

RESOLUTION # 2018 - 22

**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 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: 041-0-01-016G

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 (Widening of Sigman Road from Lester Road to Irwin Bridge Road – P.I. No. 0013163); and

WHEREAS, the above identified parcels of land, or portions thereof, in Land Lot(s) 264 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

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.

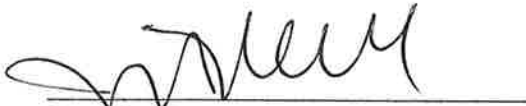
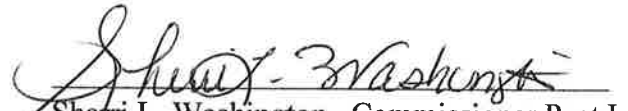

The resolution shall be effective immediately upon adoption and is herewith adopted this 9th day of October 2018.

Rockdale County, Georgia
Board of Commissioners



Osborn Nesbitt, Sr., Chairman

ATTEST:


Jennifer O. Rutledge, County Clerk/
Director of Legislative Affairs
Sherri L. Washington., Commissioner Post I
Dr. Doreen Williams, Commissioner Post II

Approved as to form:

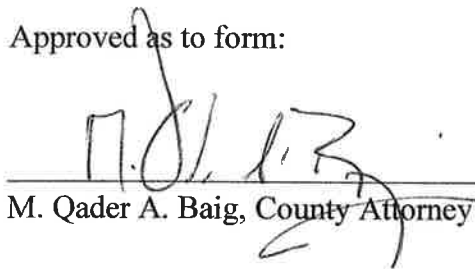

M. Qader A. Baig, County Attorney

EXHIBIT "A"

PROJECT NO.: 0013163 Rockdale County
PARCEL NO.: 4
DATE OF R/W PLANS: February 24, 2017
REVISION DATE: Sheet Nos. 4 and 5 September 22, 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 60.98 feet right of and opposite Station 1108+90.21 on the construction centerline of Sigman Road on Georgia Highway Project No. 0013163; running thence S 87°20'13.1" E a distance of 209.51 feet to a point 65.33 feet right of and opposite station 1110+99.67 on said construction centerline laid out for Sigman Road; thence S 0°39'17.8" E a distance of 9.68 feet to a point 75.00 feet right of and opposite station 1111+00.03 on said construction centerline laid out for Sigman Road; thence N 88°31'32.5" W a distance of 125.03 feet to a point 75.00 feet right of and opposite station 1109+75.00 on said construction centerline laid out for Sigman Road; thence N 88°31'32.5" W a distance of 84.27 feet to a point 75.00 feet right of and opposite station 1108+90.73 on said construction centerline laid out for Sigman Road; thence N 0°38'32.3" W a distance of 14.03 feet back to the point of beginning.

Containing 0.057 acres more or less. (2,479.45 sf)

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PERMANENT EASEMENT FOR THE CONSTRUCTION
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 75 feet right of and opposite Station 1111+00.03 on the construction centerline of Sigman Road on Georgia Highway Project No. 0013163; running thence S 0°39'17.8" E a distance of 20.01 feet to a point 95.00 feet right of and opposite station 1111+00.77 on said construction centerline laid out for Sigman Road; thence N 88°31'32.5" W a distance of 209.31 feet to a point 95.00 feet right of and opposite station 1108+91.47 on said construction centerline laid out for Sigman Road; thence N 0°38'32.3" W a distance of 20.01 feet to a point 75.00 feet right of and opposite station 1108+90.73 on said construction centerline laid out for Sigman Road; thence S 88°31'32.5" E a distance of 209.30 feet back to the point of beginning.

