

1 A RESOLUTION APPROVING FULTON COUNTY, GEORGIA'S TRANSFER OF COUNTY-
2 OWNED RIGHT OF WAY AND PROVIDING A TEMPORARY CONSTRUCTION EASEMENT
3 LOCATED AT 1332 METROPOLITAN PARKWAY SW, ATLANTA, GEORGIA TO THE
4 METROPOLITAN ATLANTA RAPID TRANSIT AUTHORITY, FOR THE PURPOSE OF
5 INSTALLING BUS STOP IMPROVEMENTS; AUTHORIZING THE CHAIRMAN TO EXECUTE
6 THE RIGHT OF WAY DEED AND TEMPORARY CONSTRUCTION EASEMENT
7 DECLARATION; AUTHORIZING THE COUNTY ATTORNEY TO APPROVE THE RIGHT OF
8 WAY DEED AND TEMPORARY CONSTRUCTION EASEMENT DECLARATION AS TO FORM
9 AND TO MAKE MODIFICATIONS THERETO PRIOR TO EXECUTION; AND FOR OTHER
10 PURPOSES.

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

15 **WHEREAS**, Fulton County has fee simple ownership of 1332 Metropolitan
16 Parkway SW, Atlanta, Georgia (Tax Parcel ID: 14008800020442) located in the 14th
17 District, Land Lot 88, formally known as the Metropolitan Branch Library and more
18 particularly described in Attachment "A" ("Property") hereto; and

19 **WHEREAS**, the Metropolitan Atlanta Rapid Transit Authority ("MARTA") desires
20 to improve bus stop amenities and safety for patrons at bus stop #124074 located on the
21 Property as part of MARTA's Cleveland Avenue/Metropolitan Parkway Arterial Rapid
22 Transit Project ("Bus Stop Improvement Project"); and

23 **WHEREAS**, the planned Bus Stop Improvement Project will make boarding and
24 exiting buses safer, provide passengers with shelter from inclement weather, reduce
25 traffic congestion, and provide real-time bus arrival information at bus stop #124074; and

26 **WHEREAS**, MARTA and the Fulton County Department of Real Estate and
27 Asset Management ("DREAM") have determined that a transfer of right-of-way and
28 temporary construction easement are required to complete the Bus Stop Improvement
29 Project; and

1 **WHEREAS**, MARTA desires to acquire approximately 272.82 square feet of real
2 property as right of way and 362.50 square feet of temporary construction easement of
3 the Property; and

4 **WHEREAS**, as consideration for the transfer of the real property and temporary
5 construction easement property rights, MARTA has agreed to relocate their planned bus
6 stop improvements to a mutually acceptable location that does not impact primary access
7 to the Metropolitan Branch Library; and

8 **WHEREAS**, the Board of Commissioners finds that it is the best interest of its
9 citizens for Fulton County to transfer approximately 272.82 square feet of right of way
10 and 362.50 square feet of temporary construction easement to MARTA to facilitate the
11 Bus Stop Improvement Project at the Property to avoid adverse impacts to the
12 Metropolitan Branch Library; and

13 **WHEREAS**, O.C.G.A. § 36-9-3(a)(3)(A) authorizes the granting of rights of way
14 without a competitive process, and Fulton County Code § 1-117, gives the Board of
15 Commissioners exclusive jurisdiction and control over directing and controlling all the
16 property of the County, as they may deem expedient, according to law.

17 **NOW THEREFORE BE IT RESOLVED**, that the Board of Commissioners hereby
18 approves the transfer of approximately 272.82 square feet of right of way and 362.50
19 square feet of temporary construction easement area at 1332 Metropolitan Parkway
20 located in the City of Atlanta, in the 14th District, Land Lot 88 of Fulton County, Georgia,
21 as more particularly described in Attachment "A" attached hereto, to the Metropolitan
22 Atlanta Rapid Transit Authority ("MARTA"), for the purpose of facilitating improvements

for bus stop #124074 as part of the Cleveland Avenue/Metropolitan Parkway Arterial Rapid Transit Project.

