

RESOLUTION # 2018 - _____

**RESOLUTION TO AUTHORIZE THE ACQUISITION OF
PARCELS OF LAND FOR PUBLIC ROAD RIGHT OF
WAY AND OTHER USES IN LAND LOT 206 OF THE 16TH
LAND DISTRICT OF ROCKDALE COUNTY, GEORGIA
BY NEGOTIATED CONTRACT OR CONDEMNATION
PURSUANT TO PROVISIONS OF TITLES 22 AND 32
OF THE OFFICIAL CODE OF GEORGIA ANNOTATED**

Tax Map Parcel Numbered: 011-0-01-008

WHEREAS, Rockdale County, Georgia, owns and operates public streets, roads, highways and transportation systems for vehicular and pedestrian traffic on behalf of the residents of Rockdale County; and

WHEREAS, various fee simple and easement parcels of real property are needed and necessary for the construction and improvement of certain of said streets, roadways, highways and transportation systems and related equipment and facilities in conjunction with the said systems; and

WHEREAS, various fee simple and easement parcels of real property are needed and necessary for effective and efficient improvements (Klondike Road (CR57) / McDaniel Mill Road (CR62) / Hurst Road Intersection Improvements Project); and

WHEREAS, the above identified parcels of land, or portions thereof, in Land Lot 206 of the 16th District of Rockdale County have been identified as necessary for the construction and improvement of said systems; and

WHEREAS, negotiations to secure a contract or option for the acquisition of the needed property above described are authorized but condemnation of the same may be necessary;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Rockdale County, Georgia as follows:

The Board of Commissioners hereby authorizes the acquisition of the necessary parcel(s) set forth above or portions thereof for street, road and highway projects through negotiation or the

Parcel No. 14

2018-529

use of eminent domain procedures of construction of said project and other related purposes allowed by law.

The Board hereby specifically finds that the circumstances are such that it is necessary that the real property rights as described in this Resolution be acquired by negotiation or condemnation pursuant to the provisions of O.C.G.A. Titles 22 and 32 and the County Attorney and/or his agents and designees are hereby specifically authorized to undertake such proceedings as may be necessary in accordance with the provisions of said Code and the procedures as set out therein.

The resolution shall be effective immediately upon adoption and is herewith adopted this _____ day of _____ 2018.

Rockdale County, Georgia
Board of Commissioners

Osborn Nesbitt, Sr., Chairman

ATTEST:

Sherri L. Washington., Commissioner Post I

Jennifer O. Rutledge, County Clerk/
Director of Legislative Affairs

Dr. Doreen Williams, Commissioner Post II

Approved as to form:

M. Qader A. Baig, County Attorney

EXHIBIT "A"

PROJECT NO.: CSSTP-0006-00(932) Rockdale County
P. I. NO.: 0006932
PARCEL NO.: 14 (Permanent Construction Easement for Slopes and Utilities)
DATE OF R/W PLANS: June 10, 2016
REVISION DATE: August 09, 2018

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 207 of the 4th Land District of Rockdale County, Georgia, being more particularly described as follows:

ALSO, granted is the right to construct and maintain any required slopes and utilities within the easement area shown colored orange on the attached plat.

Beginning at a point 25.75 feet left of and opposite Station 108+68.83 on the construction centerline of McDaniel Mill Rd. on Georgia Highway Project No. CSSTP-0006-00(932); running thence N 41°30'10.6" W a distance of 14.48 feet to a point 39.84 feet left of and opposite station 108+72.16 on said construction centerline laid out for MC DANIEL MILL RD; thence N 35°21'24.0" E a distance of 51.32 feet to a point 39.70 feet left of and opposite station 109+23.48 on said construction centerline laid out for MC DANIEL MILL RD; thence S 41°19'04.7" E a distance of 14.52 feet to a point 25.58 feet left of and opposite station 109+20.10 on said construction centerline laid out for MC DANIEL MILL RD; thence S 35°22'52.1" W a distance of 51.27 feet back to the point of beginning. Containing 0.017 acres more or less.

