

RESOLUTION # 2018 - 13

**RESOLUTION TO AUTHORIZE THE ACQUISITION OF  
PARCELS OF LAND FOR PUBLIC ROAD RIGHT OF  
WAY AND OTHER USES IN LAND LOT(S) 264 OF THE 16<sup>TH</sup>  
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: 041-0-01-016A

**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 (Multi-Use Path along Sigman Road from Lester Road to Irwin Bridge Road – P.I. No. 0012886); and

**WHEREAS**, the above identified parcels of land, or portions thereof, in Land Lot(s) 264 of the 16<sup>th</sup> 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

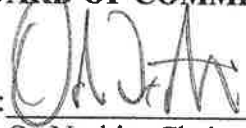
Parcel No. 3


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 11 day of September, 2018.

**ROCKDALE COUNTY, GEORGIA  
BOARD OF COMMISSIONERS**

By:   
Oz Nesbitt, Chairman

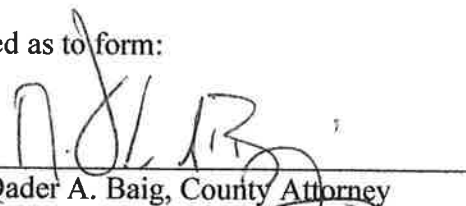
By:   
Sherry L. Washington, Post 1

By:   
Doreen Williams, Ph. D., Post 2

Attest:

By:   
Jennifer O. Rutledge, County Clerk

Approved as to form:

By:   
M. Qader A. Baig, County Attorney

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

ROCKDALE COUNTY, GEORGIA )

CIVIL ACTION

Plaintiff/ Condemnor, )

FILE NO. \_\_\_\_\_

vs. )

.316 ACRE OF LAND AND CERTAIN )  
EASEMENT RIGHTS; ESTATE OF )  
ROBERT BAKER, JR; AND THE )  
ROCKDALE COUNTY TAX )  
COMMISSIONER, )  
INDIVIDUALLY )

Defendant/ Condemnee, )

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**DECLARATION OF TAKING**

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**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 **\$2,260.00** 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 11 day of Sept, 2018

**ROCKDALE COUNTY, GEORGIA**

BY: 

\_\_\_\_\_  
Oz Nesbitt, 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 11 day of September, 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 11 day of September, 2018.



**JENNIFER O. RUTLEDGE**  
Clerk, Rockdale County  
Georgia



EXHIBIT "A"

PROJECT NO.: 0012886 Rockdale County  
PARCEL NO.: 3  
DATE OF R/W PLANS: February 14, 2017  
REVISION DATE: Sheet Nos. 4 and 5, November 24, 2017

Page 1 of 2

REQUIRED RIGHT OF WAY

All that tract or parcel of land lying and being in Land Lot 264 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 75.00 feet left of and opposite Station 1104+91.74 on the construction centerline of Sigman Road on Georgia Highway Project No. 0012886; running thence S 88°31'32.5" E a distance of 259.62 feet to a point 75.00 feet left of and opposite station 1107+51.36 on said construction centerline laid out for Sigman Road; thence S 0°55'27.6" W a distance of 33.85 feet to a point 41.16 feet left of and opposite station 1107+51.69 on said construction centerline laid out for Sigman Road; thence N 87°18'09.5" W a distance of 259.73 feet to a point 46.70 feet left of and opposite station 1104+92.02 on said construction centerline laid out for Sigman Road; thence N 0°54'54.4" E a distance of 28.30 feet back to the point of beginning.

Containing 0.185 acres more or less. (8,067.08 sf)

EXHIBIT "A"

PROJECT NO.: 0012886 Rockdale County  
PARCEL NO.: 3  
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PERMANENT EASEMENT FOR THE CONSTRUCTION AND  
MAINTENANCE OF SLOPES

