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 PUBLIC ROAD AND/OR OTHER PUBLIC 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. Section 32-3-1, etseq. in the acquisition of certain interests in property for county road and/or other public 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. Section 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 Alexis C. Haynes; her successors or assigns. It is further resolved that payment of just and adequate compensation in the amount of Two Thousand Nine Hundred dollars (\$2,900.00) 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
		2017.							

DEKALB COUNTY BOARD OF COMMISSIONERS:

KATHIE GANNON
Presiding Officer
Board of Commissioners
DeValle County County

DeKalb County, Georgia

[SIGNATURE(S) CONTINUED ON THE FOLLOWING PAGE]

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:

Kenneth L. Levy

Counsel for DeKalb County ZACHARY & SEGRAVES, P.A.

1000 Commerce Drive Decatur, GA 30030

(404) 373-1685 - Office; (404) 373-1938 - Fax

kennethlevy99@gmail.com

Parcel No. 104 Required Fee Simple Right of Way

EXHIBIT "A"

PROJECT NO.:

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

104

DATE OF RW PLANS: April 13, 2010

REVISION DATE: April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 18.76 feet left of and opposite Station 41+91.74 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 88°51'01" E a distance of 8.67 feet to a point 27.00 feet left of and opposite Station 41+94.43 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 16°54'25" E a distance of 89.91 feet to a point 27.00 feet left of and opposite Station 42+84.34 on said construction centerline laid out for FLAT SHOALS ROAD; thence southeasterly 18.033 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 18.033 feet on a bearing of S 17°18'45" E) to the point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 89°28'58" W a distance of 6.51 feet to a point 20.81 feet left of and opposite Station 43+00.68 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 18°02'41" W a distance of 108.70 feet back to the point of beginning.

Containing 0.018 acres, more or less, or 774.20 square feet, more or less.

Parcel No. 104 Temporary Easement

EXHIBIT "A"

PROJECT NO.: CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program; Phase 2C

P. I. NO.: 0008268, 0007618, 0008831

PARCEL NO.: 104

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 27.00 feet left of and opposite Station 41+94.43 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 88°49'34" E a distance of 8.42 feet to a point 35.00 feet left of and opposite Station 41+97.04 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 20°39'10" E a distance of 110.29 feet to a point 42.00 feet left of and opposite Station 43+07.86 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 89°29'33" W a distance of 15.80 feet to a point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 18.033 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 18.033 feet on a bearing of N 17°18'45" W) to the point 27.00 feet left of and opposite Station 42+84.34 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 16°54'25" W a distance of 89.91 feet back to the point of beginning.

Containing 0.029 acres, more or less, or 1,250.42 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of the Project by the Georgia Department of Transportation.

Parcel No. 106 Required Fee Simple Right of Way

EXHIBIT "A"

PROJECT NO.:

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

106

DATE OF RW PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 17 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 20.81 feet left of and opposite Station 43+00.68 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 89°28'58" E a distance of 6.51 feet to a point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence southeasterly 109.035 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 109.001 feet on a bearing of S 20°10'20" E) to the point 27.00 feet left of and opposite Station 44+14.10 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°53'49" W a distance of 6.61 feet to a point 20.89 feet left of and opposite Station 44+11.53 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 109.044 feet along the arc of a curve (said curve having a radius of 2279.109 feet and a chord distance of 109.034 feet on a bearing of N 20°06'39" W) back to the point of beginning.

Containing 0.015 acres, more or less, or 633.26 square feet, more or less.

Parcel No. 106 Temporary Easement

EXHIBIT "A"

PROJECT NO.: CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

Page 1 of 1

P. I. NO.: 0008268, 0007618, 0008831

PARCEL NO.: 106

DATE OF R/W PLANS: April 13, 2010

REVISION DATE: April 05, 2016

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 27.00 feet left of and opposite Station 43+02.75 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 89°29'33" E a distance of 15.80 feet to a point 42.00 feet left of and opposite Station 43+07.86 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 18°15'33" E a distance of 107.57 feet to a point 38.00 feet left of and opposite Station 44+18.80 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°54'35" W a distance of 8.44 feet to a point 30.21 feet left of and opposite Station 44+15.46 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°49'60" W a distance of 3.47 feet to a point 27.00 feet left of and opposite Station 44+14.10 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 109.035 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 109.001 feet on a bearing of N 20°10'20" W) back to the point of beginning.

Containing 0.034 acres, more or less, or 1,499.58 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of the Project by the Georgia Department of Transportation.

