



DeKalb County Government

02/14/24

Manuel J. Maloof Center
1300 Commerce Drive
Decatur, Georgia 30030

Agenda Item

File ID: 2024-0149

Walk-On Item

02/14/2024

Public Hearing: YES NO

Department: Board of Commissioners

SUBJECT:

Commission District(s): All Commission Districts

To amend the Resolution attached to agenda item 2024-0149; and approve substitute agenda item with correction to the proposed public hearing date.

Information Contact: Stacy Gear

Phone Number: 404-371-2257

PURPOSE:

To amend the Resolution attached to Agenda Item 2024-0149 seeking to schedule a date and time for a public hearing related to the potential abandonment of a 42,344 SF section of right of way known as Koppers Road and an adjacent 29,339 SF section of an unnamed road, located in Land Lot 19 of the 15th District of DeKalb County, Georgia; and accept this Walk-On Substitute agenda item correcting the scrivener's error found in the Resolution attachment of Agenda Item 2024-0149, correcting the public hearing date.

NEED/IMPACT:

A scrivener's error has been found in the Resolution attachment of Agenda Item 2024-0149. This agenda item corrects the scrivener's error by replacing the public hearing date from March 27, 2024 to March 26, 2024. The revised resolution is attached.

FISCAL IMPACT:

None.

RECOMMENDATION:

Accept the Resolution changing the public hearing date from March 27, 2024 to March 26, 2024. Move to approve this substitute agenda item correcting the scrivener's error found in the agenda item 2024-149 Resolution attachment. Adopt the amended resolution and authorize the Chief Executive Officer to execute all necessary documents in a form acceptable to the County Attorney.

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 42,344 SQFT SECTION OF RIGHT-OF-WAY KNOWN AS KOPPERS RD & AN ADJACENT 29,339 SQFT SECTION OF UNOPENED RIGHT-OF-WAY WITHIN CONLEY, GA 30288 IN LAND LOT 19 OF THE 15th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owner of the property adjoining a public right-of-way of Koppers Rd has requested the abandonment of right-of-way, located in Land Lot 19 of the 15th District of DeKalb County, consisting of approximately 42,344 SF known as Koppers Rd and 29,339 SF of an unnamed road and identified in Exhibit “A” and “B” (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 March 26, 2024 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 _____, 2024.

Mereda Davis Johnson
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day of ___, 2024.

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"

Koppers Road Right of Way Abandonment

All that tract or parcel of land lying and being in Land Lot 19 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

Beginning at a 1/2 inch rebar found at the intersection of the southern right of way line of Koppers Road (60 feet right of way width) and the eastern right of way line of Bonsal Road (60 feet right of way width); thence proceeding along said right of way line of Bonsal Road North 00 degrees 25 minutes 28 seconds East a distance of 59.28 feet to a 1/2 inch rebar found on the northern right of way line of Koppers Road; thence proceeding along said right of way line of Koppers Road the following courses and distances: South 88 degrees 45 minutes 09 seconds East a distance of 185.93 feet to a point, South 88 degrees 45 minutes 09 seconds East a distance of 225.63 feet to a point and along a curve to the left with a radius of 694.84 feet and an arc length of 297.43 feet (said curve having a chord bearing of North 79 degrees 01 minutes 22 seconds East and a chord distance of 295.16 feet) to a point on the western right of way line of Interstate Highway 675 (right of way width varies); thence proceeding along said right of way line of Interstate Highway 675 the following courses and distances: along a curve to the right with a radius of 2689.79 feet and an arc length of 65.86 feet (said curve having a chord bearing of South 02 degrees 17 minutes 25 seconds West and a chord distance of 65.86 feet) to a point and along a curve to the right with a radius of 754.84 feet and an arc length of 32.90 feet (said curve having a chord bearing of South 70 degrees 09 minutes 24 seconds West and a chord distance of 32.90 feet) to a point on the southern right of way line of Koppers Road; thence proceeding along said right of way line of Koppers Road the following courses and distances: along a curve to the right with a radius of 754.84 feet and an arc length of 236.37 feet (said curve having a chord bearing of South 80 degrees 22 minutes 35 seconds West and a chord distance of 235.41 feet) to a point, along a curve to the right with a radius of 754.84 feet and an arc length of 25.09 feet (said curve having a chord bearing of North 89 degrees 42 minutes 02 seconds West and a chord distance of 25.09 feet) to a point, North 88 degrees 44 minutes 46 seconds West a distance of 179.03 feet to a 1/2 inch rebar found and North 88 degrees 34 minutes 40 seconds West a distance of 231.98 feet to a 1/2 inch rebar found, said point being the Point of Beginning.

Said tract contains 42,344 square feet or 0.972 acres.

The above described property is shown on a Right of Way Abandonment Plat for Koppers Road, prepared by Travis Pruitt & Associates, Inc., dated June 2, 2023. (FN: 171-D-113)

EXHIBIT "B"

1576 Koppers Road Unopened Road Abandonment Area

All that tract or parcel of land lying and being in Land Lot 19 of the 15th District, DeKalb County, Georgia and being more particularly described as follows:

COMMENCING at a 1/2" rebar found at the easterly right-of-way of Bonsal Road (60' right-of-way) and the southerly right-of-way of Henrico Road (right-of-way varies), said rebar being located 1.5' southwest of a concrete right-of-way monument; **THENCE** proceed along said Henrico Road right-of-way along a curve to the left with a radius of 1210.90 feet and an arc length of 196.72 feet, said curve having a chord bearing of North 82 degrees 10 minutes 19 seconds East and a chord distance of 196.50 feet to a point; **THENCE** North 89 degrees 02 minutes 31 seconds East a distance of 136.46 feet to a point on the northwesterly right-of-way of Interstate Highway 675 (right-of-way varies); **THENCE** proceed along said Interstate Highway 675 right-of-way South 21 degrees 11 minutes 42 seconds East a distance of 49.49 feet to a 1/2" rebar set, said rebar being the **TRUE POINT OF BEGINNING**.

THENCE from said **TRUE POINT OF BEGINNING** departing said right-of-way South 01 degrees 41 minutes 05 seconds West a distance of 864.30 feet to a 1/2" rebar set; **THENCE** South 89 degrees 36 minutes 27 seconds East a distance of 35.86 feet to a 1/2" rebar set; **THENCE** North 01 degrees 41 minutes 05 seconds East a distance of 773.95 feet to a 1/2" rebar set on the northwesterly right-of-way of Interstate Highway 675 (right-of-way varies); **THENCE** proceed along said right-of-way along a curve to the left with a radius of 2689.82 feet and an arc length of 96.46 feet, said curve having a chord bearing of North 20 degrees 08 minutes 04 seconds West and a chord distance of 96.46 feet to a 1/2" rebar set, said rebar being the **TRUE POINT OF BEGINNING**.

Said tract contains 29,339 square feet or 0.67 acres.