

RESOLUTION NO. 2014-____ - ____

STATE OF GEORGIA
COUNTY OF FULTON

**A RESOLUTION TO AMEND THE CITY OF SANDY SPRINGS'
AUTHORIZATION FOR THE USE OF EMINENT DOMAIN TO ACQUIRE
PROPERTY LOCATED AT 80 JOHNSON FERRY ROAD, SANDY SPRINGS,
GEORGIA PARCEL ID: 17-008800020098, FOR PUBLIC USE**

WHEREAS, pursuant to Resolution No. 2014-06-44 (the "Resolution") of the City Council of the City of Sandy Springs (the "City"), adopted June 3, 2014, the Council authorized the City Attorney's Office to acquire, through use of eminent domain by any method allowed by law, the Property, located at 80 Johnson Ferry Road, in order to insure the timely completion of the Project; and

WHEREAS, the Mayor is specifically authorized to execute any documents necessary to further the filing of any petition related to the same; and

WHEREAS, Exhibit "A" of said Resolution contains a description of the entire Property located at 80 Johnson Ferry Road; and

WHEREAS, the Council wishes to acquire only a portion of the Property containing 0.43 acres more or less; in order to insure the timely completion of the Project; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SANDY SPRINGS, GEORGIA, AND IT IS RESOLVED BY THE AUTHORITY OF SAID CITY COUNCIL AS FOLLOWS:

1. The previous action of Council adopting Resolution No: 2014-06-44 on June 3, 2014 is hereby amended by deleting in its entirety Exhibit "A" attached to said Resolution, and substituting, in lieu therefore, the Exhibit "A" attached to this Resolution, describing, in particular, the portion of the Property located at 80 Johnson Ferry Road containing 0.43 acres more or less to be acquired by the City.
2. The Council authorizes the City Attorney's Office to acquire, through use of eminent domain by any method allowed by law, that portion of the Property, located at 80 Johnson Ferry Road containing 0.43 acres more or less, in order to insure the timely completion of the Project:
3. The Mayor is specifically authorized to execute any documents necessary to further the filing of any petition related to the same.

RESOLVED, this _____ day of _____, 2014.

Approved:

Russell K. Paul, Mayor

Attest:

Michael Casey, City Clerk
(Seal)

EXHIBIT "A"

PROJECT NO.: Marsh Creek Headwaters BMP

PARCEL: 80 Johnson ferry Rd

DATE OF SURVEY: February 4, 2014

REVISION DATE: NA

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All that tract or parcel of land lying and being in Land Lot 88 of the 17th Land District of Fulton County, Georgia, being more particularly described as follows:

Beginning at a point on the Northerly R/W of Johnson Ferry Road, 740.7 feet Southeast of the intersection of said R/W with the Westerly R/W line of Wright Road; thence N $52^{\circ}41'49''$ E a distance of 154.72 feet to a point, said point being a $\frac{1}{2}$ " iron pin and being the true **Point of Beginning**; thence N $52^{\circ}41'49''$ E a distance of 191.10 feet to a point; thence S $37^{\circ}59'54''$ E a distance of 97.67 feet to a point; thence S $52^{\circ}21'23''$ W a distance of 192.68 feet to a point; thence N $37^{\circ}04'40''$ W a distance of 98.81 feet to the point of beginning.

Containing 0.43 acres more or less.