

**A RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF MILTON,
GEORGIA DIRECTING THE SALE OF CERTAIN CITY-OWNED REAL
PROPERTY LOCATED AT HOPEWELL ROAD**

WHEREAS, O.C.G.A. 36-35-3 provides that the governing authority of the City may adopt clearly reasonable ordinances, resolutions and regulations relating to its property and affairs;

WHEREAS, pursuant to the City of Milton Charter (Section 1.12)(22), the City Council is authorized to acquire, dispose of, lease, enter into a contract for valuable consideration for the use, operation, or management of, and hold in trust or otherwise any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the City;

WHEREAS, pursuant to O.C.G.A. § 36-37-6(a)(1), the City Council disposing of any real property of the City shall make all such sales to the highest responsible bidder, either by sealed bids or by auction after due notice has been published once in the official legal organ of the county in which the municipality is located or in a newspaper of general circulation in the community, not less than fifteen (15) days nor more than sixty (60) days preceding the day of the auction or, if the sale is by sealed bids, preceding the last day for the receipt of proposals, which notice shall include a legal description of the property to be sold, together with the conditions of the proposed sale and the date, time, and place of the proposed sale; and,

WHEREAS, the City Council has determined that it would be in the best interest of the City for certain real property lying and being in Land Lots 909, 964, and 965, District 2, Section 2, Fulton County, Georgia, within the city limits of the City of Milton, totaling 38.921 acres, more or less, and being more particularly described in Exhibit A attached hereto (the "Subject Property") to be disposed of in accordance with O.C.G.A. § 36-37-6(a)(1). The Subject Property, to the extent required by applicable law, shall be deemed surplus property.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF MILTON, GEORGIA THAT the City Manager, in coordination with the City Attorney and other City staff, as needed, is hereby directed to administer the sale of the Subject Property in accordance with O.C.G.A. § 36-37-6(a)(1);

BE IT FURTHER RESOLVED THAT the City Council desires to dispose of the Subject Property utilizing the sealed bid method;

BE IT FURTHER RESOLVED THAT the City Council hereby establishes the following terms and conditions governing this sealed bid land disposition opportunity:

1. The reserve for the Subject Property is set at \$5.159 million;
2. For purposes of this Resolution, the "reserve" is that minimum amount that must be bid before the City will have any obligation to award the bid to a bidder;

3. Once the bid opportunity is advertised, it shall remain open for ninety (90) days;
4. A legal ad or ads regarding this sealed bid opportunity shall be run in the legal organ as required by law;
5. The successful bidder shall be obligated to tender no less than \$50,000 in earnest money for the City to hold until closing. Earnest money shall count toward the acquisition price if closing is consummated. If for any reason, other than the City's inability to convey marketable title, closing is not consummated, the City shall retain the earnest money;
6. Prior to the bid opportunity being advertised, City staff shall secure a soil study of the Subject Property and make such study available to any interested bidder;
 - a. Interested bidders shall be placed on notice that reliance on the City's soil study is at their own risk and no warranties or guarantees are made. Bidders are encouraged to perform their own soil study;
 - b. During the ninety (90) day period when the bid opportunity is open, individuals or entities seeking to perform a soil study of the Subject Property shall be given reasonable access to the Subject Property for that purpose; and,
 - c. This Resolution shall serve as approval by the Council of the City's retention of a third-party to conduct a soil study of the subject property.
7. There shall be no financing contingencies; and,
8. City staff are authorized to take all necessary action to consummate the direction in this Resolution, to including closing on the Subject Property, assuming the above conditions are satisfied.

BE IT FURTHER RESOLVED THAT the published notice shall expressly state that the City reserves the right to reject any and all bids or offers; and

BE IT FURTHER RESOLVED THAT following a successful auction or bid for the Subject Property where the reserve is met and a winning bidder is selected in accord with the dictates of this Resolution, the Mayor or City Manager shall be authorized to execute any required documents to consummate the sale and change of title; and

BE IT FINALLY RESOLVED THAT the effective date of this Resolution shall be the date of adoption.

SO RESOLVED this _____ day of _____, 2025.

