

Resolution No. #R-2024-17

ORDER AND RESOLUTION

TO AUTHORIZE THE ACQUISITION OF PARCELS OF LAND FOR PUBLIC ROAD RIGHT OF WAY AND OTHER USES IN LAND LOTS 322 AND 323 OF THE 16TH 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. 0730010017 (Partial)
(Parcel 12)

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 Lots 322 and 323 of the 16th 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:	0.035 Acres of Land in fee simple, and Temporary Easements consisting of 0.211 Acres of Land for the construction of parcel identified as Tax Parcel Number 0730010017A by the Rockdale County
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Tax Assessors as described in Appendix "A" attached hereto and incorporated herein.

Owner/ Interested Parties: Rockdale Corwyn, LLC
Wells Fargo Bank, N.A.
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 28,100.00, as estimated just and adequate compensation based upon negotiations between the parties, 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 23rd day of April, 2024.

Jennifer Rutledge County Clerk

Oz Nesbitt, Chairman



Sherri L. Washington, Post 1

Doreen Williams, Ph. D., Post 2

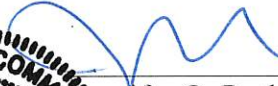
GEORGIA, ROCKDALE COUNTY

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 23rd day of April, 2024, 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 23rd day of April, 2024.





Jennifer O. Rutledge, Clerk
Rockdale County, Georgia

DECLARATION OF TAKING
0.035 Acres Fee Simple, and 0.211 Acres Temporary Easement for construction
Rockdale County Tax Parcel 0730010017A (Partial)
COURTESY PARKWAY EXTENSION FROM FLAT SHOALS ROAD
TO OLD COVINGTON HIGHWAY
GDOT FEDERAL AID PROJECT CSSTP-0006-00(934) (PI NO. 0006934)
ROCKDALE COUNTY

WHEREAS, pursuant to a Resolution of the Board of Commissioners of Rockdale County, Georgia, adopted April 23rd, 2024, there was declared the public purpose of and necessity for acquisition of certain property for transportation purposes are such that it is necessary to acquire the title, estate or interest in lands as fully described in said Resolution, a certified copy of which is attached to this Declaration as Exhibit "A," and made a part hereof, under O.C.G.A. §§ 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 "A" to Exhibit "A" and made a part hereof; and

WHEREAS, an examination of record title found the owners other parties with a potential interest in said parcel are as identified on Appendix "B" to Exhibit "A"; 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, and has negotiated with the property owner and reached an agreement; and


WHEREAS, in consequence of negotiations between the parties, Rockdale County estimates \$28,100.00 as the just and adequate compensation to be paid for said property as fully described in Appendix "A" to Exhibit "A" attached hereto, and the County shall pay into the registry of the Clerk of the Superior Court of Rockdale County, Georgia, the sum of \$28,100.00, to the use of the persons entitled thereto.


NOW THEREFORE, the premises considered, Rockdale County, Georgia, under authority of the provisions of O.C.G.A. §§ 32-3-4 through 32-3-19, hereby declares that the property or interest therein described in Appendix "A" to Exhibit "A" attached hereto and made a part of this Declaration of Taking, is taken for public transportation or other public purposes.

FURTHER ORDERED, in accordance with O.C.G.A. Sec. 32-2-7, that upon the filing of this Declaration of Taking in the land records of the Clerk of Superior Court, and the deposit into the Clerk's registry made at the time this Declaration of Taking is filed of the sum of money estimated in the Declaration by the condemning authority to be just compensation, title to said property shall vest in the ROCKDALE COUNTY, GEORGIA. Said land shall be deemed to be condemned and taken for the use of the ROCKDALE COUNTY, GEORGIA, and the right to just compensation shall vest in the persons entitled thereto.

This 23rd day of April, 2024.

ROCKDALE COUNTY, GEORGIA

By: 
Oz Nesbitt, Chairman
Rockdale County Board of Commissioners

Attest: 
Jennifer Rutledge, County Clerk



APPENDIX B

Owner(s):

Rockdale Corwyn, LLC
c/o Suzanne Alford, Registered Agent
2120 Powers Ferry Road
Suite 300
Atlanta, Georgia 30339

Interested party(ies):

Wells Fargo Bank, N.A.
c/o Corporation Service Company, Registered Agent
2 Sun Court, Suite 400
Peachtree Corners, Georgia 30092

Rockdale County Tax Commissioner
969 Pine Street
Conyers, Georgia 30012

EXHIBIT "A"

