

1 **A RESOLUTION DECLARING CERTAIN FULTON COUNTY-OWNED REAL**
2 **PROPERTY AS SURPLUS AND AUTHORIZING A DIRECT SALE OF THE**
3 **SURPLUS FULTON COUNTY-OWNED REAL PROPERTY TO THE EAST**
4 **POINT HOUSING AUTHORITY, A PUBLIC BODY, CORPORATE AND**
5 **POLITIC; AUTHORIZING THE CHAIRMAN TO EXECUTE ALL DOCUMENTS**
6 **NECESSARY TO ACCOMPLISH THE SALE OF THE SURPLUS PROPERTY;**
7 **AUTHORIZING THE COUNTY ATTORNEY TO APPROVE ALL DOCUMENTS**
8 **AS TO FORM PRIOR TO EXECUTION BY THE CHAIRMAN; AND FOR**
9 **OTHER PURPOSES.**

10

11 **WHEREAS**, Fulton County, Georgia (“Fulton County”) owns certain real
12 property located at 0 Norman Berry Drive, East Point, Georgia, consisting of an
13 unimproved remnant leftover from the realignment of Norman Berry Drive; and

14 **WHEREAS**, a portion of the unimproved remnant of approximately 0.131
15 acres (the “Property”) is needed to complete the renovation of a blighted high rise
16 apartment building by the Housing Authority of the City of East Point, Georgia
17 (“East Point Housing Authority”); and

18 **WHEREAS**, the Property is further described in Exhibit “A,” attached
19 hereto and made a part hereof by reference; and

20 **WHEREAS**, O.C.G.A. § 36-9-2 provides that “the county governing
21 authority shall have the control of all property belonging to the county and may,
22 by order entered on its minutes, direct the disposal of any real property which
23 may lawfully be disposed of and make and execute good and sufficient title
24 thereof on behalf of the county”; and

25 **WHEREAS**, pursuant to O.C.G.A. § 36-9-3(a)(3)(A), Fulton County may
26 declare real property as surplus and convey real property to another
27 governmental entity without first having to offer this real property by bid to a
28 highest responsible bidder; and

1 **WHEREAS**, the East Point Housing Authority, a public body, corporate
2 and politic, has approached Fulton County with a proposal to acquire the
3 Property for ten dollars (\$10.00) to add parking and to provide emergency vehicle
4 turn-around and one-way egress to Connally Drive because the subject property
5 is needed for the redevelopment of the high-rise property, formally known as the
6 Nelms House, located at 1600 Connally Drive, for the completion of planned
7 onsite construction of 88 affordable housing units which will be added to the City
8 of East Point community; and

9 **WHEREAS**, Fulton County and the City of East Point support the East
10 Point Housing Authority in its efforts to remove blighted properties in the City of
11 East Point and supports the redevelopment plan; and

12 **WHEREAS**, the East Point Housing Authority has agreed to pay all costs
13 of the sale including the appraisal, title report and closing attorney fees; and

14 **WHEREAS**, the Fulton County Board of Commissioners finds that it is in
15 the public interest for Fulton County to declare as surplus and sell the Property to
16 the East Point Housing Authority for ten dollars (\$10.00) to benefit the public.

17 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of
18 Commissioners hereby declares the Property to be surplus to the needs of the
19 County and authorizes the sale, conveyance and delivery of the Property to the
20 East Point Housing Authority for the price of ten dollars (\$10.00).

21 **BE IT FURTHER RESOLVED** that the County Attorney is authorized to
22 approve any documents necessary to consummate the sale as to form and to
23 make modifications to such documents prior to execution by the Chairman to

1 protect the interests of the County.

2 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of
3 Commissioners (or Vice-Chairman, in the Chairman's absence) is hereby
4 authorized to execute all documents necessary to accomplish the sale of the
5 Property as authorized by this Resolution.

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

BOARD OF COMMISSIONERS

Robert L. Pitts, Chairman
Fulton County Board of Commissioners

ATTEST:

Tonya R. Grier
Clerk to the Commission

APPROVED AS TO FORM:

Y. Soo Jo, County Attorney