[signatures on following page]

CITY OF MILTON, GEORGIA

Peyton Jamison, Mayor

Attest:

By: _____
Tammy Lowit, City Clerk

EXHIBIT A

SUBJECT PROPERTY DESCRIPTION

Tax Parcel No. 22-4780-0964-092-3 and Tax Parcel No. 22-4770-0909-008-9

Cross-Reference: Limited Warranty Deed recorded at Deed Book 66583, Page 471 (Fulton County Property Records)

(Both tax parcels are collectively referred to on the survey referenced below as "TRACT 1" and are more particularly described as follows:)

"TRACT 1

All that tract or parcel of land lying and being located in Land Lots 909 and 964, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an iron pin found (3/4" C/T) at the northwest corner of Land Lot 909, said corner being the common corner of Land Lots 891, 892, 909, and 910; thence South 00 degrees 27 minutes 25 seconds West for a distance of 955.93 feet along the west line of Land Lot 909 to an iron pin found (1" O/T) and the TRUE POINT OF BEGINNING;

THENCE leaving said west line of Land Lot 909, North 89 degrees 10 minutes 08 seconds East for a distance of 418.63 feet to an iron pin found (1/2" R/B);

THENCE North 89 degrees 15 minutes 10 seconds East for a distance of 900.05 feet to an iron pin found (1" C/T) on the west right of way line of Hopewell Road (an 80' R/W);

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the right having a radius of 2762.77 feet and an arc length of 257.97 feet, being subtended by a chord of South 03 degrees 46 minutes 07 seconds West for a distance of 257.88 feet to a point;

THENCE South 06 degrees 26 minutes 37 seconds West for a distance of 24.19 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the right having a radius of 4234.72 feet and an arc length of 259.68 feet, being subtended by a chord of South 08 degrees 12 minutes 01 seconds West for a distance of 259.64 feet to a point;

THENCE South 09 degrees 57 minutes 26 seconds West for a distance of 166.41 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the left having a radius of 1081.71 feet and an arc length of 257.26 feet, being subtended by a chord of South 03 degrees 08 minutes 38 seconds West for a distance of 256.65 feet to a point;

THENCE South 03 degrees 40 minutes 09 seconds East for a distance of 8.89 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W) a curve to the left having a radius of 1011.25 feet and an arc length of 432.43 feet, being subtended by

a chord of South 15 degrees 55 minutes 10 seconds East for a distance of 429.14 feet to an iron pin set (1/2" R/B) on the east line of Land Lot 964;

THENCE leaving said west right of way line of Hopewell Road, South 00 degrees 04 minutes 49 seconds East for a distance of 272.29 feet along the east line of Land Lot 964 to an iron pin found (1/2" R/B), [said pin being located North 00 degrees 04 minutes 49 seconds West for a distance of 43.33 feet along the east line of Land Lot 964, also being the west line of Land Lot 965, from an iron pin found (3/4" C/T) at the southwest corner of Land Lot 965, said corner being the common corner of Land Lots 964, 965, 980, and 981;

THENCE leaving said east line of Land Lot 964, North 83 degrees 11 minutes 59 seconds West for a distance of 222.27 feet to an iron pin found (3/4" C/T);

THENCE North 55 degrees 50 minutes 30 seconds West for a distance of 184.92 feet to an iron pin found (3/4" C/T);

THENCE North 25 degrees 52 minutes 22 seconds West for a distance of 189.75 feet to an iron pin found (1/2" R/B);

THENCE North 48 degrees 47 minutes 55 seconds West for a distance of 135.12 feet to an iron pin found (3/4" C/T);

THENCE North 59 degrees 23 minutes 50 seconds West for a distance of 229.78 feet to an iron pin found (3/4" C/T);

THENCE North 22 degrees 55 minutes 38 seconds West for a distance of 247.63 feet to an iron pin found (3/4" C/T);

THENCE North 46 degrees 49 minutes 23 seconds West for a distance of 196.91 feet to an iron pin found (3/4" C/T);

