

Resolution No. #11-2023-12

ORDER AND RESOLUTION
TO AUTHORIZE THE ACQUISITION OF PARCELS OF LAND FOR PUBLIC
ROAD RIGHT OF WAY AND OTHER USES IN LAND LOT 246 OF THE 10TH
LAND DISTRICT OF ROCKDALE COUNTY, GEORGIA, BY NEGOTIATED
CONTRACT OR CONDEMNATION PURSUANT TO PROVISIONS OF TITLES 22
AAND 32 OF THE OFFICIAL CODE OF GEORGIA ANNOTATED

Tax Parcel No. 0760010015
(Parcel 5)

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 rights of real property are needed and necessary for the construction and improvement of certain said streets, roadways, highways and transportation systems and related equipment and facilities in conjunction with said systems; and

WHEREAS, various fee simple and easement rights of parcels of real property are needed and necessary for effective improvements, specifically that project identified as "Courtesy Parkway Extension from Flat Shoals Road to Old Covington Highway, GDOT Federal Aid Project No. CSSTP-0006-00(934), P.I. # 0006934 (hereinafter the "Project"); and

WHEREAS, the above-identified parcel(s) of land, or portions thereof, in Land Lot 246 of the 10th District of Rockdale County, Georgia have been identified as necessary for the construction and improvement of said systems and the Project; and

WHEREAS, negotiations to secure a contract or option for the acquisition of the needed property above-described are authorized and preferred, but condemnation of the same may be necessary due to the timing and funding for the Project; and

WHEREAS, the parcel(s) of right of way and other rights as herein described and listed as below, shown of record as owned by the person named herein, all as described and shown in the attachments to this order hereinafter enumerated, all of said attachments, being by reference made a part of this order, are essential for the construction of the Project:

Required:	3.701 Acres of Land in fee simple, a Permanent Easement of 0.613 Acres of Land for the construction and maintenance of slopes, and a Temporary Demolition Easement consisting of 0.163 Acres of Land of parcel identified as Tax
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Parcel Number 0760010015 by the Rockdale County Tax Assessors as described in Appendix "A" attached hereto and incorporated herein.

Owner/ Interested Parties: Springfield Christian Ministries, Inc.
Bank of the West
KFB Enterprises, Inc.
Beth Binion Behnent
Rockdale County Tax Commissioner
(As shown on Appendix "B" attached hereto)

NOW THEREFORE, it is found by the Rockdale County Board of Commissioners that the circumstances are such that it is necessary that the acquisition of said property in fee simple and other rights, if any, as described in attachments to this order be acquired by condemnation under the provisions of the Official Code of Georgia Annotated Sections 32-3-4 thru 32-3-19; and

IT IS ORDERED AND RESOLVED that the Board of Commissioners, through the Chief Executive Officer and County Attorney, proceed to acquire the title, estate or interest in the lands hereinafter described in attachments to this order and resolution by negotiations and, if unsuccessful, by condemnation under the provisions of said Code, and the Chief Executive Officer and County Attorney are authorized and directed to file condemnation proceedings, including a Declaration of Taking in accordance with Appendix "A" attached hereto, the same being approved by this Resolution, to acquire said title, estate or interest in said lands and to deposit into the registry of the Clerk of the Superior Court of Rockdale County the sum of \$3,030,400.00, as estimated just and adequate compensation based upon the Appraiser's Affidavit attached hereto as Appendix "C", all in accordance with the provisions of said Code. It is further ordered and resolved that the Chief Executive Officer is authorized to take all actions and sign all documents necessary to proceed with this condemnation.


SO ORDERED AND RESOLVED in lawfully assembled open session, this day of August, 2023.


Jennifer Rutledge County Clerk


Oz Nesbitt, Chairman



Refused
Sherri L. Washington, Post 1


Doreen Williams, Ph. D., Post 2
Ed. D

GEORGIA, ROCKDALE COUNTY

I, Jennifer O. Rutledge do hereby certify that I am the Clerk to the Board of Commissioners of Rockdale County, Georgia.

I further certify that the foregoing _____ pages constitute a true and exact copy of an Order and Resolution of the Board of Commissioners of Rockdale County, Georgia, entered on the 1 day of August, 2023, as same applied 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, Rockdale County, Georgia.

Given under my hand and seal, this 1 day of August, 2023.



Jennifer O. Rutledge, Clerk
Rockdale County, Georgia