

1 A RESOLUTION BY THE BOARD OF COMMISSIONERS APPROVING THE
2 EXECUTION OF A RIGHT OF WAY DEED BETWEEN FULTON COUNTY, GEORGIA, A
3 POLITICAL SUBDIVISION OF THE STATE OF GEORGIA (“GRANTOR”) AND THE
4 CITY OF SOUTH FULTON, A MUNICIPAL CORPORATION OF THE STATE OF
5 GEORGIA (“GRANTEE”) AUTHORIZING THE TRANSFER OF APPROXIMATELY
6 14,853.96 SQUARE FEET OF FULTON COUNTY-OWNED RIGHT OF WAY PROPERTY
7 LOCATED AT 7600 COCHRAN ROAD FOR THE PURPOSE REPLACING THE BRIDGE
8 AT THE INTERSECTION OF COCHRAN ROAD AND CAMP CREEK; TO AUTHORIZE
9 THE CHAIRMAN TO EXECUTE A RIGHT OF WAY DEED AND RELATED
10 DOCUMENTS; TO AUTHORIZE THE COUNTY ATTORNEY TO APPROVE THE RIGHT
11 OF WAY DEED AND RELATED DOCUMENTS AS TO FORM; AND FOR OTHER
12 PURPOSES.

13 WHEREAS, Fulton County, Georgia (“Fulton County”) is a political subdivision of the
14 State of Georgia, existing as such under the Constitution, statutes, and laws of the State of
15 Georgia; and

16 WHEREAS, the City of South Fulton (the “City”) desires to improve its roadway
17 system by replacing a bridge and constructing new slopes at the intersection of Cochran
18 Road and Camp Creek, Project No. 0015530 (the “Project”), in the 9C District, Land Lot 49;
19 and

20 WHEREAS, the City has requested that Fulton County donate approximately
21 14,853.96 square feet (equivalent to 0.341 acres) of real property rights via a right of way
22 deed for construction of their planned roadway improvements from within the Fulton
23 County-owned property located at 7600 Cochran Road; and

24 WHEREAS, the Fulton County Department of Real Estate (“DREAM”) has reviewed
25 the proposed the right of way plans and confirmed the subject right of way areas being
26 requested for the Project are within the flood plain and are not necessary for the operations
27 of Fulton County; and

1 **WHEREAS**, it is the recommendation of staff to donate the necessary real property
2 rights to the City for the purpose of completing planned improvements to the roadway
3 system for the residents and visitors to Fulton County; and

4 **WHEREAS**, Fulton County is agreeable to transferring approximately 14,853.96
5 square feet of fee simple property rights to the City for the purpose of replacing the bridge
6 at the intersection of Cochran Road and Camp Creek for the construction and maintaining
7 of slopes as part of the Project to promote efficiency and safety of traffic flow and
8 stormwater management to prevent flooding; and

9 **WHEREAS**, O.C.G.A. § 36-9-3(a)(2)(A) authorizes the granting of rights of ways by
10 a local government to another local government without a competitive process; and

11 **WHEREAS**, pursuant to Fulton County Code § 1-117, the Board of Commissioners
12 has exclusive jurisdiction and control over directing and controlling all the property of the
13 County, as they may deem expedient, according to law.

14 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners hereby
15 approves the transfer of approximately 14,853.96 square feet of County-owned real
16 property to the City of South Fulton, as more particularly described in Exhibit "A", attached
17 hereto, for the purpose of replacing the bridge at Cochran Road at Camp Creek within the
18 City of South Fulton, in the 9C District, Land Lot 49 of Fulton County, Georgia.

19 **BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners is
20 authorized and directed to execute and deliver such appropriate right of way deeds and
21 other necessary documents to the City of South Fulton to complete the transfer of Property.

BE IT FURTHER RESOLVED that prior to the execution of any documents by the Chairman, the County Attorney shall approve any and all documents as to form and make any necessary changes thereto to protect Fulton County's interest.

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

SO PASSED AND ADOPTED, this 1st day of May, 2024.

**FULTON COUNTY
BOARD OF COMMISSIONERS**

Robert L. Pitts, Chairman

ATTEST:

Tonya R. Grier, Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney

Exhibit A