THENCE North 68 degrees 31 minutes 22 seconds West for a distance of 162.60 feet to an iron pin found (3/4" C/T);

THENCE North 84 degrees 05 minutes 03 seconds West for a distance of 196.75 feet to an iron pin found (1" C/T) on the west line of Land Lot 964;

THENCE North 00 degrees 20 minutes 43 seconds East for a distance of 359.66 feet along the west line of Land Lot 964 to a point in swamp at the northwest corner of Land Lot 964, said corner being the common corner of Land Lots 909, 910, 963, and 964;

THENCE North 00 degrees 33 minutes 56 seconds East for a distance of 325.42 feet along the west line of Land Lot 909 to an iron pin found (1" O/T) and the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 33.420 acres and is more fully shown as Tract 1 on the ALTA/NSPS Land Title Survey for City of Milton, Georgia, and Fidelity National Title Insurance Company, by Brumbelow-Reese and Associates, Inc., dated January 9, 2023, as last revised 2-27-2023, bearing their job number 2022-154, under seal of Rodney H. Reese GRLS No. 2072."

(Subject Property description continued on following pages)

Tax Parcel No. 22-4780-0964-091-5

Cross-Reference: Limited Warranty Deed recorded at Deed Book 66583, Page 471 (Fulton County Property Records)

(This tax parcel is referred to on the survey referenced below as "TRACT 2" and is more particularly described as follows:)

"TRACT 2

All that tract or parcel of land lying and being located in Land Lot 965, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an iron pin found (3/4" C/T) at the northwest corner of Land Lot 909, said corner being the common corner of Land Lots 891, 892, 909, and 910; thence South 00 degrees 27 minutes 25 seconds West for a distance of 955.93 feet along the west line of Land Lot 909 to an iron pin found (1" O/T);

THENCE leaving said west line of Land Lot 909, North 89 degrees 10 minutes 08 seconds East for a distance of 418.63 feet to an iron pin found (1/2" R/B);

THENCE North 89 degrees 15 minutes 10 seconds East for a distance of 900.05 feet to an iron pin found (1" C/T) on the west right of way line of Hopewell Road (an 80' R/W);

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the right having a radius of 2762.77 feet and an arc length of 257.97 feet, being subtended by a chord of South 03 degrees 46 minutes 07 seconds West for a distance of 257.88 feet to a point;

THENCE South 06 degrees 26 minutes 37 seconds West for a distance of 24.19 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the right having a radius of 4234.72 feet and an arc length of 259.68 feet, being subtended by a chord of South 08 degrees 12 minutes 01 seconds West for a distance of 259.64 feet to a point;

THENCE South 09 degrees 57 minutes 26 seconds West for a distance of 166.41 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W), a curve to the left having a radius of 1081.71 feet and an arc length of 257.26 feet, being subtended by a chord of South 03 degrees 08 minutes 38 seconds West for a distance of 256.65 feet to a point;

THENCE South 03 degrees 40 minutes 09 seconds East for a distance of 8.89 feet along said west right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along said west right of way line of Hopewell Road (an 80' R/W) a curve to the left having a radius of 1011.25 feet and an arc length of 432.43 feet, being subtended by a chord of South 15 degrees 55 minutes 10 seconds East for a distance of 429.14 feet to an iron pin set (1/2" R/B) on the east line of Land Lot 964, also being the west line of Land Lot 965 and the TRUE POINT OF BEGINNING;

THENCE along the southwest right of way line of Hopewell Road (an 80' R/W), a curve to the left having a radius of 1011.25 feet and an arc length of 148.43 feet, being subtended by a chord of South 32 degrees 22 minutes 29 seconds East for a distance of

148.29 feet to a point;

THENCE South 36 degrees 34 minutes 46 seconds East for a distance of 4.33 feet along the southwest right of way line of Hopewell Road (an 80' R/W) to a point;

THENCE along the southwest right of way line of Hopewell Road (an 80' R/W), a curve to the left having a radius of 1106.15 feet and an arc length of 190.40 feet, being subtended by a chord of South 41 degrees 30 minutes 38 seconds East for a distance of 190.17 feet to a point;

