

1 A RESOLUTION DECLARING CERTAIN FULTON COUNTY-OWNED REAL
2 PROPERTY AS SURPLUS AND AUTHORIZING A DIRECT SALE OF THE
3 SURPLUS FULTON COUNTY-OWNED REAL PROPERTY TO THE EAST
4 POINT HOUSING AUTHORITY, A PUBLIC BODY, CORPORATE AND
5 POLITIC; AUTHORIZING THE CHAIRMAN TO EXECUTE ALL DOCUMENTS
6 NECESSARY TO ACCOMPLISH THE SALE OF THE SURPLUS PROPERTY;
7 AUTHORIZING THE COUNTY ATTORNEY TO APPROVE ALL DOCUMENTS
8 AS TO FORM PRIOR TO EXECUTION BY THE CHAIRMAN; AND FOR
9 OTHER PURPOSES.

10

11 **WHEREAS**, Fulton County, Georgia ("Fulton County") owns certain real
12 property located at 0 Norman Berry Drive, East Point, Georgia, consisting of an
13 unimproved remnant leftover from the realignment of Norman Berry Drive; and

14 **WHEREAS**, a portion of the unimproved remnant of approximately 0.131
15 acres (the "Property") is needed to complete the renovation of a blighted high rise
16 apartment building by the Housing Authority of the City of East Point, Georgia
17 ("East Point Housing Authority"); and

18 **WHEREAS**, the Property is further described in Exhibit "A," attached
19 hereto and made a part hereof by reference; and

20 **WHEREAS**, O.C.G.A. § 36-9-2 provides that "the county governing
21 authority shall have the control of all property belonging to the county and may,
22 by order entered on its minutes, direct the disposal of any real property which
23 may lawfully be disposed of and make and execute good and sufficient title
24 thereof on behalf of the county"; and

25 **WHEREAS**, pursuant to O.C.G.A. § 36-9-3(a)(3)(A), Fulton County may
26 declare real property as surplus and convey real property to another
27 governmental entity without first having to offer this real property by bid to a
28 highest responsible bidder; and

1 **WHEREAS**, the East Point Housing Authority, a public body, corporate
2 and politic, has approached Fulton County with a proposal to acquire the
3 Property for ten dollars (\$10.00) to add parking and to provide emergency vehicle
4 turn-around and one-way egress to Connally Drive because the subject property
5 is needed for the redevelopment of the high-rise property, formally known as the
6 Nelms House, located at 1600 Connally Drive, for the completion of planned
7 onsite construction of 88 affordable housing units which will be added to the City
8 of East Point community; and

9 **WHEREAS**, Fulton County and the City of East Point support the East
10 Point Housing Authority in its efforts to remove blighted properties in the City of
11 East Point and supports the redevelopment plan; and

12 **WHEREAS**, the East Point Housing Authority has agreed to pay all costs
13 of the sale including the appraisal, title report and closing attorney fees; and

14 **WHEREAS**, the Fulton County Board of Commissioners finds that it is in
15 the public interest for Fulton County to declare as surplus and sell the Property to
16 the East Point Housing Authority for ten dollars (\$10.00) to benefit the public.

17 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of
18 Commissioners hereby declares the Property to be surplus to the needs of the
19 County and authorizes the sale, conveyance and delivery of the Property to the
20 East Point Housing Authority for the price of ten dollars (\$10.00).

21 **BE IT FURTHER RESOLVED** that the County Attorney is authorized to
22 approve any documents necessary to consummate the sale as to form and to
23 make modifications to such documents prior to execution by the Chairman to

1 protect the interests of the County.

2 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of
3 Commissioners (or Vice-Chairman, in the Chairman's absence) is hereby
4 authorized to execute all documents necessary to accomplish the sale of the
5 Property as authorized by this Resolution.

6 **BE IT FINALLY RESOLVED** that this Resolution shall become effective
7 upon its adoption, and that all resolutions and parts of resolutions in conflict with
8 this Resolution are hereby repealed to the extent of the conflict.

9 **SO PASSED AND ADOPTED**, this 2nd day of February, 2022.