All that tract or parcel of land lying and being in Land Lot 264 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 95.00 feet left of and opposite Station 1104+91.54 on the construction centerline of Sigman Road on Georgia Highway Project No. 0012886; running thence S 88°31'32.5" E a distance of 108.46 feet to a point 95.00 feet left of and opposite station 1106+00.00 on said construction centerline laid out for Sigman Road; thence N 88°36'42.8" E a distance of 100.12 feet to a point 100.00 feet left of and opposite station 1107+00.00 on said construction centerline laid out for Sigman Road; thence S 88°31'32.5" E a distance of 51.12 feet to a point 100.00 feet left of and opposite station 1107+51.12 on said construction centerline laid out for Sigman Road; thence S 0°55'27.6" W a distance of 25.00 feet to a point 75.00 feet left of and opposite station 1107+51.36 on said construction centerline laid out for Sigman Road; thence N 88°31'32.5" W a distance of 259.62 feet to a point 75.00 feet left of and opposite station 1104+91.74 on said construction centerline laid out for Sigman Road; thence N 0°54'54.4" E a distance of 20.00 feet back to the point of beginning.

Containing 0.131 acres more or less. (5,698.17 sf)

**APPENDIX "B"**  
**TO**  
**EXHIBIT "A"**

DESCRIPTION OF PROPERTY TO BE ACQUIRED  
PROJECT NO. 0012886

RECORD OWNERS:

Ronald Daniel Baker, Jr.  
c/o Albert A. Myers, III, Esq.  
884 Green Street, SW  
Conyers (Rockdale County), GA 30012-5308

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(s) 264 of the 16<sup>th</sup> Land District of Rockdale County, said tracts of land consisting of approximately .316 acres.



APPENDIX "C" TO EXHIBIT "A"

GEORGIA, FORSYTH COUNTY

Personally comes H. Chris Causey, residing 1750 Trellis Place, Alpharetta, Forsyth County, Georgia, 30004.

1. Affiant was employed by the Department of Transportation to appraise the property owned by Robert Baker, Jr., Parcel 3, consisting of 8,067.08 square feet of Required Right of Way and 5,698.17 square feet of Permanent Easement for the Construction of Slopes required for the proposed Multi-Use Path along Sigman Road from Lester Road to Irwin Bridge Road, improvement project, Project Number #0012886 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 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 considered, is in the amount of \$2,260.00

*H. Chris Causey*

H. Chris Causey  
GA CERT. R.E. Appraiser No. 250075

Sworn to and subscribed before me,  
This 17 day of April, 2018,

Diane Beidl  
NOTARY PUBLIC

My commission expires \_\_\_\_\_



Parcel No 3

EXHIBIT "A"

PROJECT NO.: 0012886 Rockdale County  
PARCEL NO.: 3  
DATE OF R/W PLANS: February 14, 2017  
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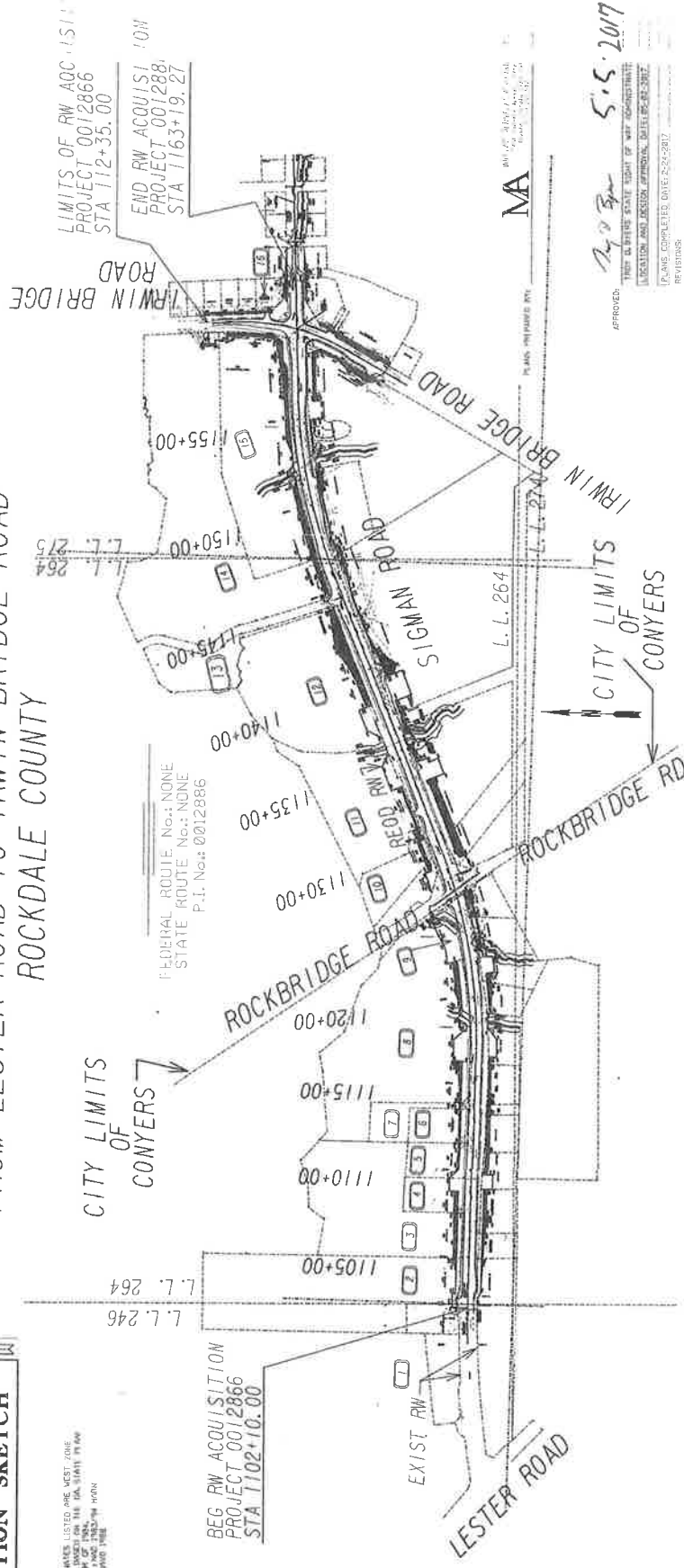
# DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

