

CITY OF DALTON
RESOLUTION
Resolution No. 22-16

**RESOLUTION ACCEPTING DONATION OF REAL PROPERTY OF DELORES
PENLEY HOWALT, AS TRUSTEE OF THE DELORES PENLEY HOWALT LIVING
TRUST U/A DATED SEPTEMBER 22, 2021**

WHEREAS, Georgia Code O.C.G.A. § 36-37-2 authorizes the City of Dalton to accept donation of real property; and

WHEREAS, DELORES PENLEY HOWALT, as Trustee of the DELORES PENLEY HOWALT LIVING TRUST U/A DATED SEPTEMBER 22, 2021, (Owner), offered to donate to the City a parcel or tract of real property located within the city limits of the City of Dalton; and

WHEREAS, the Mayor and Council of the City of Dalton have determined that it is in the best interest of the City and the citizens therein to accept the donation of said real property;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Dalton, as follows:

THAT THE CITY hereby accepts the donation by Owner of the real property located within the City and more particularly described as follows:

All that tract or parcel of land lying and being in Land Lot No. 273 of the 12th District and 3rd Section of Whitfield County, Georgia, and being Lot Nos. 1, 2, and 3 of Highland Park Subdivision which is more particularly described according to a plat of survey dated November 8, 1956 prepared by S. H. Christopher, GRLS No. 1032, and recorded in Plat Book 4, Page 56 (Plat Cabinet A, Slide 131) of the Whitfield County, Georgia Deed Records, reference to which plat is made and incorporated for a full and complete description of the trust.

BE IT FURTHER RESOLVED, that the acceptance of the subject property is without any conditions of its use and said property may be used by and on behalf of the City for any purpose as permitted by applicable law.

BE IT FURTHER RESOLVED, that should the City not hold the property for three (3) years it shall file with the Internal Revenue Service the IRS Form 8282 as required by law.

BE IT FURTHER RESOLVED, that this Resolution shall become effective immediately upon its approval by the Mayor and Council of the City of Dalton and recordation of the proper Deed with the Clerk of the Superior Court of Whitfield County by the Owner(s).

ADOPTED AND APPROVED, on the _____ day of _____, 20____, 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 person _____, second by Council person _____ and upon the question the vote is _____ ayes, _____ nays and the Resolution is adopted.

Attest:

CITY OF DALTON

City Clerk

Mayor