P. I. NO.: 0006934
PARCEL NO.: 12
COUNTY: Rockdale
DATE OF R/W PLANS: June 18, 2021
REVISION DATE: August 22, 2023

REQUIRED RIGHT OF WAY

All that tract or parcel of land lying and being in Land Lots 322 and 323 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 30.00 feet left of and opposite Station 162+35.00 on the construction centerline of Courtesy Parkway extension on Georgia Highway Project No. 0006934; running thence S 67°24'31.5" W a distance of 51.00 feet to a point 81.00 feet left of and opposite station 162+35.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 22°35'28.5" W a distance of 30.00 feet to a point 81.00 feet left of and opposite station 162+65.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 67°24'31.5" E a distance of 51.00 feet to a point 30.00 feet left of and opposite station 162+65.00 on said construction centerline laid out for Courtesy Parkway extension; thence S 22°35'28.5" E a distance of 30.00 feet back to the point of beginning.

Containing 0.035 acres (1530.00 square feet), more or less.

EXHIBIT "A"

P. I. NO.: 0006934
PARCEL NO.: 12
COUNTY: Rockdale
DATE OF R/W PLANS: June 18, 2021
REVISION DATE: August 22, 2023

TEMPORARY CONSTRUCTION EASEMENT AREA A

All that tract or parcel of land lying and being in Land Lots 322 and 323 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 51.39 feet left of and opposite Station 160+08.00 on the construction centerline of Courtesy Parkway extension on Georgia Highway Project No. 0006934; running thence N 17°02'24.8" W a distance of 109.10 feet to a point 38.00 feet left of and opposite station 161+15.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 22°14'28.5" W a distance of 120.45 feet to a point 37.00 feet left of and opposite station 162+35.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 67°24'31.5" E a distance of 7.00 feet to a point 30.00 feet left of and opposite station 162+35.00 on said construction centerline laid out for Courtesy Parkway extension; thence S 22°35'28.5" E a distance of 105.17 feet to a point 30.11 feet left of and opposite station 161+30.06 on said construction centerline laid out for Courtesy Parkway extension; thence southeasterly 125.66 feet along the arc of a curve (said curve having a radius of 428.59 feet and a chord distance of 125.21 feet on a bearing of S 14°11'30.9" E) back to the point of beginning.

Containing 0.036 acres (1551.94 square feet), more or less.

EXHIBIT "A"

P. I. NO.: 0006934
PARCEL NO.: 12
COUNTY: Rockdale
DATE OF R/W PLANS: June 18, 2021
REVISION DATE: August 22, 2023

TEMPORARY CONSTRUCTION EASEMENT AREA B

All that tract or parcel of land lying and being in Land Lots 322 and 323 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 37.00 feet left of and opposite Station 162+65.00 on the construction centerline of Courtesy Parkway extension on Georgia Highway Project No. 0006934; running thence N 22°35'28.5" W a distance of 269.00 feet to a point 37.00 feet left of and opposite station 165+34.00 on said construction centerline laid out for Courtesy Parkway extension; thence S 67°24'31.5" W a distance of 5.00 feet to a point 42.00 feet left of and opposite station 165+34.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 22°35'28.5" W a distance of 22.00 feet to a point 42.00 feet left of and opposite station 165+56.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 23°14'17.8" W a distance of 46.74 feet to a point 44.00 feet left of and opposite station 166+00.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 16°56'23.9" W a distance of 53.13 feet to a point 44.00 feet left of and opposite station 166+50.00 on said construction centerline laid out for Courtesy Parkway extension ; thence N 10°36'12.2" W a distance of 66.88 feet to a point 42.00 feet left of and opposite station 167+13.00 on said construction centerline laid out for Courtesy Parkway extension ; thence N 9°41'43.1" W a distance of 53.03 feet to a point 42.00 feet left of and opposite station 167+66.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 80°18'17.7" E a distance of 4.00 feet to a point 38.00 feet left of and opposite station 167+66.00 on said construction centerline laid out for Courtesy Parkway extension; thence N 9°41'42.3" W a distance of 212.75 feet to a point 38.00 feet left of and opposite station 169+78.75 on said construction centerline laid out for Courtesy Parkway extension; thence N 80°15'54.8" E a distance of 8.00 feet to a point 30.00 feet left of and opposite station 169+78.76 on said construction centerline laid out for Courtesy Parkway extension; thence S 9°41'42.3" E a distance of 265.25 feet to a point 30.00 feet left of and opposite station 167+13.51 on said construction centerline laid out for Courtesy Parkway extension; thence southeasterly 164.31 feet along the arc of a curve (said curve having a radius of 730.00 feet and a chord distance of 163.96 feet on a bearing of S 16°08'35.5" E) to the point 30.00 feet left of and opposite station 165+55.96 on said construction centerline laid out for Courtesy Parkway extension; thence S 22°35'28.5" E a distance of 44.84 feet to a point 30.00 feet left of and opposite station 165+11.12 on said construction centerline laid out for Courtesy Parkway extension; thence S 22°35'28.5" E a distance of 246.12 feet to a point 30.00 feet left of and opposite station 162+65.00 on said construction centerline laid out for Courtesy Parkway extension; thence S 67°24'31.5" W a distance of 7.00 feet back to the point of beginning.

