

**RESOLUTION**

**A RESOLUTION AUTHORIZING THE EXERCISE OF THE DEKALB COUNTY  
POWERS OF EMINENT DOMAIN IN THE ACQUISITION OF CERTAIN INTERESTS  
IN PROPERTY SITUATED IN DEKALB COUNTY, GEORGIA,  
FOR TRANSPORTATION PURPOSES**

WHEREAS, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, counties may acquire private property in fee simple or in any lesser interest by eminent domain for public purposes; and,

WHEREAS, the governing authority of DeKalb County, Georgia, a political subdivision of the State of Georgia, has determined that the circumstances of this matter are such that there is a necessity for exercising its powers of eminent domain pursuant to O.C.G.A. § 32-3-1, *et seq.* in the acquisition of certain interests in property for county transportation purposes:

**NOW THEREFORE, BE IT AND IT IS HEREBY RESOLVED**, that the DeKalb County Attorney, or her designee, is ordered and directed to institute proceedings in rem pursuant to O.C.G.A. § 32-3-1, *et seq.* in the DeKalb County Superior Court in order to condemn that certain property and interests therein more particularly described in Exhibit "A" which is attached hereto and made a part hereof by reference as though fully set forth at this point, all to the use of DeKalb County, said property now or formerly vested in Otto Tract No. 10, LLC as well as their successors or assigns. It is further resolved that payment of just and adequate compensation in the amount of Twenty-Three Thousand, One Hundred dollars (\$23,100) be made to the person or persons entitled to such payment. The Chief Executive Officer or the Presiding Officer may sign any documents and/or pleadings required for proper filing under the aforementioned code sections including a Declaration of Taking and Order of the Board of Commissioners.

ADOPTED by the DeKalb County Board of Commissioners this \_\_\_\_\_ day of

\_\_\_\_\_, 2018.

**DEKALB COUNTY BOARD OF COMMISSIONERS:**

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**JEFF RADER**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County this \_\_\_\_\_ day of

\_\_\_\_\_, 2018.

---

**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

Attest:

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

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', written over a horizontal line.