Containing 0.096 acres more or less. (4,186.08 sf)

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

ROCKDALE COUNTY, GEORGIA)
)
Plaintiff/ Condemnor,)
)
vs.)
)
.153 ACRE OF LAND AND CERTAIN)
EASEMENT RIGHTS; HORACE)
PRINTUP; AND THE ROCKDALE)
COUNTY TAX COMMISSIONER,)
INDIVIDUALLY,)
)
Defendant/ Condemnee,)

CIVIL ACTION

FILE NO. _____

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 **\$20,000.00** 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 9th day of October, 2018

ROCKDALE COUNTY, GEORGIA

BY: 

Oz Nesbitt, Chairman

Attest:

By: 

Jennifer O. Rutledge, County Clerk

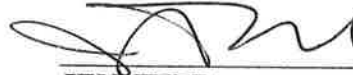
APPENDIX "A"

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 9th day of October, 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 9th day of October, 2018.



JENNIFER O. RUTLEDGE
Clerk, Rockdale County
Georgia

{Rockdale County, Georgia Seal}



APPENDIX "B"
TO
EXHIBIT "A"

DESCRIPTION OF PROPERTY TO BE ACQUIRED
PROJECT NO. 0013163

RECORD OWNERS:

Mr. Horace Printup
1570 NW Sigman Road
Conyers, Georgia 30012

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 16th Land District of Rockdale County, said tracts of land consisting of approximately .153 acres.


APPENDIX "C" TO EXHIBIT "A"

GEORGIA, FULTON COUNTY

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

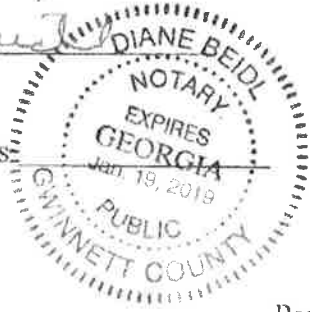
1. Affiant was employed by the Department of Transportation to appraise the property owned by Horace Printup, Parcel 4, consisting of 2,479.45 square feet of Required Right of Way and 4,186.08 square feet of Permanent Easement for the Construction and Maintenance of Slopes required for the proposed Widening of Sigman Road from Lester Road to Irwin Bridge Road, improvement project, Project Number #0013163 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 \$20,000.00


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

Sworn to and subscribed before me,
This 19 day of July, 2018,

Diane Beidl
NOTARY PUBLIC
My commission expires: Jan. 19, 2019



Parcel No. 4

EXHIBIT "A"

