

1 A RESOLUTION BY THE BOARD OF COMMISSIONERS AUTHORIZING THE
2 TRANSFER OF 740.52 SQUARE FEET OF RIGHT OF WAY AND 8,948.97 SQUARE
3 FEET OF TEMPORARY CONSTRUCTION EASEMENT AREAS TO THE CITY OF
4 SOUTH FULTON, GEORGIA, FOR THE PURPOSE OF MAKING ROADWAY
5 IMPROVEMENTS AT 0 STONEWALL TELL ROAD; AUTHORIZING THE CHAIRMAN
6 TO EXECUTE A RIGHT OF WAY DEED, TEMPORARY CONSTRUCTION EASEMENT
7 AGREEMENT AND RELATED DOCUMENTS; AUTHORIZING THE COUNTY
8 ATTORNEY TO APPROVE THE RIGHT OF WAY DEED, TEMPORARY
9 CONSTRUCTION EASEMENT AGREEMENT AND RELATED DOCUMENTS AS TO
10 FORM; AND FOR OTHER PURPOSES.

11
12 **WHEREAS**, Fulton County, Georgia ("Fulton County") is a political subdivision of the
13 State of Georgia, existing as such under the Constitution, statutes, and laws of the State
14 of Georgia; and

15 **WHEREAS**, the City of South Fulton (the "City") desires to improve its roadway
16 system via Project No. OSI 615 (the "Project"), which will require the acquisition of right of
17 way and temporary construction easement areas on Fulton County real property located at
18 0 Stonewall Tell Road, in the 9F District, Land Lots 148 and 149, more particularly
19 described in Exhibit "A", attached hereto, and incorporated herein by this reference, and

20 **WHEREAS**, the City has submitted an offer to acquire the necessary property rights
21 for the sum of One Thousand Two Hundred and 00/00 Dollars (\$1,200.00), which is based
22 on a market value assessment of property values within the area; and

23 **WHEREAS**, it is the recommendation of the Department of Real Estate and Asset
24 Management ("DREAM") that the Fulton County Board of Commissioners accept the offer
25 from the City for the City to purchase for \$1,200.00 right of way and temporary construction
26 easement areas that are necessary to complete planned roadway improvements near the
27 intersection of Stonewall Tell Road and Union Road; and

1 **WHEREAS**, Fulton County is agreeable to selling approximately 740.52 square feet
2 of right of way and a temporary construction easement of approximately 8,948.97 square
3 feet, to the City for the express purpose of constructing roadway improvements and
4 maintaining slopes as part of the Project to promote the efficiency of traffic flow and improve
5 travel safety; and

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

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

12 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners hereby
13 approves the transfer of approximately 740.52 square feet of right of way and a temporary
14 construction easement of approximately 8948.97 square feet of County-owned real
15 property to the City of South Fulton, as more particularly described in Exhibit "A", attached
16 hereto and incorporated herein by reference, for the purpose of constructing roadway
17 improvement and maintaining slopes along Stonewall Tell Road near its intersection with
18 Union Road for the Project located in the City of South Fulton.

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,
21 temporary construction easements and other necessary documents to the City of South
22 Fulton to complete the conveyance of the required property rights.

BE IT FURTHER RESOLVED that prior to 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
1 of 3