Benjamin W. Cheesbro

Ga. Bar No. 648368

**CAPLAN COBB LLP**

75 Fourteenth Street, NE, Suite 2750

Atlanta, Georgia 30309

Tel: (404) 596-5600

Fax: (404) 596-5604

bcheesbro@caplancobb.com

Counsel for DeKalb County, Georgia

**Parcel 07**

**(Tax ID #15-090-01-013)**

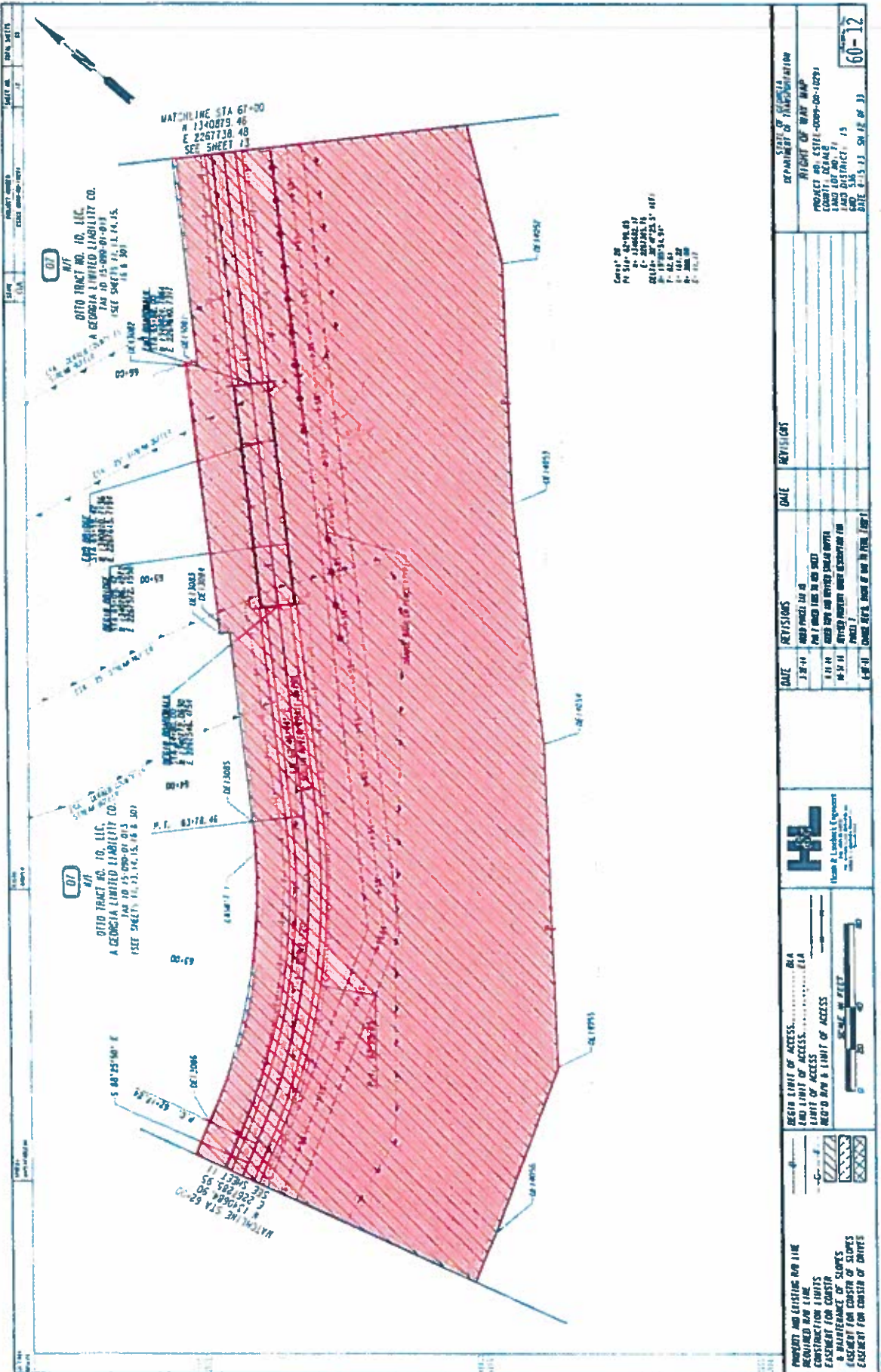
**OTTO Tract No. 10, LLC**

**3101 Clifton Springs Road**

**Decatur, GA 30034**



# EXHIBIT "B-2"



PROJECT NUMBER: 60-12  
 SHEET NO.: 12 OF 12  
 DATE: 11/15/11

**OT**  
 N/A  
 OTTO TRACT NO. 10, LLC,  
 A GEORGIA LIMITED LIABILITY CO.  
 PAR 10 15-099-01-013  
 (SEE SHEETS 11, 12, 13, 14, 15,  
 16 & 20)

**OT**  
 N/A  
 OTTO TRACT NO. 10, LLC,  
 A GEORGIA LIMITED LIABILITY CO.  
 PAR 10 15-099-01-013  
 (SEE SHEETS 11, 12, 13, 14, 15, 16 & 20)

MATCHLINE STA 61+00  
 N 1340879.46  
 E 2267738.48  
 SEE SHEET 13

MATCHLINE STA 52+00  
 N 110884.90  
 E 2267738.48  
 SEE SHEET 11

Created By: J. H. HARRIS, JR.  
 P. H. HARRIS, JR.  
 11/15/11  
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 11/15/11  
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 11/15/11

DATE	REVISIONS	DATE	REVISIONS
11/15/11	ISSUED PERMIT FOR CONSTRUCTION	11/15/11	ISSUED PERMIT FOR CONSTRUCTION
11/15/11	ISSUED PERMIT FOR CONSTRUCTION	11/15/11	ISSUED PERMIT FOR CONSTRUCTION
11/15/11	ISSUED PERMIT FOR CONSTRUCTION	11/15/11	ISSUED PERMIT FOR CONSTRUCTION
11/15/11	ISSUED PERMIT FOR CONSTRUCTION	11/15/11	ISSUED PERMIT FOR CONSTRUCTION

