

Subject: Abandonment of County Road Right-of-Way – a portion of Otis Seckinger Road
Author: Stephen Candler, Director of Development Services
Meeting Date: May 21, 2024

Item Description: Second public hearing and vote for the abandonment of a portion of Otis Seckinger Road.

Summary Recommendation

The adjacent property owner, MS2 Farms LLC, has requested the County to consider the permanent abandonment of Right-of-Way and maintenance of the section of Otis Seckinger Road on his property PIN 415-30. While this section of the road serves multiple properties, the closure would not prohibit public access to other properties nor impact emergency response.

Executive Summary/Background

- Fire, Sherriff, and EMS have been requested to review the request to determine if services will be negatively impacted. Concurrence will be received before the May public hearing.
- The public notice of the closure begins on April 16, 2024, and continues for one (1) month.
- Notice was put in the Newspaper and notice sent out to adjacent property owners.
- A second public hearing and vote will occur on May 21, 2024, at the regularly scheduled meeting of the Board of Commissioners.

Alternatives

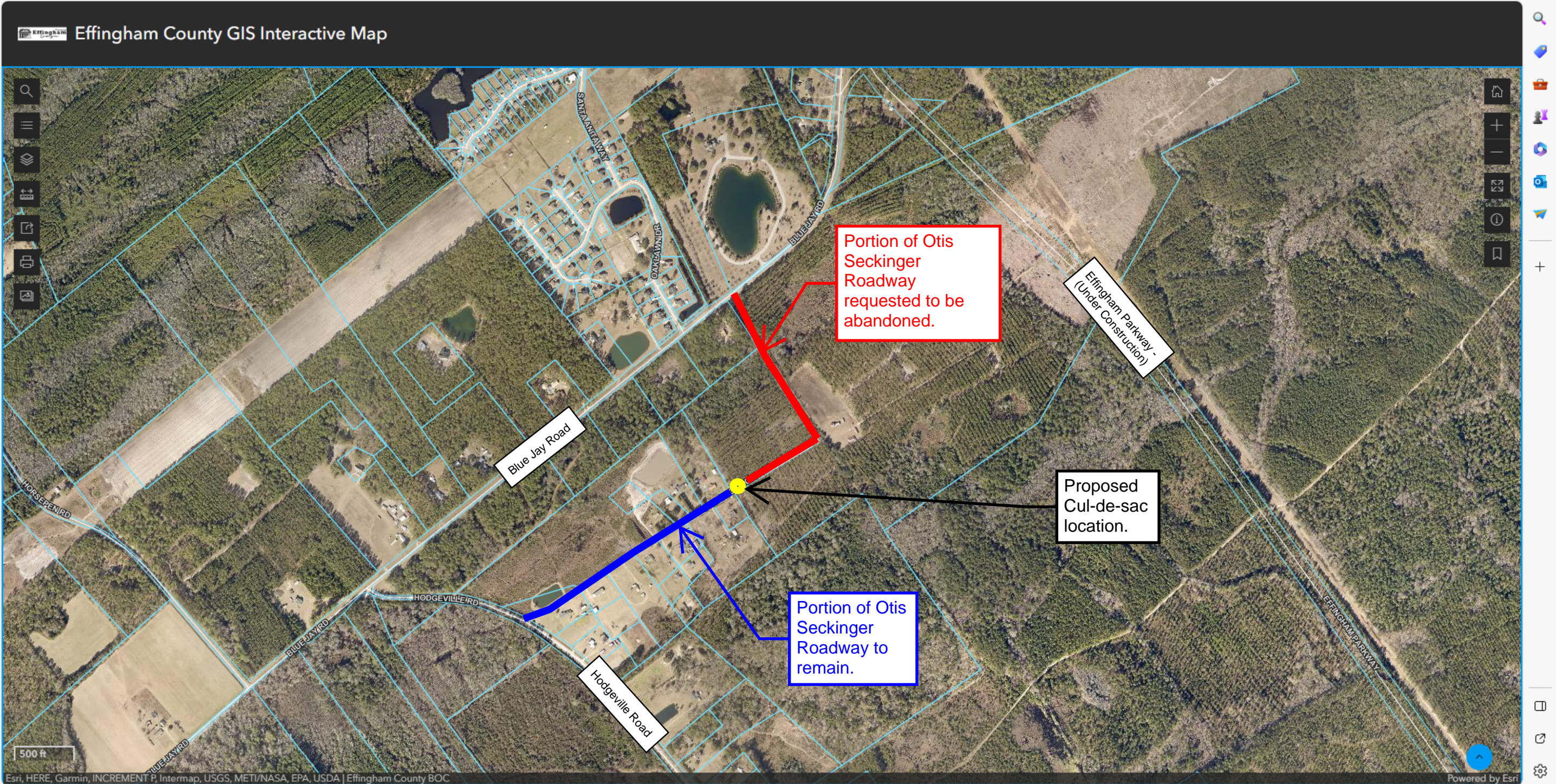
1. **Approve** the abandonment of the portion of Otis Seckinger Road.
2. **Deny** the abandonment of the portion of Otis Seckinger Road.
3. **Recommended Alternative: 1** **Other Alternatives: N/A**

Department Review: Development Services

FUNDING: N/A

Attachments:

1. Aerial photograph
2. Resolution to Abandon
3. Certification of Abandonment



Portion of Otis Seckinger Roadway requested to be abandoned.