THENCE South 46 degrees 26 minutes 31 seconds East for a distance of 43.01 feet along the southwest right of way line of Hopewell Road (an 80' R/W) to an iron pin set (1/2" R/B);

THENCE leaving said southwest right of way line of Hopewell Road (an 80' R/W), North 83 degrees 11 minutes 59 seconds West for a distance of 240.50 feet to an iron pin found (1/2" R/B) on the west line of Land Lot 965, [said pin being located North 00 degrees 04 minutes 49 seconds West for a distance of 43.33 feet along the west line of Land Lot 965 from an iron pin found (3/4" C/T) at the southwest corner of Land Lot 965, said corner being the common corner of Land Lots 964, 965, 980, and 981;

THENCE North 00 degrees 04 minutes 49 seconds West for a distance of 272.29 feet along the west line of Land Lot 965 to an iron pin set (1/2" R/B) located on the southwest right of way line of Hopewell Road (an 80' R/W) and the true point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

Said property contains 0.649 acres and is more fully shown as Tract 2 on the ALTA/NSPS Land Title Survey for City of Milton, Georgia, and Fidelity National Title Insurance Company, by Brumbelow-Reese and Associates, Inc., dated January 9, 2023, as last revised 2-27-2023, bearing their job number 2022-154, being identified as drawing MILTON-BATES2 under seal of Rodney H. Reese GRLS No. 2072."

A copy of the survey referenced above is attached hereto marked **Attachment A-1**.

Tax Parcel No. 22 -4770-0909-048-5

Cross-Reference: Limited Warranty Deed recorded at Deed Book 66749, Page 597 (Fulton County Property Records)

(This tax parcel is depicted on the survey referenced below and is more particularly described as follows:)

"All that tract or parcel of land lying and being located in Land Lot 909, District 2, Section 2, Fulton County, Georgia, within the City of Milton, and being more particularly described as follows:

To find the TRUE POINT OF BEGINNING, commence at an iron pin found (3/4" C/T) at the northwest corner of Land Lot 909, said corner being the common corner of Land Lots 891, 892, 909, and 910; thence South 00 degrees 27 minutes 25 seconds West for a distance of 955.93 feet along the west line of Land Lot 909 to an iron pin found (1" O/T);

thence leaving said west line of Land Lot 909, North 89 degrees 10 minutes 08 seconds East for a distance of 418.63 feet to an iron pin found (1/2" R/B) and the TRUE POINT OF BEGINNING;

THENCE North 00 degrees 07 minutes 11 seconds East for a distance of 235.02 feet to an iron pin found (1/2" R/B);

THENCE North 89 degrees 15 minutes 59 seconds East for a distance of 899.41 feet to an iron pin found (1/2" R/B) on the west right of way line of Hopewell Road (an 80' R/W);

THENCE South 00 degrees 02 minutes 32 seconds East for a distance of 234.79 feet along the west right of way line of Hopewell Road (an 80' R/W) to an iron pin found (1" C/T);

THENCE leaving said west right of way line of Hopewell Road, South 89 degrees 15 minutes 10 seconds West for a distance of 900.07 feet to an iron pin found (1/2" R/B) and the point of beginning.

Together with and subject to covenants, easements, and restrictions of record.