STATE OF GEORGIA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP PROJECT NO. 60-12 LAND LOT NO. 10 CADD 15-099-01-013 DATE 11/15/11	60-12
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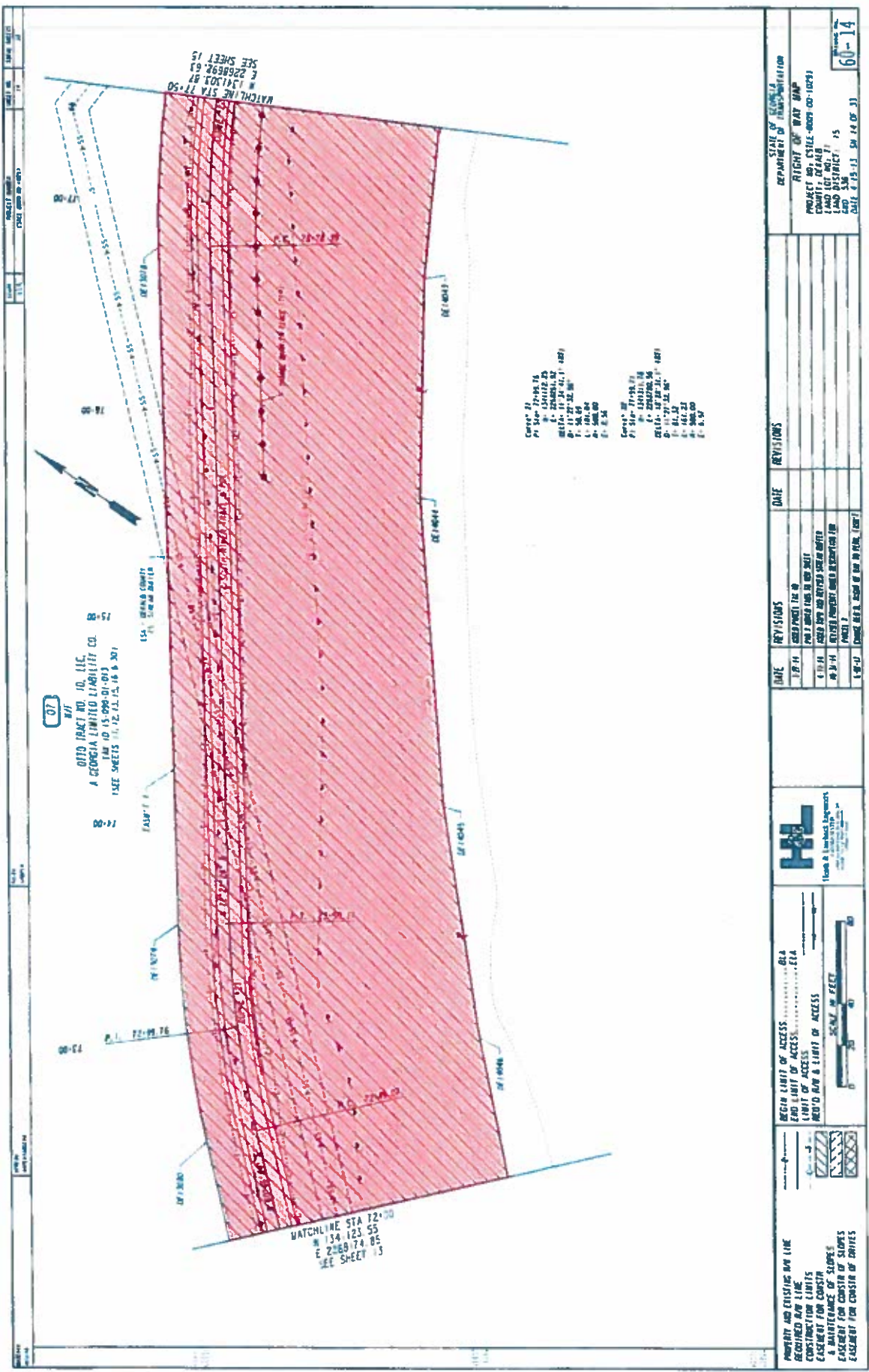


BEGIN LIMIT OF ACCESS.....R/A  
 END LIMIT OF ACCESS.....E/A  
 LIMIT OF ACCESS.....E/A  
 RIGHT OF WAY & LIMIT OF ACCESS

PROPERTY AND SETTING FOR THE  
 CONSTRUCTION LIMITS  
 EASEMENT FOR CONSTR  
 & MAINTENANCE OF SLOPES  
 EASEMENT FOR CONSTR OF SLOPES  
 EASEMENT FOR CONSTR OF DRIVES



# EXHIBIT "B-4"



SHEET NO. 111  
 PROJECT NO. 60-14  
 DATE: 11-15-13  
 SCALE: AS SHOWN  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]

**01**  
 M/T  
 OTTO TRACT NO. 10, LLC,  
 A GEORGIA LIMITED LIABILITY CO. B  
 TAX ID 45-098-01-013  
 (SEE SHEETS 11, 12, 13, 15, 16 & 20)

MATCHLINE STA 77+50  
 N 134.125 S 55  
 E 2268.74 85  
 SEE SHEET 13

MATCHLINE STA 72+00  
 N 134.125 S 55  
 E 2268.74 85  
 SEE SHEET 13

**Corner 11**  
 P1 Sta: 72+98.76  
 P2 Sta: 73+00.00  
 BEARING: N 72.41.7" W  
 DIST: 11.27'-12.96"  
 L: 194.84  
 A: 588.00  
 E: 5.34  
  
**Corner 12**  
 P1 Sta: 72+98.76  
 P2 Sta: 73+00.00  
 BEARING: N 72.41.7" W  
 DIST: 11.27'-12.96"  
 L: 194.84  
 A: 588.00  
 E: 5.34

