

**CITY OF DALTON
RESOLUTION
Resolution No. 20-10**

**RESOLUTION AUTHORIZING THE PURCHASE OF REAL PROPERTY
at
310 WEST WAUGH STREET**

WHEREAS, the Mayor and Council of the City of Dalton has determined that it is consistent with the best interests of the City of Dalton and its citizens that the City of Dalton purchase for public use certain real property located at 310 West Waugh Street as described in Exhibit “A” (the “Property”) from Fordham Properties, LLC, a Georgia limited liability company (the “Seller”), as provided for in the Agreement For Sale And Purchase Of Real Estate (the “Purchase Agreement”);

WHEREAS, the City of Dalton, under the authority of the Charter of the City of Dalton Sections 4-8(f) and 4-8(r) is authorized to acquire real property for public use;

WHEREAS, the City of Dalton obtained an appraisal by a Georgia licensed real estate appraiser to determine the fair market value of the Property;

WHEREAS, the Seller has agreed to the proposed terms of sale as provided in the Purchase Agreement;

WHEREAS, the City of Dalton has determined that the terms of the Purchase Agreement, including the proposed sales price of \$190,000.00, are fair and just compensation for the purchase of the Property;

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

THAT the City of Dalton hereby approves the proposed terms of sale as provided in the Purchase Agreement.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized to enter into the Purchase Agreement and any and all documents necessary to consummate the proposed purchase of the Property.

BE IT FURTHER RESOLVED, that the Mayor is hereby authorized and empowered to take such actions and to execute for and on behalf of the City of Dalton any and all documents as may be necessary or desirable to accomplish and effect the Purchase Agreement and these Resolutions; and such documents shall be in such form and contain such terms and conditions as may be approved by the Mayor on behalf of the City of Dalton and as approved as to form by the City Attorney, and the execution of such documents by the Mayor as herein authorized shall be conclusive evidence of any such approval.

BE IT FURTHER RESOLVED, that all acts and doings of the Mayor in connection with the Purchase Agreement which are in conformity with the purposes and intents of these Resolutions and in the furtherance of the transactions contemplated hereby and thereby shall be, and the same hereby are, in all respects approved and confirmed.

BE IT FURTHER RESOLVED, that the signature of the Mayor to the Purchase Agreement and other documents executed and delivered in connection therewith shall be conclusive evidence of the authority of the Mayor to execute and deliver such documents on behalf of the City of Dalton.

BE IT FURTHER RESOLVED, that the Clerk or any Assistant Clerk of the City of Dalton be, and each hereby is, authorized to attest the signature of any officer of the City of Dalton and impress or attest the City of Dalton's seal appearing on the Purchase Agreement and other documents executed in connection with any of the foregoing Resolutions.

BE IT FURTHER RESOLVED, that all resolutions or parts thereof of the City of Dalton in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

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 ____ day of _____, 20__, at the regular meeting of the Mayor and Council of the City of Dalton.

The foregoing Resolution received its first reading 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, GEORGIA

CITY CLERK

MAYOR

EXHIBIT "A"

Tract No. 1:

A certain tract or parcel of land lying and being in Land No. 219 in the 12th District and 3rd Section of Whitfield County, Georgia, and being parts of Lots 99, 99-1/2, and 101 on the east side of Thornton Avenue, in the City of Dalton, being more particularly described as follows:

BEGINNING at the northwest corner of the intersection of the right-of-way of Waugh Street with Acme Alley; thence west, along the north right-of-way of said Waugh Street, 73 feet; thence north 150 feet, more or less, to the south line of property now or formerly belonging to Mrs. Jim Lock; thence east, along the south line of said Lock property, 73 feet to the west side of Acme Alley; thence south, along the west side of said Alley, 150 feet, more or less, to the point of beginning.

Tract No. 2:

(see Tract 5 prior deed)

All that tract or parcel of land lying and being in Land Lot No. 219 in the 12th District and 3rd Section of Whitfield County, Georgia, together with improvements thereon, and being more particularly described according to a plat of survey prepared for the City of Dalton, by Joseph R. Evans, Georgia Registered Land Surveyor No. 2168, dated June 30, 2006, being more particularly described according to said survey as follows:

BEGINNING at an iron pin located in the north right-of-way line of Waugh Street (100' ROW), said point being located in a westerly direction, as measured along said right-of-way line, a distance of 293.58 feet from the point of intersection of said right-of-way line and the west right-of-way line of Selvidge Street; thence south 89 degrees 59 minutes 18 seconds west, along the north right-of-way line of Waugh Street, a distance of 6.30 feet; thence north 01 degrees 47 minutes 00 seconds west a distance of 145.86 feet; thence south 89 degrees 38 minutes 43 seconds east a distance of 9.0 feet to an iron pin; thence south 00 degrees 43 minutes 23 seconds east a distance of 145.74 feet to an iron pin, which is the POINT OF BEGINNING.