

RESOLUTION

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, CONSENTING TO THE DEANNEXATION OF PROPERTY LOCATED 1086 NIELSEN DRIVE, CLARKSTON, GEORGIA 30021

WHEREAS, O.C.G.A. Section 36-36-22 specifically allows the governing bodies of the municipal corporations of this State to deannex an area or areas within existing corporate limits and said code section sets forth the process whereby property located in this State is to be deannexed from an existing municipal corporation; and

WHEREAS, O.C.G.A. Section 36-36-22 requires the owners of all the land who desire deannexation to submit a written signed application containing a complete description of the property to be deannexed to the county in which the property is located and further requires that if the county consents to such deannexation, such consent shall be indicated in a resolution of the governing authority of the county in which the property is located. If such consent is given, the property owner shall proceed to apply with the local municipal corporation for deannexation via ordinance; and

WHEREAS, the property located at 1086 Nielsen Drive Clarkston, Georgia 30021 is contiguous to the limits of unincorporated DeKalb County, as required by State law; and the property owner will properly request deannexation from the City of Clarkston once this resolution is approved; and

WHEREAS, the Board of Commissioners of DeKalb County finds that it is in the best interest of DeKalb County to consent to the deannexation of the property located at 1086 Nielsen Drive Clarkston, Georgia 30021, which is currently located within the 1086 Nielsen Drive, Clarkston, Georgia 30021; and

WHEREAS, it is the intent of the Board of Commissioners of DeKalb County that all of the property at 1086 Nielsen Drive, Clarkston, Georgia 30021, as fully described in Exhibit "A," become a part of unincorporated DeKalb County upon deannexation via ordinance by the City of Clarkston (See Exhibit "A," a copy of the legal description of 1086 Nielsen Drive, Clarkston, Georgia 30021 which is incorporated herein by reference); and

NOW THEREFORE, BE IT RESOLVED, that DeKalb County, Georgia, consents to the deannexation of the property located at 1086 Nielsen Drive, Clarkston, Georgia 30021, and if approved by ordinance from the City of Clarkston, the property described in Exhibit "A" upon passage of the ordinance by the City of Clarkston, would lie entirely within unincorporated DeKalb County.

(SIGNATURES ON FOLLOWING PAGE)

ADOPTED by the DeKalb County Board of Commissioners, this _____ day
of _____, 2024

Robert Patrick
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
Board of Commissioners and
Chief Executive Officer
DeKalb County, Georgia

APPROVED AS TO FORM:

APPROVED AS TO SUBSTANCE:

Viviane H. Ernstes
County Attorney
Law Department
DeKalb County, Georgia

Stacy Grear
Director
Geographical Information Systems
DeKalb County, Georgia