PROPERTY AND EXISTING RW LINE		RECORDED RW LINE		CONSTRUCTION LIMITS		EASEMENT FOR CONSTRUCTION		EASEMENT FOR CONSTRUCTION	
[Symbol]	PROPERTY AND EXISTING RW LINE	[Symbol]	RECORDED RW LINE	[Symbol]	CONSTRUCTION LIMITS	[Symbol]	EASEMENT FOR CONSTRUCTION	[Symbol]	EASEMENT FOR CONSTRUCTION

DATE	REVISIONS	DATE	REVISIONS
10-11-11	ISSUED PROJECT TO DP		
11-15-13	PROJECT REVIEW AND REVISIONS		
11-15-13	PROJECT REVIEW AND REVISIONS		
11-15-13	PROJECT REVIEW AND REVISIONS		

STATE OF GEORGIA		DEPARTMENT OF TRANSPORTATION	
PROJECT NO. 60-14 (2005-00-1005)		RIGHT OF WAY MAP	
LAND ACQUISITION		LAND DISTRICT: 15	
DATE: 11-15-13, SH 14 OF 31		60-14	











**EXHIBIT "A"**

**DECLARATION OF TAKING**

**WHEREAS**, DeKalb County, Georgia has made and passed a Resolution, and entered an Order, finding that the circumstances in connection with acquiring certain interests in property and easements for public (county) transportation purposes are such that it is necessary to acquire title, estate, or interest in the lands fully described in said order to condemn contained in the Resolution. The order is attached to this Declaration as Appendix A and made a part hereof, under O.C.G.A. § 32-3-1, *et seq.*; and

**WHEREAS**, said interests in property and easements are for public purposes upon, across and over the tract of land in said county, as fully described in the attachment hereto identified as Appendix B to Exhibit "A" and made a part hereof; and

**WHEREAS**, DeKalb County, Georgia has caused an investigation and report to be made by a competent land appraiser upon which to estimate the sum of money to be deposited in the Court as just and adequate compensation for the easements, above-referenced to, a copy of the appraiser's sworn statement being attached hereto identified as Appendix C to Exhibit "A" and made a part hereof; and

**WHEREAS**, in consequence of the sworn statement, Appendix C to Exhibit "A", DeKalb County, Georgia estimates Twenty-Three Thousand, One Hundred dollars (\$23,100) as just and adequate compensation to be paid for said easements, as fully described in Appendix B to Exhibit "A" which is attached hereto and made a part hereof and now deposits said sum in the Court to the use of the persons entitled thereto.

**NOW THEREFORE**, the premises considered, DeKalb County, Georgia, under authority of the Official Code of Georgia Annotated § 32-3-1, *et seq.*, hereby declares that the

property and interests as described in Appendix B to Exhibit "A", which is attached hereto and made a part hereof of this Declaration, is taken for purposes of locating, constructing, maintaining, repairing, extending, expanding, and/or installing a non-motorized vehicle multi-purpose trail for public (county) transportation purposes.

**DEKALB COUNTY BOARD OF COMMISSIONERS:**

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**JEFF RADER**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County this \_\_\_\_ day of

\_\_\_\_\_, 2018.

---

**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

Attest:

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

APPROVED AS TO FORM:

A handwritten signature in blue ink, appearing to read 'B. Cheesbro', with a long horizontal flourish extending to the right.

Benjamin W. Cheesbro

Ga. Bar No. 648368

**CAPLAN COBB LLP**

75 Fourteenth Street, NE, Suite 2750

Atlanta, Georgia 30309

Tel: (404) 596-5600

Fax: (404) 596-5604

[bcheesbro@caplancobb.com](mailto:bcheesbro@caplancobb.com)

Counsel for Condemnor

**Exhibit A**

**Appendix A**  
**(Order to Condemn)**

**ORDER OF THE DEKALB COUNTY BOARD OF COMMISSIONERS  
TO CONDEMN PROPERTY FOR PURPOSES OF CONSTRUCTING  
A PUBLIC TRANSPORTATION PROJECT**

WHEREAS, the Board of Commissioners of DeKalb County has laid out and determined to construct a multi-use trail transportation project for DeKalb County at that certain parcel identified for tax purposes as parcel identification number 15-090-01-013 by the DeKalb County Board of Tax Assessors, the same being more fully described and shown in the description and drawing attached as Appendix B to the Declaration of Taking.

WHEREAS, the tract of property and other rights as herein described and listed below shown of record as owned by the persons named herein, all as described and shown in Appendix B to the Declaration of Taking (Exhibit "A" to the Petition for Condemnation) incorporated herein by reference and made a part of this Order are essential for the construction of said project:

Property/Rights:	307,631.93 Square Feet of Permanent Easement
Owner:	Otto Tract No. 10, LLC
Potentially Interested Parties:	Georgia Power Company; Standard Authority, LLC, and; Touchmark National Bank

NOW THEREFORE, in accordance with O.C.G.A. § 32-3-6, it is hereby found by the Board of Commissioners of DeKalb County that the circumstances are such that it is necessary that the property as described in Appendix B to Exhibit "A" of the Declaration of Taking (Exhibit "A" to the Petition for Condemnation) be acquired by condemnation under the provisions of O.C.G.A. § 32-3-1, *et seq.* for public transportation purposes.