10

BOARD OF COMMISSIONERS

11

12

13

14

15

16

17

18

19

ATTEST:

20
21
22
23
24
25
26
27
28
29
30
31
32
33
34

Tonya R. Grier
Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo
Y. Soo Jo, County Attorney



After Recording Return to:

Fulton County Land Division
Michael A. Graham, Land Administrator
141 Pryor Street NW, Suite 8021
Atlanta, Georgia 30303

STATE OF GEORGIA
COUNTY OF FULTON

QUITCLAIM DEED

THIS INDENTURE, made this 24 day of February, 2022 between **FULTON COUNTY**, a political subdivision of the State of Georgia, as party of the first part, hereinafter called Grantor, and **EAST POINT HOUSING AUTHORITY**, as party of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: The said Grantor for and in consideration of the sum of One and NO/100 Dollars (\$1.00) and other good and valuable consideration in hand paid at and before the sealing and delivery of these presents, the receipt and sufficiency of all of which being hereby acknowledged, has bargained, sold and conveyed, and by these presents does hereby bargain, sell, remise, release and forever QUITCLAIM to the said Grantee all the right, title, interest, claim or demand which the said Grantor has or may have had in and to:

All that tract or parcel of land lying and being in Land Lot 156 of the 14th District of Fulton County, City of East Point, Georgia, being Tract 1 and Tract 2 as described in Exhibit "A" and as shown on Exhibit "B", both of which are attached hereto and incorporated herein by reference.

TO HAVE AND TO HOLD the said described premises, together with all and singular the rights, members and appurtenances thereof, unto the said Grantee so that neither the said Grantor nor any other person or persons claiming under Grantor shall at any time claim or demand any right, title or interest to the aforesaid described premises or its appurtenances.

Grantee, by its acceptance and recordation of this indenture, accepts the Property in "as-is, where-is, with all faults" condition and subject to all easements and other matters of record.

IN WITNESS WHEREOF, the said Grantor has signed and sealed this deed, the year and day above first stated.

Signed, sealed and delivered this
24 day of February, 2022
in the presence of:



Witness



APPROVED AS TO FORM



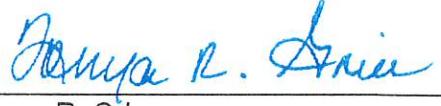
Y. Soo Jo, County Attorney

FULTON COUNTY, a political subdivision of
the State of Georgia

By:


Robert L. Pitts, Chairman
Fulton County Board of Commissioners

Attest:


Tonya R. Grier
Clerk to the Commission



ITEM # 22-0083 RM 2222
REGULAR MEETING

EXHIBIT "A"
Legal Description - Tract 1

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 156 OF THE 14TH DISTRICT, FULTON COUNTY, CITY OF EAST POINT, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the intersection formed by the Southern Right-of-Way of Connally Dr. (60' Right-of-Way) and the Western Right-of-Way of N. Cheney St. (35 ft Right-of-Way) said point being the Point of Comencement (POC);

THENCE South 29 degrees 53 minutes 33 seconds West for a distance of 17.35 ft. to a point being the POINT OF BEGINNING;

THENCE South 29 degrees 53 minutes 33 seconds West for a distance of 129.65 ft. to a point;

THENCE North 62 degrees 33 minutes 26 seconds West for a distance of 23.49 ft. to a point;

THENCE along a curve to the right having a radius of 102.55 and an arc length of 1449.37 ft., being subtended by a chord of North 40 degrees 04 minutes 25 seconds East for a distance of 132.75 ft. to a point being the POINT OF BEGINNING;(POB)

Together with and subject to covenants, easements, and restrictions of record.

Said tract containing 3,735 SF 0.086 acres more or less.

EXHIBIT "A"
Legal Description - Tract 2

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 156 OF THE 14TH DISTRICT, FULTON COUNTY, CITY OF EAST POINT, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at the intersection formed by the Southern Right-of-Way of Connally Dr. (60' Right-of-Way) and the Western Right-of-Way of N. Cheney St. (35 ft Right-of-Way) said point being the Point of BEGINNING (POB);

THENCE South 29 degrees 53 minutes 33 seconds West for a distance of 17.35 ft. to a point;

THENCE along a curve to the left having a radius of 102.55 and an arc length of 144.38 ft., being subtended by a chord of South 40 degrees 04 minutes 25 seconds West for a distance of 132.75 ft. to a point;

THENCE North 62 degrees 33 minutes 26 seconds West for a distance of 6.58 ft. to a point;

THENCE along a curve to the right having a radius of 228.00 and an arc length of 71.43 ft., being subtended by a chord of North 21 degrees 33 minutes 16 seconds East for a distance of 71.14 ft. to a point;

THENCE North 30 degrees 15 minutes 28 seconds East for a distance of 76.19 ft. to a point;

THENCE South 62 degrees 33 minutes 26 seconds East for a distance of 39.91 ft. to a point;

Together with and subject to covenants, easements, and restrictions of record.

Said tract containing 1,946 SF 0.045 acres more or less.

EXHIBIT "B"