Containing 0.152 acres (6624.08 square feet), more or less.

EXHIBIT "A"

P. I. NO.: 0006934
PARCEL NO.: 12
COUNTY: Rockdale
DATE OF R/W PLANS: June 18, 2021
REVISION DATE: August 22, 2023

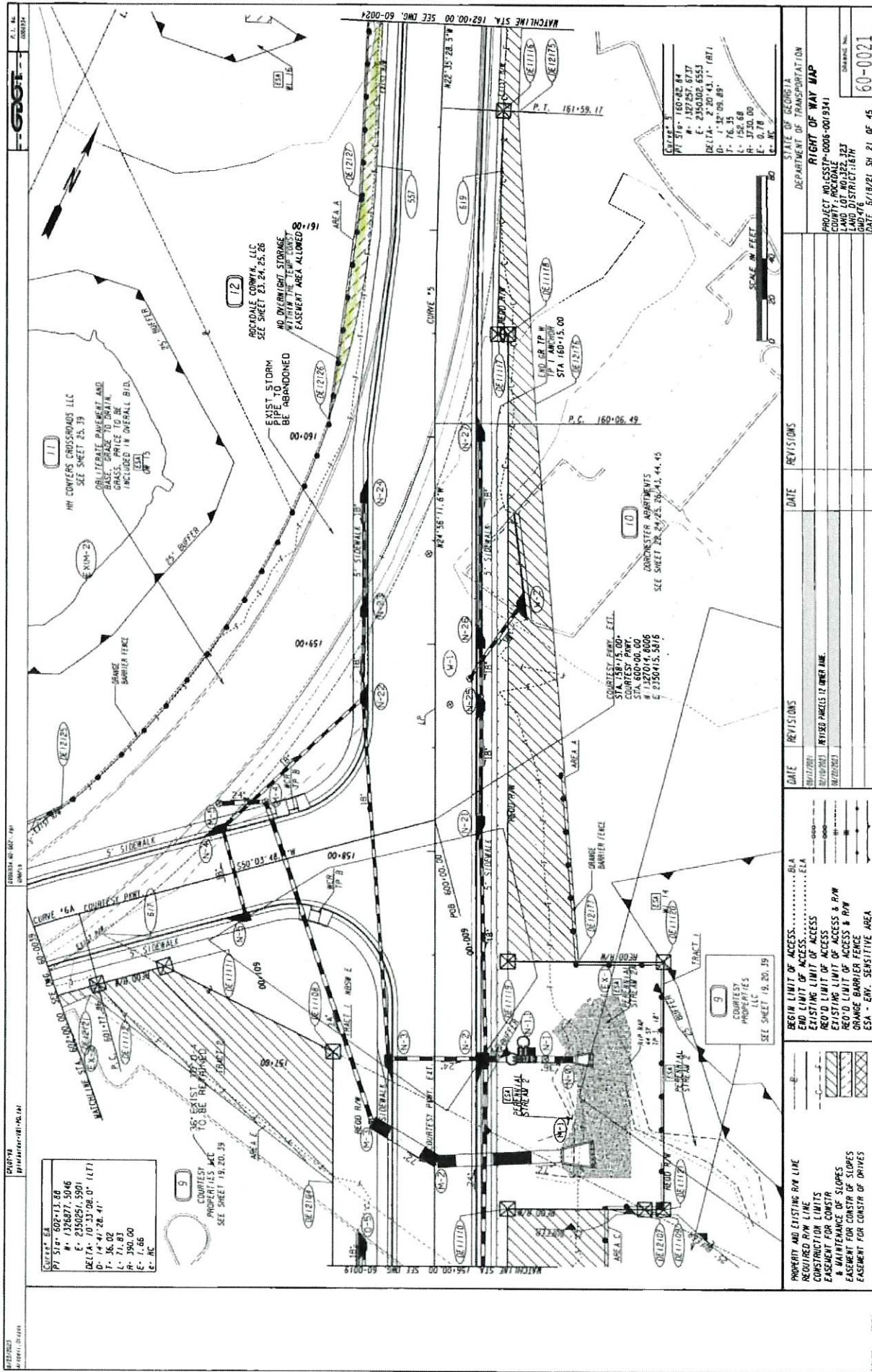
TEMPORARY CONSTRUCTION EASEMENT AREA C

All that tract or parcel of land lying and being in Land Lots 322 and 323 of the 16th Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 30.00 feet left of and opposite Station 172+53.73 on the construction centerline of Courtesy Parkway extension on Georgia Highway Project No. 0006934; running thence S 80°15'57.3" W a distance of 8.00 feet to a point 38.00 feet left of and opposite station 172+53.73 on said construction centerline laid out for Courtesy Parkway extension; thence N 9°41'42.4" W a distance of 128.15 feet to a point 38.00 feet left of and opposite station 173+81.87 on said construction centerline laid out for Courtesy Parkway extension; thence N 89°55'03.0" E a distance of 8.11 feet to a point 30.00 feet left of and opposite station 173+80.52 on said construction centerline laid out for Courtesy Parkway extension; thence S 9°41'42.4" E a distance of 126.79 feet back to the point of beginning.

Containing 0.023 acres (1019.72 square feet), more or less.

Exhibit "B"



CURVE 16A
