

**A RESOLUTION TO COMPLY WITH THE PROVISIONS OF O.C.G.A. §36-9-3(h) DECLARING CERTAIN COUNTY-OWNED REAL PROPERTY SURPLUS; AUTHORIZING THE SALE OF THE SURPLUS COUNTY-OWNED NARROW STRIP OF LAND TO THE ABUTTING PROPERTY OWNER; AND FOR OTHER PURPOSES**

**RE: REAL PROPERTY KNOWN AS A PORTION OF PINE LOG ROAD RIGHT-OF-WAY, LOCATED IN LAND LOT 299, OF THE 16<sup>TH</sup> LAND DISTRICT, BETWEEN GEORGIA STATE ROUTE 138 AND CSX RAILROAD RIGHT-OF-WAY, CONTAINING APPROXIMATELY 0.183 ACRES, BEING MORE PARTICULARLY DESCRIBED IN EXHIBITS "A" AND "B" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.**

**WHEREAS**, Rockdale County, Georgia owns certain real property located in Land Lot 299 of the 16<sup>th</sup> Land District, between Georgia State Route 138 and CSX Railroad Right-of-Way, consisting of a narrow strip of property containing approximately 0.183 acres and being further described as 1677 Madison lane, and more particularly described on Exhibits "A" and "B", attached hereto and incorporated herein by reference ("Property"); and

**WHEREAS**, the Rockdale County Board of Commissioners has determined the Property is so shaped and small as to be incapable of being used independently as zoned or under applicable subdivision or other development ordinances or land use plans or as a street; and

**WHEREAS**, Rockdale County desires pursuant to the above-referenced Code Section to provide each abutting property owner with written notice of the availability of the property and their opportunity to purchase the property for **\$3,000.00**; and

**WHEREAS**, said notices were given by certified mail; and

**WHEREAS**, (1) **HERMAN FOSTER, CALVIN FLANIGAN, ROBERT FLANIGAN and CLEVELAND STROUD as CO-ADMINISTRATORS C.T.A. with Will Annexed of the ESTATE of LEON FLANIGAN aka LON FLANIGAN** and (2) **HELEN FLANIGAN STROUD** were the only abutting property owner to express an interest in purchasing said property;


**NOW, THEREFORE**, be it resolved that the Rockdale County Board of Commissioners hereby declares the Property to be surplus to the needs of Rockdale County and confirms its willingness to sell the Property to (1) **HERMAN FOSTER, CALVIN FLANIGAN, ROBERT FLANIGAN and CLEVELAND STROUD as CO-ADMINISTRATORS C.T.A. with Will Annexed of the ESTATE of LEON FLANIGAN aka LON FLANIGAN** and (2) **HELEN FLANIGAN STROUD** for the offered price of **\$3,000.00**.

**BE IT FURTHER RESOLVED** that the Chairman of the Board of Commissioners is hereby authorized to execute all documents necessary to accomplish the sale of the Property as authorized by this Resolution.

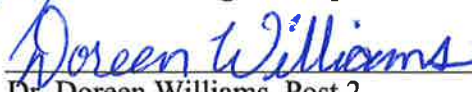
**BE IT FURTHER RESOLVED** that this Resolution shall become effective upon adoption, and that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed to the extent of the conflict.

This 28 day of September, 2021.

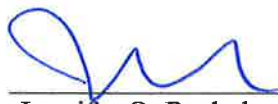
Rockdale County, Georgia  
Board of Commissioners

By:   
Osborn Nesbitt, Sr., Chairman


By:   
Sherri L. Washington, Esq., Post 1

By:   
Dr. Doreen Williams, Post 2

Attest:

By:   
Jennifer O. Rutledge, County Clerk

Approved as to form:

By:   
M. Qader A. Baig, County Attorney

**EXHIBIT A**

**ALL THOSE TRACTS OR PARCELS OF LAND lying and being in Land Lot 299 of the 16th District of Rockdale County, Georgia, and being more particularly described as follows:**

**Tract "A"**

**Beginning at an iron pin set at the intersection of the north right-of-way of CSX Railroad (198'r/w) with the east right-of-way of Pine Log Road (30'r/w) thence N72-31-07W 15.0' to the center of the old Pine Log Road right-of-way; thence along same centerline N17-15-19E 170.04' to a point thence S72-40-22E 15.00' to the easterly right-of-way line of Pine Log Road; thence S17-15-19W 170.08' to the true point of beginning.**

