

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

11 **WHEREAS**, the Easement was acquired as part of a sidewalk improvement project
12 on Buffington Road (the “Project”) that passed over railroad tracks maintained by CSX
13 that are located in what was then unincorporated Fulton County and now within the
14 jurisdictional limits of the City of South Fulton; and

15 **WHEREAS**, the Easement was acquired using funds provided by the Georgia
16 Department of Transportation (“GDOT”) for that purpose; and

17 **WHEREAS**, GDOT has now taken over the Project and will complete all planned
18 roadway improvements and general construction at not cost to the local government; and

19 **WHEREAS**, the County has no further need for the Easement because it no longer
20 intends to perform the Project which is now located within the jurisdictional limits of the
21 City of South Fulton; and

22 **WHEREAS**, County staff has determined that assigning the County’s easement
23 rights in the Property to GDOT will best serve the public in allowing GDOT to perform the
24 Project; and

1 **ATTEST:**

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4 _____
5 Tonya Grier,
6 Clerk to the Commission

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8 **APPROVED AS TO FORM:**

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12 _____
13 Y. Soo Jo
14 County Attorney

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16 P:\CAProjects\Land\Buffington Road\3.8.22 Resolution Authorizing Assignment of Easement to GDOT(2).docx