

**STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE**

RESOLUTION NO.- R13-546

A RESOLUTION APPROVING AND AUTHORIZING THE CITY OF STOCKBRIDGE TO ACCEPT THE DONATION BY THE STOCKBRIDGE GARDEN CLUB OF ITS IMPROVED REAL PROPERTY LOCATED AT 104 CLUB DRIVE, STOCKBRIDGE, GEORGIA 30281 WITH A LIMITED CONDITION IMPOSED ON THE DONATION; AUTHORIZING THE MAYOR TO EXECUTE ALL DOCUMENTS NECESSARY TO EFFECTUATE THE PURPOSES OF THIS RESOLUTION; AUTHORIZING THE CITY CLERK TO ATTEST SIGNATURES AND AFFIX THE OFFICIAL SEAL OF THE CITY, AS NECESSARY; PROVIDING FOR SEVERABILITY; REPEALING INCONSISTENT RESOLUTIONS; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, the City of Stockbridge ("City") is a municipal corporation located within Henry County, Georgia duly organized and existing under the laws of the State of Georgia and is charged with providing public services to residents located within the corporate limits of the City; and

WHEREAS, the Stockbridge Garden Club currently owns improved real property located at 104 Club Drive, Stockbridge, Georgia 30281; and

WHEREAS, the Stockbridge Garden Club desires to donate its improved real property by gift to the City of Stockbridge; and

WHEREAS, the Stockbridge Garden Club desires to continue to use the property for its meetings once per month on a limited basis, and wishes to donate its property subject to that limited condition on the donation; and

WHEREAS, the City of Stockbridge can make use of said property by making it available for community programs and for rental by citizens and members of the Stockbridge community; and

WHEREAS, Section 1.12 (b)(12) of the City's Charter allows the City to accept or refuse gifts and donations from any source for any purpose related to the powers and duties of the City and the general welfare of its citizens; and

WHEREAS, Section 1.12 (b)(18) of the City's Charter authorizes it to own real property inside or outside the City limits; and

WHEREAS, O.C.G.A. § 36-37-2 authorizes municipal corporations to receive any donations or gifts of real or personal property which may be made by deed of gift or otherwise; and

WHEREAS, O.C.G.A. § 36-37-2 also authorizes municipal corporations to accept donations with conditions imposed by the donor, provided that the governing authority of the municipal corporation accept the condition; and

WHEREAS, the Stockbridge Garden Club can continue to use the property as a place of meeting after the property is donated to the City provided that the City Council explicitly accepts the condition on the donation of the property; and

WHEREAS, upon sufficient and due consideration, the Mayor and City Council believe that acceptance of the donation by the Stockbridge Garden Club of its improved real property located at 104 Club Drive, Stockbridge, Georgia 30281 will be to the benefit of the citizens, taxpayers, and businesses of the City of Stockbridge, and promote the general welfare of the City and its community, and believe that acceptance of the condition imposed by the Garden Club on the donation is in the best interests of the City.

NOW THEREFORE, THE COUNCIL OF THE CITY OF STOCKBRIDGE HEREBY RESOLVES AS FOLLOWS;

Section 1. **Approval** - The Mayor and City Council of the City of Stockbridge hereby authorize and approve the City to accept the donation from the Stockbridge Garden Club of the improved real property located at 104 Club Drive, Stockbridge, Georgia 30281, and approve the condition on the donation that the Garden Club be allowed to use the building for its meetings on a limited once per month basis. No other conditions on this donation are approved by the City, and donor is to pay all prorated property taxes on the property for the time during which it owned the property.

Section 2. **Approval of Execution** - The Mayor is hereby authorized to sign all documents necessary to effectuate this Resolution.

Section 3. **Documents** - The City Clerk is authorized to execute, attest to, and seal any documents which may be necessary to effectuate this Resolution, subject to approval as to form by the City Attorney.

Section 4. **Severability** - To the extent any portion of this Resolution is declared to be invalid, unenforceable, or non-binding, that shall not affect the remaining portions of this Resolution.

Section 5. **Repeal of Conflicting Provisions** - All City resolutions inconsistent with this Resolution are hereby repealed.

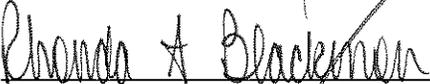
Section 6. **Effective Date** - This Resolution shall be effective on the date of its approval by the City Council and Mayor as provided in the City Charter.

SO RESOLVED, this the 12th day of August, 2013.

CITY OF STOCKBRIDGE, GEORGIA


MARK A. ALARCON, MAYOR

ATTEST:


RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:


WILLIAM J. LINKOUS, III, CITY ATTORNEY
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