

## RESOLUTION 2018 - 152

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### A RESOLUTION AUTHORIZING THE CITY TO CONVEY CERTAIN REAL PROPERTY TO THE POWDER SPRINGS DOWNTOWN DEVELOPMENT AUTHORITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

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**WHEREAS**, pursuant to the Official Code of Georgia Annotated § 36-37-6 (e)(2)(D), the City of Powder Springs can sell or transfer real property to a governing authority or government agency for public purposes without the need to solicit and accept bids; and

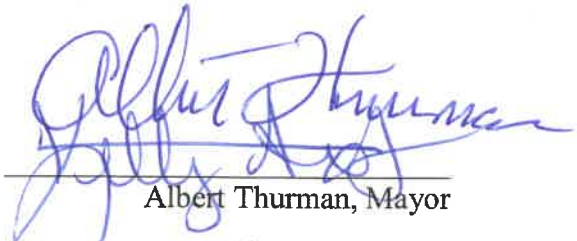
**WHEREAS**, the Powder Springs Downtown Development Authority (DDA) exists to carry out its essential public purpose of the redevelopment of the downtown Powder Springs district; and

**WHEREAS**, the DDA has identified certain real property within the downtown development district which is currently owned by the City but could be used in a project or projects which would further the redevelopment of the downtown development district and the public purpose of the DDA, such real property being more particularly described in Exhibit A, which is attached hereto and incorporated herein by way of reference (hereinafter, "the Property", some of which Property is already titled in the DDA, but there is a desire to have a singular parcel); and

**WHEREAS**, the Mayor and Council wishes to convey the Property to the DDA with the express condition that the Property be used for public purposes.

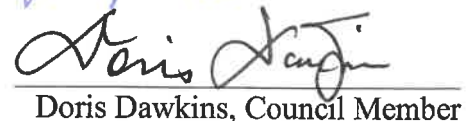
**NOW THEREFORE BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Powder Springs that the City shall convey the Property to the Powder Springs Downtown Development Authority with the express condition that the Property be used for public purposes. The Mayor is authorized to execute a quitclaim deed or deeds and any other documentation necessary to effectuate same, after review and revision, if necessary, by the City Attorney. This Resolution shall be effective immediately upon adoption.

**SO RESOLVED** this 1st day of October, 2018.



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Albert Thurman, Mayor



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Doris Dawkins, Council Member



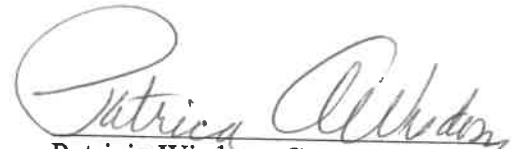
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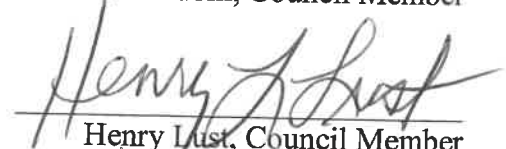
Patrick Bordelon, Council Member


[signatures continued on following page]


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Patricia Wisdom, Council Member

  
Henry Lust, Council Member

  
Thelma C. Farmer, Council Member

Attest:   
Kelly Axt, City Clerk

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### EXHIBIT A

All that tract or parcel of land lying and being in Land Lot 902 of the 19th District of the 2nd Section, City of Powder Springs, Cobb County, Georgia and being more particularly described as follows:

COMMENCING at a Right-of-Way concrete monument found at the southeasterly-most point of a Right-of-Way miter at the intersection of the northern Right-of-Way of Atlanta Street (Variable Right-of-Way) with the easterly Right-of-Way of Murray Avenue (Variable Right-of-Way); said point also being the POINT OF BEGINNING.

THENCE, from the POINT OF BEGINNING northwesterly along said Right-of-Way miter on a bearing of North 63 degrees 01 minutes 10 seconds West, for a distance of 43.13 feet to a point 2.35' North of a Right-of-Way concrete monument found;

THENCE, northerly along the easterly Right-of-Way of Murray Avenue (formerly Depot Street, Variable Right-of-Way) along a curve to the right having an arc length of 89.53 feet, a radius of 979.64 feet and being subtended by a chord with a bearing of North 00 degrees 55 minutes 55 seconds East, a distance of 89.50 feet to an axle on the common property line with Powder Springs Downtown Development Authority (PID# 19090200580);

THENCE, northerly along said easterly Right-of-Way on a bearing of North 02 degrees 38 minutes 27 seconds East, for a distance of 150.89 feet to a Right-of-Way concrete monument found at the southwesterly-most point of a Right-of-Way miter at the intersection of the southern Right-of-Way of Hotel Avenue (Variable Right-of-Way) with the easterly Right-of-Way of Murray Avenue (Variable Right-of-Way);