Parcel No. 108 Temporary Easement

EXHIBIT "A"

PROJECT NO.: CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

108

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

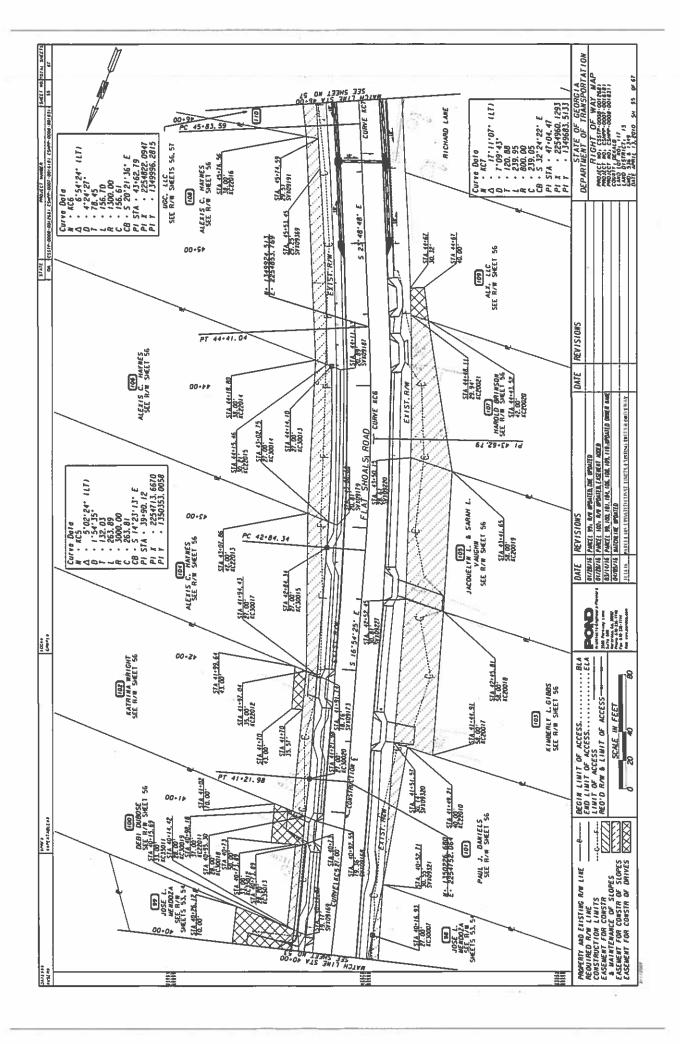
Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 30.21 feet left of and opposite Station 44+15.46 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence N 89°54'35" E a distance of 8.44 feet to a point 38.00 feet left of and opposite Station 44+18.80 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 23°44'46" E a distance of 157.11 feet to a point 38.00 feet left of and opposite Station 45+76.56 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 79°13'32" W a distance of 8.71 feet to a point 29.51 feet left of and opposite Station 45+74.59 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 24°32'31" W a distance of 21.14 feet to a point 29.25 feet left of and opposite station 45+53.45 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 137.426 feet along the arc of a curve (said curve having a radius of 2269.720 feet and a chord distance of 137.405 feet on a bearing of N 23°18'34" W) back to the point of beginning.

Containing 0.032 acres, more or less, or 1,407.74 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of this Project by the Georgia Department of Transportation.



