

Appendix A to Exhibit A

Resolution and Order of the DeKalb County Board of Commissioners

**RESOLUTION AND ORDER OF THE DEKALB COUNTY BOARD OF
COMMISSIONERS AUTHORIZING CONDEMNATION BY DECLARATION OF
TAKING METHOD PURSUANT TO O.C.G.A. §§ 22-3-140 and 32-3-1, ET SEQ. OF
CERTAIN PROPERTY SITUATED IN DEKALB COUNTY, GEORGIA,
FOR PUBLIC SANITARY SEWER COLLECTION AND TREATMENT AND
WASTEWATER PURPOSES**

WHEREAS, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, counties may acquire private property in fee simple or in any lesser interest by eminent domain for public purposes; and

WHEREAS, DeKalb County, Georgia has determined it necessary to inspect, repair, replace, construct and maintain a certain public sanitary sewer line or line(s), as part of a capital improvement project known as Consent Decree - Gravity Sewer System Rehabilitation and Replacement Project, and being more fully shown on a map and drawing on file in the office of the DeKalb County Watershed Management; and

WHEREAS, Section 140 of Chapter 3 of Title 22 and Section 1 of Chapter 3 of Title 32 of the Official Code of Georgia Annotated and the latter's subsequent sections authorized DeKalb County, Georgia to file a condemnation proceeding *in rem* under a method known as the Declaration of Taking to acquire certain private property interests for public sanitary sewage collection and treatment service and water and wastewater service purposes upon payment of just and adequate compensation therefore to the person(s) entitled to such payment upon the CEO and Board of Commissioner's finding that circumstances are appropriate and necessary for the use of said method; and

WHEREAS, the CEO and Board of Commissioners of DeKalb County, Georgia find and believe the circumstances are appropriate for the use of the Declaration of Taking method to

acquire property for public sanitary sewage collection and treatment and wastewater service purposes from property shown as project Parcel 61 for PI Number 0024-01 for one or more reasons as set forth in the above-mentioned code sections as the same may be amended from time to time, including, but not limited to, a desire in the interests of justice to have judicial ascertainment of any and all questions connected with the condemnation.

WHEREAS, to maintain DeKalb County, Georgia's projected schedule of said installation, inspection, maintenance, operation, repair, replacement and construction of said sanitary sewer and wastewater infrastructure, it is necessary that the easements for said project be acquired without delay; and

WHEREAS, the easements and other rights as herein described and as listed below, shown of record as owned by the person named herein, all as described and shown in the annexes/exhibits to this Resolution and Order hereinafter enumerated, all of said annexes/exhibits, being by reference made a part of this Resolution and Order, are essential for the construction of said project:

Certain Easement Rights: +/- 3,262 sf of permanent sewer easement
+/- 5,050 sf of temporary construction easement (TE1 being 1,356 square feet, and TE2 being 3,694 sf)

Appendix A – Annex I - Legal Descriptions

Appendix A – Annex II - Plat

Owner(s): Delphine Perry; Morris G. Kelly; Lakeview Loan Servicing, LLC; Hon. Bedelia C. Hargrove, Judge, DeKalb County Probate Court; Irvin J. Johnson, DeKalb County Tax Commissioner; and any and all others having or claiming an interest in the herein described lands, individually

NOW, THEREFORE, BE IT AND IT IS HEREBY RESOLVED, the CEO and Board of Commissioners of DeKalb County, Georgia finds that the circumstances are such that it is necessary that the easements, as described in the annexes/exhibits to this Resolution and Order, be acquired by condemnation under the provisions of the Official Code of Georgia Annotated Sections 22-3-140 and 32-3-1 et seq. for public sanitary sewer collection and treatment and water and wastewater purposes; and

IT IS ORDERED that DeKalb County, Georgia and the DeKalb County Attorney, or his/her designee or outside counsel, proceed to acquire the title, estate or interest in the lands hereinafter described in the Exhibits to this Resolution and Order by condemnation under the provisions of said Code for the aforesaid public purpose, and that DeKalb County, Georgia's attorneys, or its assignees, are authorized and directed to file condemnation proceedings, including a Declaration of Taking, to acquire said easements, estate or interest in said lands and to deposit in the Court the sum of \$6,700.00, said sum representing the estimated just compensation, all in accordance with the provisions of said Code, and that the Presiding Officer or the Chief Executive Officer is authorized to execute this Resolution and Order and any documents and/or pleadings required for the proper filing under the aforementioned Code including, but not limited to, a Declaration of Taking and any other documents necessary to effectuate the same.

