



CITY OF  
**FORESTPARK**

## City Council Agenda Item

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**Subject:** Council Discussion on Eminent Domain at 314 Forest Parkway – Legal

**Submitted By:** Michael Williams

**Date Submitted:** February 14, 2023

**Work Session Date:** February 20, 2023

**Council Meeting Date:** February 20, 2023

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### Background/History:

The City Council has previously authorized staff to engage in negotiations with the owner of 314 Forest Parkway to acquire that land for the new fire station and City Hall site on Forest Parkway. Those negotiations have stalled as the owner is demanding far more than what the property has been appraised for. Therefore, eminent domain proceedings are recommended. Under this process, we will petition the Clayton County Superior Court to allow for the City to receive title to the land and for the landowner to be fairly compensated with an amount established under the Court's proceedings.

The meeting has been properly advertised with signage at the location and with legal ads run at the Clayton News Daily. Additionally, the owner has been personally served. A copy of the correspondence delivered to the owner is attached.

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**Cost:** \$ TBD

**Budgeted for:**  Yes  No

### **Financial Impact:**

The Court will establish the fair value of the land. It was appraised at \$1.6 million. Funds are available for this purchase in the City's bond fund held by the URA.

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### **Action Requested from Council:**

Approval of the condemnation resolution.