THENCE, northeasterly along said miter on a bearing of North 44 degrees 24 minutes 09 seconds East, for a distance of 29.74 feet to a Right-of-Way concrete monument found;

THENCE, easterly along said southerly Right-of-Way for the following calls: on a bearing of South 86 degrees 38 minutes 22 seconds East, for a distance of 119.98 feet to a PK nail found at the southwesterly side of Lindley Lane (not in use - 30' Right-of-Way);

THENCE, easterly crossing Lindley Lane on a bearing of South 86 degrees 26 minutes 55 seconds East, for a distance of 38.85 feet to a Right-of-Way concrete monument found at the northeasterly side of Lindley Lane;

THENCE, easterly on a bearing of South 87 degrees 06 minutes 22 seconds East, for a distance of 79.79 feet to a Right-of-Way concrete monument found at the northwesterly-most point of a curve to the right at the intersection of the southern Right-of-Way of Hotel Avenue (Variable Right-of-Way) with the westerly Right-of-Way of Lewis Road (Variable Right-of-Way);

THENCE, southeasterly along said curve to the right having an arc length of 27.67 feet, a radius of 26.01 feet and being subtended by a chord with a bearing of South 37 degrees 35 minutes 28 seconds East, a distance of 26.39 feet to a Right-of-Way concrete monument found;

THENCE, southerly along the westerly Right-of-Way of Lewis Road for the following calls: along a curve to the right having an arc length of 12.15 feet, a radius of 40.09 feet and being subtended by a chord with a bearing of South 06 degrees 39 minutes 06 seconds West, a distance of 12.10 feet to a Right-of-Way concrete monument found;

THENCE, along a curve to the right having an arc length of 61.75 feet, a radius of 490.31 feet and being subtended by a chord with a bearing of South 22 degrees 51 minutes 30 seconds West, a

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distance of 61.71 feet to a point at the northeasterly Right-of-Way of Lindley Lane (not in use - 30' Right-of-Way);

THENCE, southerly crossing Lindley Lane on a bearing of South 23 degrees 59 minutes 36 seconds West, for a distance of 35.61 feet to a point at the southwesterly side of Lindley Lane;

THENCE, southerly on a bearing of South 19 degrees 57 minutes 01 seconds West, for a distance of 20.42 feet to a point;

THENCE, along a curve to the right having an arc length of 22.11 feet, a radius of 1796.10 feet and being subtended by a chord with a bearing of South 30 degrees 38 minutes 55 seconds West, a distance of 22.11 feet to a point;

THENCE, along a curve to the left having an arc length of 22.12 feet, a radius of 200.92 feet and being subtended by a chord with a bearing of South 27 degrees 50 minutes 50 seconds West, a distance of 22.11 feet to a point;

THENCE, along a curve to the right having an arc length of 27.08 feet, a radius of 282.14 feet and being subtended by a chord with a bearing of South 27 degrees 26 minutes 33 seconds West, a distance of 27.07 feet to a Right-of-Way concrete monument found;

THENCE, along a curve to the right having an arc length of 12.02 feet, a radius of 75.30 feet and being subtended by a chord with a bearing of South 37 degrees 16 minutes 20 seconds West, a distance of 12.01 feet to a point;

THENCE, along a curve to the right having an arc length of 39.60 feet, a radius of 172.53 feet and being subtended by a chord with a bearing of South 48 degrees 25 minutes 19 seconds West, a distance of 39.52 feet to a Right-of-Way concrete monument found;

THENCE, along a curve to the right having an arc length of 91.58 feet, a radius of 282.74 feet and being subtended by a chord with a bearing of South 72 degrees 35 minutes 18 seconds West, a distance of 91.18 feet to a Right-of-Way concrete monument found;

THENCE, westerly on a bearing of South 89 degrees 27 minutes 04 seconds West, for a distance of 40.40 feet to the POINT OF BEGINNING.

The herein described proposed composite tract of land contains an area of 61,811 Square Feet or 1.42 Acres of land, more or less. The above described property is subject to any and all Easements, Encumbrances and or Restrictions of record.

The herein described tract of land is composed of the following parcels/areas:

-Part of Parcel N/F City of Powder Springs – PID# 19090200070 – 15,414 Square Feet/0.35 Acres, more or less

-N/F Powder Springs Downtown Development Authority – PID# 19090200580 – 28,979 Square Feet/0.66 Acres, more or less

-Part of Parcel N/F City of Powder Springs – PID# 19090200760 – 2,028 Square Feet/0.05 Acres, more or less

-Part of Parcel N/F City of Powder Springs, Tract 1 – PID# 19090200480 – 2,596 Square Feet/0.06 Acres, more or less

-N/F City of Powder Springs – PID# 19090200050 – 8,638 Square Feet/0.20 Acres, more or less

-Part of 30' Right-of-Way of Lindley Lane (not in use) – 4,156 Square Feet/0.10 Acres, more or less