[Signature Page Follows]

SO ORDERED by the DeKalb County Board of Commissioners this ____ day of _____, 2026.

CHAKIRA JOHNSON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

Approved by the Chief Executive Officer of DeKalb County, Georgia this ____ day of _____, 2026.

LORRAINE COCHRAN-JOHNSON
Chief Executive Officer
Board of Commissioners
DeKalb County, Georgia

Attest:

BARBARA H. SANDERS, CCC
Clerk to the Board of Commissioners
and Chief Executive Officer DeKalb County, Georgia

Annex I of Appendix A of Exhibit A

Legal Description

PROJECT: Consent Decree - Gravity Sewer System Rehabilitation and Replacement Project
PI NO.: 0024-01
PARCEL NO: 61 (3463 Waldrop Road) (TPID 15 059 02 002)
INTERESTS: Certain easement rights
DATE OF PLANS: 09/01/2023
Property Owner(s): Delphine Perry; Morris G. Kelly; Lakeview Loan Servicing, LLC; Hon. Bedelia C. Hargrove, Judge, DeKalb County Probate Court; Irvin J. Johnson, DeKalb County Tax Commissioner; and any and all others having or claiming an interest in the herein described lands, individually

All that tract or parcel lying in Land Lot 59 of the 15th District of DeKalb County, Georgia being more particularly described as follows:

**EXISTING SANITARY SEWER EASEMENT
(2,757 S.F. OR 0.063 ACRES)**

ALL THAT TRACT OR PARCEL LYING IN LAND LOT 59 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT #5148; THENCE S 42° 22' 35" W FOR A DISTANCE OF 24882.87 FEET TO THE **POINT OF BEGINNING (POB EE)**. THENCE S 88° 01' 41" E FOR A DISTANCE OF 14.95 FEET TO A POINT; THENCE S 03° 28' 25" W FOR A DISTANCE OF 184.28 FEET TO A POINT; THENCE N 86° 51' 58" W FOR A DISTANCE OF 15.00 FEET TO A POINT; THENCE N 03° 29' 34" E FOR A DISTANCE OF 183.98 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING 2,757 SQUARE FEET OR 0.063 ACRE MORE OR LESS.

**NEW PERMANENT SANITARY SEWER EASEMENT (PE)
(3,262 S.F. OR 0.075 ACRES)**

ALL THAT TRACT OR PARCEL LYING IN LAND LOT 59 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT #5148; THENCE S 42° 21' 01" W FOR A DISTANCE OF 24873.18 FEET TO THE **POINT OF BEGINNING (POB PE)**. THENCE S 88° 01' 41" E FOR A DISTANCE OF 17.68 FEET TO A POINT; THENCE S 03° 28' 13" W FOR A DISTANCE OF 184.64 FEET TO A POINT; THENCE N 86° 51' 58" W FOR A DISTANCE OF 17.69 FEET TO A POINT; THENCE N 03° 28' 25" E FOR A DISTANCE OF 184.28 FEET TO

THE POINT OF BEGINNING.

SAID TRACT OR PARCEL CONTAINING 3,262 SQUARE FEET OR 0.075 ACRE MORE OR LESS .

Said permanent sewer easements are being acquired for the purpose of constructing, installing, inspecting, maintaining, operating, repairing, and replacing sanitary sewer infrastructure for public sanitary sewer treatment and collection and wastewater purposes, including the right to access, ingress and egress the easement area for the aforementioned purpose and along with the right to clear, and keep clear and to remove all undergrowth, tree and other obstructions, objects and structures from, or, over and across said easement area that interfere with, injure or endanger the construction, installation, inspection, maintenance, operation, repair and replacement of the sanitary sewer and wastewater infrastructure. The owner of the land and the successors thereof may use the easement areas provided that such use is not inconsistent with the rights acquired hereby and that such uses do not interfere with, injure or endanger the construction, installation, inspection, maintenance, operation, repair and replacement of the sanitary sewer and wastewater infrastructure, which prohibitions shall include, but are not limited to, grading, adding or moving dirt on, over or across the easement area or creating conditions on the surface whereby standing water would accumulate upon, over and across the easement area without prior permission from Petitioner.