IT IS ORDERED, that DeKalb County proceed to acquire the title, estate or interest in the lands hereinafter described as Appendix B of the Declaration of Taking by condemnation



under the provisions of said Code, and the County Attorney, or his or her designees, are authorized and directed to file condemnation proceedings, including a Declaration of Taking, to acquire said title, estate or interest in said lands and to deposit in the Court the sum estimated as just compensation all in accordance with the provisions of said law.

**SO ORDERED** by the DeKalb County Board of Commissioners, this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

**DEKALB COUNTY BOARD OF COMMISSIONERS:**

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**JEFF RADER**  
Presiding Officer  
Board of Commissioners  
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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**MICHAEL L. THURMOND**  
Chief Executive Officer  
DeKalb County, Georgia

Attest:

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

APPROVED AS TO FORM:

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Benjamin W. Cheesbro

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Tel: (404) 596-5600

Fax: (404) 596-5604

[bcheesbro@caplancobb.com](mailto:bcheesbro@caplancobb.com)

Counsel for Condemnor

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# **Exhibit A**

## **Appendix B (Property Description)**

## EXHIBIT "A-1"

### PERMANENT TRAIL EASEMENT

Otto Tract No. 10, LLC

Parcel 7

Tax Parcel Identification Number 15-090-01-013

All that Tract or Parcel of land lying and being in Land Lots 71 and 90 of the 15<sup>th</sup> District, DeKalb County, Georgia, and being more particularly described as follows:

**BEGINNING** at a point 25.00 feet left of and opposite Station 61+41.76 on the construction centerline of South River Trail; running thence S 88°25'50.1" E a distance of 75.49 feet to a point 25.00 feet left of and opposite station 62+17.24 on said construction centerline laid out for S. RIVER TRL.; thence southeasterly 147.78 feet along the arc of a curve (said curve having a radius of 275.00 feet and a chord distance of 146.01 feet on a bearing of N 76°10'27.1" E) to the point 25.00 feet left of and opposite station 63+78.46 on said construction centerline laid out for S. RIVER TRL.; thence N 60°46'44.4" E a distance of 91.54 feet to a point 25.00 feet left of and opposite station 64+70.00 on said construction centerline laid out for S. RIVER TRL.; thence N 29°13'15.6" W a distance of 5.00 feet to a point 30.00 feet left of and opposite station 64+70.00 on said construction centerline laid out for S. RIVER TRL.; thence N 60°46'44.4" E a distance of 130.00 feet to a point 30.00 feet left of and opposite station 66+00.00 on said construction centerline laid out for S. RIVER TRL.; thence S 29°13'15.6" E a distance of 5.00 feet to a point 25.00 feet left of and opposite station 66+00.00 on said construction centerline laid out for S. RIVER TRL.; thence N 60°46'44.4" E a distance of 649.07 feet to a point 25.00 feet left of and opposite station 72+49.07 on said construction centerline laid out for S. RIVER TRL.; thence northeasterly 106.09 feet along the arc of a curve (said curve having a radius of 525.00 feet and a chord distance of 105.91 feet on a bearing of N 66°34'04.9" E) to the point 25.00 feet left of and opposite station 73+50.11 on said construction centerline laid out for S. RIVER TRL.; thence N 72°21'25.5" E a distance of 328.28 feet to a point 25.00 feet left of and opposite station 76+78.39 on said construction centerline laid out for S. RIVER TRL.; thence northeasterly 169.29 feet along the arc of a curve (said curve having a radius of 525.00 feet and a chord distance of 168.56 feet on a bearing of N 81°35'41.1" E) to the point 25.00 feet left of and opposite station 78+39.61 on said construction centerline laid out for S. RIVER TRL.; thence S 89°10'03.4" E a distance of 121.39 feet to a point 25.00 feet left of and opposite station 79+61.00 on said construction centerline laid out for S. RIVER TRL.; thence N 0°49'56.6" E a distance of 5.00 feet to a point 30.00 feet left of and opposite station 79+61.00 on said construction centerline laid out for S. RIVER TRL.; thence S 89°10'03.4" E a distance of 46.04 feet to a point 30.00 feet left of and opposite station 80+07.04 on said construction centerline laid out for S. RIVER TRL.; thence southeasterly 147.90 feet along the arc of a curve (said curve having a radius of 255.00 feet and a chord distance of 145.84 feet on a bearing of S 72°33'06.2" E) to the point 30.00 feet left of and opposite station 81+37.54 on said construction centerline laid out for S. RIVER TRL.; thence S 55°56'08.9" E a distance of 85.83 feet to a point 30.00 feet left of and opposite station 82+53.19 on said construction centerline laid out for S. RIVER TRL.; thence N 67°07'43.1" E a distance of 44.05 feet to a point 30.00 feet left of and opposite station 82+97.24 on said construction centerline laid out for S. RIVER TRL.; thence northeasterly 5.39 feet along the arc of a curve (said curve having a radius of 55.00 feet and a chord distance of 5.39 feet on a bearing of N 69°56'16.5" E) to the point 30.00 feet left of and opposite station 82+99.69 on said construction centerline laid out for S. RIVER TRL.; thence S 1°37'57.0" W a distance of 278.11 feet to a point 181.55 feet right of and opposite station 85+10.71 on said construction centerline laid out for S. RIVER TRL.; thence N 40°28'08.6" W a distance of 133.22 feet to a point 135.04 feet right of and opposite station 82+32.22 on said construction centerline laid out for S. RIVER TRL.; thence N 43°52'53.0" W a distance of 100.62 feet to a point 106.91 feet right of and opposite station 81+72.92 on