MIE 888 NSER+	244V 0 244V 0	912019 N. Prepired.				21916 30 (12100 0000 44451 1070 000 107	Sect 40 July, Sectis
1	PWECE 188 REO'D RAY CENNII (CEI DAGGE	WHEN RED ENVISED STATES COMMAND WEIGHT FOR LOSSING SLIKES FOR DESCRIPTION ALLOWERT DOS READING ALLOWERT	AUFOS ALIBNEIT	185 JADIELTH 1, \$ SH PIST, OF SLOPES (KZ788)	DW REO'D, ERSW'1.	PRECEDITION ALESTS C. HAMMES FOR CONGIN. OF SLOWES.	
	PHT OFIST, STAIDW ALDERNI DISS BEATING RAPING STOPHEN PLES L. 48-11.07 R.A.I 9-004.5 FD	3 (2) 1-10 1 20 (2) 2 (2	FLAT SHORES ROND FLAT SHORES ROND FLAT SHORES ROND	42 4FC	1100/ ALIGNENI 150-5 FINT SOULS RD 150-15 FINT SOULS RD 150-15 FINT SOULS RD	THE STATE OF	000
	COMMISSION OF THE STREET OF TH	1.00 (FLAT STOR'S ROND FLAT STORYS ROND FLAT STORYS ROND	NCTOR19 50,000 F 43-141.55 NCTOR19 50,000 F 43-141.55 NCTOR19 50,000 F 42-45.81 NCTOR19 50,000 F 42	FLAT SORUS NO FLAT SORUS NO FLAT SORUS NO	### ### ### ### ### ### ### ### ### ##	2 2 2
	15.25 (40-11.87 (15.42.27) 1 15.42.27 (16.41.87 (1	REDITANT - BLOOP AGES REDITANT - BLOOP AGES PARCEL HZ KATATAN WIDM HOLLOGS 1 DRIVEWE EAGENERE	IT EASENET	100 E-201 - 100 E-	2 July 1	Life OCKY, 174 45, 46 10766 5.724, 770 10706 5.724, 174 10706 6.724, 174 1770 1.724, 17	90
	PAGE, 100 DESC. REG. DOPT., 100 DOG! O' SUPES CLIMES	MORE, 10: REO'CAR'T FOR CONSTR. OF SLOPES. TOWNS AT PERSON THE OFFICE TO STANDOW ALLOWERT DIST REPORT OF STANDOW	ALIDNEIT	1978 (1978) 1978 (FLAT SHONES HOND	TOTAL LUI SIGN - 1.71 AUNS PROCEL 18º DUSTIF P. ACHME INCLUDES I CRIMENY EASTERN	
	FMI OFFECT STATION ALLOWER STATION CONTROL OF STATI	3. STATISTICS 1819 80 41 14 14 15 15 15 15 15 15 15 15 15 15 15 15 15	FLAT SHOUS NOND FLAT SHOUS NOND FLAT SHOUS NOND		FLAT SHORES NOVO	PHOTEL LIB NOTO EGRY FOR COMERN, OF SLOWES. ICTRASS, UGC. LLC. HAI OFFECT, SANION ALLOWERS	* *
	CCC5012 277-5 515-75-9 1 14.0 5004.5 FO CC5012 277-9 1 14.0 5004.5	7. 10. 10. 10. 10. 10. 10. 10. 10. 10. 10	FLAT SHOWS ROWD FLAT SHOWS ROWD		FLAT SEDICE POND	### ### ### ### ### ### ### ### ### ##	0 0 0
	100.0 (16	MING 91.70	ALIGNENI ALIGNENI FLAT BOXES FDAD	MODEL 1 STATE STAT	TLAT STUDENT TOPO	DOWN STAND INT	222
	2015 READING 100 100 100 100 100 100 100 100 100 10	COOD 6 6 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	FLAT SHORES FOND FLAT SHORES FOND		TAN SOULS ROO FLAT SOULS ROO FLAT SOULS ROO	NEOD (MSM) - 0.827 MORS	
	9,774 N 18,52,52,1 1 18,52,8 N 48,52,7 M - M, M -	17 (1-15) (17 (17 (17 (17 (17 (17 (17 (17 (17 (17	FLAT SHOWS ROWD FLAT SHOWS ROWD FLAT SHOWS ROWD	CC2010 12.0 C 40.10.0 C 40.10.0 C 40.00.0 C 40	FLAI SONLS NOOD FLAI SONLS NOOD FLAI SONLS NOOD		- 21
	42 40.0 4V KC3888 KANB) GFFF F STATOV 0151 KFRING 19.35 L 44-2.55 9.46 S RN-57-87 F	RWANGEN - 7.7 2.873 ACRES NACT, 184 RED EASY TON COSTN. OF SLOWES, KZNES A. RANGE - 184KS PHI OFST STAILOW A. LONGIN OF STAILOW	OPES. ALIGNERA	ROD CASH 1 - 1,179-1, 35 S. ROD CASH 1 - 1,179-1, 40-25 S. ROD CASH 1 - 1,179-1, 40-25 S. ROD CASH 1 - 07 S. UPT S. C.C. Palls - 440.0, 941.0,204 S. ROD CASH 1 - 07 S. UPT S. ROD CASH 1 - 07,521, 51,511.004 S. ROD CASH 1	2.04%. A.1Datest		
	20.00 1 40.00 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2 2	(C280) 27,80 L 41-94,0 (C2002 25,80 L 41-97,60 (C2002 18,80 L 41-97,60 (C2003 18,80 L 41-97,60	FLAT SHOWS RORD FLAT SHOWS ROAD FLAT SHOWS ROAD		FLAT SHOWLS MOND		
_	STEPH 73 16.75 1. 41.41.74 1.14 SPORS RD40 STEPH 1. 41.41.74 1.14 SPORS RD40 STEPH 1.15 1.15 SPORS RD40 SPORS		FLAT SYCHES ROND FLAT SYCHES ROND	Show Live Live Live Live Live Live Live Live	FLAT SHOWS ROAD FLAT SHOWS ROAD FLAT SHOWS ROAD FLAT SHOWS ROAD		.14
- 1		41.94.43	9 [TOTAL LOS SITE - 1.71 ACHE	r	0010	
~ 53.3		BEGIN LIMIT OF ACCESSELA PORD	DATE REVISIONS 01/20/16 PWCEL YN BA	REVISIONS WICE IN AV UNNIODE UPDATED	DAIE REVISIONS	DEPARTMENT OF TRANSPORTATION BIGHT OF TRANSPORTATION	SPORTATION
===	CONSTRUCTION CONSTRUCTION OF ALL STATES OF SLOPES	111 OF ACCESS —— 200 Print to the control of the co	GD/WIS PAGE.	POCEL 186-16/10/10/10/10/10/10/10/10/10 DAGE 1995			10 C C C C C C C C C C C C C C C C C C C
		10 CF 12 CF 10 CF				1 (20 20 20 18 6) (20 17 17 17 17 17 17 17 17 17 17 17 17 17	29 00 96

