

## **RESOLUTION**

### **A RESOLUTION BY THE GOVERNING AUTHORITY OF DEKALB COUNTY, GEORGIA, DECLARING THE PROPERTY LOCATED AT 297 OHM AVENUE, AVONDALE ESTATES, GEORGIA AS SURPLUS AND AUTHORIZING SALE TO THE HIGHEST BIDDER.**

**WHEREAS**, the Governing Authority of DeKalb County, Georgia has control over all property owned and used by the County and may, by order entered on its minutes, direct the disposal of any such property on behalf of the County; and

**WHEREAS**, in accordance with O.C.G.A. § 36-9-3, the governing authority of any county disposing of real property generally makes such sales to the highest responsible bidder, either by sealed bids or by auction after due notice has been given; and

**WHEREAS**, DeKalb County owns the real property located at 297 Ohm Avenue, Avondale Estates, Georgia, as more fully described on Exhibit “A,” hereinafter referred to as “the Property,” and

**WHEREAS**, the Governing Authority of DeKalb County has determined that it is in the best interest of the public to declare the Property surplus and sell it to the highest responsible bidder;

**NOW, THEREFORE, BE IT RESOLVED**, by DeKalb County’s Governing Authority as follows:

1. The County shall dispose of the Property as provided in O.C.G.A. § 36-9-3, and shall advertise the Property for sale to the highest bidder;
2. Nothing herein shall be construed to deprive any person or other legal entity of any private rights to the Property which have been acquired according to any recorded plat or to affect any existing easements upon, over, across and under the Property for stormwater, water, sewer, utilities or other purposes, held by DeKalb County, or other persons or legal entities. Provided further that the County hereby reserves for itself, its successors and assigns an easement upon, over, across and under the Property for the pipes, collection, direction, concentration, discharge, ponding or retention of rain waters, surface waters or other waters from the roads, streets, alleys, parks, lots, ditches, culverts, drains, lakes, rivers, streams, ponds and properties of DeKalb County, Georgia, or other properties devoted to a public use;
3. DeKalb County reserves the right to reject any and all bids submitted for purchase of the Property; and

4. The Chief Executive Officer is authorized to execute all necessary documents.

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

\_\_\_\_\_  
**STEPHEN 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:**

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

**APPROVED AS TO SUBSTANCE:**

\_\_\_\_\_  
**STACY GREAR**  
Director  
Geographical Information System Department  
DeKalb County, Georgia

Exhibit "A"

**297 Ohm Avenue Legal Description**

18009 26004 All that tract or parcel of land lying in and being in Land Lot 9, of the 18th District of DeKalb County, Georgia, and being improved property known as Map Reference 18-009-26-004, as shown in the records of the Office of Tax Commissioner and the Board of Tax Assessors of said County; and presently known as 297 Ohm Avenue, and being more particularly described as follows:

The point of beginning is on the East side of Ohm Avenue, being Southerly 332 feet, as measured along the East side of Ohm Avenue, from 130 feet, to the West side of an alley; thence running Southerly 87 feet, along said alley; thence Westerly 130 feet, to the East side of Ohm Avenue; thence running Northerly 87 feet, along the East side of Ohm Avenue, to the point of beginning (excluding all right of ways and easements).