

RESOLUTION # 2021 - 09

**AMENDED RESOLUTION TO AUTHORIZE THE ACQUISITION OF
PARCELS OF LAND FOR PUBLIC ROAD RIGHT OF
WAY AND OTHER USES IN LAND LOT(S) 239 OF THE 11TH
LAND DISTRICT OF ROCKDALE COUNTY, GEORGIA
BY NEGOTIATED CONTRACT OR CONDEMNATION
PURSUANT TO PROVISIONS OF TITLES 22 AND 32
OF THE OFFICIAL CODE OF GEORGIA ANNOTATED**

Tax Map Parcel Numbered: 028-A-01-0030

WHEREAS, Rockdale County, Georgia, owns and operates public streets, roads, highways and transportation systems for vehicular and pedestrian traffic on behalf of the residents of Rockdale County; and

WHEREAS, various fee simple and easement parcels of real property are needed and necessary for the construction and improvement of certain of said streets, roadways, highways and transportation systems and related equipment and facilities in conjunction with the said systems; and

WHEREAS, various fee simple and easement parcels of real property are needed and necessary for effective and efficient improvements (Grenade Road Sidewalk – P.I. No. ROCK1801); and

WHEREAS, the above identified parcels of land, or portions thereof, in Land Lot(s) 239 of the 11th District of Rockdale County have been identified as necessary for the construction and improvement of said systems; and

WHEREAS, negotiations to secure a contract or option for the acquisition of the needed property above described are authorized but condemnation of the same may be necessary;

NOW, THEREFORE, be it resolved by the Board of Commissioners of Rockdale County, Georgia as follows:

The Board of Commissioners hereby authorizes the acquisition of the necessary parcel(s) set forth above or portions thereof for street, road and highway projects through negotiation or the

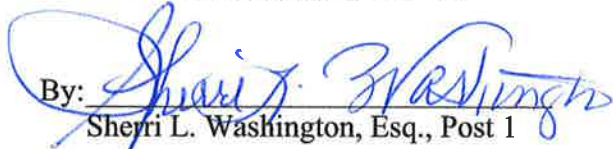
use of eminent domain procedures of construction of said project and other related purposes allowed by law, and also amends the prior Resolution by correcting the typographical error in Exhibit "A" thereto.

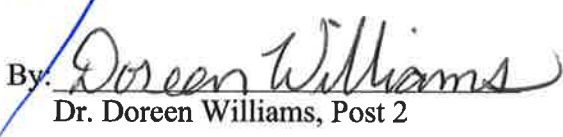
The Board hereby specifically finds that the circumstances are such that it is necessary that the real property rights as described in this Resolution be acquired by negotiation or condemnation pursuant to the provisions of O.C.G.A. Titles 22 and 32 and the County Attorney and/or his agents and designees are hereby specifically authorized to undertake such proceedings as may be necessary in accordance with the provisions of said Code and the procedures as set out therein.

The resolution shall be effective immediately upon adoption and is herewith adopted this 29 day of July, 2021.

**ROCKDALE COUNTY, GEORGIA
BOARD OF COMMISSIONERS**

By: 
Osborn Nesbitt, Sr., Chairman

By: 
Sherri L. Washington, Esq., Post 1

By: 
Dr. Doreen Williams, Post 2

Attest:

By: 
Jennifer O. Rutledge, County Clerk

Approved as to form:

By: 
M. Qader A. Baig, County Attorney

EXHIBIT "A"