BE IT FURTHER RESOLVED, that the Chairman of the Board of Commissioners is hereby authorized and directed to execute and deliver to MARTA the right of way deed in substantially the form attached hereto as Attachment "B", and the temporary construction easement declaration in substantially the form attached hereto as Attachment "C", and any other related documents necessary to complete the transfer.

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

ATTEST:

**FULTON COUNTY BOARD
OF COMMISSIONERS**

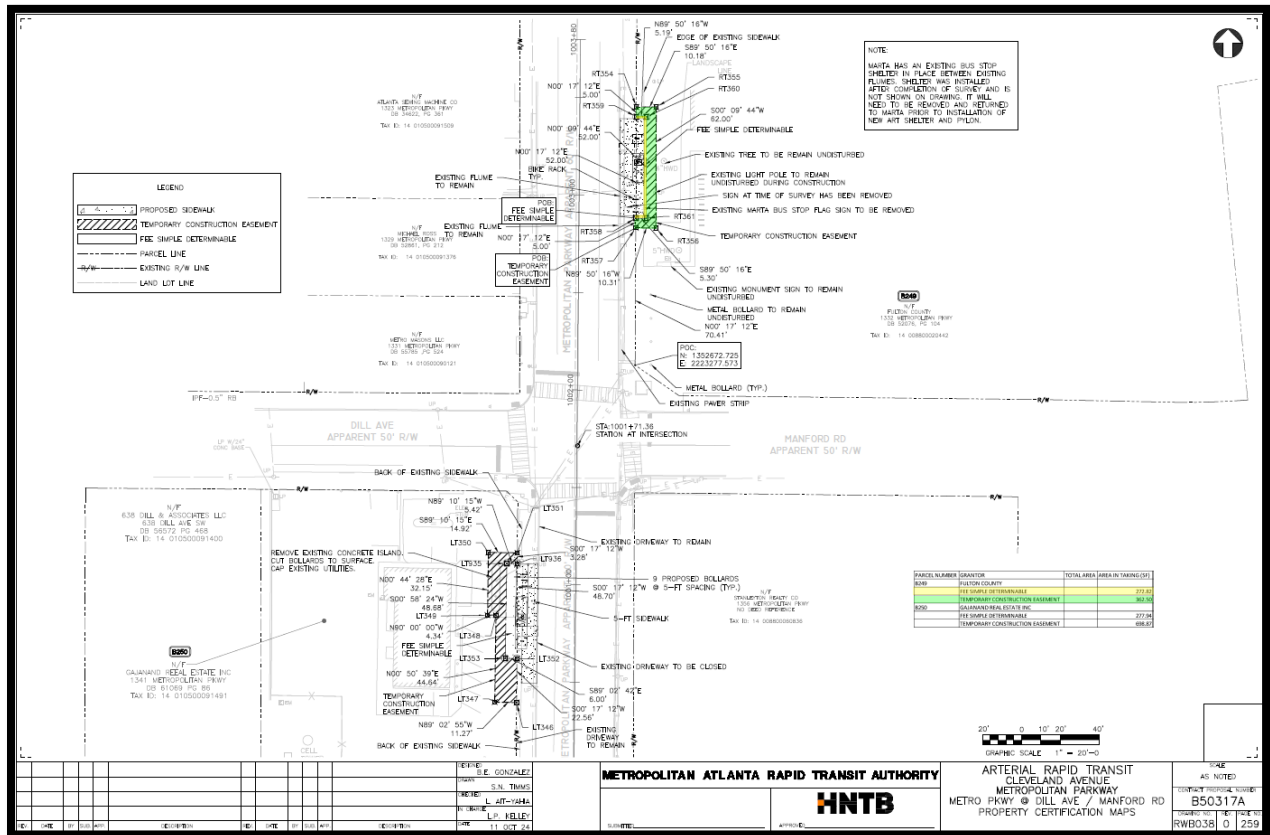
Tonya R. Grier
Clerk to the Commission

Robert L. Pitts, Chairman (At-large)

APPROVED AS TO FORM:

Y. Soo Jo
Office of the County Attorney

ATTACHMENT "A"



ATTACHMENT “B”

Right of Way Deed

ATTACHMENT "C"

Temporary Construction Easement Agreement