 P.T. STA. 602+13.88
 N = 1246877.5046
 E = 2350251.5901
 DELTA = 70°33'08.0" (LT)
 D = 1441'28.41'
 T = 36.02'
 R = 190.00'
 E = 1.66'
 C = NC

9
 EXIST. PROP. OF
 COURTESY
 PROPERTIES
 TO BE REFINISHED
 SEE SHEET 18.20.39

CURVE 5
 P.T. STA. 160+42.84
 N = 1327257.6737
 E = 2350302.6551
 DELTA = 72°20'41.1" (RT)
 D = 1277.35'
 T = 76.35'
 R = 156.68'
 E = 0.78'
 C = NC

COURTESY PROP. ETL
 STA. 1567+3.00
 N = 1327014.8006
 E = 2350415.5816
 SEE SHEET 28.24.25.26.4.4.45

STATE OF GEORGIA
 DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY MAP
 PROJECT NO. GSSTP-0008-0013341
 LAND LOT NO. 1322.323
 LAND DISTRICT 187H
 GMD-476
 DATE 5/18/2021 SH. 21 OF 45
 60-0021

DATE	REVISIONS
08/17/2021	REVISED PARCELS TO OWNER NAME
08/27/2021	

DATE	REVISIONS
08/17/2021	REVISED PARCELS TO OWNER NAME
08/27/2021	

DATE	REVISIONS
08/17/2021	REVISED PARCELS TO OWNER NAME
08/27/2021	

DATE	REVISIONS
08/17/2021	REVISED PARCELS TO OWNER NAME
08/27/2021	

PROPERTY AND EXISTING ROW LINE
 REQUIRED ROW LINE
 CONSTRUCTION LIMITS
 EASEMENT FOR CONSTR
 & MAINTENANCE OF SLOPES
 EASEMENT FOR CONSTR OF DRIVES
 BEGIN LIMIT OF ACCESS
 END LIMIT OF ACCESS
 EXISTING LIMIT OF ACCESS
 EXISTING LIMIT OF ACCESS & ROW
 REDUCED LIMIT OF ACCESS & ROW
 ORANGE BARRIER FENCE
 ESA - ENV. SENSITIVE AREA

PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
RESUIT - PART11/SV3					
EASEMENT FOR CONSTR OF SLOPES DE222					
PARCEL 12 - ROCKDALE COUNTY, LLC					
PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
DE12125	30.00	L	602+94.00	04.2° W	Courtesy Play Conn
DE12124	44.00	R	603+50.00	00.0° W	Courtesy Play Conn
DE12125	58.45	R	601+72.00	24.0° E	Courtesy Play Conn
ARC LENGTH	109.47				
CHORD BEAR	108.18	S	602+36.5° W		
RADIUS	428.59				
DEGREE	13.22	06.3°			
DE12123	30.00	R	602+71.19	40.5° W	Courtesy Play Conn
DE12124	44.00	R	603+10.00	00.0° W	Courtesy Play Conn
RECD EASMT	2182.00	SF			
RECD EASMT AREA	0.050	ACRES			
DMSUIT - PART11/SV3					
EASEMENT FOR CONSTR OF DRIVES DE402					
PARCEL 11 - RM CONTAINERS CROSSROADS, LLC					
PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
DE14004	41.99	R	602+94.00		COURTESY PARY CONN
DE14005	66.00	R	602+87.00		COURTESY PARY CONN
DE14006	66.00	R	602+62.00		COURTESY PARY CONN
DE14004	41.99	R	602+94.00		COURTESY PARY CONN
RECD R/W - PART12/SV1					
REC'D R/W DE114					
PARCEL 12 - ROCKDALE I-20 INVESTORS LTD PARTNERSHIP					
PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
DE11122	30.00	L	162+35.00		Courtesy Play Ext
DE11123	81.00	L	S 67°24'31.5" W		Courtesy Play Ext
DE11124	81.00	L	162+65.00	28.5° W	Courtesy Play Ext
DE11125	30.00	L	162+85.00		Courtesy Play Ext
DE11126	30.00	L	S 22°35'28.5" E		Courtesy Play Ext
RECD R/W	1530.00	SF			
RECD R/W AREA	0.035	ACRES			
REMAINDER					
17'-18.472 ACRES					
TEST AREA A - PART12/SV1					
EASEMENT FOR CONSTR OF SLOPES DE246					
PARCEL 12 - ROCKDALE COUNTY, LLC					
PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
745	30.00	L	172+53.73	37.3° W	Courtesy Play Ext
DE12205	38.00	L	172+53.73	37.3° W	Courtesy Play Ext
DE12138	38.00	L	N 9°41'42.4" W		Courtesy Play Ext
551	30.00	L	N 89°55'03.0" E		Courtesy Play Ext
552	30.00	L	N 89°55'03.0" E		Courtesy Play Ext
RECD EASMT	1019.72	SF			
RECD EASMT AREA	0.023	ACRES			
RECD EASMT AREA A	1551.94	SF			
RECD EASMT AREA B	6624.08	SF			
RECD EASMT AREA C	1019.72	SF			
TOTAL RECD EASMT	9195.74	SF			
TOTAL RECD EASMT AREA	0.271	ACRES			
TEST AREA B - PART12/SV1					
EASEMENT FOR CONSTR OF SLOPES DE224					
PARCEL 12 - ROCKDALE COUNTY, LLC					
PNT	OFFSET/	DIST	STATION/	BEARING	ALIGNMENT
DE12129	37.00	L	162+65.00		Courtesy Play Ext
DE12130	37.00	L	N 22°35'28.5" W		Courtesy Play Ext
DE12131	42.00	L	S 67°24'31.5" W		Courtesy Play Ext
DE12132	42.00	L	N 55°00'00.0" W		Courtesy Play Ext
DE12133	44.00	L	N 23°14'17.8" W		Courtesy Play Ext
DE12134	44.00	L	N 16°56'23.9" W		Courtesy Play Ext
DE12135	42.00	L	N 16°56'23.9" W		Courtesy Play Ext
DE12136	42.00	L	N 9°41'43.1" W		Courtesy Play Ext
DE12137	38.00	L	N 80°18'17.7" E		Courtesy Play Ext
DE12205	38.00	L	N 80°18'17.7" E		Courtesy Play Ext
740	30.00	L	N 80°15'54.8" E		Courtesy Play Ext
ARC LENGTH	650.25				
CHORD BEAR	164.31	S	N 23°14'17.8" W		
RADIUS	163.96				
DEGREE	7.50	55.5°			
555	30.00	L	165+55.98		Courtesy Play Ext
556	30.00	L	S 22°35'28.5" E		Courtesy Play Ext
DE11125	30.00	L	162+85.00		Courtesy Play Ext
DE12129	37.00	L	S 67°24'31.5" W		Courtesy Play Ext
RECD EASMT AREA	6624.08	SF			
RECD EASMT AREA	0.152	ACRES			

PROPERTY AND EXISTING ROW LINE	REVISIONS	DATE	REVISIONS	DATE	REVISIONS
REQUIRED R/W LINE	REVISIONS		REVISIONS		REVISIONS
CONSTRUCTION LIMITS	REVISIONS		REVISIONS		REVISIONS
EASEMENT FOR CONSTR	REVISIONS		REVISIONS		REVISIONS
& MAINTENANCE OF SLOPES	REVISIONS		REVISIONS		REVISIONS
EASEMENT FOR CONSTR OF SLOPES	REVISIONS		REVISIONS		REVISIONS
EASEMENT FOR CONSTR OF DRIVES	REVISIONS		REVISIONS		REVISIONS

STATE OF GEORGIA
DEPARTMENT OF TRANSPORTATION
RIGHT OF WAY TABLES
PROJECT NO. 6557P-0006-0019341
COUNTY: ROCKDALE
LAND DISTRICT:
GMD:
DATE: 6/19/21 SH 23 OF 45
DRAWING NO.: 60-0023