

CITY OF DALTON
RESOLUTION
Resolution No. 22-06

RESOLUTION AUTHORIZING THE TRANSFER OF REAL PROPERTY

WHEREAS, the Mayor and Council have determined that it is consistent with the best interests of the City of Dalton and its citizens that the property at 1210 Veterans Dr, Dalton, GA 30721, being more particularly described in exhibit A (the “Property”), be sold to the Humane Society of Northwest Georgia; and

WHEREAS the City of Dalton held surplus property after acquisition of lands for the Dalton Public Schools and Heritage Park Recreation Area which was leased to the Dalton Whitfield County Joint Development Authority for economic development purposes and then subleased to the Humane Society of Northwest Georgia, Inc. which constructed a state-of-the-art animal shelter, housing canines (dogs) and felines (cats), with private donations and has operated the shelter since 2019; and

WHEREAS, the Humane Society of Northwest Georgia, Inc. is a non-governmental, non-profit organization organized under the Georgia Non-Profit Corporation Act and holding Section 501(c)(3) tax exemption status with the U.S. Department of the Treasury; and

WHEREAS the state-of-the-art structure has an assessed value of \$1,729,956.00 as a result of the public’s generosity through the Humane Society of Northwest Georgia, Inc. and not the expenditure of the taxpayers’ funds by the City of Dalton or the Dalton Whitfield County Joint Development Authority; and

WHEREAS there is calculable value to the City of Dalton and the public health, safety, and welfare of the City of Dalton to have an active animal shelter engaged in taking some 776 animals per year and thereby reducing the stress of the intake of stray animals by Whitfield County Animal Control which is taxpayer funded through the Service Delivery Strategy agreement between Whitfield County and the City of Dalton; and

WHEREAS the calculable savings is approximately \$160,356.00 per year; and

WHEREAS over the period of 12.59 years the calculable savings to the City of Dalton and Whitfield is equal to or greater than the assessed value of the Property as improved; and

WHEREAS the Board of Directors of the Humane Society of Northwest Georgia, Inc. has informed the City of Dalton that it intends to continue sheltering animals and that it will be better able to raise private donations if the Humane Society of Northwest Georgia, Inc. has vested title to the Property as a non-profit asset within a section 501(c)(3) tax exempt organization; and

WHEREAS the City of Dalton determines in these circumstances that the property is usable only as an animal shelter and that the City of Dalton and Whitfield County shall incur a significant and calculable economic benefit from the operation of the animal shelter on the property at least equivalent to its assessed property value;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the City of Dalton and by authority of the same as follows: The City of Dalton is hereby authorized to transfer the Property to the Humane Society of Northwest Georgia, Inc. by Limited Warranty Deed, reserving a right of reversion should the Property cease to be used for its current purpose of an animal shelter by a non-profit, tax exempt organization.

BE IT FURTHER RESOLVED that the City Clerk is authorized and directed to record this approved Resolution in the minutes of the City Council.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its approval by the Mayor and Council of the City of Dalton.

ADOPTED AND APPROVED on the 18th day of July, 2022, at the regular meeting of the Mayor and Council of the City of Dalton.

The foregoing Resolution was read on _____. A motion for passage of the Resolution was made by Council member _____, second by Council member _____ and upon the question the vote is _____ ayes, _____ nays and the Resolution is adopted.

Attest:

CITY OF DALTON, GEORGIA

CITY CLERK

MAYOR

EXHIBIT "A"

ALL that tract or parcel of land lying and being in Land Lot 179 in the 12th District and 3rd Section of Whitfield County, Georgia and being in the City of Dalton. Said property is part of the south portion of Lot 1 Frazier Acres Subdivision per plat of same filed and recorded in Plat Book 1 page 168, Whitfield County Deed Records. Said property is approximately 3.44 acres per Whitfield County Tax Assessor records and is commonly referred to as Parcel No. 12-179-02-016. Said property is bounded on the south by Hale Bowen Drive; on the west by Veteran's Drive; on the north by property owned by the City of Dalton, Parcel No. 12-179-02-014; and on the east by property owned by the City of Dalton and Dalton Board of Education and is currently the property of Park Creek Elementary School, Parcel No. 12-179-02-031.

Said property is more particularly described as follows: Begin at the intersection of the northerly right-of-way of Hale Bowen Drive with the easterly right-of-way of Veteran's Drive, thence north along said easterly right-of-way of Veteran's Drive a distance of approximately 452 feet to the south line of property of City of Dalton, Parcel No. 12-179-02-014; thence in a easterly direction a distance of approximately 450 feet, more or less, to the west line of that property owned by the City of Dalton and the Dalton Board of Education (Park Creek Elementary School) Parcel No. 12-179-02-031; thence in a southeasterly direction approximately 460 feet along the west line of school property to the northerly right-of-way of Hale Bowen Drive; thence west approximately 450 feet to the intersection of the north right-of-way of Hale Bowen Drive with the easterly right-of-way of Veteran's Drive and the point of beginning.