Rd. Jonesboro, GA 30236
86	13177D A002	Astenjohnson, Inc.	1147 Battlecreek Rd. Jonesboro, GA 30236
87	13177D A001	Astenjohnson, Inc.	1146 Battle Creek Rd. Jonesboro, GA 30236
88	12080C A002	Chemical Leasing Corp.	1251 Battlecreek Rd. Jonesboro, GA 30236
91	12080C A001	1299 Battlecreek Condominium Association, Inc.	1299 Battlecreek Rd. Jonesboro, GA 30236
92	12080C A012	Ashita, LLC	7415 Jonesboro Rd. Jonesboro, GA 30236
94	12080D A002	7414 Battlecreek Road, LLC	7414 Jonesboro Rd. Jonesboro, GA 30236
95	12080D B001	Quiktrip Corporation	7390 Jonesboro Rd. Morrow, GA 30260
265	12080C B005	Sam's Real Estate Business Trust	7325 Jonesboro Rd. 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]