## EXHIBIT "A-2"

### PERMANENT TRAIL EASEMENT

Otto Tract No. 10, LLC

Parcel 7

Tax Parcel Identification Number 15-090-01-013

said construction centerline laid out for S. RIVER TRL.; thence N 66°53'47.9" W a distance of 94.56 feet to a point 109.57 feet right of and opposite station 80+20.30 on said construction centerline laid out for S. RIVER TRL.; thence N 81°04'33.6" W a distance of 94.56 feet to a point 96.46 feet right of and opposite station 79+20.22 on said construction centerline laid out for S. RIVER TRL.; thence S 84°53'52.2" W a distance of 108.52 feet to a point 106.73 feet right of and opposite station 78+04.84 on said construction centerline laid out for S. RIVER TRL.; thence S 79°32'34.6" W a distance of 116.98 feet to a point 104.61 feet right of and opposite station 76+60.73 on said construction centerline laid out for S. RIVER TRL.; thence S 75°06'31.2" W a distance of 106.65 feet to a point 99.49 feet right of and opposite station 75+54.21 on said construction centerline laid out for S. RIVER TRL.; thence S 69°39'04.4" W a distance of 149.86 feet to a point 106.56 feet right of and opposite station 74+04.51 on said construction centerline laid out for S. RIVER TRL.; thence S 65°00'24.1" W a distance of 113.29 feet to a point 116.65 feet right of and opposite station 72+74.23 on said construction centerline laid out for S. RIVER TRL.; thence S 62°40'34.0" W a distance of 104.28 feet to a point 113.69 feet right of and opposite station 71+64.13 on said construction centerline laid out for S. RIVER TRL.; thence S 60°16'59.9" W a distance of 97.34 feet to a point 114.53 feet right of and opposite station 70+66.79 on said construction centerline laid out for S. RIVER TRL.; thence S 57°18'59.9" W a distance of 162.41 feet to a point 124.34 feet right of and opposite station 69+04.68 on said construction centerline laid out for S. RIVER TRL.; thence S 66°48'05.1" W a distance of 94.87 feet to a point 114.38 feet right of and opposite station 68+10.33 on said construction centerline laid out for S. RIVER TRL.; thence S 59°09'22.3" W a distance of 94.87 feet to a point 117.07 feet right of and opposite station 67+15.50 on said construction centerline laid out for S. RIVER TRL.; thence S 53°08'09.5" W a distance of 84.62 feet to a point 128.32 feet right of and opposite station 66+31.64 on said construction centerline laid out for S. RIVER TRL.; thence S 65°21'41.8" W a distance of 116.21 feet to a point 119.04 feet right of and opposite station 65+15.80 on said construction centerline laid out for S. RIVER TRL.; thence S 60°06'48.5" W a distance of 116.21 feet to a point 120.39 feet right of and opposite station 63+99.61 on said construction centerline laid out for S. RIVER TRL.; thence S 65°20'38.8" W a distance of 155.46 feet to a point 129.40 feet right of and opposite station 62+83.39 on said construction centerline laid out for S. RIVER TRL.; thence S 88°26'16.0" W a distance of 84.96 feet to a point 123.74 feet right of and opposite station 62+23.67 on said construction centerline laid out for S. RIVER TRL.; thence N 88°16'51.1" W a distance of 83.28 feet to a point 123.43 feet right of and opposite station 61+43.04 on said construction centerline laid out for S. RIVER TRL.; thence N 1°04'25.7" E a distance of 148.43 feet back to the **POINT OF BEGINNING**, containing 307,631.93 square feet (7.062 acres) more or less.