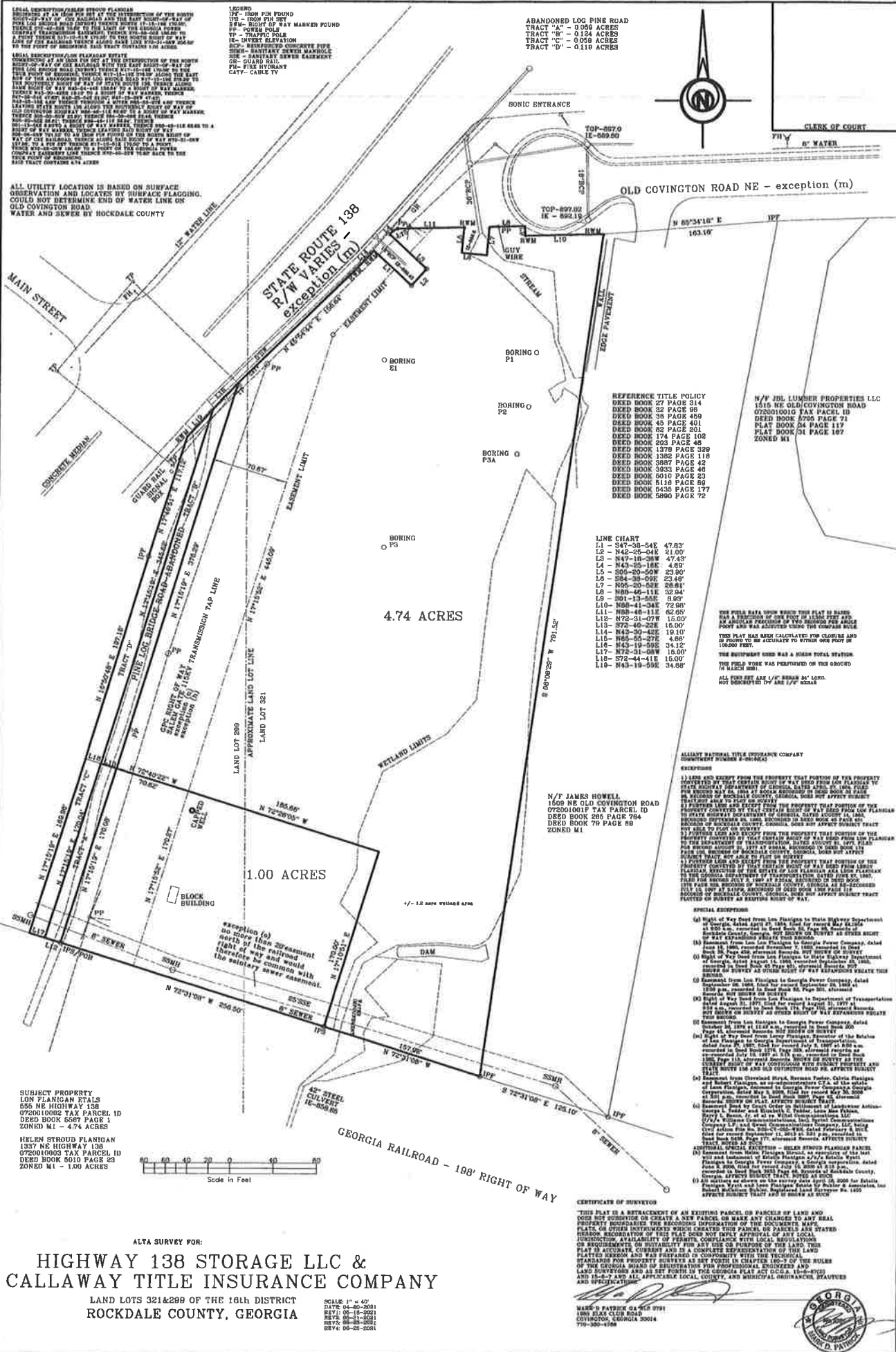
**Said Tract is 0.059 acres**

**Tract "B"**

**Beginning at an iron pin set at the intersection of the north right-of-way of CSX Railroad (198'r/w) with the east right-of-way of Pine log Road (30'r/w) thence N17-15-19E 170.09' to the true point of beginning, thence N72-40-22W 15.00' to the center of the old Pine Log Road right-of-way, thence along same centerline N17-15-19E 345.62' to the southeasterly right-of-way of State Route 138; thence along same right-of-way N43-19-59E 34.12' to a point thence along the easterly right-of-way of Pine Log road S17-15-19W 376.29' to the true point of beginning.**

