

## RESOLUTION 2023 - 064

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**A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY IDENTIFIED AS COBB COUNTY TAX PARCEL #19087500610; AUTHORIZING THE CITY MANAGER AND CITY ATTORNEY TO TAKE THE STEPS NECESSARY TO ACQUIRE SAID PROPERTY; AUTHORIZING THE MAYOR TO EXECUTE DEEDS OR OTHER DOCUMENTS NEEDED TO COMPLETE SAID ACQUISITION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.**

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**WHEREAS**, pursuant to Article 9, Section 2, Paragraph 5 of the Georgia Constitution, municipalities may acquire private property in fee simple or in any lesser interest for public purposes;

**WHEREAS**, the City has experienced a parking shortage at 4426 Marietta Street, Powder Springs, Georgia 30127 (hereinafter referred to as City Hall);

**WHEREAS**, the City has been made aware of real property identified as Cobb County Tax Parcel #19087500610 (such property at the corner of the intersection of Cemetery Street with Jackson Way and hereinafter referred to as the "Cemetery Property"), more particularly shown and described on the attached Exhibit A, such property being located within a mile radius of City Hall;

**WHEREAS**, the City has been in discussions with the purported landowner of the Cemetery Property concerning the conveyance of the Cemetery Property to the City;

**WHEREAS**, the Cemetery Property is currently being maintained by the City;

**WHEREAS**, the City's acquisition of the Cemetery Property would provide additional property for parking purposes; and

**WHEREAS**, the City desires to direct the City Manager and City Attorney to undertake the steps necessary to acquire the Cemetery Property, including but not limited to acquiring the property via a condemnation proceeding.

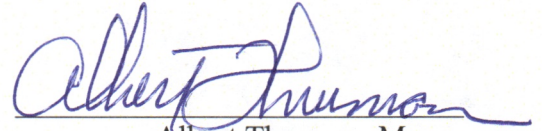
**NOW THEREFORE BE IT HEREBY RESOLVED** by the Mayor and Council of the City of Powder Springs that the City Manager and City Attorney are directed to initiate the process to acquire the Cemetery Property under the condition that the property be used for a public purpose. The Mayor is authorized to execute any documentation necessary to effectuate the same, after review and approval by the City Attorney, including any payment of compensation which may be awarded by the Special Master herein, in order to vest unencumbered fee simple title to the above referenced property. This Resolution shall be effective immediately upon adoption.


**SO RESOLVED** this 20<sup>th</sup> day of March, 2023.

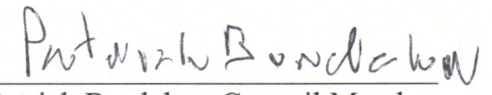
[signatures on following page]

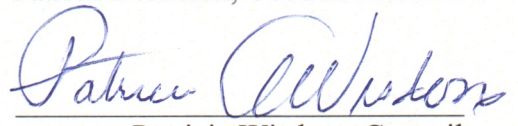
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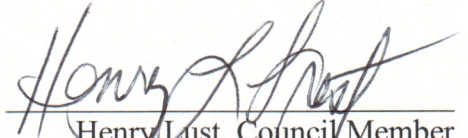
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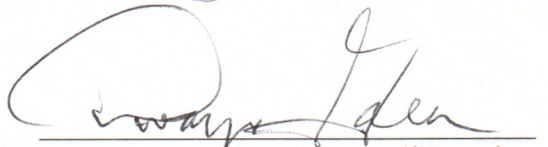
  
Albert Thurman, Mayor

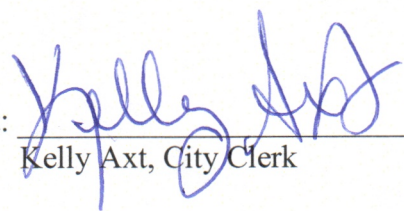
  
Doris Dawkins, Council Member

  
Patrick Bordelon, Council Member

  
Patricia Wisdom, Council  
Member

  
Henry Lust, Council Member

  
Dwayne Green, Council Member

Attest:   
Kelly Axt, City Clerk