

**A RESOLUTION**

A RESOLUTION OF THE BOARD OF COMMISSIONERS OF THE CITY OF GRIFFIN, GEORGIA, DETERMINING THE NECESSITY FOR THE ACQUISITION OF LAND IN FEE SIMPLE TO BE USED AS ROAD RIGHT OF WAY, PERMANENT EASEMENTS AND TEMPORARY CONSTRUCTION EASEMENTS IN, OVER AND ACROSS NINE (9) TRACTS OR PARCELS OF REAL PROPERTY, AS MORE PARTICULARLY SHOWN AND DESCRIBED IN CONSTRUCTION PLANS FOR CITY OF GRIFFIN TRANSPORTATION IMPROVEMENT PROJECT, “QUINCY AVENUE EXTENSION & NORTH 6<sup>TH</sup> STREET REALIGNMENT”, AS PREPARED BY FALCON DESIGN CONSULTANTS, LLC, DATED DECEMBER 3, 2013; DETERMINING A PUBLIC USE FOR THE ACQUISITION OF SAID LANDS AND EASEMENTS; ESTABLISHING AN INITIAL VALUE FOR “JUST COMPENSATION” TO BE OFFERED AFFECTED OWNERS BASED UPON CURRENT TAX ASSESSMENTS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO NEGOTIATE WITH THE PROPERTY OWNERS FOR EASEMENT ACQUISITION; AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Griffin has undertaken a public works project to improve transportation within the city by eliminating the present intersection at North Hill Street and North Sixth Street Extension, extending Quincy Avenue to intersect with North Hill Street, and realigning North Sixth Street, with all financing to come from appropriated local funding (hereafter, the “Project”);;

**WHEREAS**, the City has caused Falcon Design Consultants, LLC, engineering and transportation planners, to prepare Construction Plans and Drawings for said Project, dated December 5, 2013, including individual site plans for lands needed to be acquired in fee simple, as road right-of-way, together with temporary construction easements, to be obtained on, over, and across tracts or parcels of land affected by said Project; said Plans being on file for public inspection and copying in the Administrative Offices, One Griffin Center, Third Floor, and hereby incorporated by reference as if fully set out herein (hereafter, the “Plans”);

**WHEREAS**, this Board of Commissioners has considered such Plans and finds the Project to serve a valid and viable public purpose; i.e. transportation enhancements, for which the acquisition of right of way in fee simple, permanent easements, and temporary construction easements, as more fully shown or depicted upon said Plans, is necessary to implement the Project, and that the legal interests acquired will be used for a proper public purpose and fulfill a public need; and

**WHEREAS**, this Board further finds that when temporary construction easements are necessary such easements should be acquired for the limited duration of Project construction and final acceptance, but not to exceed one (1) year, whichever occurs first;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of said City, as follows:

1. Inasmuch as it is within the powers granted to this municipal corporation to own and acquire real property, in fee simple or lesser interest than fee simple, i.e. easements, for construction and operation of street system and transportation projects, with the duty to maintain, repair and replace said infrastructure as warranted, there is hereby declared the necessity to acquire addition land in fee simple for road right-of-way purposes, permanent and temporary construction easements, as shown and more particularly described on the Project Plans, which by reference are incorporated herein, for public use and purpose.
2. The whole tracts from which right-of-way, permanent and temporary easements are to be acquired or taken have been appraised by an independent fee appraiser. Based upon said appraisals, this Board has established amounts for the initial offers of “just compensation”, to be made in writing to affected landowners and/or interested parties, as shown in Exhibit “A” attached hereto and, by reference, made a part hereof.
3. This Board of Commissioners directs the City Manager or his designee to promptly make written offers to the affected landowners in the full amount shown in Exhibit “B” for the acquisition of fee simple acquisition, permanent and/or temporary construction easements needed for this Project as shown on said Plans.
4. The City Manager or his designee(s) is hereby authorized to promptly initiate negotiations with the affected owners, provided, any negotiated settlement in excess of just compensation (as established herein) by ten (10%) or greater, shall be brought before this Board of Commissioners for final approval.
5. Should it appear to the City Manager that any owner(s) refuses to negotiate in good faith, or if he cannot successfully complete negotiations with said owner(s) within a reasonable time following the City’s initial offer, the City Manager shall promptly inform this Board in order it may consider whether to exercise its power of eminent domain in accordance with the procedures provided by law.

**SO RESOLVED**, this 8th day of July, 2014.

## **ESTABLISHMENT OF INTERESTS TO BE ACQUIRED**

PARCEL NO. 2      TAX MAP: 003 06012  
OWNER:      Dan L. Dunson, et al.      LENDER:      PNC Bank (Bankruptcy filed)  
Nature of acquisition:      Plat shows "Easement for Construction of Slopes", (284  
s.f.) which would be TCE per legend, but...  
Appraiser shows 62 s.f. in ROW and 222 s.f. in TCO

PARCEL NO. 3      TAX MAP: 003 07028  
OWNER:      Tim Marting      JUDGMENT: City of Griffin Nuisance Lien  
Nature of acquisition:      Fee Simple - Right of Way (area 50 s.f.)  
      TCE for Construction of Slopes (area 130 s.f.)

PARCEL NO. 4 TAX MAP: 002 06005  
OWNER: North Hill Street Realty, LLC LENDER: U.S. Money Source, Inc.  
Nature of acquisition: Whole parcel in fee simple  
(Non-economic remnants)

Appraised value: \$15,000.00

PARCEL NO. 5      TAX MAP: 002 15006

OWNERS:    Joe Henry Coggins & Emma Rose Coggins (no lender found)

Nature of acquisition:      TCE for construction of slopes

Appraised value:              \$30.00              (\$100.00 minimum offer)

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PARCEL NO. 6      TAX MAP: 002 06004

OWNER:      Horace Jester

LENDER:      United Bank Mortgage Co.

Nature of acquisition:      TCE for construction of slopes and driveway (both fronts)

Appraised value:              \$76.00              (\$100.00 minimum offer)

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PARCEL NO. 7      TAX MAP: 002 06001

OWNER:      Hani Zaidieh

LENDER:      None found

(Note: Fifa in the amount of \$8,581.13 against Spencer Miller (former owner) recorded 9/29/99, nulla bona'ed and refiled 10/6/05, by Georgia Lottery Corp., still on record – expired by operation of law since not refiled after 7 years. Current owner purchased 8/14/13).

Nature of acquisition:      Fee Simple (On-going business/Relocation expenses)

Appraised value:              \$106,612.00

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PARCEL NO. 8      TAX MAP: 003 07031

OWNER:      Annette Touchstone

LENDER:      None found

Nature of acquisition:      Fee Simple – ROW (area 907 s.f.)

TCE for construction of slopes and driveways (732 s.f.)

**(Note: Appraisal only shows TCE as 345 s.f.)**

Appraised value:              \$360.00

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PARCEL NO. 9      TAX MAP:

OWNER:      Frank Touchstone, Jr.

LENDER:

Nature of acquisition:      TCE for construction of slopes (area 109 s.f.)

Appraised value:              \$11.00              (\$100.00 minimum offer)

**EXHIBIT “B”**  
**AMOUNT OF INITIAL OFFERS**

<u>Parcel No.</u>	<u>Initial Offer Amount</u>
1	\$ 100.00
2	100.00
3	100.00
4	15,000.00
5	100.00
6	100.00
7	106,612.00
8	360.00
9	100.00