

RESOLUTION # 2022 - 12

**RESOLUTION TO AUTHORIZE THE ACQUISITION OF
PARCELS OF LAND FOR PUBLIC ROAD RIGHT OF
WAY AND OTHER USES IN LAND LOT(S) 262 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: N/A

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 (Frontier Drive Connector Project); and

WHEREAS, the above identified parcels of land, or portions thereof, in Land Lot(s) 262 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 23 day of August, 2022.

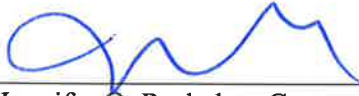
**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: 
Osborn Nesbitt, Sr., Chairman

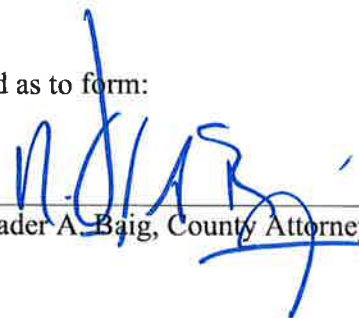
By: 
Sherri L. Washington, Esq., Commissioner Post I

By: 
Dr. Doreen Williams, Commissioner Post II

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. 2022-_____
)	
vs.)	
)	
0.041 ACRE OF LAND AND CERTAIN)	
EASEMENT RIGHTS; SUNRISE LAKES,)	
INC.; 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 23 day of August, 2022.


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 23 day of August, 2022 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 23 day of August, 2022.



JENNIFER O. RUTLEDGE
Clerk, Rockdale County
Georgia

{Rockdale County, Georgia Seal}



EXHIBIT "A"

PROJECT NAME: Frontier Drive Connector
PARCEL NO.: 7 (Right of Way)
COUNTY: Rockdale
DATE OF R/W PLANS: December 13, 2021
REVISION DATE: March 02, 2022

All that tract or parcel of land lying and being in Land Lot 262 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 21.19 feet left of and opposite Station 107+53.84 on the construction centerline of Frontier Dr. Connector; running thence S 88°35'12.0" W a distance of 63.00 feet to a point 58.39 feet left of and opposite station 108+04.68 on said construction centerline laid out for Frontier Dr Connector; thence N 18°12'09.5" E a distance of 34.18 feet to a point 25.63 feet left of and opposite station 108+14.44 on said construction centerline laid out for Frontier Dr Connector; thence southeasterly 62.25 feet along the arc of a curve (said curve having a radius of 94.29 feet and a chord distance of 61.13 feet on a bearing of S 79°04'09.7" E) to the point 0.91 feet left of and opposite station 107+58.53 on said construction centerline laid out for Frontier Dr Connector; thence northeasterly 61.24 feet along the arc of a curve (said curve having a radius of 172.08 feet and a chord distance of 60.92 feet on a bearing of N 67°23'06.1" E) to the point 50.40 feet right of and opposite station 107+25.70 on said construction centerline laid out for Frontier Dr Connector; thence S 56°14'12.0" W a distance of 76.93 feet back to the point of beginning. Containing 0.041 acres more or less.

APPENDIX "B"
TO
EXHIBIT "A"

DESCRIPTION OF PROPERTY TO BE ACQUIRED
PROJECT: FRONTIER DRIVE CONNECTOR

RECORD OWNERS:

SUNRISE LAKES, INC.
% GEORGIA SECRETARY OF STATE
2 Martin Luther King, Jr. Drive
Atlanta, GA 30334

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) 262 of the 16th Land District of Rockdale County, said tracts of land consisting of approximately 0.041 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 Rockdale County to appraise Parcel No. 7 of the right of way and rights required for construction of Frontier Drive Connector Project in Rockdale County, Georgia for said County 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 \$ 500.00.

Matthew J. Rahn
APPRAISER

Sworn to and subscribed before me,
this 22nd day of May, 2022.