**TEMPORARY CONSTRUCTION EASEMENT (TE1)
(1,356 S.F. OR 0.031 ACRES)**

ALL THAT TRACT OR PARCEL LYING IN LAND LOT 59 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT #5148; THENCE S 42° 23' 22" W FOR A DISTANCE OF 24887.70 FEET TO THE **POINT OF BEGINNING (POB TE1)**. THENCE S 88° 01' 41" E FOR A DISTANCE OF 7.45 FEET TO A POINT; THENCE S 03° 29' 34" W FOR A DISTANCE OF 183.98 FEET TO A POINT; THENCE N 86° 51' 58" W FOR A DISTANCE OF 7.30 FEET TO A POINT; THENCE N 03° 26' 54" E FOR A DISTANCE OF 183.83 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING 1,356 SQUARE FEET OR 0.031 ACRE MORE OR LESS.

**TEMPORARY CONSTRUCTION EASEMENT (TE2)
(3,694 S.F. OR 0.085 ACRES)**

ALL THAT TRACT OR PARCEL LYING IN LAND LOT 59 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT NGS MONUMENT #5148; THENCE S 42° 19' 09" W FOR A DISTANCE OF 24861.73 FEET TO THE **POINT OF BEGINNING (POB TE2)**. THENCE S 88° 01' 41" E FOR A DISTANCE OF 19.96 FEET TO A POINT; THENCE S 03° 27' 06" W FOR A DISTANCE OF 185.05 FEET TO A POINT; THENCE N 86° 51' 58" W FOR A DISTANCE OF 20.02 FEET TO A POINT; THENCE N 03° 28' 13" E FOR A DISTANCE OF 184.64 FEET TO THE **POINT OF BEGINNING**.

SAID TRACT OR PARCEL CONTAINING 3,694 SQUARE FEET OR 0.085 ACRE MORE OR LESS.