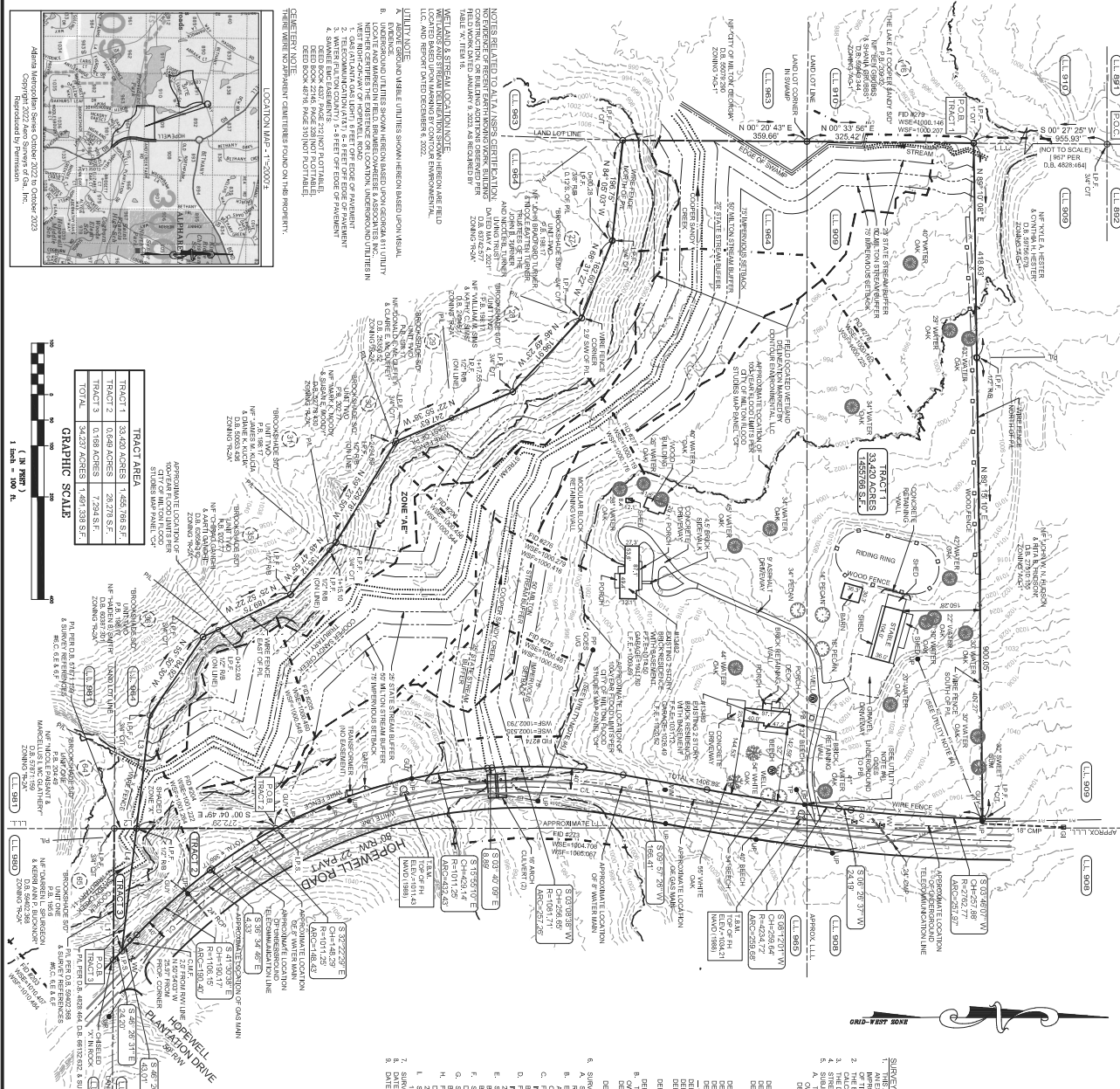
Said property contains 4.852 acres and is more fully shown on an ALTA/NSPS Land Title Survey for City of Milton, Georgia and Fidelity National Title Insurance Company, by Brumbelow-Reese and Associates, Inc., dated February 20, 2023, bearing their job number 2023-005, and being identified as drawing MILTON-HDSN."

A copy of the survey referenced above is attached hereto marked **Attachment A-2**.

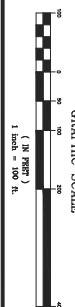
LEGEND: ABBREVIATIONS AND SYMBOLS

A.K.A.	- ALSO KNOWN AS
ARC	- LENGTH OF CURVE

THIS BLOCK RESERVED FOR THE
CLERK OF THE SUPERIOR COURT



TRACT AREA		
TRACT 1	33.420 ACRES	1,455,766 S.F.
TRACT 2	0.649 ACRES	28,278 S.F.
TRACT 3	0.168 ACRES	7,294 S.F.
TOTAL	34.237 ACRES	1,491,338 S.F.



