

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 PORTION OF THE RIGHT-OF-WAY LOCATED AT 3960 CLAIRMONT ROAD, CHAMBLEE, GA 30341 LAND LOT 271 OF THE 18th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owner of the property adjoining a public right-of-way of Clairmont Road has requested the abandonment of the right-of-way, located in Land Lot 271 of the 18th District of DeKalb County consisting of approximately 577 S.F. 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 May 10, 2022 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 _____, 2022.

Robert J. Patrick
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of ___, 2022.

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 Grear
Director
Geographical Information Systems
DeKalb County, Georgia

EXHIBIT “A”

Legal Description

All that tract or parcel of land lying and being in Land Lot 271 of the 18th District of DeKalb County, Georgia, City of Chamblee, and being more particularly described as follows:

To reach the Point of Beginning, start at the western existing right of way line of Clairmont Road with the northern existing right of way line of Eighth Street, said point being 29.79 feet left, west of and opposite Station 92+07.57 on the Survey Centerline of Clairmont Road on Georgia Highway Project M-9014(8); running thence North 89 degrees 51 minutes 43 seconds West along said right of way line of Eighth Street a distance of 24.18 feet to a point 24.32 feet left, north of and opposite Station 9+46 on the centerline of Eighth Street; thence North 47 degrees 41 minutes 03 seconds East a distance of 24.23 feet to a point 36 feet left, west of and opposite Station 92+24 on said survey centerline of Clairmont Road; thence North 00 degrees 02 minutes 59 seconds East a distance of 60.00 feet to a Right of Way Monument located 36 feet left, west of and opposite Station 92+84 on said survey centerline of Clairmont Road and the Point of Beginning; thence South 89 degrees 57 minutes 01 seconds West a distance of 26.00 feet to a point 62 feet left, west of and opposite Station 92+84 on said survey centerline of Clairmont Road; thence North 00 degrees 02 minutes 59 seconds East a distance of 22.21 feet to the point of intersection with Grantor's northern property line, said point being 62 feet left, west of and opposite Station 93+06.21 on said survey centerline of Clairmont Road; thence South 89 degrees 10 minutes 37 seconds East along said northern property line a distance of 26.40 feet to a Right of Way Monument located on the westerly right of way line of Clairmont Road, said point being 36 feet left, west of and opposite Station 93+05.77 on said survey centerline of Clairmont Road; thence South 00 degrees 06 minutes 15 seconds West along said right of way line of Clairmont Road a distance of 21.75 feet to said Right of Way Monument and the Point of Beginning.

The foregoing property described in accordance with that Boundary & Topographic Survey for Roma Fine Homes, by DeKalb Surveys, Inc., bearing the seal of Jonathan M. Coe, R.L.S. No. 3354, dated February 24, 2021.

The above-described property being a portion of the property (excluding the northwest corner formed by Eighth Street and Clairmont Road) described in that Right-of-Way Deed by and between Hal S. Raper, Jr. and Cathy G. Raper, et al., and DeKalb County, a political subdivision of the State of Georgia, dated February 8, 1985, filed March 8, 1985, recorded in Deed Book 5165, Page 51, DeKalb County, Georgia Records.