

Resolution No. #R-2024-19

ORDER AND RESOLUTION  
TO AUTHORIZE THE ACQUISITION OF PARCELS OF LAND FOR PUBLIC  
ROAD RIGHT OF WAY AND OTHER USES IN LAND LOT 321 OF THE 16<sup>TH</sup>  
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. 0720010021 (Partial)  
(Parcel 22)

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 321 of the 16<sup>th</sup> 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:	Temporary Easement consisting of 0.016 Acres of Land for the construction of slopes of parcel identified as Tax Parcel Number 0720010021 by the Rockdale County Tax Assessors as described in
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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 \$1,600.00, 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.

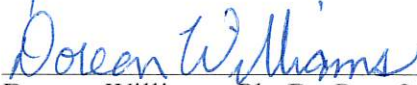
SO ORDERED AND RESOLVED in lawfully assembled open session, this 23<sup>rd</sup> day of April, 2024.

  
\_\_\_\_\_  
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 23<sup>rd</sup> 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 23<sup>rd</sup> day of April, 2024.



\_\_\_\_\_  
Jennifer O. Rutledge, Clerk  
Rockdale County, Georgia

**DECLARATION OF TAKING**  
**0.211 Acres Temporary Easement for construction**  
**Rockdale County Tax Parcel 0720010021**  
**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 23<sup>rd</sup>, 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 \$1,600.00 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 \$1,600.00, 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 23<sup>rd</sup> 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.:** 22  
**COUNTY:** Rockdale  
**DATE OF R/W PLANS:** June 18, 2021  
**REVISION DATE:** August 22, 2023

**TEMPORARY CONSTRUCTION EASEMENT**

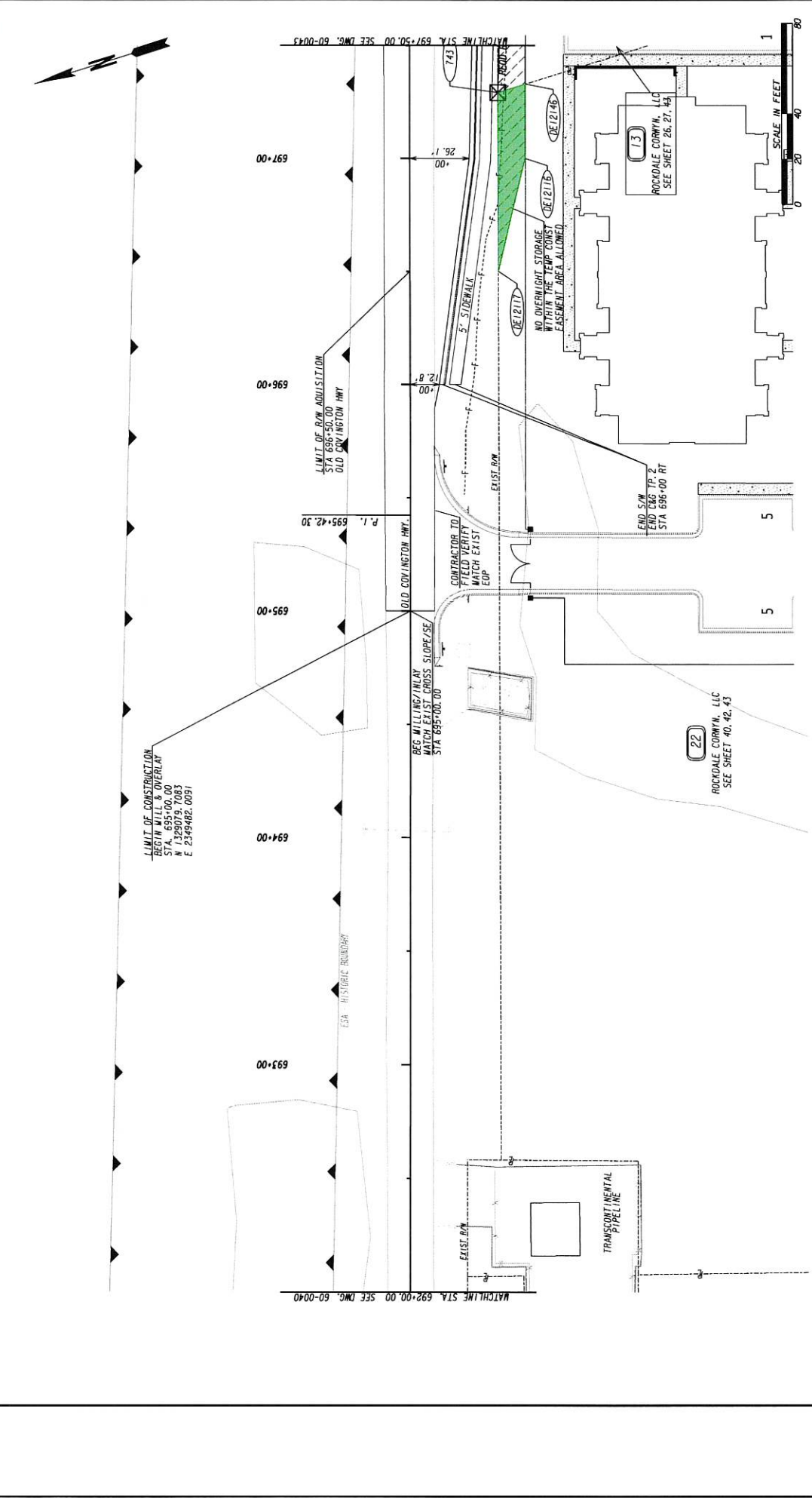
All that tract or parcel of land lying and being in Land Lot 321 of the 16<sup>th</sup> Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 51.00 feet right of and opposite Station 697+32.91 on the construction centerline of OLD COVINGTON HWY CL on Georgia Highway Project No. 0006934; running thence N 72°35'25.6" W a distance of 32.91 feet to a point 51.00 feet right of and opposite station 697+00.00 on said construction centerline laid out for OLD COVINGTON HWY CL; thence N 59°00'53.9" W a distance of 51.44 feet to a point 38.93 feet right of and opposite station 696+50.00 on said construction centerline laid out for OLD COVINGTON HWY CL; thence S 72°39'28.7" E a distance of 79.08 feet to a point 38.83 feet right of and opposite station 697+29.08 on said construction centerline laid out for OLD COVINGTON HWY CL; thence S 0°04'54.4" E a distance of 12.76 feet back to the point of beginning.

