

RESOLUTION NO. 2014-\_\_\_\_ - \_\_\_\_

STATE OF GEORGIA  
COUNTY OF FULTON

**A RESOLUTION TO AUTHORIZE THE USE OF EMINENT DOMAIN TO  
ACQUIRE A PORTION OF THE PROPERTY LOCATED AT  
6332 NORTH HAMPTON DRIVE, SANDY SPRINGS, GEORGIA  
PARCEL ID: 17-008800020395, FOR PUBLIC USE**

**WHEREAS**, the City of Sandy Springs (“City”) has determined that it is necessary to develop stormwater management facilities at the Marsh Creek Headwaters project site to improve overall watersheds within the City (“Project”); and

**WHEREAS**, the Project constitutes a “public use” within the meaning of O.C.G.A. § 22-1-1 et. seq. (“Act”); and

**WHEREAS**, a portion of the property located at 6332 North Hampton Drive (“Property”) containing 0.17 acres more or less is property within the scope of the Project, and therefore the City desires to acquire fee simple interest in the Property to accomplish the Project; and,

**WHEREAS**, the City Attorney has caused to be conducted an appraisal of the Property on January 20, 2014 and the owner or designated representatives were given an opportunity to accompany the appraiser during inspection of the property; and,

**WHEREAS**, the City offered the owner of the Property its January 20, 2014 appraised value of \$29,600 to acquire fee simple title, which was rejected by the owner; and,

**WHEREAS**, the City has funds available to purchase the Property; and,

**WHEREAS**, the City Attorney has made every reasonable effort to acquire the Property expeditiously by negotiation; and,

**WHEREAS**, the City has been unable to reach an agreement with the Property owner to acquire the Property; and,

**WHEREAS**, the Mayor and City Council deem it in the public interest to acquire fee simple title to the Property to insure timely implementation and completion of the Project consistent with the City Center Master Plan; and

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Sandy Springs, Georgia, while in regular session on July 15, 2014 at 6:00 p.m. as follows:

1. The Council hereby 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 6332 North Hampton Drive containing 0.17 acres more or less in order to insure the timely completion of the Project:
2. The Mayor is specifically authorized to execute any documents necessary to further the filing of any petition related to the same.
3. The Property sought to be acquired is more fully described in Exhibit "A" attached hereto and incorporated herein by reference.

**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: 6332 North Hampton Drive

DATE OF SURVEY: February 4, 2014

REVISION DATE: TBD

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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 South R/W of North Hampton Drive, 194 feet Northwest of the intersection of said R/W with the south line of Land Lot 88; thence N 38°12'21" W a distance of 95.00 feet to a point; thence S 51°48'03" W a distance of 250.21 feet to a point, said point being a 1" angle iron and being the true **Point of Beginning**; thence S 30°53'14" E a distance of 105.10 feet to a point; thence N 89°48'45" W a distance of 149.94 feet to a point; thence N 42°37'37" E a distance of 132.63 feet to a point; thence S 37°59'54" E a distance of 10.00 feet to the point of beginning.

Containing 0.17 acres more or less.