

## RESOLUTION

**A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, TO CONSIDER THE ABANDONMENT OF A 13,317 SQFT (0.30-ACRE) SECTION OF RIGHT-OF-WAY KNOWN AS LANCASTER RD, CONLEY, GA 30288, LOCATED IN LAND LOT 17 OF THE 15TH DISTRICT OF DEKALB COUNTY, GEORGIA.**

**WHEREAS**, the owner of the property adjoining a public right-of-way known as Lancaster Road has requested the abandonment of a section of the right-of-way, located in Land Lot 17 of the 15<sup>th</sup> District of DeKalb County, consisting of approximately 13,317 SF known as Lancaster Road and identified in Exhibit "A" (the "subject property"); and

**WHEREAS**, the subject property is no longer needed for road purposes by DeKalb County, no substantial public purpose is served by its continued existence and, therefore, pursuant to O.C.G.A § 32-7-2, the subject property may be abandoned as a public road; and

**WHEREAS**, the abandonment and subsequent sale of the subject property would serve the public purpose of continuing the productive use of the property and returning the property to the tax rolls of DeKalb County; and

**WHEREAS**, notice of a public hearing has been provided to all property owners located thereon and notice has been published once a week for a period of two weeks pursuant to O.C.G.A. § 32-7-2 (b)(1); and

**WHEREAS**, a public hearing has been conducted regarding the proposed abandonment as required by O.C.G.A. § 32-7-2 (b)(1).

**NOW, THEREFORE, BE IT RESOLVED** by the governing authority of DeKalb County, Georgia, that:

1) Pursuant to O.C.G.A. § 32-7-2 (b)(1), the county shall notify all landowners on or adjacent to the subject property of the proposed abandonment and provide publication of the proposed abandonment as provided by law; and

2) That the Chief Executive Officer is authorized to dispose of said property by quitclaim deed for no less than its fair market value as provided in O.C.G.A. § 32-7-4, provided that nothing herein shall be construed to deprive any person or other legal entity of any private right which might have been acquired pursuant to purchase according to any recorded plat or to affect any existing easements, for utilities or other purpose, held by a legal entity other than DeKalb County, Georgia. Provided further that the county hereby reserves for itself, its successors and assigns, (1) easements relating to the existence, location, access, repair and maintenance of water and sewer lines, hydrants, valves and meters upon, over, across and under the above-described property and (2) an easement upon, over, across and under the above-described property for the collection, direction, concentration, discharge, ponding or retention of rain waters, surface waters or other waters from the roads, streets, alleys, parks, lots, ditches, culverts, drains, lakes, rivers, streams, ponds and properties of DeKalb County, Georgia, or properties devoted to a public use. Notwithstanding the foregoing, DeKalb County reserves the right to reject any and all bids submitted as a result of this Resolution.

**(SIGNATURES OF FOLLOWING PAGE)**

**ADOPTED** by the DeKalb County Board of Commissioners, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Mereda Davis-Johnson**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

**APPROVED** by the Chief Executive Officer of DeKalb County, this \_\_\_\_\_ day  
of \_\_\_\_\_, 2024.

\_\_\_\_\_  
**Michael L. Thurmond**  
Chief Executive Officer  
DeKalb County, Georgia

**ATTEST:**

\_\_\_\_\_  
**Barbara H. Sanders-Norwood, CCC**  
Clerk Board of Commissioners and  
Chief Executive Officer  
DeKalb County, Georgia

**APPROVED AS TO FORM:**

**APPROVED AS TO SUBSTANCE:**

\_\_\_\_\_  
**County Attorney**  
DeKalb County, Georgia

\_\_\_\_\_  
**Stacy Grear**  
Director  
Geographical Information Systems  
DeKalb County, Georgia

## **EXHIBIT "A"**

### Lancaster Road Right-of-Way Abandonment Tract

All that tract or parcel of land lying and being in Land Lot 17 of the 15<sup>th</sup> District, Dekalb County, Georgia, and being more particularly described as follows:

COMMENCING at a 1-inch open-topped pipe found at the southwesterly corner of Land Lot 17, also being on the common line to Fulton County and Dekalb County; THENCE, northerly along the westerly side of Land Lot 17, also being the Fulton County and Dekalb County line, a distance of 1,932.59 feet to a point being located on the southerly side of Lancaster Road right-of-way; said point also being known as the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING and northerly along said line a bearing of North 00 degrees 09 minutes 26 seconds East, a distance of 20.34 feet to a point; THENCE, easterly along the northerly right-of-way of Lancaster Road the following bearings and distance: North 79 degrees 37 minutes 00 seconds East, a distance of 96.69 feet to a point; THENCE North 85 degrees 47 minutes 00 seconds East, a distance of 96.14 feet to a point; THENCE, South 84 degrees 49 minutes 00 seconds East, a distance of 128.15 feet to a point; THENCE, South 88 degrees 46 minutes 00 seconds East, a distance of 123.97 feet to a point; THENCE, North 89 degrees 05 minutes 00 seconds East, a distance of 83.32 feet to a point; THENCE, South 87 degrees 46 minutes 59 seconds East, a distance of 137.52 feet to a point on the common line with ATL Aggregates LLC; THENCE, southerly along said common line a bearing of South 01 degrees 19 minutes 19 seconds West, a distance of 20.08 feet to a point; THENCE, westerly along the southerly right-of-way of Lancaster Road the following bearings and distances: North 87 degrees 45 minutes 03 seconds West, a distance of 137.29 feet to a point; THENCE, South 89 degrees 05 minutes 00 seconds West, a distance of 83.14 feet to a point; THENCE, North 88 degrees 46 minutes 00 seconds West, a distance of 125.03 feet to a point; THENCE, North 84 degrees 49 minutes 00 seconds West, a distance of 127.19 feet to a point; THENCE, South 85 degrees 47 minutes 00 seconds West, a distance of 93.42 feet to a point; THENCE, South 79 degrees 37 minutes 00 seconds West, a distance of 99.33 feet to the POINT OF BEGINNING.

The herein described right-of-way abandonment contains 13,317 square feet or 0.306 acre, more or less.