

RESOLUTION

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, TO CONSIDER THE ABANDONMENT OF A PORTION OF THE PUBLIC RIGHT- OF-WAY LOCATED ON PLEASANT HILL WAY IN LAND LOTS 229 & 252 OF THE 16th DISTRICT OF DEKALB COUNTY, GEORGIA.

WHEREAS, the owner of the property adjoining a public right-of-way of Pleasant Hill Way has requested the abandonment of the right-of-way, located in Land Lots 229 & 252 of the 16th District of DeKalb County consisting of approximately 1.13-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, 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 property and returning the property to the tax rolls of DeKalb County; and

WHEREAS, notice of a public hearing has been provided to all property owners located thereon and notice has been published once a week for a period of two weeks pursuant to O.C.G.A. § 32-7-2 (b)(1); and

WHEREAS, a public hearing has been conducted regarding the proposed abandonment as required by O.C.G.A. § 32-7-2 (b)(1).

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 and provide publication of the proposed abandonment as provided by law; and

2) That the Chief Executive Officer is authorized to dispose of said property by quitclaim deed for no less than its fair market value as provided in O.C.G.A. § 32-7-4, provided that nothing herein shall be construed to deprive any person or other legal entity of any private right which might have been acquired pursuant to purchase according to any recorded plat or to affect any existing easements, for utilities or other purpose, held by a legal entity other than DeKalb County, Georgia. Provided further that the county hereby reserves for itself, its successors and assigns, (1) easements relating to the existence, location, access, repair and maintenance of water and sewer lines, hydrants, valves and meters upon, over, across and under the above-described property and (2) an easement upon, over, across and under the above-described property for the 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 properties devoted to a public use. Notwithstanding the foregoing, DeKalb County reserves the right to reject any and all bids submitted as a result of this Resolution.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

ADOPTED by the DeKalb County Board of Commissioners, this _____ day
of _____, 2023.

Robert J. Patrick
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED by the Chief Executive Officer of DeKalb County, this _____ day
of _____, 2023.

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:

County Attorney
DeKalb County, Georgia

Stacy Grear
Director
Geographical Information Systems
DeKalb County, Georgia

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOTS 228, 229, 252, 253, 257 AND 258 OF THE 16TH/ DISTRICT DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE TRUE POINT OF BEGINNING, COMMENCE FROM AN IRON PIN FOUND AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF NORRIS LAKE DRIVE (60' R/W) WITH THE NORTHWESTERLY RIGHT-OF-WAY LINE OF PLEASANT HILL ROAD (60' R/W); THENCE ALONG SAID RIGHT-OF-WAY LINE OF PLEASANT HILL WAY SOUTH 43 DEGREES 28 MINUTES 35 SECONDS WEST A DISTANCE OF 327.61 FEET TO AN IRON PIN FOUND, THENCE SOUTH 43 DEGREES 03 MINUTES 03 SECONDS WEST A DISTANCE OF 156.12' TO A POINT; THENCE SOUTH 75 DEGREES 25 MINUTES 50 SECONDS WEST A DISTANCE OF 606.01' TO A POINT; THENCE SOUTH 76 DEGREES 04 MINUTES 34 SECONDS WEST A DISTANCE OF 447.46' TO A POINT; THENCE SOUTH 83 DEGREES 33 MINUTES 41 SECONDS WEST A DISTANCE OF 121.33' TO A POINT; THENCE SOUTH 87 DEGREES 59 MINUTES 32 SECONDS WEST A DISTANCE OF 215.09' TO A POINT; THENCE SOUTH 79 DEGREES 49 MINUTES 00 SECONDS WEST A DISTANCE OF 95.31' TO A POINT; THENCE SOUTH 84 DEGREES 05 MINUTES 22 SECONDS WEST A DISTANCE OF 119.53' TO A POINT; THENCE SOUTH 89 DEGREES 39 MINUTES 39 SECONDS WEST A DISTANCE OF 60.23' TO A POINT; THENCE NORTH 89 DEGREES 18 MINUTES 57 SECONDS WEST A DISTANCE OF 67.15' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 31.08', WITH A RADIUS OF 399.99', WITH A CHORD BEARING OF SOUTH 88 DEGREES 27 MINUTES 29 SECONDS WEST, WITH A CHORD LENGTH OF 31.07', TO AN IRON PIN FOUND, THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 37.56', WITH A RADIUS OF 399.99', WITH A CHORD BEARING OF SOUTH 83 DEGREES 32 MINUTES 31 SECONDS WEST, WITH A CHORD LENGTH OF 37.54', TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 106.80', WITH A RADIUS OF 988.10', WITH A CHORD BEARING OF SOUTH 83 DEGREES 56 MINUTES 54 SECONDS WEST, WITH A CHORD LENGTH OF 106.74', TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 26.27', WITH A RADIUS OF 97.04', WITH A CHORD BEARING OF NORTH 85 DEGREES 11 MINUTES 57 SECONDS WEST, WITH A CHORD LENGTH OF 26.19', TO A POINT; THENCE NORTH 77 DEGREES 26 MINUTES 34 SECONDS WEST A DISTANCE OF 37.19' TO A POINT; THENCE NORTH 75 DEGREES 29 MINUTES 08 SECONDS WEST A DISTANCE OF 66.16' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 42.70', WITH A RADIUS OF 639.92', WITH A CHORD BEARING OF NORTH 77 DEGREES 23 MINUTES 51 SECONDS WEST, WITH A CHORD LENGTH OF 42.69', TO A POINT; THENCE NORTH 79 DEGREES 18 MINUTES 33 SECONDS WEST A DISTANCE OF 94.85' TO A POINT; THENCE NORTH 77 DEGREES 43 MINUTES 59 SECONDS WEST A DISTANCE OF 54.01' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 51.67', WITH A RADIUS OF 339.03', WITH A CHORD BEARING OF NORTH 73 DEGREES 22 MINUTES 00 SECONDS WEST, WITH A CHORD LENGTH OF 51.62', TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 131.45', WITH A RADIUS OF 675.56', WITH A CHORD BEARING OF NORTH 74 DEGREES 34 MINUTES 30 SECONDS WEST, WITH A CHORD LENGTH OF 131.25', TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 67.78', WITH A RADIUS OF 261.53', WITH A CHORD BEARING OF NORTH 72 DEGREES 43 MINUTES 29 SECONDS WEST, WITH A CHORD LENGTH OF 67.59' TO A 1/2" REBAR FOUND; THENCE SOUTH 00 DEGREES 22 MINUTES 39 SECONDS EAST A DISTANCE OF 54.53' TO A 1/2" REBAR, SAID 1/2" REBAR BEING THE TRUE POINT OF BEGINNING.

