

**A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, TO RELOCATE THE RELIC CANNON LOCATED ON THE CITY OF DECATUR SQUARE**

**WHEREAS**, the Official Code of Georgia Annotated § 36-9-2 authorizes counties to exercise control of all property belonging to the County;

**WHEREAS**, the City of Decatur Square is owned by DeKalb County (Title Opinion, Exhibit “A”);

**WHEREAS**, a mounted cannon was placed on the Decatur Square in 1906 by the Agnes Lee Chapter of the United Daughters of the Confederacy (“Relic Cannon”), but present-day ownership of that cannon is unknown (Title Opinion, Exhibit “A”);

**WHEREAS**, no documentation has been found to establish that the Relic Cannon was dedicated to or accepted by DeKalb County or that the Relic Cannon is publicly owned;

**WHEREAS**, the Relic Cannon is mounted on a base with an inscription that reads, in its entirety, “Relic of the Indian War of 1836. Mounted by Agnes Lee Chapter U.D.C. No 434. Apr. 26, 1906.”;

**WHEREAS**, the Relic Cannon, according to historical records and scholarship, is of unknown origin and provenance and thus cannot be accurately attributed or dedicated to any particular historical or military entity or event, including the Indian War of 1836 (Historical Society Records, Exhibit “B”);

**WHEREAS**, the Relic Cannon’s inscription specifies that the cannon is a “relic”, as opposed to a dedication or memorial that would be subject to the terms of O.C.G.A. § 50-3-1;

**WHEREAS**, although the Relic Cannon is of unknown provenance, the plaque affixed to the side asserts that it is a relic from the “Indian War of 1836”,

**WHEREAS**, the Relic Cannon has been the focus of much public discussion, a petition for removal, and various protest and rallies; and

**WHEREAS**, for the foregoing reasons, the Governing Authority desires to remove the Relic Cannon from the Decatur Square and house it in an appropriate storage facility while the Governing Authority takes steps to notify potential owners and allow the rightful owner(s), if they can be found, to reclaim and retrieve the Relic Cannon.

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Authority of DeKalb County as follows:

1. The Relic Cannon is not publicly-owned and is not a monument as that term is defined by state law; [and](#)

2. That the Relic Cannon shall be moved to an appropriate storage facility by County staff within ninety (90) days from the adoption and approval of this resolution; and
3. The County Attorney is directed to place a notice in the County's legal organ to advise the public and potential owners of this Resolution and ownership issues related to the Relic Cannon and to report back to the Governing Authority if any potential owners can provide any indicia of ownership of the Relic Cannon.

**ADOPTED** by the DeKalb County Board of Commissioners, this \_\_\_\_ day of \_\_\_\_, 2021.

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

**APPROVED** by the Chief Executive Officer, this \_\_\_\_ day of \_\_\_\_, 2021.

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**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

ATTEST:

APPROVED AS TO SUBSTANCE:

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**BARBARA H. SANDERS-NORWOOD, CCC**  
County Clerk  
Board of Commissioners and  
Chief Executive Officer

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**ZACHARY L. WILLIAMS**  
Chief Operating Officer  
DeKalb County, Georgia

APPROVED AS TO FORM:

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**VIVIANE H. ERNSTES**  
County Attorney  
DeKalb County, Georgia