P. I. NO.: ROCK1801
PARCEL NO.: 6
COUNTY: Rockdale
DATE OF R/W PLANS: October 25, 2019
REVISION DATE: N/A

TEMPORARY EASEMENT FOR CONSTRUCTION OF SLOPES

All that tract or parcel of land lying and being in Land Lot 239 of the 11TH Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 26.28 feet left of and opposite Station 33+27.38 on the construction centerline of GRANADE ROAD on Georgia Highway Project No. ROCK1801; running thence N 72°42'10.7" W a distance of 26.94 feet to a point 52.00 feet left of and opposite station 33+35.37 on said construction centerline laid out for GRANADE ROAD; thence N 4°52'10.0" E a distance of 23.71 feet to a point 50.00 feet left of and opposite station 33+59.00 on said construction centerline laid out for GRANADE ROAD; thence N 21°49'55.2" E a distance of 26.93 feet to a point 40.00 feet left of and opposite station 33+84.00 on said construction centerline laid out for GRANADE ROAD; thence N 0°56'55.5" E a distance of 136.32 feet to a point 38.00 feet left of and opposite station 35+20.00 on said construction centerline laid out for GRANADE ROAD; thence N 21°03'25.2" E a distance of 32.76 feet to a point 26.57 feet left of and opposite station 35+50.54 on said construction centerline laid out for GRANADE ROAD; thence S 1°15'24.4" W a distance of 63.00 feet to a point 27.43 feet left of and opposite station 34+87.83 on said construction centerline laid out for GRANADE ROAD; thence S 0°22'24.1" E a distance of 160.52 feet back to the point of beginning.

Containing 0.067 acres more or less.

APPENDIX "B"
TO
EXHIBIT "A"

DESCRIPTION OF PROPERTY TO BE ACQUIRED
PROJECT NO. ROCK1801

RECORD OWNERS:

Karen M. Hopkins
1900 Courtney Lane Drive, SW
Conyers, Georgia 30094

Mortgage Electronic Registration Systems, Inc.
GENPAC MERS Mailroom
1901 East Vorhees St., #C
Danville, II 61834-4512

Nominee for
Bank of America Corporation
% The Corporation Trust Company, Reg. Agent
1209 Orange Street
Wilmington (New Castle County) Delaware 19801

Rockdale County Tax Commissioner
969 Pine Street
Conyers, Georgia 30012

Said interests as described on Pages ___ and ___ of Appendix "A" are for public transportation and other public purposes, as defined by law across and over certain tracts of land located in Land Lot(s) 239 of the 11th Land District of Rockdale County, said tracts of land consisting of approximately 0.067 acres.

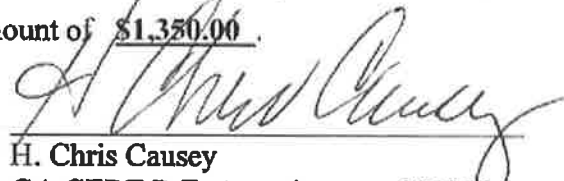
APPENDIX "C" TO EXHIBIT "A"

GEORGIA, FORSYTH COUNTY

Personally comes, H. Chris Causey, residing at 4845 Brighton Lake Drive, Cumming, Forsyth County, GA. 30040

1. Affiant was employed by the Rockdale County Department of Transportation to appraise Parcel No.6 of the right of way and rights required for the construction of Project No. ROCK1801 in Rockdale County, Georgia for said Department and makes this sworn statement to be used in connection with condemnation proceedings under the Official Code of Georgia Annotated Sections 32-3-4 through 32-3-19, for the acquisition of said parcel.

2. Affiant is familiar with real estate values in said county and in the vicinity where said parcel is located. Affiant has personally inspected the property or right condemned and in appraising said parcel affiant took into consideration the Fair Market Value of said parcel, as well as any consequential damages to remaining property of the Condemnees by reason of the taking and use of said parcel and other rights for the construction of said project, and any consequential benefits which may result to such remaining property by reason of such taking and use (consequential benefits not, however, considered except as offsetting consequential damages). After said investigation and research, affiant has thus estimated that the just and adequate compensation for said parcel, and any consequential damages or benefits considered, is in the amount of \$1,350.00.


H. Chris Causey
GA CERT R.E. Appraiser No. 003956

Sworn to and subscribed before me,
this 4 day of Feb, 2021.