APPENDIX "B"
TO
EXHIBIT "A"

DESCRIPTION OF PROPERTY TO BE ACQUIRED
PROJECT NO. CSSTP-0006-00(932)

RECORD OWNERS:

Anthony K. Turner
1095 McDaniel Mill Road, SW
Conyers (Rockdale County), GA 30094-5555

Rockdale County Tax Commissioner
969 Pine Street
Conyers, Georgia 30012

Said interests as described on Pages __ and __ of Appendix "A" are for public transportation and other public purposes, as defined by law across and over certain tracts of land located in Land Lot 206 of the 16th Land District of Rockdale County, said tracts of land consisting of approximately .017 acre.

APPENDIX "C" TO EXHIBIT "A"

GEORGIA, COBB COUNTY

Personally comes, MATTHEW J. RAHN, MAI, of Carr, Rahn & Associates, Inc., whose business address is 1770 The Exchange, Suite 230, Atlanta, Georgia 30339, who on oath says:

1. Affiant was employed by the Department of Transportation to appraise Parcel No. **14** of the right of way and rights required for construction of Project No. **CSSTP-0006-00(932)** in **Rockdale** County, Georgia for said Department and makes this sworn statement to be used in connection with condemnation proceedings under the Official Code of Georgia Annotated Sections 32-3-4 through 32-3-19, for the acquisition of said parcel.

2. Affiant is familiar with real estate values in said county and in the vicinity where said parcel is located. Affiant has personally inspected the property or right condemned and in appraising said parcel affiant took into consideration the Fair Market Value of said parcel, as well as any consequential damages to remaining property of the Condemnees by reason of the taking and use of said parcel and other rights for the construction of said project, and any consequential benefits which may result to such remaining property by reason of such taking and use (consequential benefits not, however, considered except as offsetting consequential damages). After said investigation and research, affiant has thus estimated that the just and adequate compensation for said parcel, and any consequential damages or benefits considered, is in the amount of **\$500**.


APPRAISER

Sworn to and subscribed before me,
this 13th day of NOV, 2018.


NOTARY PUBLIC
My commission expires 07/28/22

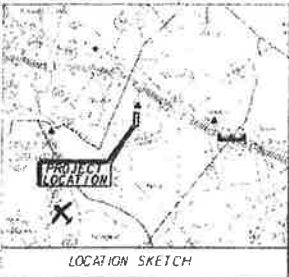


Parcel No. **14**

DEPARTMENT OF TRANSPORTATION ROCKDALE COUNTY

RIGHT OF WAY OF PROPOSED KLONDIKE ROAD (CR 57)/ MCDANIEL MILL ROAD (CR 62)/ HURST ROAD INTERSECTION IMPROVEMENTS

CSSTP-0006-00 (1932)
P.I. NO. 0006932
FEDERAL ROUTE * N/A
STATE ROUTE * N/A



NOTE:
ALL REFERENCES IN THIS DOCUMENT WHICH FOLLOW THE ALL APPLICABLE STATE AND FEDERAL REGULATIONS CONCERNING THE DESIGN OF HIGHWAYS SHALL BE REFERRED TO AS THE "DESIGN MANUAL" OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION. THE DESIGN MANUAL IS THE PROPERTY OF THE ILLINOIS DEPARTMENT OF TRANSPORTATION AND IS LOANED TO YOU BY THE ILLINOIS DEPARTMENT OF TRANSPORTATION. IT IS TO BE RETURNED TO THE ILLINOIS DEPARTMENT OF TRANSPORTATION UPON THE COMPLETION OF YOUR PROJECT.

THIS PROJECT HAS BEEN PREPARED USING THE HORIZONTAL GEOMETRIC DESIGN SYSTEM OF 2004 AND THE VERTICAL GEOMETRIC DESIGN SYSTEM OF 2004.