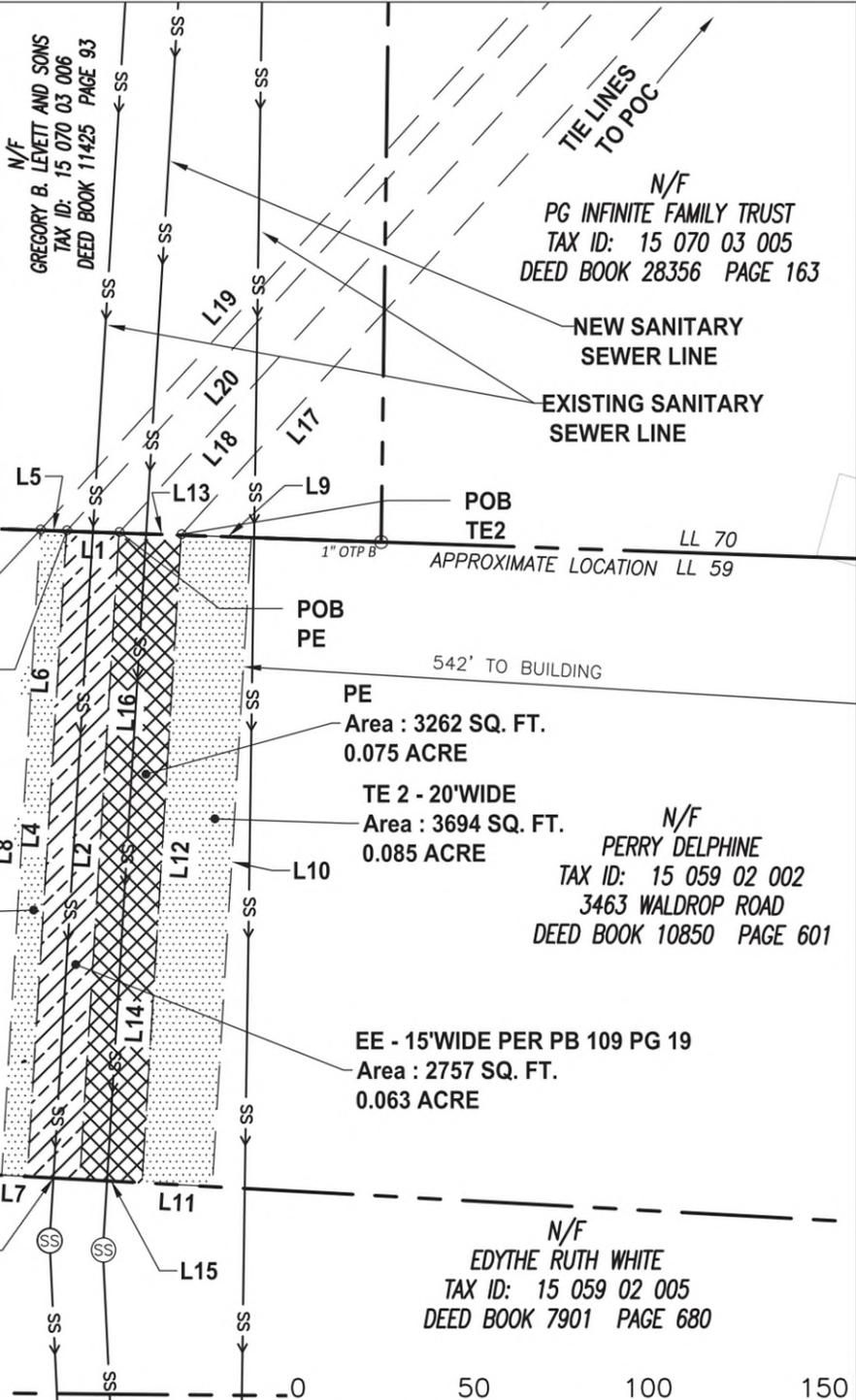
Said temporary construction easements are being acquired for the purpose of constructing, installing, inspecting, maintaining, operating, repairing and replacing sanitary sewer infrastructure for public sanitary sewer treatment and collection and wastewater purposes, including the right to access, ingress and egress the easement area for the aforementioned purpose and along with the right to clear, and keep clear and to remove all undergrowth, tree and other obstructions, objects and structures from, or, over and across said easement area that interfere with, injure or endanger the construction, installation, inspection, maintenance, operation, repair and replacement of the sanitary sewer and wastewater infrastructure. The owner of the land and the successors thereof may use the easement areas provided that such use is not inconsistent with the rights acquired hereby and that such uses do not interfere with, injure or endanger the construction, installation, inspection, maintenance, operation, repair and replacement of the sanitary sewer and wastewater infrastructure, which prohibitions shall include, but are not limited to, grading, adding or moving dirt on, over or across the easement area or creating conditions on the surface whereby standing water would accumulate upon, over and across the easement area without prior permission from Petitioner.

Said temporary construction easements are for a consecutive twelve (12)-month period between the date of filing the Declaration of Taking and April 30, 2027 and commences 30 days following certified mailing of the written notice of commencement of temporary construction easement to the property owner.

