

RESOLUTION # 2018 - 14

**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: 041-0-01-0016

**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. 9

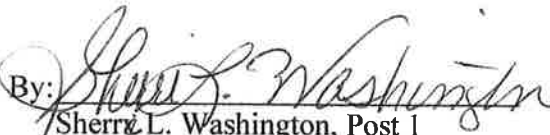
use of eminent domain procedures of construction of said project and other related purposes allowed by law.

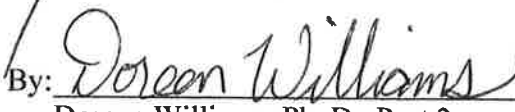
The Board hereby specifically finds that the circumstances are such that it is necessary that the real property rights as described in this Resolution be acquired by negotiation or condemnation pursuant to the provisions of O.C.G.A. Titles 22 and 32 and the County Attorney and/or his agents and designees 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

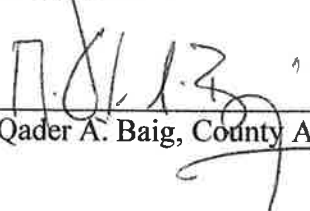
By:   
Sherry L. Washington, Post 1

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 )  
 )  
 Plaintiff/ Condemnor, )  
 )  
 vs. )  
 )  
 .598 ACRE OF LAND AND CERTAIN )  
 EASEMENT RIGHTS; ESTATE OF )  
 ROBERT BAKER, JR; AND THE )  
 ROCKDALE COUNTY TAX )  
 COMMISSIONER, )  
 INDIVIDUALLY )  
 )  
 Defendant/ Condemnee, )

CIVIL ACTION

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

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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 **\$26,100.00** 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 September, 2018

**ROCKDALE COUNTY, GEORGIA**

BY:   
Oz Nesbitt, Chairman

Attest:

By: 

Jennifer O. Rutledge, County Clerk

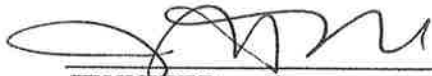
APPENDIX "A"

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

{Rockdale County Georgia Seal}



EXHIBIT "A"

PROJECT NO.: 0012886 Rockdale County  
PARCEL NO.: 9  
DATE OF R/W PLANS: February 14, 2017  
REVISION DATE: N/A

Page 1 of 1

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 187.36 feet left of and opposite Station 1125+04.33 on the construction centerline of Sigman Road on Georgia Highway Project No. 0012886; running thence S 32°43'32.7" E a distance of 8.36 feet to a point 179.40 feet left of and opposite station 1125+07.06 on said construction centerline laid out for Sigman Road; thence S 11°54'48.1" W a distance of 144.71 feet to a point 49.53 feet left of and opposite station 1124+40.59 on said construction centerline laid out for Sigman Road; thence southwesterly 211.32 feet along the arc of a curve (said curve having a radius of 2800.60 feet and a chord distance of 211.27 feet on a bearing of S 77°13'59.0" W) to the point 44.82 feet left of and opposite station 1122+25.83 on said construction centerline laid out for Sigman Road; thence N 17°30'24.1" W a distance of 95.26 feet to a point 139.09 feet left of and opposite station 1122+11.67 on said construction centerline laid out for Sigman Road; thence N 80°04'00.5" E a distance of 92.46 feet to a point 138.90 feet left of and opposite station 1123+08.78 on said construction centerline laid out for Sigman Road; thence N 62°21'14.5" E a distance of 190.77 feet back to the point of beginning.

Containing 0.598 acres more or less. (26,051.47 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 0.598 acre.


APPENDIX "C" TO EXHIBIT "A"

GEORGIA, FULTON COUNTY

Personally comes Michael Yee, residing at 5650 Timson Lane, Johns Creek, Ga, Fulton County, Georgia 30022.

1. Affiant was employed by the Department of Transportation to appraise the property owned by Robert Baker, Jr., Parcel 9, consisting of 26,051.47 square feet of Required Right of Way 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. Affiant 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 \$26,100.00

  
Michael Yee  
GA CERT. R.E. Appraiser No. 250075

Sworn to and subscribed before me,  
This 12 day of April, 2018,

Diane Beidl  
NOTARY PUBLIC

My commission expires



Parcel No. 9



EXHIBIT "A"

PROJECT NO.: 0012886 Rockdale County  
PARCEL NO.: 9  
DATE OF R/W PLANS: February 14, 2017  
REVISION DATE: N/A