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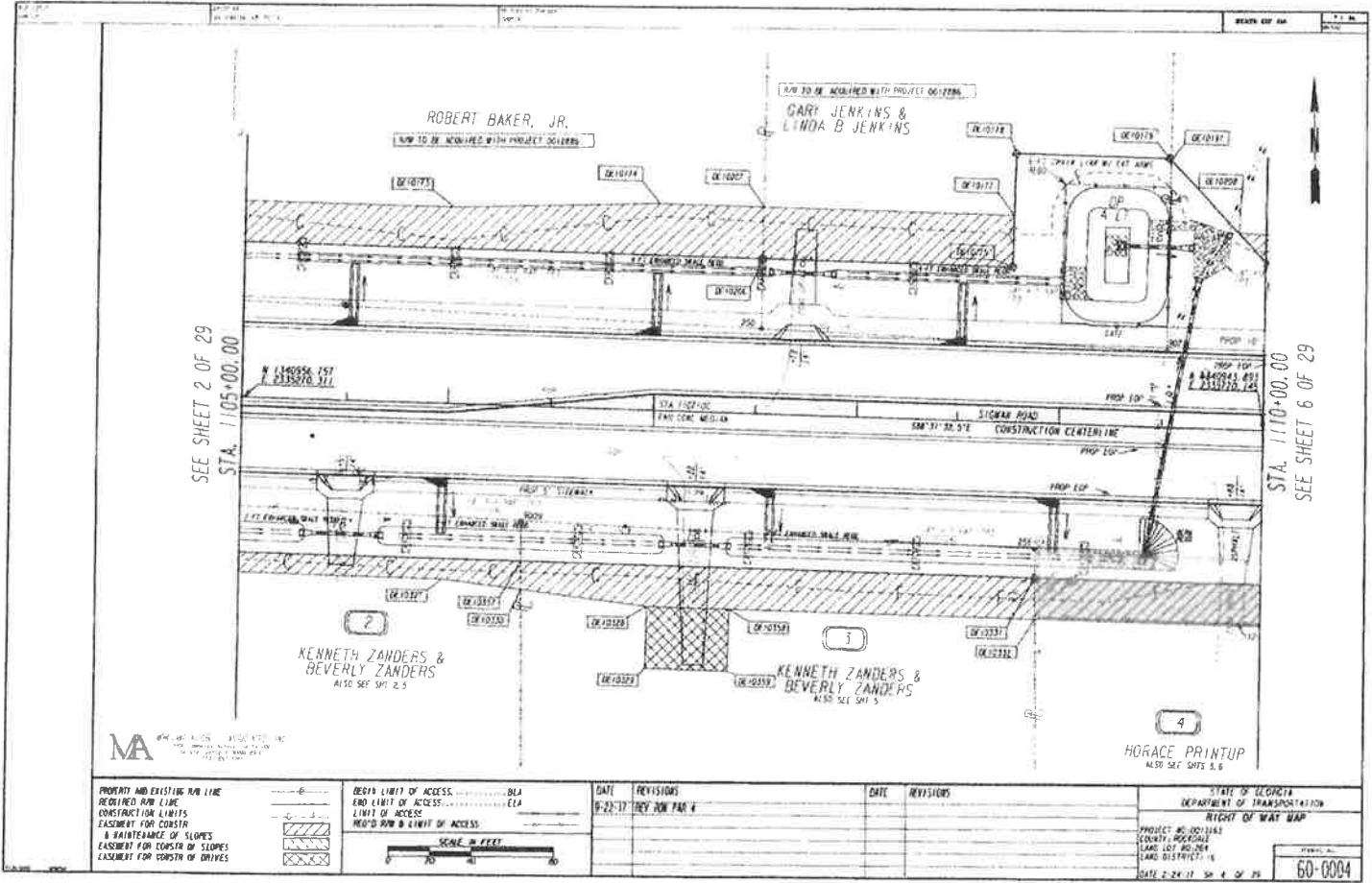
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SEE SHEET 2 OF 29
STA. 1105+00.00

