

STATE OF GEORGIA  
COUNTY FULTON

**A RESOLUTION TO APPROVE THE APPROPRIATION OF PROPERTIES  
LOCATED AT 175 MOUNT VERNON HIGHWAY AND 176 HILDERBRAND AVENUE  
THROUGH THE USE OF EMINENT DOMAIN**

WHEREAS, the City has determined it is necessary to construct certain improvements for the development of its City Center Project (the "Project"); and

WHEREAS, in order to construct the Project, complete and unencumbered fee simple rights are required over, under, and through the properties located at 175 Mount Vernon Highway and 176 Hilderbrand Avenue within the City of Sandy Springs, more particularly described on **Exhibit A**, attached; and

WHEREAS, the Mayor and Council has considered the Project and determined that it is necessary and must be carried out expeditiously to ensure timely completion; and

WHEREAS, acquisition by the use of Eminent Domain alternative is required to ensure that the City acquires free and clear title to the properties; and

WHEREAS, the Mayor and City Council find that the circumstances are such that it is necessary to proceed through the use of Eminent Domain.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF SANDY SPRINGS, GEORGIA**

The Mayor and City Council authorize the City Attorney's Office to acquire through the use of Eminent Domain complete and unencumbered fee simple rights over, under, and across the properties located at 175 Mount Vernon Highway and 176 Hilderbrand Avenue, as more particularly described herein, in order to ensure the timely completion of the City's City Center Project.

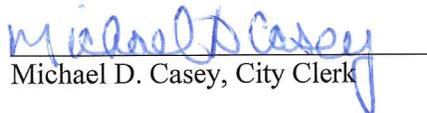
**RESOLVED** this the 7<sup>th</sup> day of July, 2015.

Approved:



Russell K. Paul, Mayor

Attest:



Michael D. Casey, City Clerk

(Seal)



**EXHIBIT "A"**

175 MOUNT VERNON HIGHWAY:

All that tract OR parcel of land lying and being in Land Lot 89 of the 17th District of Fulton County, Georgia, being all of Lot 24 and the east half of Lot 25 of the E.S. Hilderbrand Subdivision, as per plat of the survey of Property of J.F. Sauls made by J.R. Branswell and Associates, Inc. dated June 1, 1949, and also being lots 22 and 23 of the E.S. Hilderbrand Subdivision, according to the plat of the survey made by J.B. Caray, C.E., dated July 8, 1963, copies of which plats are on file in the office of Alex McLonnan, Attorney, Atlanta, Georgia, and being more particularly described as follows:

Beginning at a point on the southeasterly side of Mt. Vernon Highway five hundred fifty (550) feet southwesterly from the intersection of the southeasterly side of Mt. Vernon Highway with the westerly side of Roswell Road; said point of beginning also being located at the northwest corner of Lot 21 said subdivision; and running thence south along the west line of said Lot 21 for a distance of one hundred sixty four (164) feet to an iron pin; and running thence southwesterly for a distance of one hundred seventy five (175) feet to an iron pin; and running thence north for a distance of one hundred fifty three (153) feet to the southeasterly side of Mt. Vernon Highway; and running thence northeasterly along the southeasterly side of Mt. Vernon Highway for a distance of one hundred seventy five (175) feet to the point of beginning; said property also being shown on the plat of the survey made by C.R. Hughes, C.E., dated March 1925 and recorded in Plat Book 11, Pages 44 and 45, Fulton County Records.

176 HILDERBRAND AVENUE:

All that tract or parcel of land lying and being in Land Lot 89 of the 17<sup>th</sup> District of Fulton County, Georgia, being lot 41 of Plat of Subdivision of E.S. Hilderbrand Property, as per plat recorded in Plat Book 11, pages 44 and 45, Fulton County Records, and being more particularly described as follows:

BEGINNING at a point on the north side of Hilderbrand Avenue 600 feet west from the northwest corner of Hilderbrand Avenue and Roswell Road (said beginning point also being at the southwest corner of Lot 42 of said subdivision); running thence west, along the north side of Hilderbrand Avenue 50 feet to Lot 40 of said subdivision; running thence north, along the east line of said Lot 40, 158 feet to Lot 23 of said subdivision; running thence east 50 feet to Lot 42 of said subdivision; running thence south, along the west line of said Lot 42, 161 feet to the north side of Hilderbrand Avenue and point of beginning.