## RIGHT OF WAY OF PROPOSED MULTI-USE PATH ALONG SIGMAN RD FROM LESTER ROAD TO IRWIN BRIDGE ROAD ROCKDALE COUNTY



**LOCATION SKETCH**

SHOW THE DISTRICTS LISTED ARE WEST ZONE  
AND DISTRICTS LISTED ARE EAST ZONE  
AND DISTRICTS LISTED ARE WEST ZONE  
AND DISTRICTS LISTED ARE EAST ZONE



COUNTY NUMBER 127	PROJECT NUMBER
LENGTH OF RIGHT OF WAY PROJECT	1157
NET LENGTH OF RIGHT OF WAY	1157
NET LENGTH OF EXCEPTIONS	0.00
GROSS LENGTH OF RIGHT OF WAY	1157



**PROJECT NUMBER 0012886**  
**ROCKDALE COUNTY**

**LAND DISTRICT 16**

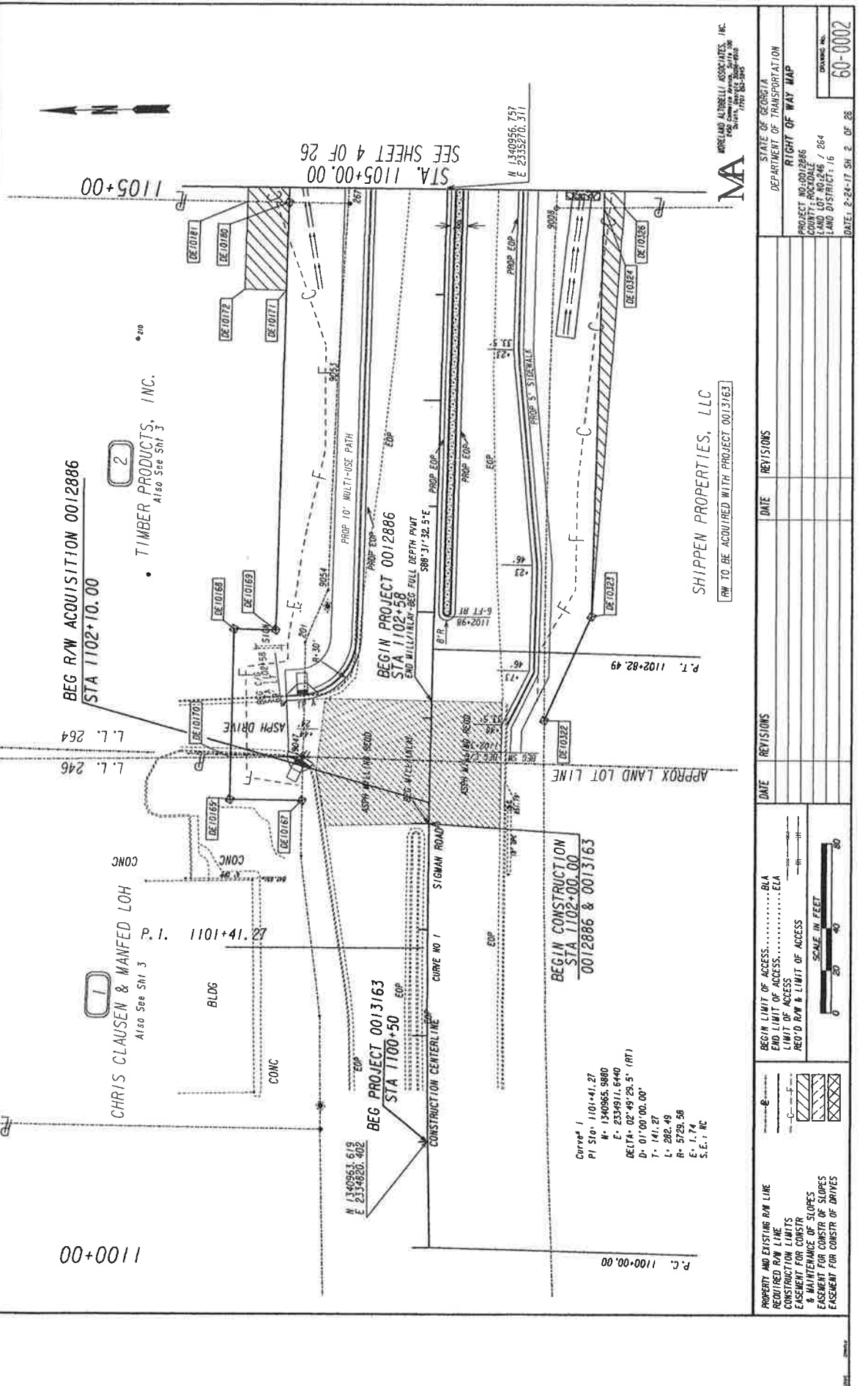
APPROVED: *[Signature]* 5.5.2017