NOTARY PUBLIC
My commission expires _____



Parcel No. 6

EXHIBIT "A"

P. I. NO.: ROCK1801
PARCEL NO.: 6
COUNTY: Rockdale
DATE OF R/W PLANS: October 25, 2019
REVISION DATE: N/A

TEMPORARY EASEMENT FOR CONSTRUCTION OF SLOPES

All that tract or parcel of land lying and being in Land Lot 239 of the 11TH Land District of Rockdale County, Georgia, being more particularly described as follows:

Beginning at a point 26.28 feet left of and opposite Station 33+27.38 on the construction centerline of GRANADE ROAD on Georgia Highway Project No. ROCK1801; running thence N 72°42'10.7" W a distance of 26.94 feet to a point 52.00 feet left of and opposite station 33+35.37 on said construction centerline laid out for GRANADE ROAD; thence N 4°52'10.0" E a distance of 23.71 feet to a point 50.00 feet left of and opposite station 33+59.00 on said construction centerline laid out for GRANADE ROAD; thence N 21°49'55.2" E a distance of 26.93 feet to a point 40.00 feet left of and opposite station 33+84.00 on said construction centerline laid out for GRANADE ROAD; thence N 0°56'55.5" E a distance of 136.32 feet to a point 38.00 feet left of and opposite station 35+20.00 on said construction centerline laid out for GRANADE ROAD; thence N 21°03'25.2" E a distance of 32.76 feet to a point 26.57 feet left of and opposite station 35+50.54 on said construction centerline laid out for GRANADE ROAD; thence S 1°15'24.4" W a distance of 63.00 feet to a point 27.43 feet left of and opposite station 34+87.83 on said construction centerline laid out for GRANADE ROAD; thence S 0°22'24.1" E a distance of 160.52 feet back to the point of beginning.

Containing 0.067 acres more or less.

ROCKDALE COUNTY

RIGHT OF WAY OF PROPOSED GRANADE ROAD SIDEWALK

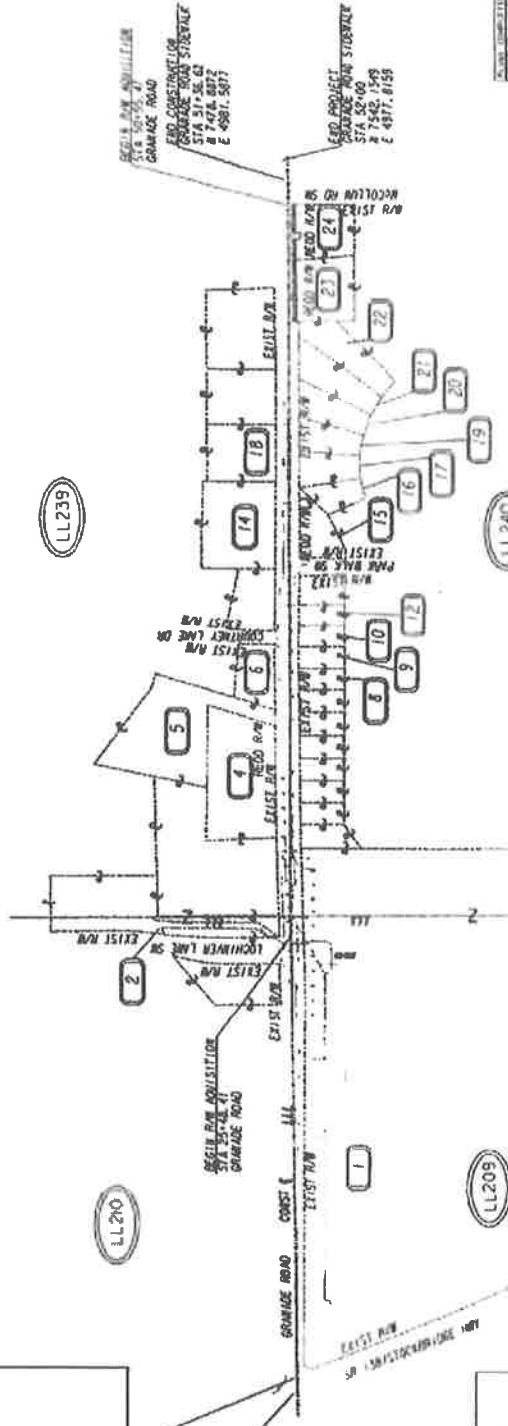
FEDERAL ROUTE No: N/A
STATE ROUTE No: N/A

