- 1 A RESOLUTION DECLARING COUNTY-OWNED EASEMENTS RIGHTS AS 2 SURPLUS AND AUTHORIZING THE ASSIGNMENT OF THE FULTON COUNTY,
- 3 GEORGIA DEED OF EASEMENT RIGHTS IN NON-COUNTY OWNED PROPERTY AT
- 4 THE INTERSECTION OF BUFFINGTON ROAD AND ROOSEVELT HIGHWAY (STATE
- 5 ROUTE NO. 29) TO THE GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT)
- 6 FOR ROAD PURPOSES; AND FOR OTHER PURPOSES.
- 7 **WHEREAS**, on or about on March 24, 2014, Fulton County, Georgia (the "County")
- 8 acquired a Deed of Easement (the "Easement") from CSX Transportation, Inc. ("CSX")
- 9 which was recorded in the Real Estate Records of Fulton County, Georgia in Deed Book
- 10 53791, Page 12 et seq. on May 8, 2014; and
- WHEREAS, the Easement was acquired as part of a sidewalk improvement project
- on Buffington Road (the "Project") that passed over railroad tracks maintained by CSX
- that are located in what was then unincorporated Fulton County and now within the
- jurisdictional limits of the City of South Fulton; and
- WHEREAS, the Easement was acquired using funds provided by the Georgia
- Department of Transportation ("GDOT") for that purpose; and
- WHEREAS, GDOT has now taken over the Project and will complete all planned
- roadway improvements and general construction at not cost to the local government; and
- WHEREAS, the County has no further need for the Easement because it no longer
- intends to perform the Project which is now located within the jurisdictional limits of the
- 21 City of South Fulton; and
- WHEREAS, County staff has determined that assigning the County's easement
- rights in the Property to GDOT will best serve the public in allowing GDOT to perform the
- 24 Project; and

1	WHEREAS, GDOT is willing to accept the assignment of the County's Easement;
2	and
3	WHEREAS, O.C.G.A. § 36-9-3(c) permits the County to sell, transfer, or convey
4	property to another body politic such as GDOT without competition; and
5	NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners hereby
6	approves the assignment of the Easement to GDOT.
7	BE IT FURTHER RESOLVED that the Chairman of Fulton County Board of
8	Commissioners is authorized and directed to execute and deliver any and all documents
9	necessary to assign the Easement to GDOT.
10	BE IT FURTHER RESOLVED, that prior to execution of any documents, the
11	County Attorney shall approve any and all documents as to form and make any necessary
12	changes thereto to protect the County's interests.
13	BE IT FINALLY RESOLVED, that this Resolution shall become effective upon its
14	adoption and that all resolutions and parts of resolutions in conflict with this Resolution
15	are hereby repealed to the extent of such conflict.
16	SO PASSED AND ADOPTED, this day of March 2022.
17	FULTON COUNTY BOARD OF COMMISSIONERS
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20	Robert L. Pitts, Chairman
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1	ATTEST:
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4	Tonya Grier,
5	Clerk to the Commission
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8	APPROVED AS TO FORM:
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11	V. C. a. I.a.
12	Y. Soo Jo
13	County Attorney
14	
15 16	DIVCA Projects VI and VP Uffington Pood V2 9 22 Possibition Authorizing Assignment of Economist to CDOT (2) deav
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