FROM THE TRUE POINT OF BEGINNING AS THUS ESTABLISHED, THENCE NORTH 65 DEGREES 56 MINUTES 23 SECONDS WEST A DISTANCE OF 47.14' TO A POINT; THENCE NORTH 57 DEGREES 06 MINUTES 53 SECONDS WEST A DISTANCE OF 182.79' TO A POINT; THENCE NORTH 57 DEGREES 03 MINUTES 52 SECONDS WEST A DISTANCE OF 166.01' TO A POINT; THENCE WITH A CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 162.59', WITH A RADIUS OF 279.48', WITH A CHORD BEARING OF NORTH 38 DEGREES 18 MINUTES 22 SECONDS WEST, WITH A CHORD LENGTH OF 160.31', TO A POINT; THENCE NORTH 28 DEGREES 04 MINUTES 02 SECONDS WEST A DISTANCE OF 75.94' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 82.43', WITH A RADIUS OF 93.65', WITH A CHORD BEARING OF NORTH 59 DEGREES 34 MINUTES 32 SECONDS WEST, WITH A CHORD LENGTH OF 79.79', TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 111.51', WITH A RADIUS OF 496.68', WITH A CHORD BEARING OF NORTH 74 DEGREES 06 MINUTES 28 SECONDS WEST, WITH A CHORD LENGTH OF 111.27', TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 65.33', WITH A RADIUS OF 371.39', WITH A CHORD BEARING OF NORTH 60 DEGREES 42 MINUTES 12 SECONDS WEST, WITH A CHORD LENGTH OF 65.24', TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 136.85', WITH A RADIUS OF 338.94', WITH A CHORD BEARING OF NORTH 47 DEGREES 02 MINUTES 05 SECONDS WEST, WITH A CHORD LENGTH OF 135.93', TO A POINT; THENCE NORTH 90 DEGREES 00 MINUTES 00 SECONDS EAST A DISTANCE OF 64.37' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 80.49', WITH A RADIUS OF 288.94', WITH A CHORD BEARING OF SOUTH 50 DEGREES 52 MINUTES 29 SECONDS EAST, WITH A CHORD LENGTH OF 80.23', TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 56.98', WITH A RADIUS OF 321.39', WITH A CHORD BEARING OF SOUTH 60 DEGREES 30 MINUTES 51 SECONDS EAST, WITH A CHORD LENGTH OF 56.91', TO A POINT; THENCE WITH A COMPOUND CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 97.82', WITH A RADIUS OF 446.68', WITH A CHORD BEARING OF SOUTH 74 DEGREES 03 MINUTES 33 SECONDS EAST, WITH A CHORD LENGTH OF 97.63', TO A POINT; THENCE WITH A REVERSE CURVE TURNING TO THE RIGHT WITH AN ARC LENGTH OF 127.38', WITH A RADIUS OF 143.65', WITH A CHORD BEARING OF SOUTH 58 DEGREES 33 MINUTES 00 SECONDS EAST, WITH A CHORD LENGTH OF 123.24', TO A POINT; THENCE SOUTH 28 DEGREES 04 MINUTES 02 SECONDS EAST A DISTANCE OF 81.34' TO A POINT; THENCE WITH A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 135.30', WITH A RADIUS OF 229.48', WITH A CHORD BEARING OF SOUTH 37 DEGREES 51 MINUTES 52 SECONDS EAST, WITH A CHORD LENGTH OF 133.35', TO A POINT; THENCE SOUTH 57 DEGREES 03 MINUTES 52 SECONDS EAST A DISTANCE OF 165.00' TO A POINT; THENCE SOUTH 57 DEGREES 06 MINUTES 53 SECONDS EAST A DISTANCE OF 179.01' TO A POINT; THENCE SOUTH 64 DEGREES 59 MINUTES 07 SECONDS EAST A DISTANCE OF 20.64' TO A POINT; THENCE SOUTH 00 DEGREES 22 MINUTES 39 SECONDS EAST A DISTANCE OF 54.53' TO A 1/2" REBAR, SAID 1/2" REBAR BEING THE TRUE POINT OF BEGINNING.

SAID TRACT CONTAINING 1.133 ACRES (49,373 SQUARE FEET)