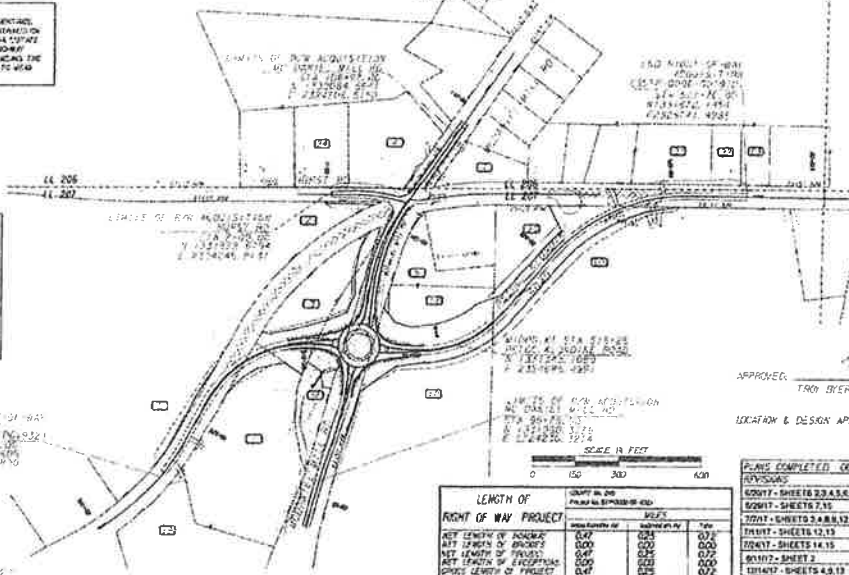
FUNCTIONAL CLASS:
MCDANIEL MILL RD - URBAN COLLECTOR STREET
KLONDIKE RD EAST OF MCDANIEL MILL/HURST ROAD - URBAN MAJOR ARTERIAL STREET

THIS PROJECT IS 100% IN ROCKDALE COUNTY AND IS 100% IN G008-021-0014.

PROJECT DESIGNATION: EXEMPT DESIGN IN ENGLISH UNITS, 100% 40%

THIS PROJECT HAS BEEN PREPARED USING THE HORIZONTAL GEOMETRIC DESIGN SYSTEM OF 2004 AND THE VERTICAL GEOMETRIC DESIGN SYSTEM OF 2004.

THIS PROJECT HAS BEEN DESIGNED TO COMPLY WITH THE REQUIREMENTS OF THE AMERICANS WITH DISABILITIES ACT (ADA).



CONVENTIONAL SIGNS

POST	DESCRIPTION	PLATE	REMARKS
1
2
3
4
5
6
7
8
9
10

CENTRAL POINTS

POST	EASTING	NORTHING	ELEVATION
CP-1	1321812.444	1224117.562	826.181
CP-2	1321814.784	1224115.228	826.243
CP-3	1321816.124	1224112.894	826.305
CP-4	1321818.464	1224110.560	826.367
CP-5	1321820.804	1224108.226	826.429