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L4	S 83°14'59" E	240.50'	1	JOB #: 2022-154
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REF: #87288, 2015-076

ALTA / NSPS LAND TITLE SURVEY FOR
CITY OF MILTON, GEORGIA
AND
FIDELITY NATIONAL TITLE INSURANCE COMPANY

DATE: JANUARY 9, 2023

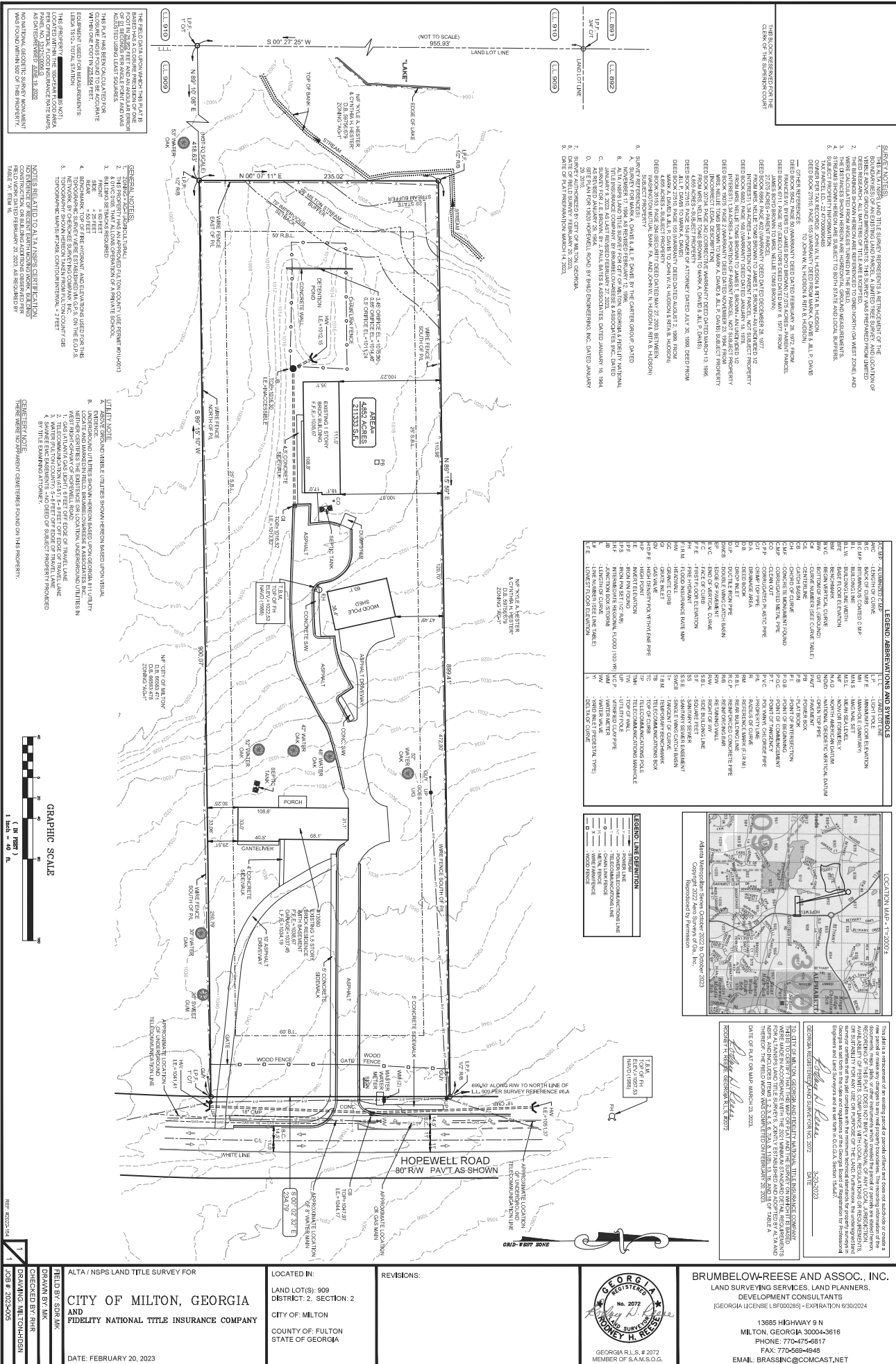
LOCATED IN:
LAND LOT(S): 909,964,965
DISTRICT: 2, SECTION: 2
CITY OF: MILTON
COUNTY OF: FULTON
STATE OF: GEORGIA