EXHIBIT "A"

DECLARATION OF TAKING

WHEREAS, DeKalb County, Georgia has made and passed a Resolution finding that the

circumstances in connection with acquiring certain interests in property and easements for public

(county) road or other public 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,

a certified copy/duplicate original of which is attached to this Declaration as Appendix A to Exhibit

"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 right-of-way and easements, above-referred 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 \$2,900.00 as just and adequate compensation to be paid for said right-

of-way and 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. and O.C.G.A. § 22-3-140 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, replacing, extending, expanding, and/or installing infrastructure for a public (county) road or other transportation purposes.

DEKALB COUNTY BOARD OF COMMISSIONERS:

KATHIE GANNON

Presiding Officer Board of Commissioners DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County this _____ day of _____, 2017.

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

Kenneth L. Levy

Counsel for DeKalb County ZACHARY & SEGRAVES, P.A.

1000 Commerce Drive Decatur, GA 30030

(404) 373-1685 - Office; (404) 373-1938 - Fax

kennethlevy99@gmail.com

APPENDIX A TO EXHIBIT A

RESOLUTION AND ORDER OF BOARD OF COMMISSIONERS

ORDER OF THE DEKALB COUNTY BOARD OF COMMISSIONERS TO CONDEMN PROPERTY FOR PURPOSES OF CONSTRUCTING AND IMPROVING A PUBLIC

TRANSPORTATION PROJECT

WHEREAS, the Board of Commissioners of DeKalb County has laid out and determined

to construct a public sidewalk or other transportation facility for DeKalb County at that certain

parcel identified for tax purposes as parcel identification number 15 117 06 007, 15 117 06 008

and 15 117 06 029 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 (Exhibit "A" to the Petition for Condemnation).

WHEREAS, the tract of property and other rights as herein described and as 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:

1, 407.46 Square Feet of Fee Simple Right of Way

4,157.74 Square Feet of Temporary Easement

Owner:

Alexis C. Haynes

Potentially Interested Parties: SDD Development, LLC, Capital One Bank

NOW THEREFORE, in accordance with O.C.G.A. § 32-3-6(b)(6) and (c), 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

be acquired by condemnation under the provisions of O.C.G.A. § 32-3-1 et seq. for public road

purposes or other transportation purposes.

CSSTP-0008-00(268)

DeKalb County School Sidewalk Project; Tax Parcel ID No. 15 117 06 007 (Parcel 104), 15 117 06 008 (Parcel 106), 15 117 06 029 (Parcel 108)

Parcels 104/106/108

Page I of 3

IT IS ORDERED that DeKalb County proceed to acquire the title, estate or interest in the
lands hereinafter described in Appendix B of the Declaration of Taking (Exhibit "A" to the
Petition for Condemnation) by condemnation under the provisions of said Code, and the Count
Attorney 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, thisday of
, 2017.
DEKALB COUNTY BOARD OF COMMISSIONERS:
KATHIE GANNON
Presiding Officer
Board of Commissioners
DeKalb County, Georgia
APPROVED by the Chief Executive Officer of DeKalb County thisday of
, 2017.
MICHAEL L. THURMOND
Chief Executive Officer
Board of Commissioners
DeKalb County, Georgia
Attest:

BARBARA H. SANDERS-NORWOOD, CCC

Clerk to the Board of Commissioners and Chief Executive Officer DeKalb County, Georgia

[SIGNATURES CONTINUED ON THE FOLLOWING PAGE]

CSSTP-0008-00(268)

DeKalb County School Sidewalk Project; Tax Parcel ID No. 15 117 06 007 (Parcel 104), 15 117 06 008 (Parcel 106), 15 117 06 029 (Parcel 108)

Parcels 104/106/108

APPROVED AS TO FORM:

Kenneth L. Levy

Counsel for DeKaib County

ZACHARY & SEGRAVES, P.A.