APPROVED: *[Signature]* 2-20-17
TRON BREER, STATE TRANSPORTATION ADMINISTRATOR DATE

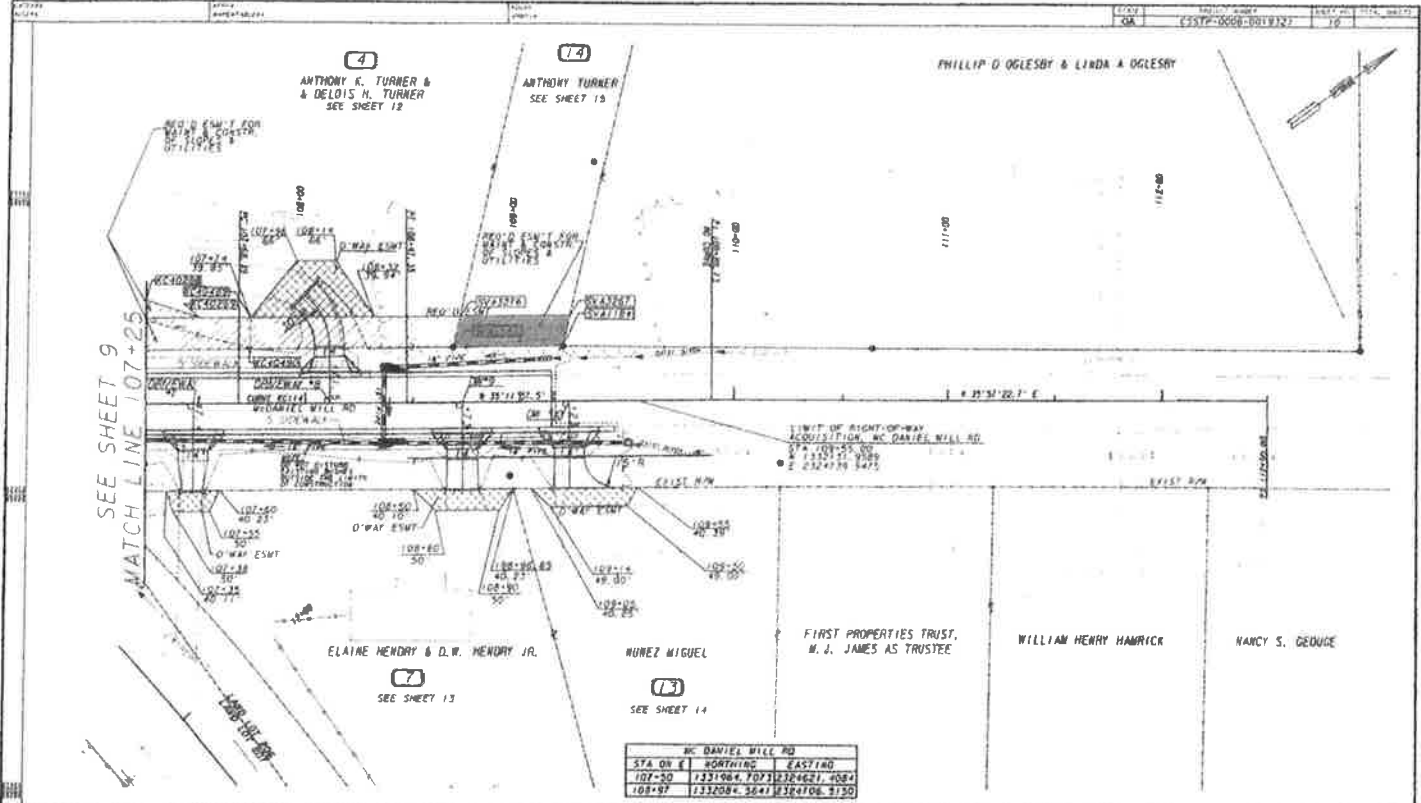
LOCATION & DESIGN APPROVAL DATE: February 16, 2017

LENGTH OF RIGHT OF WAY PROJECT

TYPE	LENGTH (FEET)	PERCENT
NET LENGTH OF PROJECT	0.00	0.0%
NET LENGTH OF EXCEPTS	0.00	0.0%
NET LENGTH OF EXCEPTS	0.00	0.0%
NET LENGTH OF PROJECT	0.00	0.0%