Said described land being a permanent easement for the construction and maintenance of slopes and shown in orange on the attached Right of Way Maps marked Exhibit "B-1", Exhibit "B-2", Exhibit "B-3", Exhibit "B-4", Exhibit "B-5", Exhibit "B-6" and Exhibit "B-7", prepared by Heath & Lineback Engineers Incorporated dated April 15, 2013 and revised June 7, 2017 is made a part hereof by reference.



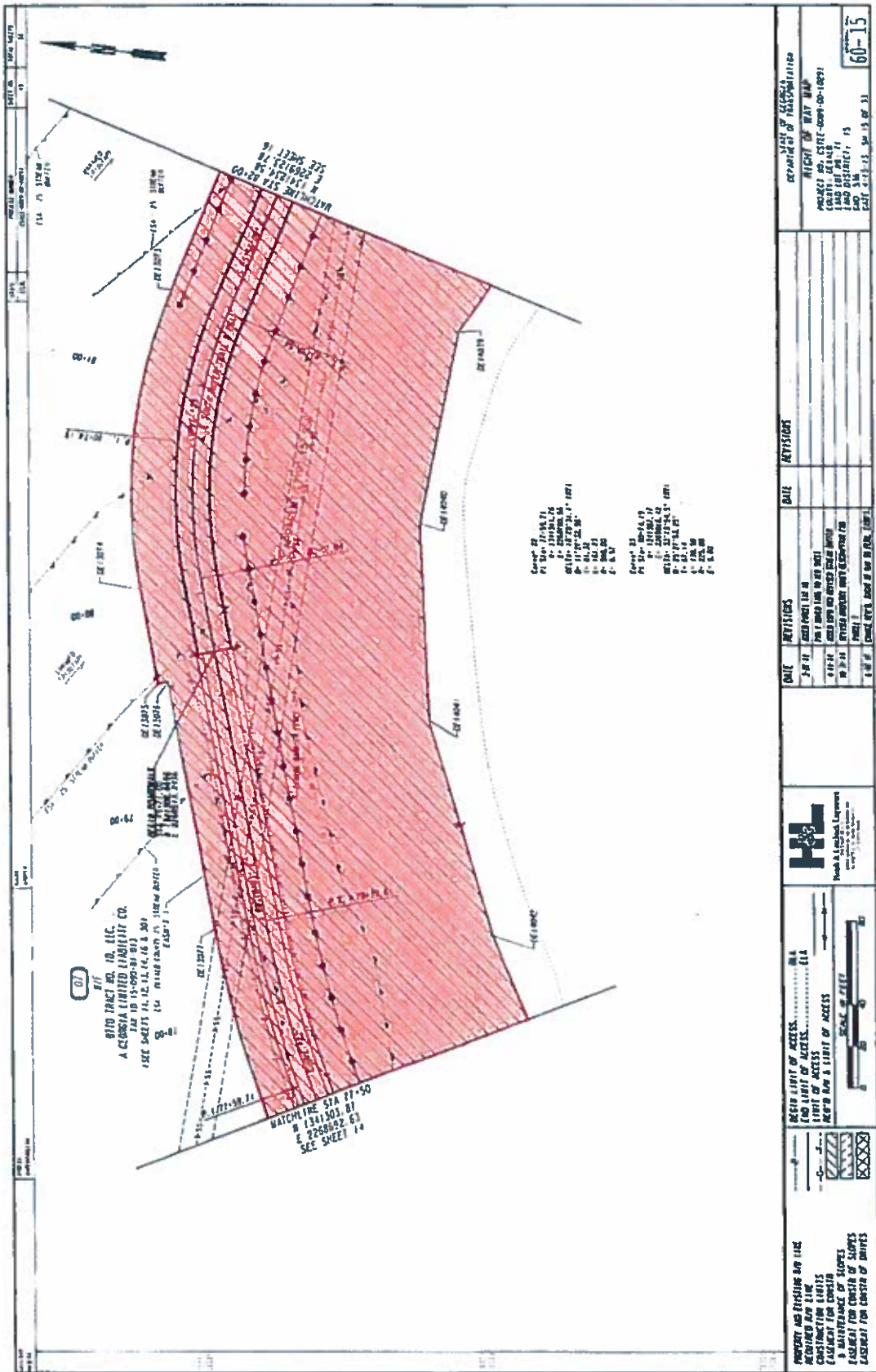








# EXHIBIT "B-5"



DATE	REVISIONS	DATE	REVISIONS
3-18-11	ISSUE PERMIT SET IN		
8-11-11	FOR 100% SUBMIT TO THE STATE		
10-2-11	REVISED PER STATE COMMENTS FOR		
1-18-12	FINAL SET FOR PERMIT		