CONVENTIONAL SIGNS

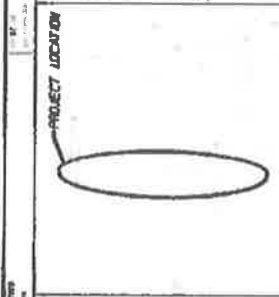
LAND LOT LINE	EXISTING	PROPOSED
PROPERTY LINE	EXISTING	PROPOSED
EXISTING LIMIT OF ACCESS	EXISTING	PROPOSED
PROPOSED LIMIT OF ACCESS	EXISTING	PROPOSED
EXISTING LIMIT OF ACCESS & R/W	EXISTING	PROPOSED
PROPOSED LIMIT OF ACCESS & R/W	EXISTING	PROPOSED
EXISTING R/W	EXISTING	PROPOSED
PROPOSED R/W	EXISTING	PROPOSED



PLANS PREPARED BY
MARDIAN & A. TROBELLO ASSOCIATES, LLC



LENGTH OF RIGHT OF WAY PROJECT	
NET LENGTH OF RIGHT OF WAY	FEET
NET LENGTH OF BRIDGES	FEET
NET LENGTH OF TUNNELS	FEET
CROSS LENGTH OF RIGHT OF WAY	FEET



LOCATION SKETCH

FUNCTIONAL CLASS:
MAJOR COLLECTOR

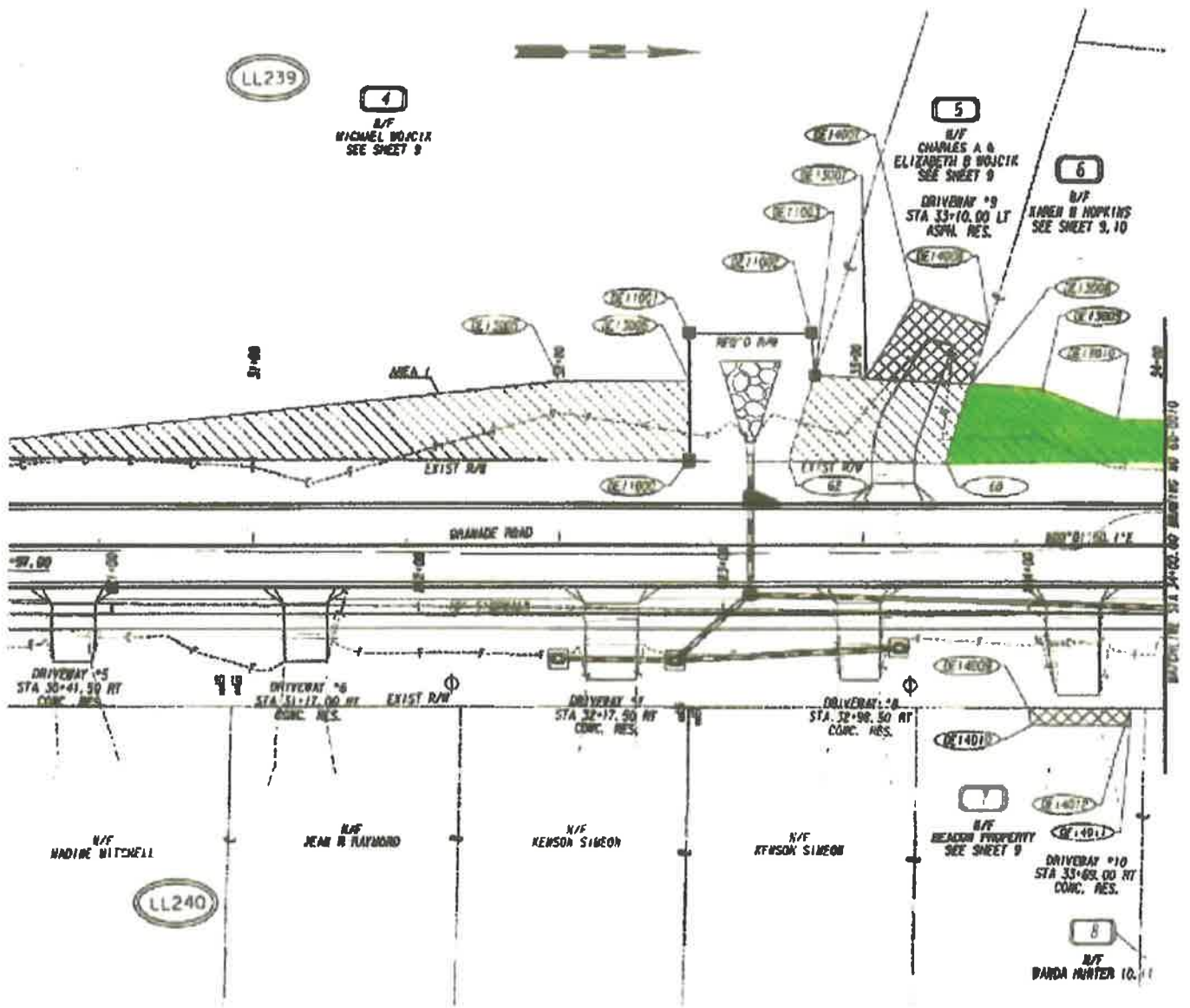
THIS PROJECT IS LOCATED IN:
