

RESOLUTION

RES 2026 - 22

A RESOLUTION AUTHORIZING THE CONVEYANCE OF CERTAIN CITY-OWNED REAL PROPERTY LOCATED AT 109 ACADEMY DRIVE AND 121 ACADEMY DRIVE TO THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF DALLAS, GEORGIA, AND AUTHORIZING AN INTERGOVERNMENTAL AGREEMENT RELATED

WHEREAS, the City of Dallas, Georgia ("the City") holds fee simple title to that certain real property located at 109 Academy Drive, Dallas, Paulding County, Georgia 30132, Parcel Number 138.1.4.003.0000 ("the 109 Academy Parcel"), by virtue of a Final Judgment and Decree Quieting Title entered by the Superior Court of Paulding County, Georgia, in Civil Action No. 25-CV-1898-P4; and

WHEREAS, the City holds fee simple title to that certain real property located at 121 Academy Drive, Dallas, Paulding County, Georgia 30132, Parcel Number 138.4.1.019.0000 ("the 121 Academy Parcel," and together with the 109 Academy Parcel, "the Subject Property"), by virtue of a Final Judgment and Decree Quieting Title entered by the Superior Court of Paulding County, Georgia, in Civil Action No. 25-CV-1897-P4; and

WHEREAS, the Downtown Development Authority of the City of Dallas, Georgia ("the DDA") is a public body corporate and politic created pursuant to the Downtown Development Authorities Law, O.C.G.A. § 36-42-1 et seq., and an activating resolution of this Council duly adopted November 7, 1983, as amended; and

WHEREAS, the DDA and Shiloh Missionary Baptist Church ("Shiloh") have entered into a Land Exchange Agreement providing for the DDA's construction, at its sole expense, of a new church facility for Shiloh on the Subject Property, which construction is now nearing completion, and for the exchange of the Subject Property and said facility for Shiloh's property at 209 West Cooper Avenue upon a closing contingent upon entry of a final, non-appealable judgment establishing the City's title to the Subject Property; and

WHEREAS, the Mayor and Council find and determine that conveyance of the Subject Property to the DDA in furtherance of that Land Exchange Agreement will serve the public purposes of encouraging the development and revitalization of the downtown business district, including making the Cooper Avenue site available to the DDA for downtown redevelopment; and

WHEREAS, O.C.G.A. § 36-37-6(e)(2)(D) exempts from the competitive sale requirements of O.C.G.A. § 36-37-6(a) any transfer of municipal property to another governing authority or government agency for public purposes, and the conveyance authorized herein qualifies for that exemption; and

WHEREAS, the City and the DDA desire to enter into an Intergovernmental Agreement, substantially in the form presented to and reviewed by this

Council, to memorialize the terms and conditions of the conveyance, including the City's approval rights over the construction plans and costs for the Shiloh facility;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dallas, Georgia, and it is hereby resolved by authority of same, as follows:

Section 1. The Mayor is hereby authorized to execute, and the City Clerk is hereby authorized to attest, a Limited Warranty Deed conveying the 109 Academy Parcel to the DDA, and a separate Limited Warranty Deed conveying the 121 Academy Parcel to the DDA, each for the consideration of Ten Dollars (\$10.00) and other good and valuable consideration, substantially in the forms presented to this Council.

Section 2. The Mayor, or the City Manager as the Mayor's designee, is hereby authorized to execute the Intergovernmental Agreement between the City and the DDA concerning the Subject Property, substantially in the form presented to this Council, with such non-material revisions as the City Attorney may approve prior to execution.

Section 3. The Mayor, Mayor Pro Tem, City Manager, City Clerk, and City Attorney, and their respective designees, are each hereby authorized to take any and all further action and to execute any and all further documents reasonably necessary or appropriate to carry out the intent of this Resolution and the Intergovernmental Agreement.

Section 4. This Resolution shall become effective immediately upon its adoption.

SO RESOLVED, this ____ day of _____, 2026.

L. James Kelly, Mayor

James Henson, Councilmember

Christopher B. Carter, Councilmember

Nancy R. Arnold, Councilmember

Leah Alls, Councilmember

Cooper Cochran, Councilmember

Candace Callaway, Councilmember

Attest: _____
Tina Clark, City Clerk