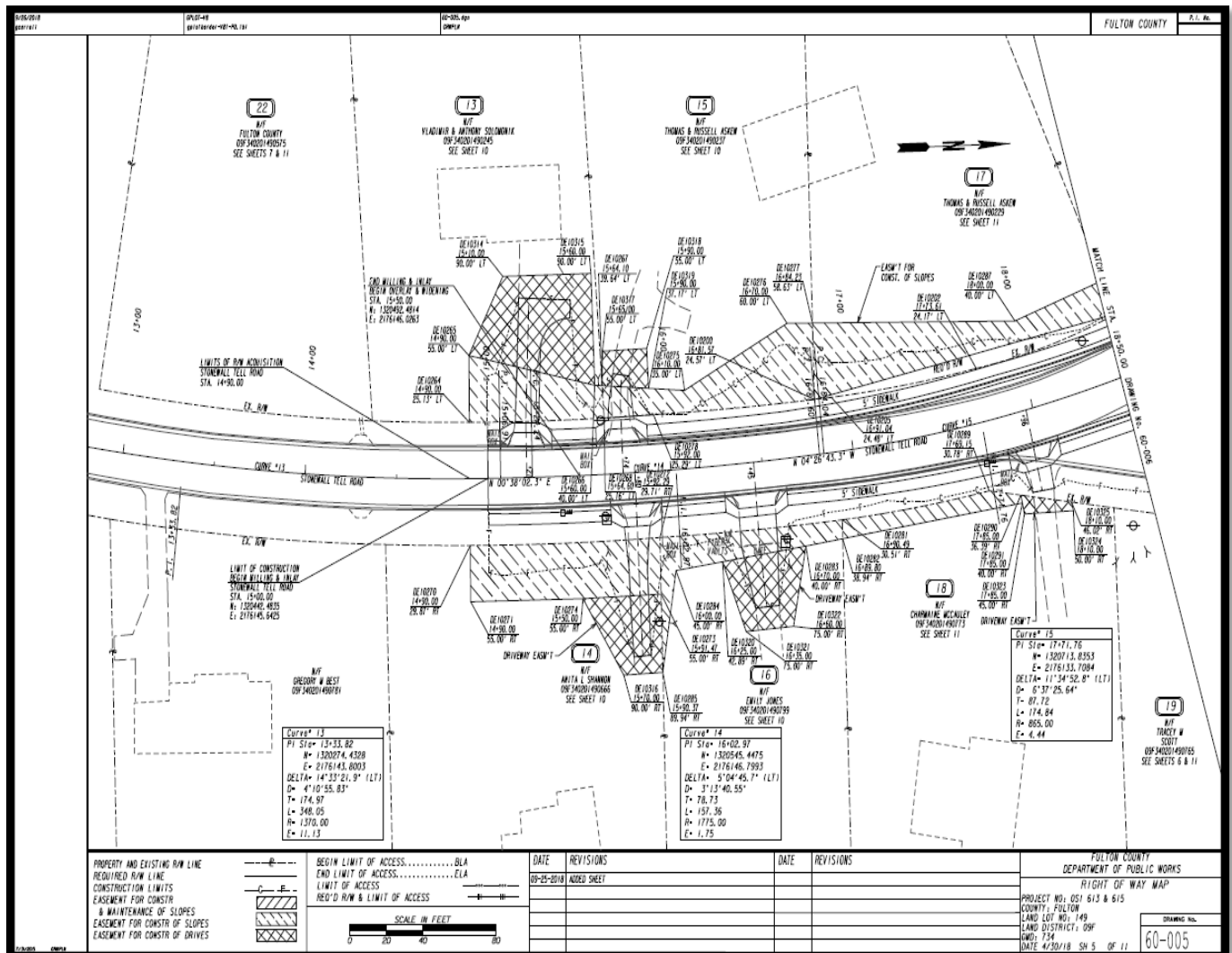


Exhibit A 2 of 3

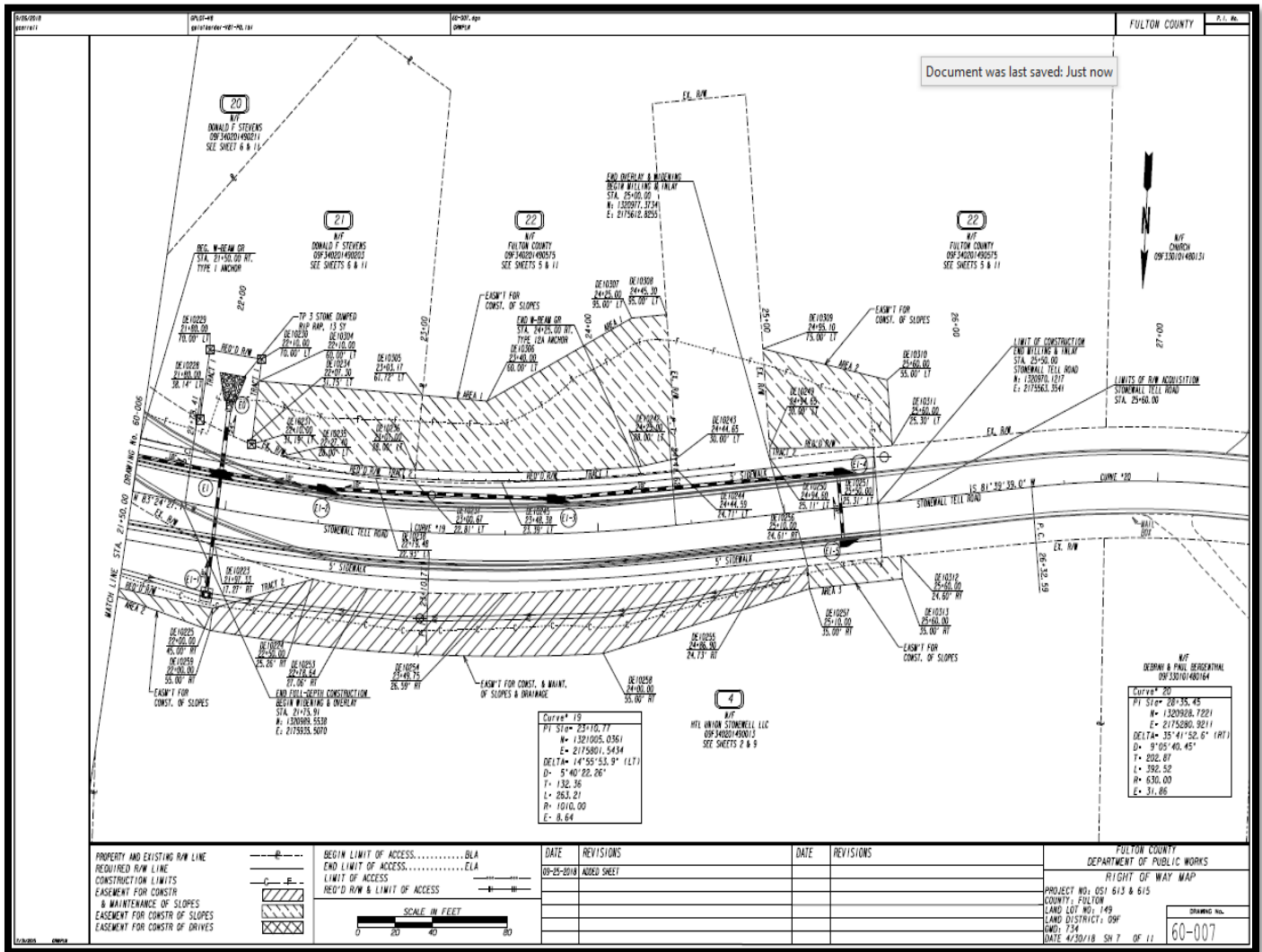


Exhibit A
3 of 3

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