



Fulton County

Legislation Text

File #: 22-0619, Version: 1

Department

Real Estate and Asset Management

Requested Action

Request approval of a Resolution to convey any real property interests Fulton County may have in Campbell Drive by way of quit claim deed of conveyance to the City of East Point, Georgia for the purpose of removing a cloud on title encumbering the real property; authorizing the Chairman to execute a quit claim deed of conveyance and any related documents; and for other purposes.

(APPROVED UPON ADOPTION OF THE CONSENT AGENDA)

Requirement for Board Action *(Cite specific Board policy, statute or code requirement)*

According to O.C.G.A. § 36-9-2, the Board of Commissioners has control over all property belonging to the County and may, by order entered on its minutes, direct the disposal of any real property which may lawfully be disposed of and make and execute good and sufficient title thereof on behalf of the County.

Strategic Priority Area related to this item *(If yes, note strategic priority area below)*

Open and Responsible Government

Commission Districts Affected

- All Districts ☐
- District 1 ☐
- District 2 ☐
- District 3 ☐
- District 4 ☐
- District 5 ☒
- District 6 ☐

Is this a purchasing item?

No

Summary & Background

The City of East Point has requested that Fulton County execute a quit claim deed to convey any real property interests it may have in a portion of the former Campbell Drive for the purpose of removing any potential cloud on title. In accordance with O.C.G.A. § 36-36-7(c), if a municipality annexes on both sides of a county road right-of-way, the municipality shall assume the ownership, control, care, and maintenance of that property unless the county and municipality agree otherwise.

In conformity with the annexation of the subject area by the City of East Point and by operation of law, the City of East Point acquired real property interests in the existing right of way within the area annexed.

The legal process to remove a cloud on title for the subject right of way requires that the Fulton County Board of Commissioners execute a quitclaim deed that conveys any real property interests Fulton County may have in the subject real property area to the City of East Point.

Community Impact: The approval of this agenda item is a corrective legal matter and will not have any impact on the residents or the adjacent property owners.

Department Recommendation: The Department of Real Estate and Asset Management recommends approval of the resolution to execute a quit claim deed for the purpose of removing a cloud on title and other purposes as may be required.

Project Implications: The Fulton County Board of Commissioners' approval of the resolution to execute a quit claim to remove a cloud on title for a portion of the former Campbell Drive will allow the City of East Point to move forward with a planned redevelopment.

Community Issues/Concerns: None.

Department Issues/Concerns: None.