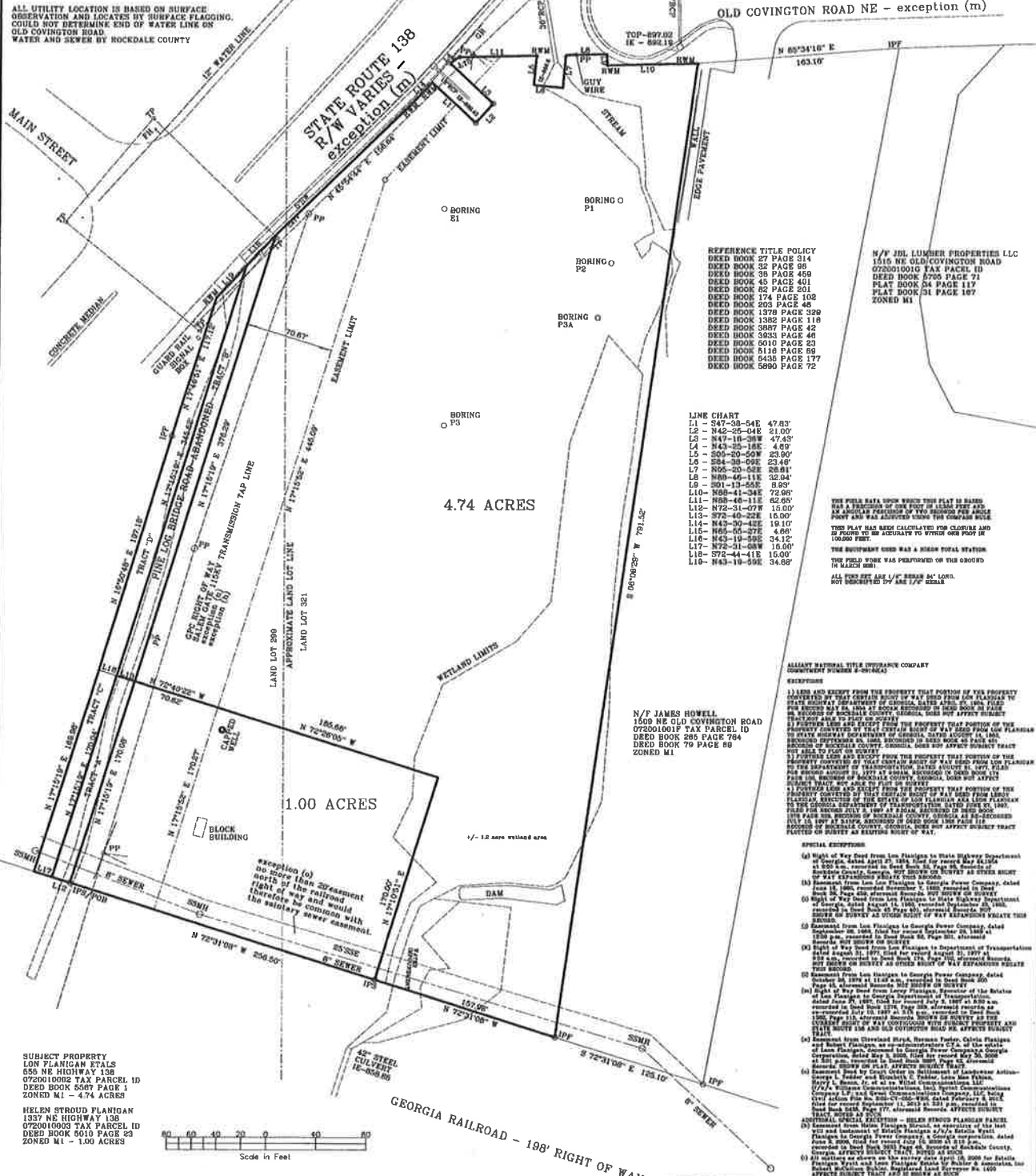
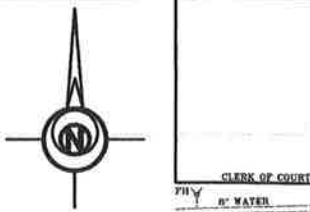
**Said Tract is 0.124 acres**

Exhibit "B"



LEGAL DESCRIPTION/BLANK EMBLEM PLANNED... LEGEND... ALL UTILITY LOCATION IS BASED ON SURFACE OBSERVATION AND LOCATED BY SURFACE FLAGGING...