ROCKDALE COUNTY AND IS
ZONE: IN COM. DIST. NO. 4

PROJECT DESCRIPTION:
EXEMPT

THIS PROJECT IS LOCATED IN:
LAND LOT NOS. 209, 204, 239 AND 240
GRID 475.50
LAND DISTRICT NO. 4

DATE: 10/15/14
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN

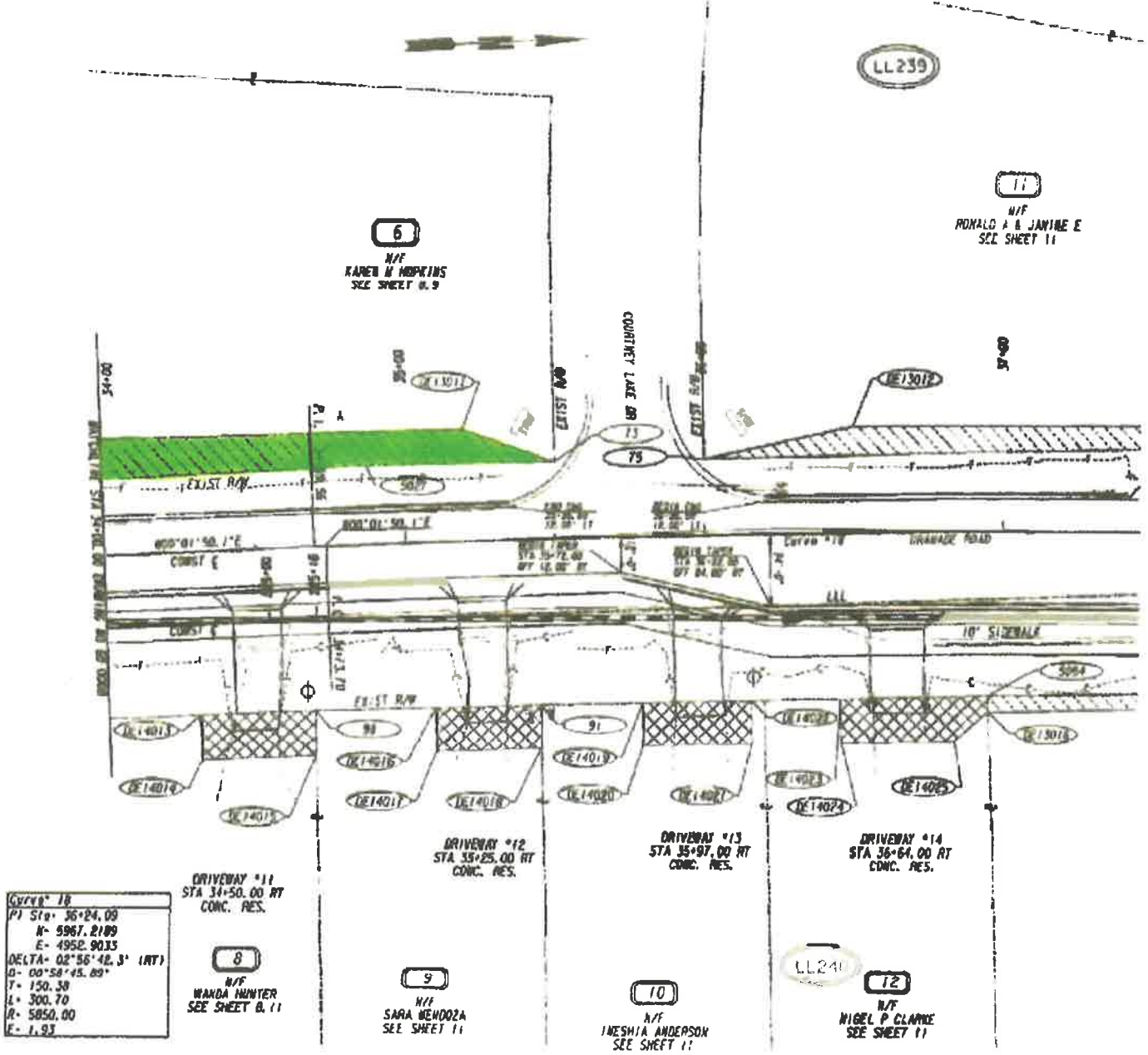
60-0001



TEMPORARY EASEMENT FOR CONSTRUCTION OF SLOPES.....2,930.19 square feet

Exhibit "A" Page 1 of 3

Being a portion of right of way plans for Rockdale County:		
Project: Granade Road Sidewalk		
Project Number: ROCK1801		
Parcel Number: 6		
By: Moreland Altobelli Associates, LLC, an Atlas Company		
Sheet Number: 8, 9, and 10		
Owner: Karen M. Hopkins		
Date: October 25, 2019	Revised: N/A	Scale: Not to scale



Curve # 18
P1 Sta. 36+24.09
