

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 OHM AVENUE, A PUBLIC RIGHT-OF-WAY LOCATED IN LAND LOT 47 OF THE 18th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owners of the property adjoining a public right-of-way known as Ohm Avenue have requested the abandonment of a section of the right-of-way, located in Land Lot 47 of the 18th District of DeKalb County consisting of approximately 0.175 acres 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 September 22, 2020 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 _____, 2020.

Stephen R. Bradshaw
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of _____, 2020.

Michael L. Thurmond
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

Barbara H. Sanders-Norwood, CCC
Clerk to the Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

County Attorney
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

Stacy Gear
Director
Geographical Information Systems
DeKalb County, Georgia

EXHIBIT "A"

Ohm Avenue

(Right-of-way to be Abandoned)

Abandoned 50-foot right of way of OHM Avenue.

All that tract or parcel of land lying and being in Land Lot 47 of the 18th District, Dekalb County, Georgia, and being more particularly described as follows:

Beginning an iron pin set, being located 369.95 feet west of the intersection of the southern right of way of Kelly Street (50' R/W) with the western right of way of Third Avenue, as measured along the southern right of way of Kelly Street, Said #4 rebar found being the True Point of Beginning.

Proceeding thence and leaving said right of way South 01 degrees 57 minutes 34 seconds West, a distance of 151.36 feet to an iron pin set; Proceeding thence South 89 degrees 41 minutes 36 seconds West, a distance of 10.29 feet to a #4 rebar found; Proceeding thence South 86 degrees 44 minutes 30 seconds West, a distance of 29.84 feet to a #4 rebar found; Proceeding thence North 88 degrees 49 minutes 14 seconds West, a distance of 10.00 feet to an iron pin set; Proceeding thence North 01 degrees 57 minutes 47 seconds West, a distance of 153.43 feet to an iron pin set at the southern right of way of Kelly Street; Proceeding thence along said right of way North 89 degrees 20 minutes 19 seconds East, a distance of 10.00 feet to a #4 rebar found; Continuing thence along said right of way South 89 degrees 04 minutes 34 seconds East, a distance of 40.00 feet to an iron pin set and the True Point of Beginning.

Tract or parcel being an abandoned 50 foot right of way of OHM Avenue, As shown on a survey for Elgin Pritchett by Dekalb Surveys, Inc. Last revised: February 22, 2019. Said tract or parcel containing 7,629 Square Feet or 0.175 Acres.