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# DEPARTMENT OF TRANSPORTATION STATE OF GEORGIA

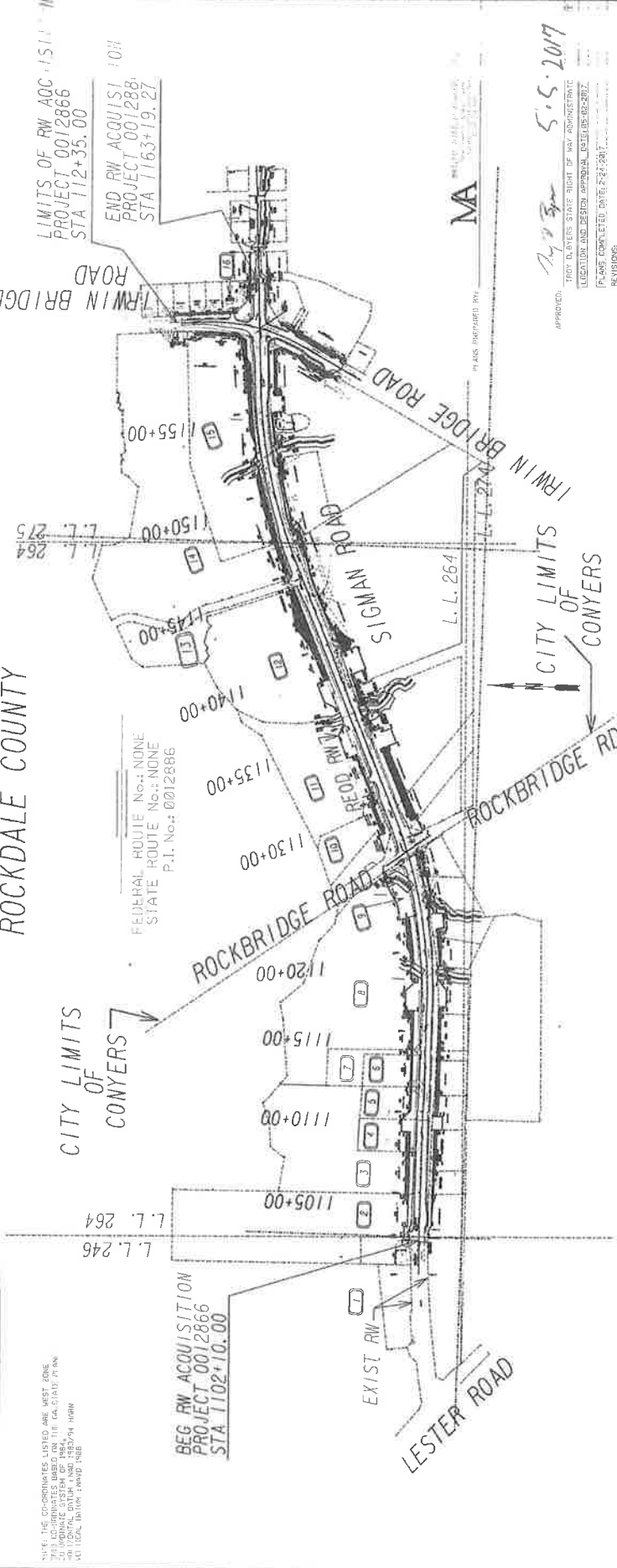
## RIGHT OF WAY OF PROPOSED MULTI-USE PATH ALONG SIGMAN RD FROM LESTER ROAD TO IRWIN BRIDGE ROAD ROCKDALE COUNTY

STATE OF GEORGIA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE CHIEF ENGINEER

CONVENTIONAL SIGNS

STATE OR COUNTY LINE  
LAND LOT LINE  
PROPERTY LINE  
SUPPORT OF TRAIL LINE  
RIGHT OF WAY LINE  
LIMIT OF ACCESS  
LIMIT OF TRAVEL  
SIGNAL  
SIDEWALK  
POWER LINE  
TELEPHONE LINE  
LIGHT POLE

REQUIRED  
EXISTING  
BY ACCESS  
BY TRAVEL



PROJECT NUMBER: 0012886  
COUNTY: ROCKDALE COUNTY  
LAND DISTRICT: 16

NET LENGTH OF RIGHT OF WAY: 1.107 MILES  
NET LENGTH OF BRIDGES: 0.000 MILES  
GROSS LENGTH OF RIGHT OF WAY: 1.107 MILES

DATE COMPLETED: 03/16/2017

PROJECT NUMBER: 0012886  
COUNTY: ROCKDALE COUNTY  
LAND DISTRICT: 16

NET LENGTH OF RIGHT OF WAY: 1.107 MILES  
NET LENGTH OF BRIDGES: 0.000 MILES  
GROSS LENGTH OF RIGHT OF WAY: 1.107 MILES

PROJECT NUMBER: 0012886  
COUNTY: ROCKDALE COUNTY  
LAND DISTRICT: 16

NET LENGTH OF RIGHT OF WAY: 1.107 MILES  
NET LENGTH OF BRIDGES: 0.000 MILES  
GROSS LENGTH OF RIGHT OF WAY: 1.107 MILES

PROJECT NUMBER: 0012886  
COUNTY: ROCKDALE COUNTY  
LAND DISTRICT: 16

NET LENGTH OF RIGHT OF WAY: 1.107 MILES  
NET LENGTH OF BRIDGES: 0.000 MILES  
GROSS LENGTH OF RIGHT OF WAY: 1.107 MILES

PROJECT NUMBER: 0012886  
COUNTY: ROCKDALE COUNTY  
LAND DISTRICT: 16

NET LENGTH OF RIGHT OF WAY: 1.107 MILES  
NET LENGTH OF BRIDGES: 0.000 MILES  
GROSS LENGTH OF RIGHT OF WAY: 1.107 MILES



