

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 298 OHM AVENUE, AVONDALE ESTATES, GA 30002 IN LAND LOT 9 OF THE 18th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owner of the property adjoining a public right-of-way of Ohm Avenue has requested the abandonment of the right-of-way, located in Land Lot 9 of the 18th District of DeKalb County consisting of approximately 0.029-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 October 26, 2021 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 _____, 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
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"

298 Ohm Avenue Right-of-Way Abandonment

All that tract or parcel in Land Lot 9 of the 128th District, Dekalb County and being more particularly described as follows:

Commencing at the mitered intersection of the northerly right-of way of Ohm Avenue (50' Right-of-Way) and the easterly right-of-way of Chestnut Street (Currently Unimproved); thence along the right-of-way of Chestnut Street, South 89 Degrees 51 Minutes 41 Seconds West a distance of 223.09 feet to a point, being the Point of Beginning; Thence continuing along Chestnut Street South 89 Degrees 51 Minutes 41 Seconds West a distance of 10.00 feet to a point; thence leaving said right-of-way North 00 degrees 14 Minutes 25 Second East a distance of 128.00 feet to a point; thence North 89 Degrees 51 Minutes 41 Seconds East a distance of 10.00 feet to a point; thence South 00 Degrees 14 Minutes 25 Seconds West a distance of 128 feet to a point, being the Point of Beginning.

Said tract or parcel containing 0.029 acres or 1,280 square feet.