REVISIONS:
2-16-2023 - ATTORNEY'S COMMENTS
2-27-2023 - ALTA ATTORNEY'S COMMENTS



BRUMBELOW-REESE AND ASSOC., INC.
LAND SURVEYING SERVICES, LAND PLANNERS,
DEVELOPMENT CONSULTANTS
[GEORGIA LICENSE LSF002085] - EXPIRATION 8/30/2024

13685 HIGHWAY 9 N
MILTON, GEORGIA 30004-3616
PHONE: 770-475-6817
FAX: 770-569-4848
EMAIL: BRASSINC@COMCAST.NET



THE FIELD DATA UPON WHICH THIS PLAT IS BASED WAS OBTAINED BY THE SURVEYOR'S PERSONAL OBSERVATION AND MEASUREMENTS. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.

- GENERAL NOTES:**
1. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.
 2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.
 3. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.
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 5. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.

- NOTES RELATED TO ALTA'S CERTIFICATION:**
1. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.
 2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.
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 5. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE ADJACENT PROPERTIES.

- LEGEND: ABBREVIATIONS AND SYMBOLS**
- | | | | |
|-----|----------|-----|----------|
| AC | ADJACENT | ADJ | ADJACENT |
| ADJ | ADJACENT | ADJ | ADJACENT |
| ADJ | ADJACENT | ADJ | ADJACENT |
| ADJ | ADJACENT | ADJ | ADJACENT |
| ADJ | ADJACENT | ADJ | ADJACENT |

- LEGEND: LINE DEFINITIONS**
- | | |
|-----|---------------|
| --- | PROPERTY LINE |
| --- | PROPERTY LINE |
| --- | PROPERTY LINE |
| --- | PROPERTY LINE |
| --- | PROPERTY LINE |

LOCATION MAP: A map showing the location of the property within the City of Milton, Georgia. The map includes the city boundary and the location of the property within the city.

DATE: FEBRUARY 20, 2023

DRAWN BY: SPM-AM

CHECKED BY: SPM-AM

DRAWING NO.: 2023-005

ALTA'S NSPS LAND TITLE SURVEY FOR

CITY OF MILTON, GEORGIA

AND

FIDELITY NATIONAL TITLE INSURANCE COMPANY

LOCATED IN:

LAND LOT(S): 909

DISTRICT: 2. SECTION: 2

CITY OF: MILTON

COUNTY OF: FULTON

STATE OF: GEORGIA

REVISIONS:

DATE: FEBRUARY 20, 2023

LEGEND: ABBREVIATIONS AND SYMBOLS

AC	ADJACENT	ADJ	ADJACENT
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LEGEND: LINE DEFINITIONS

---	PROPERTY LINE
---	PROPERTY LINE
---	PROPERTY LINE
---	PROPERTY LINE
---	PROPERTY LINE

LOCATION MAP: A map showing the location of the property within the City of Milton, Georgia. The map includes the city boundary and the location of the property within the city.

DATE: FEBRUARY 20, 2023

DRAWN BY: SPM-AM

CHECKED BY: SPM-AM

DRAWING NO.: 2023-005



BRUMBELOW-REESE AND ASSOC., INC.

LAND SURVEYING SERVICES, LAND PLANNERS,

DEVELOPMENT CONSULTANTS

(GEORGIA LICENSE LSP0002895 - EXPIRATION 6/30/2024)

13685 HIGHWAY 9 N

MILTON, GEORGIA 30004-3816

PHONE: 770-475-6917

FAX: 770-568-4948

EMAIL: BRASSINC@COMCAST.NET