

RESOLUTION

A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, TO SET A DATE AND TIME FOR A PUBLIC HEARING RELATED TO THE POTENTIAL ABANDONMENT OF A SECTION OF MARSHALLS INDUSTRIAL DRIVE, A PUBLIC RIGHT-OF-WAY LOCATED IN LAND LOT 26 OF THE 16th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owners of the property adjoining a public right-of-way known as Marshalls Industrial Drive have requested the abandonment of a section of the right-of-way, located in Land Lot 26 of the 16th District of DeKalb County consisting of approximately 0.539 acre 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(b)(1), 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 subject property, relieving the public from the charge of maintaining the subject property, and returning the subject property to the tax rolls of DeKalb County; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) requires that notice of the proposed abandonment of the subject property be given to all property owners located thereon and that notice of the proposed abandonment be published in the newspaper in which the sheriff's advertisements for the county are published once a week for a period of two weeks; and

WHEREAS, O.C.G.A. § 32-7-2(b)(1) requires that a public hearing be held on the proposed abandonment before the county may declare the section of the road system abandoned.

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 of the subject property and provide publication of the proposed abandonment as provided by law; and

2) The Board of Commissioners shall hold a public hearing at its regular Board meeting on August 14, 2018 at 10:00 a.m. regarding abandonment of the subject property, after which it will consider declaring the subject property abandoned by certification recorded in its minutes and accompanied by a plat, sketch and legal description of the subject property.

ADOPTED by the DeKalb County Board of Commissioners, this _____ day of _____, 2018.

Jeff Rader
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2018.

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:



Nicole W. Aigner
Senior Assistant County Attorney
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:



Stacy Grear
Director
Geographical Information Systems
DeKalb County, Georgia

EXHIBIT "A"

Marshalls Industrial Drive

LEGAL DESCRIPTION OF R/W ABANDONMENT

All that tract or parcel of land lying and being in Land Lots 26 and 39 of the 16th Land District, DeKalb County, Georgia, said tract or parcel of land being more fully shown and designated on a plat of survey prepared by Valentino & Associates, Inc. (Job #16-042; Drawing/File #16-042), bearing the seal of Glenn A. Valentino, Ga. Registered Land Surveyor #2528, and being more particularly described, with bearings relative to Grid North, Georgia West Zone, as follows:

BEGINNING at a 1/2" iron pin set on the northerly right-of-way line of Marshalls Industrial Drive (60' public r/w), said 1/2" iron pin set being located 562.15 feet west of the intersection of said northerly right-of-way line of Marshalls Industrial Drive and the westerly right-of-way line of Park Central Boulevard (60' public r/w), as measured along said northerly right-of-way line of Marshalls Industrial Drive.

THENCE departing said northerly right-of-way line of Marshalls Industrial Drive South 01 degrees 30 minutes 06 seconds West for a distance of 60.00 feet to a 1/2" iron pin set on the southerly right-of-way line of Marshalls Industrial Drive;

THENCE proceeding along said southerly right-of-way line of Marshalls Industrial Drive the following courses and distances:

North 88 degrees 25 minutes 22 seconds West for a distance of 3.98 feet to a computed point;

THENCE along a curve to the right having a radius of 609.41 feet for an arc distance of 330.72 feet (said arc being subtended by a chord of North 72 degrees 52 minutes 33 seconds West for a distance of 326.68 feet) to a computed point;

THENCE North 57 degrees 19 minutes 45 seconds West for a distance of 72.87 feet to a 1/2" iron pin set;

THENCE departing said southerly right-of-way line of Marshalls Industrial Drive North 32 degrees 31 minutes 27 seconds East for a distance of 60.00 feet to a 1/2" iron pin set on the northerly right-of-way line of Marshalls Industrial Drive;

THENCE proceeding along said northerly right-of-way line of Marshalls Industrial Drive the following courses and distances:

South 57 degrees 19 minutes 45 seconds East for a distance of 73.03 feet to a computed point;

THENCE along a curve to the left having a radius of 549.41 feet for an arc distance of 298.16 feet (said arc being subtended by a chord of South 72 degrees 52 minutes 33 seconds East for a distance of 294.52 feet) to a computed point;

THENCE South 88 degrees 25 minutes 22 seconds East for a distance of 3.90 feet to a 1/2" iron pin set, said 1/2" iron pin set being the POINT OF BEGINNING.

Said tract or parcel of land contains 0.539 acres or 23,480 square feet.