N= 5967.2189
E= 4952.9033
DELTA= 02°56'48.3" (RT)
D= 00°58'45.89"
T= 150.38
L= 300.70
R= 5850.00
E= 1.93

Exhibit "A" Page 3 of 3

TESMT - PAR6/SV6 EASEMENT FOR CONSTR OF SLOPES DE304
 PARCEL 6 - N/F KAREK M HOPKINS

PNT	OFFSET/ DIST	STATION/ BEARING	ALIGNMENT
60	26.28 L	33+27.38	GRANADE ROAD
	26.94	N 72°42'10.7" W	
DE13008	52.00 L	33+35.37	GRANADE ROAD
	23.71	N 4°52'10.0" E	
DE13009	50.00 L	33+59.00	GRANADE ROAD
	26.93	N 21°49'55.2" E	
DE13010	40.00 L	33+84.00	GRANADE ROAD
	136.32	N 0°56'55.5" E	
DE13011	38.00 L	35+20.00	GRANADE ROAD
	32.76	N 21°03'25.2" E	
73	26.57 L	35+50.54	GRANADE ROAD
	63.00	S 1°15'24.4" W	
5027	27.43 L	34+87.83	GRANADE ROAD
	160.52	S 0°22'24.1" E	
60	26.28 L	33+27.38	GRANADE ROAD