Robinson
NOTARY PUBLIC

My commission expires 10/5/25

Parcel No. 7

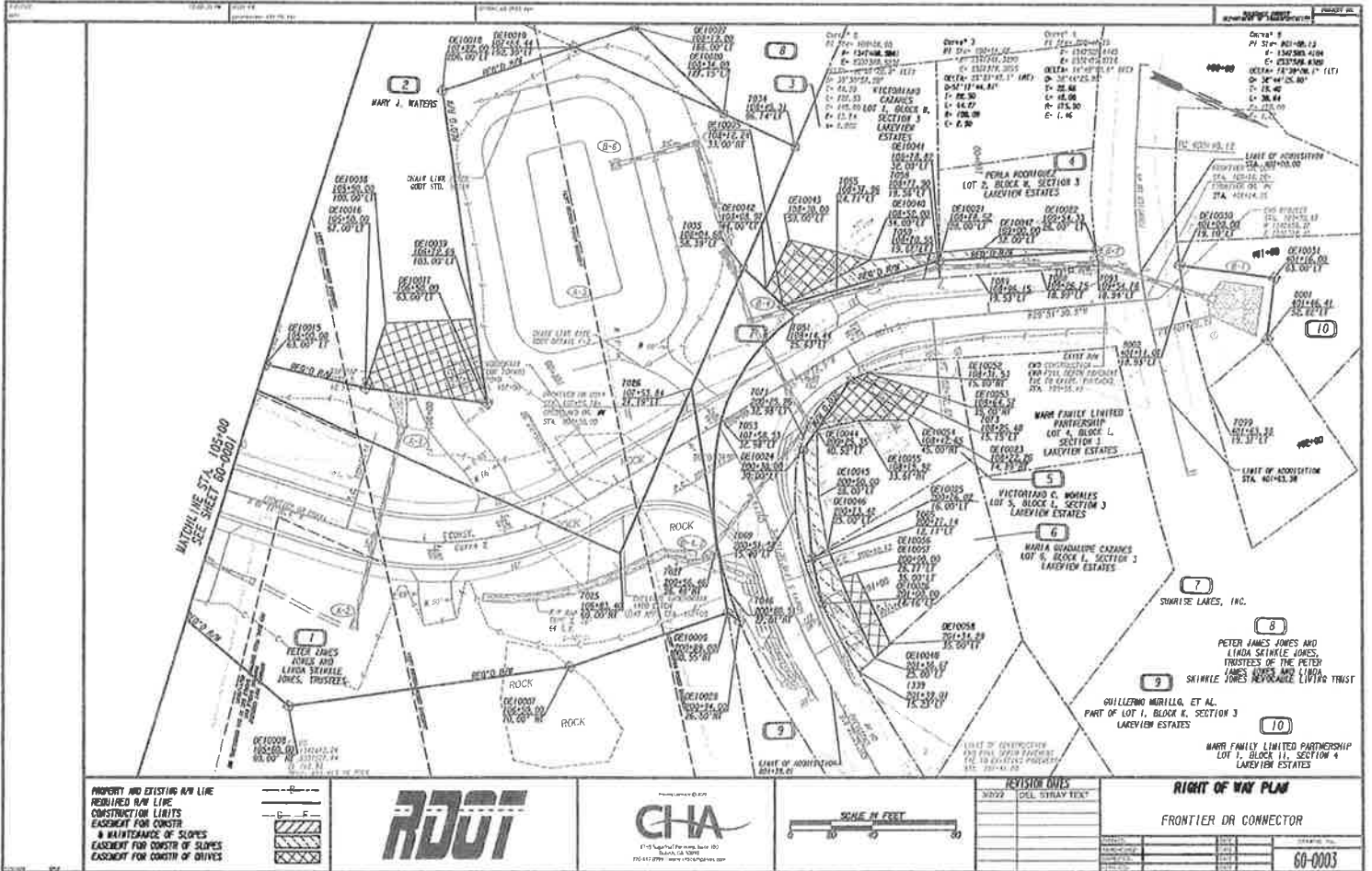


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PROPERTY AND EXISTING RW LINE
 REDUCED RW LINE
 CONSTRUCTION LIMITS
 EASEMENT FOR CONSTR
 & MAINTENANCE OF SLOPES
 EASEMENT FOR CONSTRUCTION OF SLOPES
 EASEMENT FOR CONSTRUCTION OF DRIVES



ROOT

CHA



REVISION DATES

NO	DATE	DESCRIPTION

RIGHT OF WAY PLAN

FRONTIER DR CONNECTOR

60-0003

