

1 A RESOLUTION APPROVING THE CONVEYANCE OF ANY REAL
2 PROPERTY INTERESTS FULTON COUNTY MAY HAVE IN CAMPBELL
3 DRIVE BY WAY OF QUIT CLAIM DEED TO THE CITY OF EAST POINT,
4 GEORGIA FOR THE PURPOSE OF REMOVING A CLOUD ON TITLE
5 ENCUMBERING THE REAL PROPERTY; AUTHORIZING THE CHAIRMAN TO
6 EXECUTE A QUIT CLAIM DEED AND ANY RELATED DOCUMENTS;
7 AUTHORIZING THE COUNTY ATTORNEY TO APPROVE THE QUIT CLAIM
8 DEED AND ANY RELATED DOCUMENTS AS TO FORM AND TO MAKE
9 MODIFICATIONS THERETO TO PROTECT THE COUNTY'S INTERESTS;
10 AND FOR OTHER PURPOSES

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12 WHEREAS, the City of East Point has requested that Fulton County
13 Board of Commissioners execute a quit claim deed to remove a potential cloud
14 on title in the former Campbell Drive right of way, located in Land Lot 13 of the
15 13th District of East Point, Georgia; and

16 WHEREAS, the City of East Point zoning application 2021RZ-001-02
17 includes a portion of the former Campbell Drive and in accordance with the
18 zoning procedures set forth in Part 10, Chapter 2, Article J of the East Point
19 Code of Ordinances governing such procedures for the amendments to the
20 official Zoning Map, zoning application 2021RZ-002-02 was approved by the
21 Mayor and City Council of the City of East Point; and

22 WHEREAS, the planned redevelopment of 4655 Campbell Drive, 4675
23 Campbell Drive, 0 Campbell Drive, Parcel ID #(s) #13 0033 LL0104, #13 0033
24 LL062, #13 0033 LL0187, #13 0033 LL0195, #13 0033 LL0088 consisting of
25 61.00 acres requires the abandonment of right of way for a portion of the former
26 Campbell Drive; and

27 WHEREAS, an independent title examination has indicated that Fulton
28 County may have a real property interest in the right-of-way for Campbell Drive;
29 and

30 **WHEREAS**, pursuant to O.C.G.A. § 36-36-7(c), if a municipality annexes
31 on both sides of a county road right-of-way, the municipality shall assume the
32 ownership, control, care and maintenance of that property unless the county and
33 municipality agree otherwise; and

34 **WHEREAS**, Fulton County land records and title examinations have not
35 located any agreement between Fulton County and the City of East Point
36 regarding Campbell Drive; and

37 **WHEREAS**, the Fulton County Land Division has conducted an
38 examination of the area and has determined that the County's execution of a quit
39 claim deed for the purpose of removing a cloud on title does not interfere with the
40 abutting owners access and the use of the remaining portion of Campbell Drive
41 presently maintained by the City of East Point; and

42 **WHEREAS**, the Fulton County Board of Commissioners deems it to be in
43 the best interests of the citizens of Fulton County to approve the execution of the
44 quit claim deed in substantially the form attached hereto as Exhibit "A," for the
45 purpose of removing a cloud on title.

46 **NOW, THEREFORE, BE IT RESOLVED**, that the Board of
47 Commissioners of Fulton County hereby approves the execution, delivery and
48 recordation of the attached Quit Claim Deed to the City of East Point, Georgia for
49 the purpose of removing a cloud on title, with such quit claim deed of
50 Conveyance being in substantially the same form as Exhibit "A," which is
51 attached hereto and incorporated by reference.

52 **BE IT FURTHER RESOLVED**, that the Chairman of the Board of
53 Commissioners is hereby authorized to execute the Quit Claim Deed after
54 approval as to form by the County Attorney.

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

58 **PASSED AND ADOPTED** by the Board of Commissioners of Fulton
59 County, Georgia, this _____ day of _____, 2022.

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FULTON COUNTY BOARD OF COMMISSIONERS

By: _____
Robert L. Pitts, Chairman

Attest: _____
Tonya R. Grier, Clerk of Commission

APPROVED AS TO FORM

Y. Soo Jo, County Attorney