

STATE OF GEORGIA

COUNTY OF FULTON

**A RESOLUTION TO APPROVE THE APPROPRIATION OF CERTAIN
PROPERTY RIGHTS AND INTERESTS LOCATED AT 5696 ROSWELL ROAD
THROUGH THE USE OF EMINENT DOMAIN**

WHEREAS, the City of Sandy Springs (“City”) has determined it is necessary to construct certain streetscape improvements along Roswell Road specifically between Long Island Drive to the Prado (T-0033-7 CDBG Roswell Road Sidewalks Project) (“Project”); and

WHEREAS, in order to construct the Project, certain property rights and interests are required over, under, and through the property located at 5696 Roswell Road within the City, those interests being more particularly described in Exhibit “A” attached to this resolution; and

WHEREAS, the Mayor and Council have considered the Project and determined that appropriation of the property rights and interests is necessary and must be carried out expeditiously to ensure timely completion of the Project; and

WHEREAS, the Mayor and City Council find that the circumstances are such that it is necessary to proceed with appropriation under eminent domain provisions of Article 1 of Chapter 3 of Title 32 of the Official Code of Georgia Annotated (“Georgia Code”).

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL FOR THE CITY OF SANDY SPRINGS, GEORGIA, AS FOLLOWS:

1. The City Attorney’s office is hereby authorized to acquire through the use of eminent domain pursuant to Title 32 of the Georgia Code the necessary property rights and interests over, under, and across the property located at 5696 Roswell Road in order to ensure that the City acquires free and clear title to such rights and interests and to ensure the timely completion of the Project; and
2. The City Manager and City Attorney are hereby authorized to take such actions as may be necessary to effectuate the intent of this resolution.

SO RESOLVED, this 21st day of January, 2020.

Approved:



Russell K. Paul, Mayor

Attest:



Coty Thigpen, City Clerk



EXHIBIT "A"

LEGAL DESCRIPTION/ REQUIRED RIGHT OF WAY

CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, PROJECT: T-0033-7 Roswell Rd Sidewalks, PARCEL NO. 21/ ROSWELL ROAD DEV PARTNERS INC

ALL THAT TRACT or parcel of land lying and being in Land Lot 91 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 32.51 feet left and opposite of Station 183+31.02 on City of Sandy Springs Roswell Rd Sidewalks Project No.T-0033-7 (N 1422382.937000 E 2232181.256180); running thence S 89°47'33.7" W a distance of 7.31 feet to a point 39.80 feet left of and opposite station 183+31.44 on said construction centerline laid out for ROSWELL ROAD; thence N 3°11'04.4" W a distance of 41.56 feet to a point 39.60 feet left of and opposite station 183+73.00 on said construction centerline laid out for ROSWELL ROAD; thence N 4°13'47.5" W a distance of 67.01 feet to a point 40.50 feet left of and opposite station 184+40.00 on said construction centerline laid out for ROSWELL ROAD; thence N 5°57'11.7" W a distance of 41.38 feet to a point 42.30 feet left of and opposite station 184+81.34 on said construction centerline laid out for ROSWELL ROAD; thence N 89°52'03.0" E a distance of 6.26 feet to a point 36.05 feet left of and opposite station 184+80.98 on said construction centerline laid out for ROSWELL ROAD; thence S 4°48'57.0" E a distance of 150.00 feet back to the point of beginning.

Containing 0.021 acres more or less.

LEGAL DESCRIPTION/ EASEMENT FOR CONSTRUCTION OF SLOPES

CITY OF SANDY SPRINGS, FULTON COUNTY, GEORGIA, PROJECT: T-0033-7 Roswell Rd Sidewalks, PARCEL NO. NO. 21/ ROSWELL ROAD DEV PARTNERS INC.

ALL THAT TRACT or parcel of land lying and being in Land Lot 91 of the 17th District, City of Sandy Springs, Fulton County, Georgia and being more particularly described as follows:

BEGINNING at a point 39.80 feet left and opposite of Station 183+31.44 on City of Sandy Springs Roswell Rd Sidewalks Project No.T-0033-7 (N 1422382.911004 E 2232173.957982); running thence S 89°57'19.7" W a distance of 6.21 feet to a point 46.00 feet left of and opposite station 183+31.81 on said construction centerline laid out for ROSWELL ROAD; thence N 4°36'23.7" W a distance of 149.96 feet to a point 49.00 feet left of and opposite station 184+81.73 on said construction centerline laid out for ROSWELL ROAD; thence N 89°52'03.0" E a distance of 6.71 feet to a point 42.30 feet left of and opposite station 184+81.34 on said construction centerline laid out for ROSWELL ROAD; thence S 5°57'11.7" E a distance of 41.38 feet to a point 40.50 feet left of and opposite station 184+40.00 on said construction centerline laid out for ROSWELL ROAD; thence S 4°13'47.5" E a distance of 67.01 feet to a point 39.60 feet left of and opposite station 183+73.00 on said construction centerline laid out for ROSWELL ROAD; thence S 3°11'04.4" E a distance of 41.56 feet back to the point of beginning.

Containing 0.025 acres more or less.