**Containing 0.016 acres (679.95 square feet), more or less**







DATE	REVISIONS
01/05/2022	PARCEL 22 REVISED TO SHOW REVISIONS ACCORDING TO...
02/14/2022	PARCEL 22A & 22B REVISED TO SHOW NEW...
02/14/2022	PARCEL 22C REVISED TO SHOW NEW...
02/10/2023	REVISED PARCELS 11 AND 22. UNCLERED...
02/12/2023	PARCEL 11 & 22A REVISED TO SHOW...

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SYMBOL	DESCRIPTION
---	BEGIN LIMIT OF ACCESS.....BLA
- - -	END LIMIT OF ACCESS.....ELA
- · - · -	EXISTING LIMIT OF ACCESS
- - - - -	RED'D LIMIT OF ACCESS
--- ---	EXISTING LIMIT OF ACCESS & R/W
- · - · -	RED'D LIMIT OF ACCESS & R/W
---	ORANGE BARRIER FENCE
---	ESA - ENV. SENSITIVE AREA

PROPERTY AND EXISTING R/W LINE  
 REQUIRED R/W LINE  
 CONSTRUCTION LIMITS  
 EASEMENT FOR CONSTR  
 & MAINTENANCE OF SLOPES  
 EASEMENT FOR CONSTR OF SLOPES  
 EASEMENT FOR CONSTR OF DRAINS





REVISIONS

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

BEGIN LIMIT OF ACCESS  
END LIMIT OF ACCESS  
EXISTING LIMIT OF ACCESS  
REDD LIMIT OF ACCESS  
EXISTING LIMIT OF ACCESS & R/W  
REDD LIMIT OF ACCESS & R/W  
ORANGE BARRIER FENCE  
ESA - ENV. SENSITIVE AREA

BEGIN LIMIT OF ACCESS  
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EXISTING LIMIT OF ACCESS  
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ESA - ENV. SENSITIVE AREA

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END LIMIT OF ACCESS  
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ADRIES . 0.016

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PNT	OFFSET/	DIST	STATION/ BEARING	ALIGNMENT
DE12146	51.00	R	697+22.76 >25.6° W	OLD COVINGTON HWY CL
DE12116	51.00	R	697+00.00	OLD COVINGTON HWY CL
DE12117	38.93	R	N 59°00'53.9" W 696+50.00	OLD COVINGTON HWY CL
743	38.93	R	S 72°39'28.7" E 697+09.06	OLD COVINGTON HWY CL
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STATE OF GEORGIA  
DEPARTMENT OF TRANSPORTATION  
RIGHT OF WAY TABLES  
PROJECT NO. CSSTP-0006-001934  
COUNTY: MCDONALD  
LAND DISTRICT:  
DATE: 6/18/21, SH. 42 OF 45

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