Effingham Parkway - (Under Construction)

Blue Jay Road

Proposed Cul-de-sac location.

Portion of Otis Seckinger Roadway to remain.

Hodgeville Road

**State of Georgia Effingham
County**

Certification of Abandonment of Otis Seckinger Road

The undersigned certifies, in accordance with O.C.G.A § 32-7-2, that the Board of Commissioners of Effingham County, at its regularly scheduled meeting on May 21, 2024, declared the section of that county road system, described below, to be abandoned.

All that tract or parcel of land situate, lying and being in the 9th G.M. District, Effingham County, Georgia, consisting of a road presently known as Otis Seckinger designated as County Road 141, lying in the unincorporated areas of Effingham County.

A plat of said abandoned road of the county road system is attached hereto as "Exhibit A", which is hereby incorporated into and made part of this certification.

The said Board of Commissioners, prior to declaring said road abandoned, determined that said road served no substantial public purpose, and that its abandonment is in the best public interest.

This _____ day of May 2024

Wesley Corbitt
Chairman, Board of Commissioners

ATTEST: _____

Stephanie Johnson
County Clerk

A RESOLUTION TO ABANDON A PORTION OF OTIS SECKINGER ROAD THAT HAS BEEN DETERMINED TO HAVE CEASED TO BE USED BY THE PUBLIC TO THE EXTENT THAT NO SUBSTANTIAL PUBLIC PURPOSE IS SERVED BY IT; TO PROVIDE WRITTEN NOTICE TO THE PROPERTY OWNERS; TO PROVIDE FOR NEWSPAPER PUBLICATION ONCE A WEEK FOR TWO WEEKS; TO PROVIDE FOR A PUBLIC HEARING ON THE MATTER; AND TO PROVIDE FOR FINAL ACTION REGARDING ABANDONMENT OF THE PORTION OF SAID ROAD; TO DISPOSE OF SUCH RIGHT OF WAY BY QUITCLAIMING TO THE ADJOINING PROPERTY OWNER PORTION OF ABANDONED ROAD; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

A RESOLUTION TO ABANDON ROAD

WHEREAS, on May 21, 2024 the Board of Commissioners of Effingham County, Georgia held a public hearing regarding intent to abandon a portion Otis Seckinger Road., after due consideration of the matter, determines that a section of its county road system, to-wit: a section of Otis Seckinger, lying in the 9th G.M. District of Effingham County, Georgia, as shown on the sketch attached hereto, has ceased to be used by the public to the extent that no substantial purpose is served by it due to it being located on private land; and

WHEREAS, the Board of Commissioners of Effingham County, Georgia, believes that it is in the best interest of Effingham County, Georgia, to abandon said section of the county road system as described above; and

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Effingham County, Georgia, and it hereby resolved by the Authority of the Board of Commissioners of Effingham County, Georgia, that it intends to abandon said section of the county road system as described above as required by law; and

BE IT FURTHER RESOLVED, that a sketch of the section of the county road system that Effingham County, Georgia, intends to abandon as herein above described shall be filed herewith; and

BE IT FURTHER RESOLVED, that written notice shall be provided by means of registered or certified mail to each property owner within (200) feet of Otis Seckinger, to be abandoned; and

BE IT FURTHER RESOLVED, that a notice of the intent to abandon and of the public hearing to be held on the same shall be published in the legal organ of Effingham County, Georgia once a week for two weeks prior to the public hearing, to wit: April 17, 2024 and April 24, 2024; and

BE IT FURTHER RESOLVED, that a public hearing shall be held on the matter, and that said public hearing shall be advertised by publication in the legal organ of Effingham County, Georgia, once a week for two weeks prior to said hearing; and

BE IT FURTHER RESOLVED, that following said public hearing, a final determination will be made regarding the abandonment of said section of the county road system as shown on the sketch attached hereto; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of Effingham County, Georgia, that any and all resolutions, ordinances or other laws in conflict with this resolution shall be and the same are hereby repealed; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of Effingham County, Georgia, that this resolution shall be effective immediately upon the adoption by the Board of Commissioners of Effingham County, Georgia, and, upon such adoption, written notice shall issue to property owners on Otis Seckinger; the intent to abandon shall be advertised in the legal organ of Effingham County, Georgia as required by law; a public hearing shall be advertised and held as required by law; and final action on the abandonment of such section of the county road system shall be taken following said public hearing.

ADOPTED AND APPROVED, this ____ day of May, 2024.

BOARD OF COMMISSIONERS OF EFFINGHAM, COUNTY, GEORGIA

WESLEY M. CORBITT, CHAIRMAN

ATTEST:

STEPHANIE JOHNSON, CLERK