Annex II of Appendix A of Exhibit A

Plat

FOR RECORDING



N/F
GREGORY B. LEVETT AND SONS
TAX ID: 15 070 03 006
DEED BOOK 11425 PAGE 93

N/F
PG INFINITE FAMILY TRUST
TAX ID: 15 070 03 005
DEED BOOK 28356 PAGE 163

NEW SANITARY
SEWER LINE
EXISTING SANITARY
SEWER LINE

N/F
GLORIA D. WISE
TAX ID: 15 059 02 010
DEED BOOK 21644 PAGE 618
PLAT BOOK 109 PAGE 19
CENTERLINE OF
SOUTH RIVER

GRID NORTH
GA WEST NAD 83

TE 1
Area : 1356 SQ. FT.
0.031 ACRE

1" OTP B
APPROXIMATE LOCATION LL 70
LL 59

POB
TE1
POB
EE
POB
PE
542' TO BUILDING

PE
Area : 3262 SQ. FT.
0.075 ACRE

TE 2 - 20' WIDE
Area : 3694 SQ. FT.
0.085 ACRE

N/F
PERRY DELPHINE
TAX ID: 15 059 02 002
3463 WALDROP ROAD
DEED BOOK 10850 PAGE 601

EE - 15' WIDE PER PB 109 PG 19
Area : 2757 SQ. FT.
0.063 ACRE

N/F
EDYTHE RUTH WHITE
TAX ID: 15 059 02 005
DEED BOOK 7901 PAGE 680

LEGEND

| | |
|------------------|--|
| SS → | Sanitary Sewer Line |
| --- | Property Line |
| ++ --- ++ | Right of Way Line |
| --- | Easement Line |
| [Cross-hatched] | New Sewer Permanent Easement (PE) |
| [Dotted] | Temporary Construction Easement (TE) |
| [Diagonal lines] | Existing Sewer Permanent Easement (EE) |
| [Box with X] | RWM Right-of-Way Monument Found |
| (SS) | Sanitary Sewer Manhole |
| DB | Deed Book |
| IPF | Iron Pin Found (1/2" Rebar) |
| N/F | Now or Formerly |
| PB | Plat Book |
| PG | Page |
| POB | Point of Beginning |
| POC | Point of Commencement |

REVISION 1:
ADDED ADDRESS AND HOUSES - 05/29/2024



THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE RECORDING INFORMATION OF THE DOCUMENTS, MAPS, PLATS, OR OTHER INSTRUMENTS WHICH CREATED THE PARCEL OR PARCELS ARE STATED HEREON. RECORDATION OF THIS PLAT DOES NOT IMPLY APPROVAL OF ANY LOCAL JURISDICTION, AVAILABILITY OF PERMITS, COMPLIANCE WITH LOCAL REGULATIONS OR REQUIREMENTS, OR SUITABILITY FOR ANY USE OR PURPOSE OF THE LAND. FURTHERMORE, THE UNDERSIGNED LAND SURVEYOR CERTIFIES THAT THIS PLAT COMPLIES WITH THE MINIMUM TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN THE RULES AND REGULATIONS OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN O.C.G.A. SECTION 15-6-67.

Andrew M. Goldman
ANDREW M. GOLDMAN PLS 2823

PROPOSED SANITARY SEWER EASEMENT
TAX PARCEL: # 15-059-02-002
PERRY DELPHINE
PREPARED FOR
DEKALB COUNTY
LAND LOT 059, 15th DISTRICT DEKALB COUNTY, GA
DATE: 09/01/2023 - SCALE 1" = 50'
JOB #: 20440
SHEET 1 OF 4
SURVEY PREPARED BY:
ACCURA
ACCURA ENGINEERING AND CONSULTING SERVICES, INC.
3200 PRESIDENTIAL DRIVE
ATLANTA, GA 30340
OFFICE: 404-241-8722

EXISTING EASEMENT

| EASEMENT TABLE | | |
|----------------|----------|---------------|
| LINE #/CURVE # | DISTANCE | DIRECTION |
| L1 | 14.95 | S88° 01' 41"E |
| L2 | 184.28 | S03° 28' 25"W |
| L3 | 15.00 | N86° 51' 58"W |
| L4 | 183.98 | N03° 29' 34"E |

NEW PERMANENT EASEMENT

| EASEMENT TABLE | | |
|----------------|----------|---------------|
| LINE #/CURVE # | DISTANCE | DIRECTION |
| L13 | 17.68 | S88° 01' 41"E |
| L14 | 184.64 | S03° 28' 13"W |
| L15 | 17.69 | N86° 51' 58"W |
| L16 | 184.28 | N03° 28' 25"E |

