

1 A RESOLUTION AUTHORIZING THE DONATION OF APPROXIMATELY 1127.42  
2 SQUARE FEET OF RIGHT OF WAY AND 10,923.24 SQUARE FEET OF  
3 TEMPORARY EASEMENT AREAS ON FULTON COUNTY-OWNED REAL  
4 PROPERTY LOCATED AT 575 RIVERSIDE ROAD, ROSWELL, GEORGIA 30075, TO  
5 THE CITY OF ROSWELL FOR THE PURPOSE OF CONSTRUCTING ROADWAY  
6 IMPROVEMENTS; AUTHORIZING THE CHAIRMAN TO EXECUTE THE RIGHT OF  
7 WAY DEED AND ANY RELATED DOCUMENTS; AUTHORIZING THE COUNTY  
8 ATTORNEY TO APPROVE THE RIGHT OF WAY DEED AND ANY RELATED  
9 DOCUMENTS AS TO FORM AND MAKE ANY NECESSARY MODIFICATIONS  
10 THERETO PRIOR TO EXECUTION; AND FOR OTHER PURPOSES.  
11

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

15 WHEREAS, on March 19, 1991, Fulton County acquired fee simple ownership of  
16 the real property and all improvements located at 575 Riverside Road, Roswell, Georgia  
17 ("Property"); and

18 WHEREAS, the Property is subject to an Intergovernmental Agreement  
19 (approved by the Board of Commissioners via Agenda Item 1259 on September 16,  
20 1998) between Fulton County and the City of Roswell, Georgia, entered into December  
21 31, 1998 and as amended August 18, 1999 ("IGA"), which requires the City of Roswell  
22 to operate and maintain Riverside Park at the Property for the residents of and visitors  
23 to Fulton County; and

24 WHEREAS, pursuant to its responsibility under the IGA, the City of Roswell  
25 desires to complete roadway improvements to the Property, including the replacement  
26 of a faulty drainage structure, repairs to the driveway entrance and the installation of  
27 new sidewalks ("Project"), thereby enhancing visitors' experience of Riverside Park and  
28 promoting the efficiency of automotive traffic flow and pedestrian safety in Fulton  
29 County; and

1       **WHEREAS**, the City of Roswell has requested that Fulton County donate  
2   1127.42 square feet of right of way and 10,923.24 square feet of temporary easement  
3   areas necessary to complete the Project; and

4       **WHEREAS**, the Department of Real Estate and Asset Management  
5   recommends that Fulton County donate approximately 1127.42 square feet of right of  
6   way and 10,923.24 square of temporary easement areas to the City of Roswell for the  
7   expressed purpose of facilitating the construction of the Project; and

8       **WHEREAS**, O.C.G.A. § 36-9-3(a)(3) authorizes the granting of rights of ways  
9   without a competitive process, and pursuant to Fulton County Code § 1-117, the Board  
10   of Commissioners has exclusive jurisdiction and control over directing and controlling all  
11   the property of the county, as they may deem expedient, according to law.

12       **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners hereby  
13   approves the donation of approximately 1127.42 square feet of right of way and  
14   10,923.24 square of temporary easement area, as more particularly depicted in Exhibit  
15   “A” attached hereto, for the purpose of the constructing roadway improvements on the  
16   Property.

17       **BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners  
18   is hereby authorized and directed to execute and deliver the Right of Way Deed in  
19   substantially the form attached hereto as Exhibit “B” and any related documents to the  
20   City of Roswell to complete the donation of the Property.

21       **BE IT FURTHER RESOLVED** that, prior to execution of any documents by the  
22   Chairman, the County Attorney shall approve any and all documents as to form and  
23   make any necessary changes thereto to protect Fulton County’s interests.

**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 \_\_\_\_ day of \_\_\_\_\_ 2025.

**FULTON COUNTY BOARD  
OF COMMISSIONERS**

**ATTEST:**

Tonya Grier  
Fulton County Clerk to the Commission

Robert L. Pitts, Chairman (At Large)  
Fulton County Board of Commissioners

**APPROVED AS TO FORM:**

Y. Soo Jo  
County Attorney

Exhibit A

[See Attached]

Exhibit B  
Form of Right of Way Deed