PLANS COMPLETED 00/00%

POST	DESCRIPTION	DATE
1
2
3
4
5
6
7
8
9
10



PROPERTY AND EXISTING R/W LINE REQUIRED R/W LINE CONSTRUCTION LIMITS EASEMENT FOR CONSTR MAINTENANCE OF SLOPES EASEMENT FOR CONSTR OF SLOPES EASEMENT FOR CONSTR OF DRIVES	BEGIN LIMIT OF ACCESS END LIMIT OF ACCESS LIMIT OF ACCESS RED'D R/W & LIMIT OF ACCESS	GEORGIA DEPARTMENT OF TRANSPORTATION	DATE: 8/20/17 REVISIONS: UPDATED PLAN FOR CHANGING CENTER LINE TO A CORNER CONNECTED TO STATION 107+50 AS PART OF EASEMENT 2.	DATE: _____ REVISIONS: _____	STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY PLAN LAND LOT NO. 201 LAND DISTRICT 4 PROJECT NO. CESTP-0006-0019324 COUNTY: MCDONALD SHEL: 476 DATE: 08/10/18 SH 10 OF 15
			DATE: 8/22/18 REVISIONS: ADDED PARCEL 11 WITH DRIVEWAY, DRIVEWAY EASEMENT	DATE: 8/21/18 REVISIONS: UPDATED PARCEL 8, ADDED PAR 4 EASMT, 7 & 4	

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

ROCKDALE COUNTY, GEORGIA)	CIVIL ACTION
)	
Plaintiff/ Condemnor,)	FILE NO. _____
)	
vs.)	
)	
.017 ACRE OF LAND AND CERTAIN)	
EASEMENT RIGHTS; ANTHONY K.)	
TURNER; AND THE ROCKDALE)	
COUNTY TAX COMMISSIONER,)	
INDIVIDUALLY)	
)	
Defendant/ Condemnee,)	

DECLARATION OF TAKING

EXHIBIT "A"

WHEREAS, the Chairman and CEO of the Board of Commissioners of Rockdale County has made and entered an order finding that the circumstances in connection with acquiring certain property for transportation purposes are such that it is necessary to acquire the title, estate or interest in the lands as fully described in said order, a certified copy of which is attached to this Declaration identified as Appendix "A" to Exhibit "A" and made a part hereof, under the Official Code of Georgia Annotated §§ 32-3-4 through §32-3-19; and

WHEREAS, said acquisition is for public transportation and other public purposes upon, across, and over the tract of land in said county, as fully described in the attachment hereto identified as Appendix "B" to Exhibit "A" and made a part hereof; and

WHEREAS, Rockdale County has caused an investigation and report to be made by a competent land appraiser, upon which to estimate the sum of money to be deposited in the Court as just and adequate compensation for the property above referred to, a copy of the appraiser's

sworn statement being attached hereto identified as Appendix "C" to Exhibit "A" and made part hereof; and

WHEREAS, in consequence of the sworn statement, Appendix "C" to Exhibit "A", Rockdale County estimates **\$500.00** as the just and adequate compensation to be paid for said property as fully described in Appendix "A" to Exhibit "A" attached hereto, and now deposited said sum in the Court, to the use of the persons entitled hereto;

NOW, THEREFORE, the premises considered, Rockdale County, under authority of the provisions of Official Code of Georgia Annotated §§ 32-3-4 through § 32-3-19, hereby declares that the property or interest therein as described in Appendix "A" to Exhibit "A" attached to and a part of this Declaration, is taken for public transportation and other public purposes.

This the ____ day of November, 2018

ROCKDALE COUNTY, GEORGIA

BY: _____
Osborn Nesbitt, Sr., Chairman

Attest:

By: _____
Jennifer O. Rutledge, County Clerk

APPENDIX "A"

GEORGIA, ROCKDALE COUNTY

I, **JENNIFER O. RUTLEDGE**, do hereby certify that I am Clerk to the Board of Commissioners of Rockdale County.

I further certify that the foregoing ____ () pages constitute a true and correct exact copy of an Order of the Chairman of the Board of Commissioners of Rockdale County entered on the ____ day of _____, 2018 as same applies to the tract or parcel of land described in said ____ () pages; and the original of said Order is on file at my office at Rockdale County Board of Commissioners, Conyers, Georgia.

Given under my hand and the Seal of Rockdale County, this ____ day of _____, 2018.

JENNIFER O. RUTLEDGE
Clerk, Rockdale County
Georgia

{Rockdale County, Georgia Seal}