

A RESOLUTION CONFIRMING THE DEDICATION AND ACCEPTANCE AND FINALIZING THE ACQUISITION OF CERTAIN INFRASTRUCTURE AND REAL PROPERTY, COMMONLY KNOWN AS THE TWITTENS, WITHIN THE DRUID HILLS SUBDIVISION IN DEKALB COUNTY, AND FOR OTHER PURPOSES

WHEREAS, the Druid Hills subdivision in DeKalb County, Georgia was originally owned and developed by the Kirkwood Land Company and the Druid Hills corporation in the early 1900s; and

WHEREAS, the roads, streets, sidewalks and the connecting walkways, the approximate locations of which are shown in red on Exhibit “A”, attached and incorporated by reference, which serve homes and lots in the Druid Hills subdivision have been utilized by the public and maintained by or for the benefit of public for over one hundred years (hereinafter referred to as the “Twittens”); and

WHEREAS, the original owners and developers of the land comprising the Druid Hills subdivision have not acted to assert dominion over the Twittens in over one hundred years; and

WHEREAS, from all available evidence, it appears that the original owners and developers consented to the public using the Twittens and abandoned any sort of personal dominion over the Twittens thereby creating the inference of dedication of the Twittens to public use; and

WHEREAS, acceptance of such dedication is evidenced by over one hundred years of continuous public use of the Twittens and apparent maintenance by the County; and

WHEREAS, notwithstanding the above circumstances, questions have arisen from time to time regarding the public status and dedication of the Twittens.

NOW THEREFORE, in order to confirm the dedication and acceptance and finalize the acquisition of the Twittens, the DeKalb County Governing Authority hereby directs (1) the County Attorney and the Chief Operating Officer to obtain a survey and formal legal description of the Twittens; (2) the Chief of Staff for the Board of Commissioners to schedule and advertise a public hearing before the Board of Commissioners during a commission meeting regarding the Twittens’ dedication, use by the public, and maintenance by the County; and (3) directs the Chief Operating Officer to have signs showing the date, location, and time of the public hearing prepared and posted along the entire length of the Twittens in a manner similar to the posting for zoning public hearings. At the conclusion of such public hearing, the Governing Authority intends to consider this issue and absent new or different facts or issues, the Governing Authority intends, when and if appropriate, to ratify and reaffirm the dedication to, and acceptance by DeKalb County of the Twittens by adoption and approval of a written resolution and to finalize the acquisition of the Twittens by DeKalb County.

ADOPTED by the DeKalb County Board of Commissioners this ____ day of _____, 2021.

STEPEN R. BRADSHAW
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County this ____ day of _____, 2021.

MICHAEL L. THURMOND
Chief Executive Officer
DeKalb County, Georgia

Attest:

Approved as to form:

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

VIVIANE H. ERNSTES
County Attorney
DeKalb County, Georgia