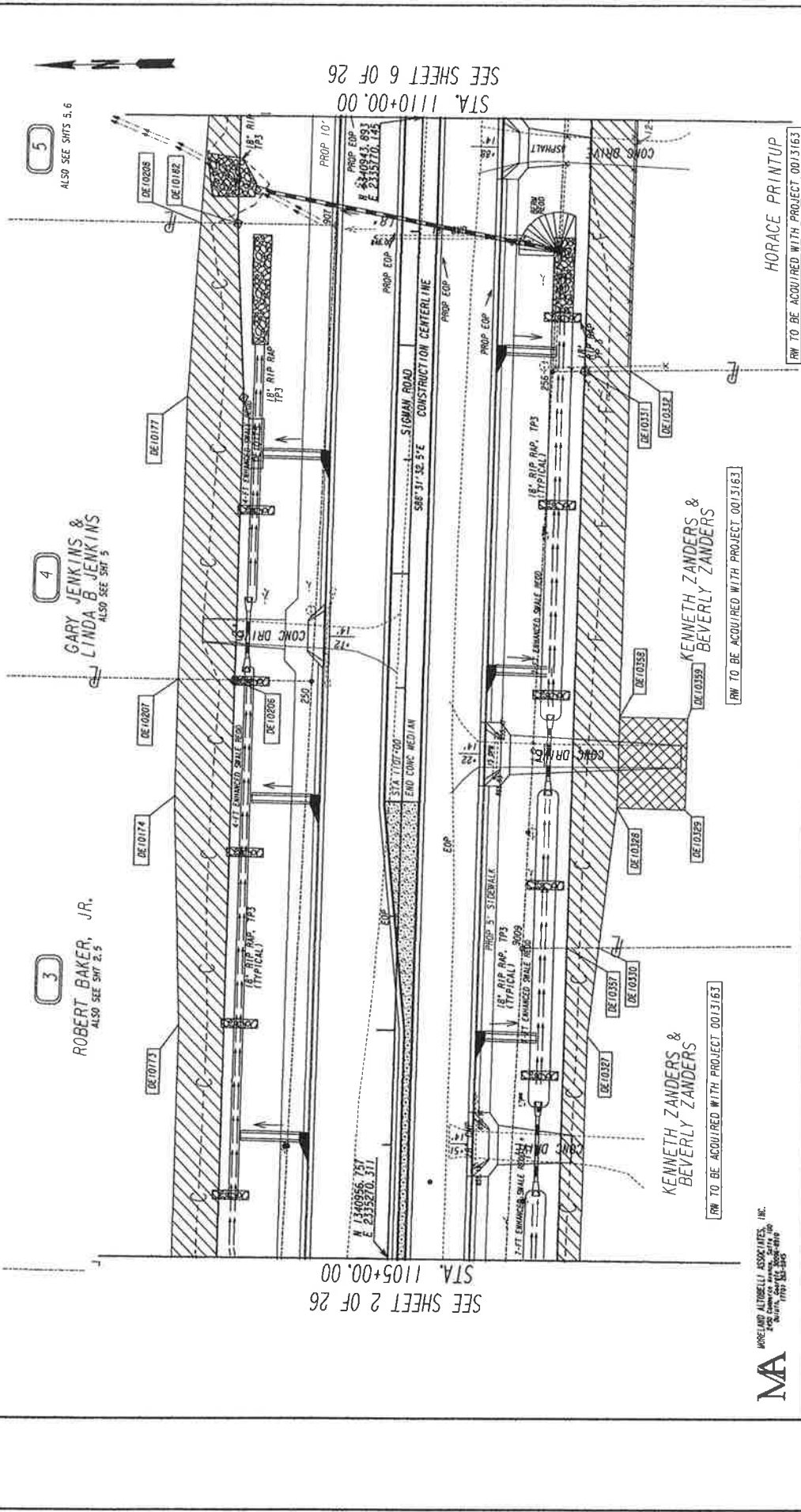
THIS DRAWING STATE RIGHT OF WAY ADMINISTRATION LOCATION AND DESIGN APPROVAL DATE: 05-05-2017

PLANS COMPLETED DATE: 05-05-2017

REVISIONS:

NO.	DATE	DESCRIPTION
1	05-05-2017	ISSUE FOR BIDDING
2	05-05-2017	ISSUE FOR BIDDING
3	05-05-2017	ISSUE FOR BIDDING
4	05-05-2017	ISSUE FOR BIDDING
5	05-05-2017	ISSUE FOR BIDDING
6	05-05-2017	ISSUE FOR BIDDING
7	05-05-2017	ISSUE FOR BIDDING
8	05-05-2017	ISSUE FOR BIDDING
9	05-05-2017	ISSUE FOR BIDDING
10	05-05-2017	ISSUE FOR BIDDING





DATE	REVISIONS	DATE	REVISIONS
11-24-17	REV R/W PAR 1.5		

PROPERTY AND EXISTING R/W LINE	..... B/LA
REQUIRED R/W LINE	..... E/LA
CONSTRUCTION LIMITS	.....
EASEMENT FOR CONSTR & MAINTENANCE OF SLOPES	.....
EASEMENT FOR CONSTR OF SLOPES	.....
EASEMENT FOR CONSTR OF DRAVES	.....

SCALE IN FEET  
 0 20 40 60 80



KENNETH ZANDERS & BEVERLY ZANDERS  
 RW TO BE ACQUIRED WITH PROJECT 0013163

KENNETH ZANDERS & BEVERLY ZANDERS  
 RW TO BE ACQUIRED WITH PROJECT 0013163

HORACE PRINTUP  
 RW TO BE ACQUIRED WITH PROJECT 0013163

3  
 ROBERT BAKER, JR.  
 ALSO SEE SHIT 2, 5

4  
 GARY JENKINS & LINDA B JENKINS  
 ALSO SEE SHIT 5

5  
 ALSO SEE SHITS 5, 6

SEE SHEET 2 OF 26  
 STA. 1105+00.00

SEE SHEET 6 OF 26  
 STA. 1110+00.00

