

RESOLUTION NO. 2024-_____

A RESOLUTION A RESOLUTION BY COUNCILMEMBERS KIMBERLY JAMES, DABOUZE ANTOINE, HECTOR GUTIERREZ, LATRESA AKINS- WELLS, AND ALLAN MEARS TO AUTHORIZE THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED AT 765 FOREST PARKWAY BY WAY OF NEGOTIATED PURCHASE OR WHERE NECESSARY, BY WAY OF EMINENT DOMAIN FOR PUBLIC PURPOSES; TO AUTHORIZE THE APPROVAL OF ANY NECESSARY DOCUMENTS AS TO FORM AND SUBSTANCE; TO MAKE ANY NECESSARY MODIFICATIONS THERETO; TO PROTECT THE INTERESTS OF THE CITY OF FOREST PARK; AND TO AUTHORIZE ALL OTHER LAWFUL PURPOSES RELATED TO ACQUIRING THE FEE SIMPLE INTEREST OF SAID PROPERTY.

WHEREAS, the City of Forest Park (“the City”) is a municipal corporation organized and existing under the laws of the State of Georgia; and

WHEREAS, the City is authorized under Article 1, Section 3, Paragraph 1 of the Georgia Constitution to exercise the power of eminent domain to take private property for public use upon payment of just compensation to the owner of said private property; and

WHEREAS, Section 22-1-1 of the Official Code of Georgia Annotated establishes that “public use” includes “[t]he possession, occupation, or use of the land by the general public or by state or local governmental entities” and

WHEREAS, the City is desirous of expanding its existing City Hall building located at 765 Forest Parkway, Forest Park, Georgia, (“City Hall”) by physically connecting it to its existing Public Administration Building located at 785 Forest Parkway (“Annex Building”);

WHEREAS, the real property located at 765 Forest Parkway, Forest Park, Georgia, is physically situated between City Hall and the Annex Building; and

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council and deem it in the best interest of the citizens of Forest Park to acquire the real property located at 765 Forest Parkway, Forest Park, Georgia, to allow for the expansion of City Hall by connecting it to the Annex Building for public use; and

WHEREAS, Title 22 of the Official Code of Georgia Annotated establishes the requirements and procedures by which a municipality shall exercise the power of eminent domain; and

WHEREAS, the governing authority of the City has abided by and will continue to abide by the requirements and procedures set forth in Title 22 of Official Code of Georgia Annotated has determined that such exercise of eminent domain is necessary and proper.

THEREFORE, THE CITY COUNCIL OF THE CITY OF FOREST PARK HEREBY RESOLVES:

SECTION 1. Declaration. It is hereby declared that there is a public necessity and use for the City of Forest Park to acquire the rights, wholly and in fee simple interest of the property located at 765 Forest Parkway, Forest Park, Georgia 30297, as fully described on Exhibit A attached hereto.

SECTION 2. Authorization. The City Council hereby authorizes and approves the City of Forest Park to exercise its power of eminent domain, if necessary, to acquire the fee simple interest of the of the property located at 765 Forest Parkway, Forest Park, Georgia 30297, as fully described on Exhibit A attached hereto.

SECTION 3. Authorization of Execution. The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

SECTION 4. Attestation. The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this ordinance, subject to approval as to form by the City Attorney.

SECTION 5. Effective Date. This resolution shall become effective immediately upon its adoption by the Mayor and City Council of the City of Forest Park as provided in the City Charter.

SO RESOLVED this 19th day of August, 2024.

Angelyne Butler, Mayor

ATTEST:

City Clerk (SEAL)

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"

All that tract or parcel of land lying and being in Land Lot 50 of the 13th District of Clayton County, Georgia, being Lots 44 and 45, Block C, as per plat of Town of Forest Park, recorded in Plat Book 1, page 182, Clayton County Records, and being more particularly described as follows:

BEGINNING at the southwestern corner of South Central Avenue and Lake Drive; thence running westerly, along the southern side of South Central Avenue 90 feet to an iron pin; thence southerly 200 feet to an iron pin; thence easterly 90 feet to the west side of Lake Drive; thence northerly, along the western side of Lake Drive, 200 feet to South Central Avenue at the point of beginning; being the same property conveyed to F. Ed Long by Warranty Deed from Earnest D. Brookins; dated November 14, 1960, recorded in Deed Book 229, Page 301, Clayton County records.

Being the same property conveyed by Warranty Deed from F. Ed Long to Viola A. Tyrone, dated January 13, 1962, filed for record January 16, 1962, recorded in Deed Book 261, page 46, in the office of the Clerk of the Superior Court of Clayton County, Georgia.