REQD EASMT - 2930.19 SF
 REQD EASMT - 0.067 ACRES
 REMAINDER - 0.607 ACRES

IN THE SUPERIOR COURT OF ROCKDALE COUNTY

STATE OF GEORGIA

ROCKDALE COUNTY, GEORGIA)	CIVIL ACTION
)	
Plaintiff/ Condemnor,)	FILE NO. 2021-CV-1827
)	
vs.)	
)	
0.067 ACRE OF LAND AND CERTAIN)	
EASEMENT RIGHTS; KAREN M.)	
HOPKINS; MORTGAGE)	
ELECTRONIC REGISTRATION)	
SYSTEMS, INC. NOMINEE, BANK OF)	
AMERICA CORPORATION; AND THE)	
ROCKDALE COUNTY TAX)	
COMMISSIONER, INDIVIDUALLY)	
)	
Defendant/ Condemnee,)	

AMENDED DECLARATION OF TAKING

EXHIBIT "A"

WHEREAS, the Chairman and CEO of the Board of Commissioners of Rockdale County has made and entered an order finding that the circumstances in connection with acquiring certain property for transportation purposes are such that it is necessary to acquire the title, estate or interest in the lands as fully described in said order, a certified copy of which is attached to this Declaration identified as Appendix "A" to Exhibit "A" and made a part hereof, under the Official Code of Georgia Annotated §§ 32-3-4 through §32-3-19; and

WHEREAS, said acquisition is for public transportation and other public purposes upon, across, and over the tract of land in said county, as fully described in the attachment hereto identified as Appendix "B" to Exhibit "A" and made a part hereof; and

WHEREAS, Rockdale County has caused an investigation and report to be made by a competent land appraiser, upon which to estimate the sum of money to be deposited in the Court

as just and adequate compensation for the property above referred to, a copy of the appraiser's sworn statement being attached hereto identified as Appendix "C" to Exhibit "A" and made part hereof; and

WHEREAS, in consequence of the sworn statement, Appendix "C" to Exhibit "A", Rockdale County estimates **\$1,350.00** as the just and adequate compensation to be paid for said property as fully described in Appendix "A" to Exhibit "A" attached hereto, and was previously deposited said sum in the Court, to the use of the persons entitled hereto;

WHEREAS, the previously filed and sworn Declaration of Taking and Order by the Chairman and CEO of the Board of Commissioners of Rockdale County contained a typographical error in the legal description contained in Exhibit "A" thereto;

NOW, THEREFORE, the premises considered, Rockdale County, under authority of the provisions of Official Code of Georgia Annotated §§ 32-3-4 through § 32-3-19, hereby amends and declares that the property or interest therein as described in Appendix "A" to Exhibit "A" attached to and a part of this Declaration, is taken for public transportation and other public purposes.

This the 27 day of July, 2021.

ROCKDALE COUNTY, GEORGIA

BY: 

Osborn Nesbitt, Sr., Chairman

Attest:

By: 

Jennifer O. Rutledge, County Clerk

APPENDIX "A"

GEORGIA, ROCKDALE COUNTY

I, **JENNIFER O. RUTLEDGE**, do hereby certify that I am Clerk to the Board of Commissioners of Rockdale County.

I further certify that the foregoing ____ () pages constitute a true and correct exact copy of an Order of the Chairman of the Board of Commissioners of Rockdale County entered on the 27 day of July, 2021 as same applies to the tract or parcel of land described in said ____ () pages; and the original of said Order is on file at my office at Rockdale County Board of Commissioners, Conyers, Georgia.

Given under my hand and the Seal of Rockdale County, this 27 day of July, 2021.

JENNIFER O. RUTLEDGE
Clerk, Rockdale County
Georgia



{Rockdale County Georgia Seal}