1000 Commerce Drive

Decatur, GA 30030

(404) 373-1685 - Office; (404) 373-1938 - Fax

kennethlevy99@gmail.com

CSSTP-0008-00(268)

DeKalb County School Sidewalk Project: Tax Parcel ID No. 15 117 06 007 (Parcel 104), 15 117 06 008 (Parcel 106), 15 117 06 029 (Parcel 108)
Parcels 104/106/108

APPENDIX B TO EXHIBIT A LEGAL DESCRIPTION AND PLAT

Parcel No. 104 Required Fee Simple Right of Way

EXHIBIT "A"

PROJECT NO.:

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

104

DATE OF R/W PLANS: April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 18.76 feet left of and opposite Station 41+91.74 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 88°51'01" E a distance of 8.67 feet to a point 27.00 feet left of and opposite Station 41+94.43 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 16°54'25" E a distance of 89.91 feet to a point 27.00 feet left of and opposite Station 42+84.34 on said construction centerline laid out for FLAT SHOALS ROAD; thence southeasterly 18.033 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 18.033 feet on a bearing of S 17°18'45" E) to the point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 89°28'58" W a distance of 6.51 feet to a point 20.81 feet left of and opposite Station 43+00.68 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 18°02'41" W a distance of 108.70 feet back to the point of beginning.

Containing 0.018 acres, more or less, or 774.20 square feet, more or less.

Parcel No. 104 Temporary Easement

EXHIBIT "A"

PROJECT NO.: CSSTP-0008-0

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program; Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

104

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 27.00 feet left of and opposite Station 41+94.43 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 88°49'34" E a distance of 8.42 feet to a point 35.00 feet left of and opposite Station 41+97.04 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 20°39'10" E a distance of 110.29 feet to a point 42.00 feet left of and opposite Station 43+07.86 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 89°29'33" W a distance of 15.80 feet to a point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 18.033 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 18.033 feet on a bearing of N 17°18'45" W) to the point 27.00 feet left of and opposite Station 42+84.34 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 16°54'25" W a distance of 89.91 feet back to the point of beginning.

Containing 0.029 acres, more or less, or 1,250.42 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of the Project by the Georgia Department of Transportation.

Parcel No. 106 Required Fee Simple Right of Way

EXHIBIT "A"

PROJECT NO.:

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

106

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 17 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 20.81 feet left of and opposite Station 43+00.68 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 89°28'58" E a distance of 6.51 feet to a point 27.00 feet left of and opposite Station 43+02.75 on said construction centerline laid out for FLAT SHOALS ROAD; thence southeasterly 109.035 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 109.001 feet on a bearing of S 20°10'20" E) to the point 27.00 feet left of and opposite Station 44+14.10 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°53'49" W a distance of 6.61 feet to a point 20.89 feet left of and opposite Station 44+11.53 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 109.044 feet along the arc of a curve (said curve having a radius of 2279.109 feet and a chord distance of 109.034 feet on a bearing of N 20°06'39" W) back to the point of beginning.

Containing 0.015 acres, more or less, or 633.26 square feet, more or less.

Parcel No. 106 Temporary Easement

EXHIBIT "A"

PROJECT NO.: CSS1

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

106

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 27.00 feet left of and opposite Station 43+02.75 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence S 89°29'33" E a distance of 15.80 feet to a point 42.00 feet left of and opposite Station 43+07.86 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 18°15'33" E a distance of 107.57 feet to a point 38.00 feet left of and opposite Station 44+18.80 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°54'35" W a distance of 8.44 feet to a point 30.21 feet left of and opposite Station 44+15.46 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 89°49'60" W a distance of 3.47 feet to a point 27.00 feet left of and opposite Station 44+14.10 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 109.035 feet along the arc of a curve (said curve having a radius of 1273.009 feet and a chord distance of 109.001 feet on a bearing of N 20°10'20" W) back to the point of beginning.

Containing 0.034 acres, more or less, or 1,499.58 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of the Project by the Georgia Department of Transportation.

Parcel No. 108 Temporary Easement

EXHIBIT "A"

PROJECT NO.:

CSSTP-0008-00(268), CSHPP-0007-00(618),

CSHPP-0008-00(831); DeKalb Sidewalk Program, Phase 2C

P. I. NO.:

0008268, 0007618, 0008831

PARCEL NO.:

108

DATE OF R/W PLANS:

April 13, 2010

REVISION DATE:

April 05, 2016

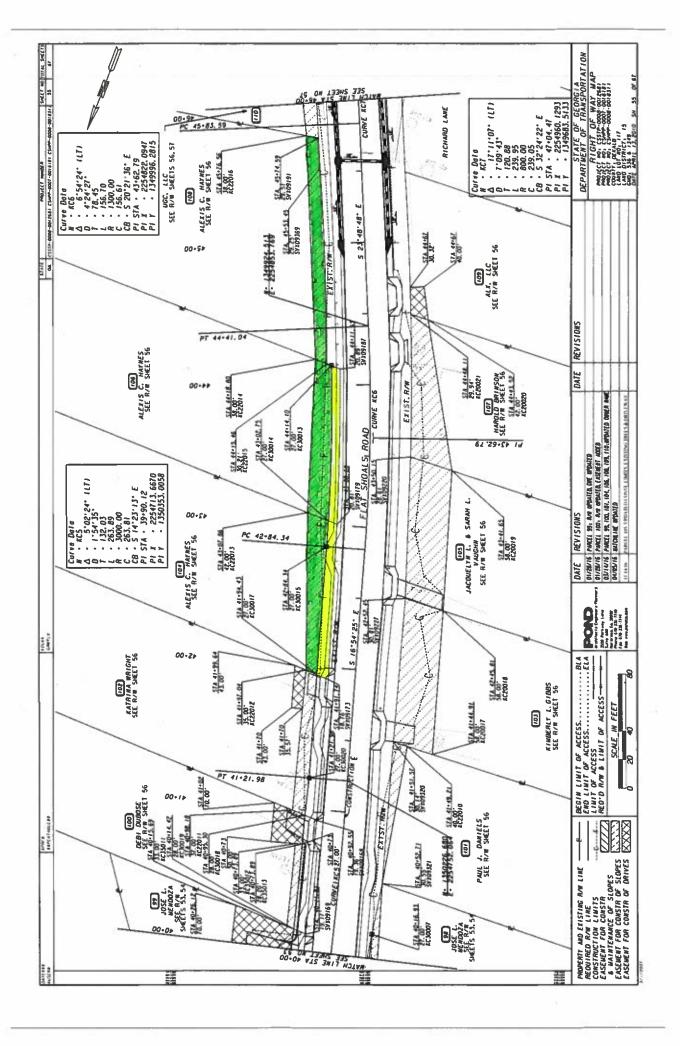
Page 1 of 1

All that tract or parcel of land lying and being in Land Lot 117 of the 15th Land District and/or 1349th Georgia Militia District of DeKalb County, Georgia, being more particularly described as follows:

Beginning at a point 30.21 feet left of and opposite Station 44+15.46 on the construction centerline of FLAT SHOALS ROAD on Georgia Highway Project No. CSSTP-0008-00(268), CSHPP-0007-00(618), CSHPP-0008-00(831); running thence N 89°54'35" E a distance of 8.44 feet to a point 38.00 feet left of and opposite Station 44+18.80 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 23°44'46" E a distance of 157.11 feet to a point 38.00 feet left of and opposite Station 45+76.56 on said construction centerline laid out for FLAT SHOALS ROAD; thence S 79°13'32" W a distance of 8.71 feet to a point 29.51 feet left of and opposite Station 45+74.59 on said construction centerline laid out for FLAT SHOALS ROAD; thence N 24°32'31" W a distance of 21.14 feet to a point 29.25 feet left of and opposite station 45+53.45 on said construction centerline laid out for FLAT SHOALS ROAD; thence northwesterly 137.426 feet along the arc of a curve (said curve having a radius of 2269.720 feet and a chord distance of 137.405 feet on a bearing of N 23°18'34" W) back to the point of beginning.

Containing 0.032 acres, more or less, or 1,407.74 square feet, more or less.

Said Easement shall expire upon completion and final acceptance of this Project by the Georgia Department of Transportation.