TEMPORARY EASEMENT

| EASEMENT TABLE | | |
|----------------|----------|---------------|
| LINE #/CURVE # | DISTANCE | DIRECTION |
| L5 | 7.45 | S88° 01' 41"E |
| L6 | 183.98 | S03° 29' 34"W |
| L7 | 7.30 | N86° 51' 58"W |
| L8 | 183.83 | N03° 26' 54"E |
| L9 | 19.96 | S88° 01' 41"E |
| L10 | 185.05 | S03° 27' 06"W |
| L11 | 20.02 | N86° 51' 58"W |
| L12 | 184.64 | N03° 28' 13"E |

| POC TO POB | | |
|----------------|----------|---------------|
| LINE #/CURVE # | DISTANCE | DIRECTION |
| L17 | 24861.73 | S42° 19' 09"W |
| L18 | 24873.18 | S42° 21' 01"W |
| L19 | 24887.70 | S42° 23' 22"W |
| L20 | 24882.87 | S42° 22' 35"W |

AREA SUMMARY

EXISTING SEWER PERMANENT EASEMENT: 2757 SQ.FT OR 0.063 ACRE
 NEW SEWER PERMANENT EASEMENT: 3262 SQ.FT OR 0.075 ACRE
 TEMPORARY CONSTRUCTION EASEMENT #1: 1356 SQ.FT OR 0.031 ACRE
 TEMPORARY CONSTRUCTION EASEMENT #2: 3694 SQ.FT OR 0.085 ACRE

CLOSURE

1 FOOT IN 54,549 FEET
 1 FOOT IN 76,281 FEET
 1 FOOT IN 72,181 FEET
 1 FOOT IN 48,196 FEET



NOTES:
 1) THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE ENTITY NAMED IN THE CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED ENTITY WITHOUT EXPRESS PERMISSION BY THE SURVEYOR NAMING SAID ENTITY.
 2) THE CERTIFICATE OF AUTHORIZATION NUMBER FOR ACCURA ENGINEERING AND CONSULTING SERVICES, INC. IS LSF001140. SAID AUTHORIZATION EXPIRES ON 6/30/2024.
 3) POC IS NGS MONUMENT #5148 (N:1357828.66, E:2288274.12)
 4) THE LATEST SURVEY FIELD DATE: JUNE, 2023.
 5) THE FIELD DATA UPON WHICH THIS MAP OR PLAT IS BASED HAS A CLOSURE PRECISION OF ONE FOOT IN 175,736 FEET; AN ANGULAR ERROR OF 3.20" PER ANGLE POINT; AND WAS ADJUSTED USING COMPASS RULE.
 6) THIS PLAT HAS BEEN CALCULATED FOR PLAT CLOSURE OF BOUNDARY AND FOUND TO HAVE A CLOSURE PRECISION RATIO OF ONE PART IN 48,196 FEET.
 CONTINUES ON PAGE 3

PROPOSED SANITARY SEWER EASEMENT
 TAX PARCEL: # 15-059-02-002
 PERRY DELPHINE
 PREPARED FOR
 DEKALB COUNTY
 LAND LOT 059, 15th DISTRICT DEKALB COUNTY, GA
 DATE: 09/01/2023 - SCALE NTS
 JOB #: 20440
 SHEET 2 OF 4
 SURVEY PREPARED BY:
ACCURA
 ACCURA ENGINEERING AND CONSULTING SERVICES, INC.
 3200 PRESIDENTIAL DRIVE
 ATLANTA, GA 30340
 OFFICE:404-241-8722

GEORGIA, DEKALB COUNTY

I, Barbara H. Sanders, do hereby certify that I am the Clerk of the DeKalb County Board of Commissioners.

I further certify that the foregoing ___ pages constitute a true and correct exact copy of a Resolution and Order of the DeKalb County Board of Commissioners entered on the ____ day of _____, 2026 as the same applies to the tract or parcel of land described in said ___ pages; and the original of said Resolution and Order is on file at my office at 1300 Commerce Drive, Decatur, Georgia.

Given under my hand and the Seal of the DeKalb County, Georgia Board of Commissioners, this ____ day of _____, 2026.

BARBARA H. SANDERS, CCC
Clerk to the Board of Commissioners
and Chief Executive Officer
DeKalb County, Georgia