STA. 1110+00.00
SEE SHEET 6 OF 29



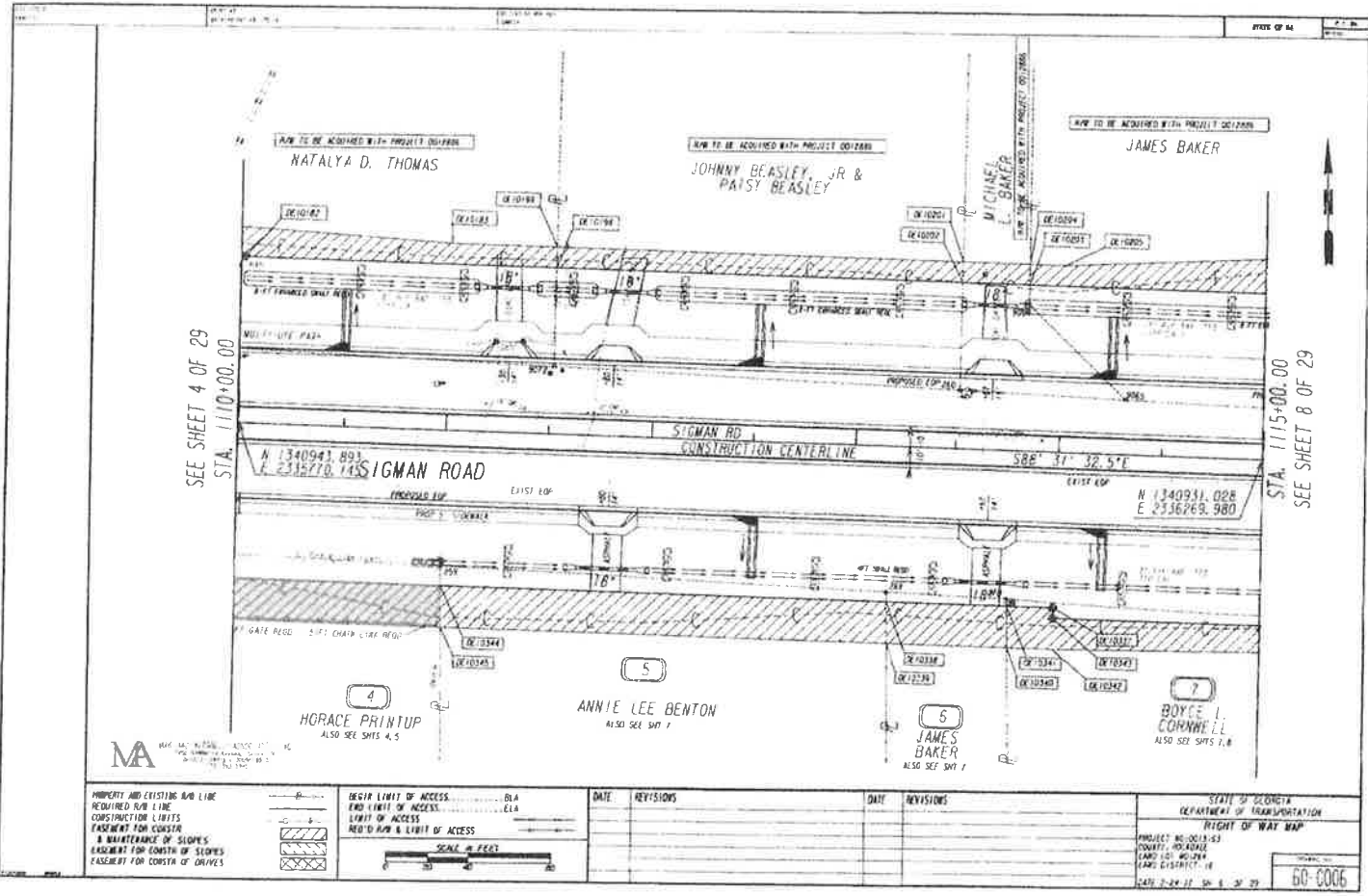
PROPERTY AND EXISTING ROW LINE
REQUIRED ROW LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONSTRUCTION
& MAINTENANCE OF SLOPES
EASEMENT FOR CONSTRUCTION OF SLOPES
EASEMENT FOR CONSTRUCTION OF DRIVES

DEVELOPER LIMIT OF ACCESS
END LIMIT OF ACCESS
LIMIT OF ACCESS
REQUIRED ROW & LIMIT OF ACCESS



DATE	REVISIONS	DATE	REVISIONS
8-23-17	REV ROW PAR 4		

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO. 2013163
COUNTY: DEKALB
LAND LOT NO. 204
LAND DISTRICT: 14
DATE: 2-24-17 30' 4" OF 25'
60-0004



SEE SHEET 4 OF 29
STA. 1110+00.00

STA. 1115+00.00
SEE SHEET 8 OF 29

MA
MAY 14, 1970
REGISTERED PROFESSIONAL ENGINEER
NO. 10000
STATE OF GEORGIA
CIVIL ENGINEER

PROPERTY AND EXISTING AND LINE
REQUIRED ROW LINE
CONSTRUCTION LIMITS
EASEMENT FOR CONDUIT
& MAINTENANCE OF SLOPES
BASEMENT FOR CONDUIT OF SLOPES
EASEMENT FOR CONDUIT OF DRAINAGE



BEGIN LIMIT OF ACCESS B/LA
END LIMIT OF ACCESS E/LA
LIMIT OF ACCESS
ROW & LIMIT OF ACCESS
SCALE IN FEET

DATE	REVISIONS

DATE	REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
PROJECT NO. 0011-53
COUNTY: POLK
LAND USE: HIGHWAY
LAND DISTRICT: 18
DATE: 7-24-11 5:06 6:30 11
60-0006