ABANDONED LOG PINE ROAD TRACT "A" - 0.096 ACRES TRACT "B" - 0.124 ACRES TRACT "C" - 0.058 ACRES TRACT "D" - 0.110 ACRES



REFERENCE TITLE POLICY table listing deed books and page numbers: DEED BOOK 27 PAGE 314, DEED BOOK 32 PAGE 88, DEED BOOK 38 PAGE 459, DEED BOOK 45 PAGE 401, DEED BOOK 82 PAGE 201, DEED BOOK 174 PAGE 102, DEED BOOK 203 PAGE 48, DEED BOOK 1370 PAGE 399, DEED BOOK 1382 PAGE 118, DEED BOOK 1807 PAGE 42, DEED BOOK 3933 PAGE 46, DEED BOOK 5010 PAGE 23, DEED BOOK 5110 PAGE 82, DEED BOOK 5438 PAGE 177, DEED BOOK 5890 PAGE 72.

LINE CHART table listing line numbers and bearings/distances: L1 - S47-38-54E 47.83', L2 - N42-05-54E 21.00', L3 - N47-18-38W 47.43', L4 - N43-25-18E 4.80', L5 - S00-20-50W 23.90', L6 - S84-38-09E 23.46', L7 - N02-03-52E 28.81', L8 - N09-45-11E 32.94', L9 - S01-13-50E 8.93', L10 - N01-11-04E 72.98', L11 - N88-46-13E 62.65', L12 - N72-02-17E 15.00', L13 - S72-40-22E 16.00', L14 - N43-29-42E 18.10', L15 - N68-45-27E 4.60', L16 - N43-19-29E 34.12', L17 - S72-03-58W 15.00', L18 - S72-44-41E 16.00', L19 - N43-19-59E 34.88'.

N/W JEL LUMBER PROPERTIES LLC 1515 NE OLDFATHER ROAD DEED BOOK 8700 PAGE 71 PLAT BOOK 04 PAGE 117 PLAT BOOK 31 PAGE 107 ZONED M1

N/W JAMES HOWELL 1608 NE OLD COVINGTON ROAD 072001011 TAX PARCEL ID DEED BOOK 280 PAGE 704 DEED BOOK 79 PAGE 86 ZONED M1

ALLIANT NATIONAL TITLE INSURANCE COMPANY EXCEPTIONS... 1) LOTS AND EXCEPT FROM THE PROPERTY THAT PORTION OF THE PROPERTY COVERED BY THIS CERTAIN BOOK OF MAP USED FROM THE PLANNED TRACT...

- SPECIAL EXCEPTIONS (a) Right of Way Deed from Lane Planners to State Highway Department of Georgia... (b) Easement from Lane Planners to Georgia Power Company... (c) Right of Way Deed from Lane Planners to Department of Transportation... (d) Easement from Lane Planners to Georgia Power Company... (e) Right of Way Deed from Lane Planners to Department of Transportation... (f) Easement from Lane Planners to Georgia Power Company... (g) Easement from Lane Planners to Georgia Power Company... (h) Easement from Lane Planners to Georgia Power Company... (i) Easement from Lane Planners to Georgia Power Company... (j) Easement from Lane Planners to Georgia Power Company...

CERTIFICATE OF SURVEYOR... THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MARK ANY CHANGES TO ANY EXISTING INSTRUMENTS... MARK B. PATTEN, CE 1618 0791 1800 ELK CREEK ROAD COVINGTON, GEORGIA 30014 770-360-4186

ALTA SURVEY FOR: HIGHWAY 138 STORAGE LLC & CALLAWAY TITLE INSURANCE COMPANY LAND LOTS 321&299 OF THE 16th DISTRICT ROCKDALE COUNTY, GEORGIA SCALE 1" = 40' DATE: 04-16-2011 REV: 00-16-2011 REV: 00-21-2011 REV: 00-25-2011