STATE STATE COMMISSION	THOU THE THOU THE	Signification A. I Confini	EMPING 14-15-46 FLAT SOMES ROWD	1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 = 1 =	> =	(5-5), is FLAT SONES ROID	+++15, 46 FLAT S+0at \$ 1000		MILLIES 3 ORIVEIAN EASINENT	PREFET LIE AREN'E FASTE FOR CHARGE OF LANCE.	Station	45-75-41 6141 SHONG SHOND 45-25-41 64-35-41 64-35-41 64-35-41 64-35-41 64-35-41			46-18,19 8-24-127-28-14 9-14-139-14-14-14-14-15-100-15-40-00	5-75.56 FEAT SOINS 4000			259										STATE OF GEORGIA	DEPARTMENT OF GEORGIA DEPARTMENT OF MANSPORTATION RIGHT OF WAY MANS	STATE OF CEDRGIA EPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP	DEPARTMENT OF TRANSPORTATION RIGHT OF WAY HAP MOLET IN CSST- 880 88 188 189 189 189 189 189 189 189 189
Staff P004CF	103	PM 07521/ 534		00 00 00 00 00 00 00 00 00 00 00 00 00		AC (1007) 12, 426 OOD (1007) 12, 426 OOD (1007) 12, 426	26.27	REOD (NSM) - 1487, 74 SF REOD (ASH) - 0.072 ACRES 101AL LOT SIXE - 3,79 ACRES	PMPCEL 189 BLSTIM P. NOWNE INCLUDES 1 DRIVEWAY EAGENENT	PRRS 1.10 660'0 (ASV-1 FOR	RC20036 LICC, LLC	B	35.0		 	FCD (NS) 1 115.19 V CS														30	30 6	3
	ALON REU'D, EASH'I,	STATION ALIGNENT	E 2005 919	FLAI SORS IO	FLAT SORES NO	FLAT SPORTS NO		2	A, ICAMENI FLAT SQRES ROND	FLAT S-ON, S ADIO		FLAT SHOWS ROND FLAT SHOWS NOAD		FLAT SHOULS NOW	Man and a second	CTORES CONTRACTOR		FLAT SHOUS ROAD FLAT SHOUS ROAD	FLAT SONE NOD	000		2000	AL CONENT	FLAT SYONLS ROAD	FLAT SYDILS ROND	FLAT SPONS NOW FLAT SPONS ROAD	FLAT SHONES NOND		DATE REVISIONS			
	PROCE 185 . 400,61 Pt 1, 5, 54944 L., 141,0741 RG 10.0. E4541 L.	Ad OFFS77 STATION	DIST BEARING CONTROL AS AS AS	Strayeza 28.61 A 51.04.15	12,000 R 43,41,65 R 43	Sympton 20,000 m 65,000 m 65,0	RECO ENSATE M. MEST ACRES TOTAL LOS ACRES	16 NG 0 R/V	28.01	3.05.05.1 2 0.05.25 10.05.25 10.05.25 10.05.25 10.05.25	Code 6 197 20 20 20 20 20 20 20 20 20 20 20 20 20			MO A/V 633.75 SF 41 M. 63 M. SF A/V 6415 A/V		Part (28/92)7 STATION DIST (EAAILIE)	27.88 1	2 2	CC2005 20.21 L 40-15.46 MC2005 WC2005 22.40 C 40-16.20 WC2005 22.40 L 40-16.20 WC2005	TOTALO USEN TO A TOTAL OF THE COROL OF THE C	RECO EASAT - 1149,54 SF RECO EASAT - 11,1634 ACRES	28	PNT OF SET STATION	SVEDV28 28.61 M 43-58.15 ARC 16451N - 99-997 DODO BEAR - 5-21-11/24 E LIMIN DODD - 99-997	MOUNT - 222% (87) NECTOR - 27 '9 '8 44-61.33 NECTOR - 27 '9 '8 44-61.33 NECTOR - 27 '9 '8 44-61.33	N. C. SEC. 10 10 10 10 10 10 10 10 10 10 10 10 10	STEPOZO 2016 R 43-26-15 REDO (KAST - 2014) POPES 1014, US 518: 1.71 ACRES			S UPONTES, DIC UPONTES	REVISIONS PHREL YN, EAV UTBAIED, DIE UTBAIED PHREEL IIII, EAV UTBAIED, ENGEREIN ACOED	DATE REVISIONS OLTAVIE PHOEL 94. LAV UPINIED, DE UPONIED OLTAVIE PHOEL 184. LAV UPONIED, ENERGEN ADED OLTAVIE PHOED, 184. 184. 184. 184. 184. 184. 184. 184.
	DO CONSTRUCT SLUTES	Albra	FLAT SORLS ROID	FLAT SOALS ROID	FLAT SHORLS RORD	FLAT STOLES NOW	INTINAT ENGLIEKI	0 3,045.	AL ICAGEIT	FLAT SHORES ROND	FLAT SONLS ROLD FLAT SONLS ROLD	FLAT STORES ROOD		C. MANES	AL IGNENT	first 9-045 fibed	FLAT SIGNES FOOD		FLAT SORLS ROW	FIAI SONS ROID	THE PERSON NAMED IN COLUMN	TAURS.	ALIDWEN	FLAT SHOWS RUND FLAT SHOWS ROAD	FLAT SHOWS ADAD FLAT SHOWS ROAD		FLAT SHORES ROAD FLAT SHORES ROAD		DATE		i	-
DOCUM DOCUM	PAREEL IIEZ REC'D EASH" I FOR CONSTRU KCZOWA KATRIAN WIDAI	OIST GENETIC	200 - 200 -	(8) A	72.22	1 C 2 C 2 C 2 C 2 C 2 C 2 C 2 C 2 C 2 C	TREED EASTH TO BE TO THE STATE OF THE STATE	HO RODENST FOR CONSTR.	PAT DESTE STATION ALEXEN	20,14 A 4,51,57	27.93 m 5.85 27.93 m 5.85 28.83 m 5.85	7.55.88 A 16.57.57.5 7.55.88 A 16.45.51 7.55.88 A 16.45.51 7.55.88 A 16.45.51	778.94 ST 1864 ACRES 1.87 ACRES	HA RECORVE KERRY ALERS	OFFET/ STATION/ DIST BEARING		58.	18.63 18.63 18.63	7.00 (0.00.75 7.00 (0.00.75	18.00 m 18.00	/ 2.0% ADES	ALLIS C. HANGS	DIST.	2012 2012 2012 2012	15.00 n 89.29.39 n 15.00 n 89.29.39 n 27.00 t 43.62.75	ic	27.88 1 42.94.34 27.88 1 45.97.55 V 27.88 1 41.94.43	444	بار	<u>ها</u>	W 2 2	M 2 2 2 2
			ALIDACHI ICONIS	FLAT SHORES ND REZZULZ	FLAT SOUS NO	FAI 9045 TO MICHAEL MICHAEL	FLAT SOMES NO RECORDERS				FLAT SONS NO SYNDYZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZZ		FLAI 9004S FO REGISTRATE PROPERTY 2 PROPERTY	-	Ē	SYENI SYENI		FLAT SHOWS FROM CHOST EAST LENGTH OF THE LIMIT OF THE CHOST EAST SHOWN LIMITS OF THE CHOST SHOWN					FLAT SOULS FOOD THE			FLAT SHOWES NOWD MAY LENGTH DOOD BEAN LIMIT DOOD MADELS	10000 10000 10000 10000 10000 10000		GIN LINIT OF ACCESS	GIN LIMIT OF ACCESS	GIN LIMIT OF ACCESS D LIMIT OF ACCESS MIT OF ACCESS	REDIN LINIT OF ACCESS. LINIT OF ACCESS. LINIT OF ACCESS. LINIT OF ACCESS. RED'O R/V & LINIT OF ACCESS. RED'O R/V & LINIT OF ACCESS.
1,000 t			OFFET STATION AL	1.67	100 E	2 SE SE	60,16 N 15'42'2'' V 19,17 L 40:11,07 FU - 690,89 SF	1,016 ADRS -/- 0.533 ADRS	PWCCL IN CENT DEGGE REO'D. EASY'I, FOR COGI, O'SLOYES ACCURAGE	FELL STATION ALT	9.00 L 40.10,42 FLA	10.55 S 15.25 9 E I.A. 10.55 S 15.25 S 15.55 S	N 15-36-54 N	M. W. S.	TO EASY LEDR COIGH. OF SLOPES.	PAT OFFSE1/ STATION/ ALTONEMI DISS BEAMING	1.55 R 44-52.73 FLAI	1000 1000 1000 1000 1000 1000 1000 100	_		PMCL 182 RD'D RV CC3819 KARINA MILOH	SEV STATION ALK	5 88:57:49* E	3 6 7 7 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1 5 1	3.05.00 3.00 3		≥				4	
13675.000	02	PARCE. 100	Part	Patronis		a stage of	MILES SYNDHAU . 6	RECOD RVV - B	PMC1 10 C	5	E PINECTA			88 88 88 88 88 88 88 88 88 88 88 88 88	PARCE IN R.C.	PAI OF		574278 30.			PARCEL 102	12 20	SYNDHIGH 19.			27.7.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.2.			PROPERTY AND EXISTING RAY LINE	PROPERTY AND EXISTING REQUIRED RAY LINE	PROPERTY AND EXISTING REDUINED RAY LINE CONSTRUCTION LINES ASSESSED.	PROPERTY AND EXISTING RAY LINE PROPERTY AND EXISTING RAY LINE CONSTRUCTION LINIS ENSEMBLY FOR CONSTRUCTION F

