

**Columbus Consolidated Government
Council Meeting Agenda Item**

TO:	Mayor and Councilors
AGENDA SUBJECT:	Condemnation Parcel TA-A of the Intersection Improvement along Buena Vista Road (Columbus Spider Web Network)
AGENDA SUMMARY:	Approval is requested for the acquisition of Parcel TA-A on behalf of SPIRIT CK PORTFOLIO III, LLC, a Delaware Limit Liability Company, f/k/a/ Cole CK Portfolio III, LLC. for the Intersection Improvement along Buena Vista Road (Columbus Spider Web Network) Project STP00-000-00(473), PI No. 0011436, Muscogee County, a Total Take of Property for County Road and/or Municipal Street purposes and authorizing the filing of a Declaration of Taking by the City Attorney or his representatives for the acquisition of said land under the authority of the official code of Georgia annotated, Section 32-3-1 et. Seq.
INITIATED BY:	Transportation Planning Department

Recommendation: Approval is requested for the acquisition of Parcel TA-A on behalf of SPIRIT CK PORTFOLIO III, LLC, a Delaware Limit Liability Company, f/k/a/ Cole CK Portfolio III, LLC. for the Intersection Improvement along Buena Vista Road (Columbus Spider Web Network) Project STP00-000-00(473), PI No. 0011436, Muscogee County, a Total Take of Property for County Road and/or Municipal Street purposes and authorizing the filing of a Declaration of Taking by the City Attorney or his representatives for the acquisition of said land under the authority of the official code of Georgia annotated, Section 32-3-1 et. Seq.

Background: The parcel listed above is requested for Condemnation in agreement of all parties for acquisition and for Title.

Analysis: To keep this project on schedule it is necessary to condemn and to pay the offered money into the Clerk of Superior Court, thereby taking possession of said property allowing the City to proceed with project.

Financial Considerations: This project is funded by the TIA funding.

Legal Considerations: Council must approve the action by Resolution.

Recommendation/Action: Authorizing the City Manager to order the Acquisition of said property for County Road and/or Municipal Street purposes and authorizing the filing of a Declaration of Taking by the City Attorney or his representatives for the acquisition of said property. Muscogee County, under authority of the official code of Georgia annotated, Section 32-3-1 et. Seq.

A RESOLUTION

NO. _____

A RESOLUTION DECLARING THAT THERE IS A NEED AND NECESSITY TO IMMEDIATELY ACQUIRE FEE SIMPLE TITLE TO LANDS UNDER THE PROVISION OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, AUTHORIZING THE MAYOR TO ORDER THE ACQUISITION OF SAID LANDS FOR COUNTY ROAD AND/OR MUNICIPAL STREET PURPOSES, AND AUTHORIZING THE FILING OF A DECLARATION OF TAKING BY THE CITY ATTORNEY OR HIS REPRESENTATIVES FOR THE ACQUISITION OF SAID LANDS UNDER THE AUTHORITY OF THE OFFICIAL CODE OF GEORGIA ANNOTATED, SECTION 32-3-1, ET. SEQ.

WHEREAS, it is hereby determined that the circumstances in connection with acquiring property for the Buena Vista Road Spider Web Network Project, (STP00-000-00(473)) are such that it is necessary to immediately acquire fee simple title in the following described property, to-wit:

PROJECT NO.: STP00-000-00(473)

P. I. NO.: 0011436

PARCEL NUMBER: TA-A

DATE OF R/W PLANS: 08/03/2017

LAST REVISION DATE:05/31/2019

TAX MAP NUMBER: 049-011-001A

SEE EXHIBIT A

ATTACHED HERETO AND MADE A PART HEREOF.

NOW, THEREFORE, THE COUNCIL OF COLUMBUS, GEORGIA, HEREBY RESOLVES AS FOLLOWS:

1.

That there is a necessity for the immediate acquisition of said property interests under the provisions of the Official Code of Georgia Annotated '32-3-1, et. seq.

2.

That the Mayor of Columbus, Georgia be, and he hereby is, authorized to issue such orders and file such papers in the courts and enter into such agreements as he deems necessary for the immediate acquisition of said real property by condemnation under the provisions of said Act.

3.

That the immediate acquisition of such real property is for county roads, municipal streets or public highway purposes.

4.

That, in accordance with an investigation and report made to Columbus, Georgia by a competent land appraiser, the estimated value of \$2,000,000.00 is just and adequate compensation to be paid for such acquisition, and is hereby determined and approved, with such sum being authorized to be paid into Court for the use of the persons or entities entitled thereto.

5.

That the Mayor, City Manager and City Attorney, or their representatives, are hereby authorized to take any and all lawful actions that they may deem needful, necessary, advisable, or proper for the immediate acquisition of said property interests pursuant to and in accordance with the provisions of the Official Code of Georgia Annotated '32-3-1, et. seq.

Introduced at a regular meeting of the Council of Columbus, Georgia, held on the _____ day of _____, 2020, and adopted at said meeting by the affirmative vote of _____ members of said Council.

Councilor Allen voting	_____.
Councilor Barnes voting	_____.
Councilor Crabb voting	_____.
Councilor Davis voting	_____.
Councilor Garrett voting	_____.
Councilor House voting	_____.
Councilor Huff voting	_____.
Councilor Thomas voting	_____.
Councilor Thompson voting	_____.
Councilor Woodson voting	_____.

Sandra T. Davis, Clerk of Council

B.H. "Skip" Henderson, Mayor