<p>PROPERTY AND DISTURBANCE SURVEY</p> <p>CONSTRUCTION LIMITS</p> <p>EXISTING LIMITS</p> <p>MAINTENANCE OF SLOPES</p> <p>EASEMENT FOR EXISTING DRIVES</p>	<p>SCALE OF FEET</p>	<p>STATE OF GEORGIA</p> <p>DEPARTMENT OF TRANSPORTATION</p> <p>PROJECT NO. STATE-COMP-00-10001</p> <p>COUNTY: DEKALB</p> <p>LAND DISTRICT: 1</p> <p>MAP NO. 60-15</p> <p>EAST 1/2-1/4-15, SW 1/4 OF 31</p>
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**Exhibit A**

**Appendix C  
(Appraiser Affidavit)**

APPENDIX "C" TO EXHIBIT "A"

GEORGIA, DEKALB COUNTY

Personally comes, John D. Crawford, residing at 570 Mountainbrooke Circle, Stone Mountain, GA 30087

1. Affiant was employed by the Department of Transportation to appraise Parcel No. 7 of the right of way and rights required for construction of Project No. South River Trail, Phase 5, P.I. No. 0009029 in DeKalb County, Georgia for said Department and makes this sworn statement to be used in connection with condemnation proceedings under the Official Code of Georgia Annotated Sections 32-3-4 through 32-3-19, for the acquisition of said parcel.
2. Affiant is familiar with real estate values in said county and in the vicinity where said parcel is located. Affiant has personally inspected the property or right condemned and in appraising said parcel affiant took into consideration the Fair Market Value of said parcel, as well as any consequential damages to remaining property of the Condemnees by reason of the taking and use of said parcel and other rights for the construction of said project, and any consequential benefits which may result to such remaining property by reason of such taking and use (consequential benefits not, however, considered except as offsetting consequential damages). After said investigation and research, affiant has thus estimated that the just and adequate compensation for said parcel, and any consequential damages or benefits considered, is in the amount of \$ 23,100.00.

  
APPRAISER

Sworn to and subscribed before me  
this 12<sup>th</sup> day of April, 2018.

  
NOTARY PUBLIC

My commission expires 6/22/21

Parcel No. 7



**DeKalb County**  
**Public Works**  
**Transportation Division**  
1950 West Exchange Place, 4<sup>th</sup> Floor  
Tucker, Georgia 30084  
Phone: 770-492-5200 - Fax: 770-492-5201

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May 30, 2018

Certified Mail Receipt:  
7004 1160 0006 7107 9162

OTTO Tract No. 10, LLC  
C/O Mahaffey Pickens Tucker, LLP  
Attn: R. Lee Tucker  
1550 North Brown Road, Suite 125  
Lawrenceville, GA 30043

Re: Intent to Condemn—DeKalb County, Georgia  
South River Trail, Phase 5  
Project No. CSTEE-0009-00-(029) P.I. #0009029  
Project Parcel #07; Property Parcel Tax ID #15-090-01-013; 3101 Clifton Springs Road,  
Decatur, GA 30034

Dear Property Owners:

Under Georgia State Laws, a County is empowered to acquire private property for public use by payment of just and adequate compensation for that property. Based on our appraisal of your property, DeKalb County is offering payment to you in the amount of **\$23,100.00**. Since negotiations have failed, it is being recommended that your property be acquired through condemnation action, which will assure you of having opportunity to present evidence of value in a condemnation proceeding and the right of appeal for a jury trial.

The DeKalb County Board of Commissioners will consider a resolution to condemn your property at its regularly scheduled meeting held on **Tuesday, June 26, 2018 at 10:00 a.m.** at the Manuel J. Maloof Auditorium, 1300 Commerce Drive, Decatur, Georgia 30030. While your presence at this meeting is not required, you may attend if you so desire. Should the Board vote to condemn your property, you will be notified.

If you receive a carbon copy of this letter, we may not be condemning your ownership interest in this property; however, we are giving all parties who have any ownership interest in this property notice of this intent to condemn. For your review, we have attached a plat and legal description showing the actual boundaries of the property being considered for condemnation so that you can determine if your ownership interest is affected.

I would like to point out that even after the initiation of condemnation proceedings, the County will work with you in an attempt to reach a mutual agreement. In the meantime, should you

decide to reconsider the County's offer or if you have any questions, please call Holly Wetzel at 770-492-5270.

Thank you for your attention to this matter. Please do not hesitate to contact me if you have any questions regarding this correspondence.

Sincerely,



David Pelton, PE  
Interim Associate Director  
Transportation Division

DWP/hkw  
Enclosure