APPENDIX C TO EXHIBIT A APPRAISER'S AFFIDAVIT

APPENDIX "C" TO EXHIBIT "A"

GEORGIA, GWINNETT COUNTY

Personally comes, Mr. Gregory N. Malcolm, residing at 1243 Kylemore Lane, Snellville, Georgia 30078

- 1. Affiant was employed by the Department of Transportation to appraise Parcel No. 104/106/108 of the right of way and rights required for construction of Project No. CSSTP-0008-00(268) 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 \$2,900.00.

Sworn to and subscribed before me,

this 277 day of June

_,20<u>/7</u>.

NOTARY PUBLIC

My commission expires (Vo

Parcel No. 104/106/108



DeKalb County Public Works

Transportation Division

1950 West Exchange Place, 4th Floor Tucker, Georgia 30084 Phone: 770-492-5200 - Fax: 770-492-5201

June 28, 2017

Alexis C. Haynes 3420 Finesse Drive Decatur, Ga. 30032 Certified Mail Receipt:

Re:

Intent to Condemn—DeKalb County, Georgia

DeKalb Sidewalk Program: Phase 2 C Flat Shoals Rd., Salem Rd., & Henderson Rd.

PI # 0008268, 0007618, & 0008831

Parcel # 104/106/106 Map Reference # 15-117-06-030, 15-117-06-007, 15-117-06-008

Dear Mr. Haynes:

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 \$2,900.00. 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 July 27, 2017 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 of 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 Cheryl Brewer at 706-832-1412

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

Enclosure