

STATE OF GEORGIA
COUNTY OF HENRY
CITY OF STOCKBRIDGE

RESOLUTION NO. R13-581

A RESOLUTION AUTHORIZING THE CITY OF STOCKBRIDGE TO DEED CERTAIN PROPERTY TO THE STOCKBRIDGE DOWNTOWN DEVELOPMENT AUTHORITY IN FEE SIMPLE FOR THE PURPOSE OF ALLOWING THE DOWNTOWN DEVELOPMENT AUTHORITY TO MANAGE THAT PROPERTY IN A MANNER CONSISTENT WITH THE PURPOSES OF THE AUTHORITY; 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, on May 30, 2013 the City completed the full re-activation of the City’s Downtown Development Authority, pursuant to O.C.G.A. § 36-42-1 *et seq.*; and

WHEREAS, the City now has a fully functioning Downtown Development Authority (“DDA”) with all of the powers of such authorities granted by State law; and

WHEREAS, the City currently owns certain property located within the Downtown Development Area known as 110 North Lee Street, Stockbridge, Georgia 30281 consisting of real property and a single family residence; and

WHEREAS, the property in question is fully described in the deed records attached hereto as Exhibit “A”; and

WHEREAS, the DDA has proven its ability to properly manage and make use of properties in a manner consistent with the purposes of the DDA pursuant to O.C.G.A. § 36-42-1 *et seq.*; and

WHEREAS, the City wishes to improve and manage the North Lee Street property in a manner that is consistent with the purposes of the DDA; and

WHEREAS, because of the special powers of the DDA under state law and the experience and expertise of the DDA directors, the City believes that the DDA is better suited to improve and manage the North Lee Street property in a manner that is consistent with the purposes of the DDA; and

WHEREAS, the City’s above-referenced property located at 110 North Lee Street, Stockbridge, Georgia 30281, Henry County, Georgia, as further described in Exhibit “A” attached hereto and incorporated herein by reference is a property that the DDA could make use of for the purposes it was created in a manner that would benefit the downtown area of the City and the Association, and promote the welfare of the citizens and businesses of the City of Stockbridge; and

WHEREAS, the Mayor and City Council believe that deeding the above-referenced property to the DDA in fee simple will allow the DDA additional flexibility to make use of the property in a manner consistent with its purpose under state law, and in a manner that will benefit the citizens and businesses of the City; and

WHEREAS, the Mayor and City Council, after due consideration, believe that it would be in the best interests of the citizens and businesses of the City of Stockbridge to deed the above-referenced property to the Stockbridge Downtown Development Authority in fee simple, and desire to grant the Mayor the express authority to sign a deed of that same property to the DDA on behalf 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 approve and authorize the City to deed in fee simple to the Stockbridge Downtown Development Authority the City's above-referenced property located at 110 North Lee Street, Stockbridge, Georgia 30281, Henry County, Georgia, as further described in Exhibit "A" attached hereto and incorporated herein by reference, and further approve and authorize the Mayor to execute a quitclaim deed of that same property to the DDA on behalf of the City. The deed shall include all of the City's interest in the above-referenced real property and improvements thereon.

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.

[Signatures on following page.]

SO RESOLVED, this the 30th day of December, 2013.

CITY OF STOCKBRIDGE, GEORGIA



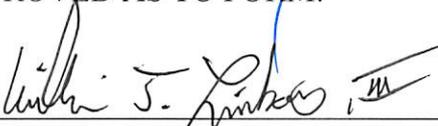
MARK A. ALARCON, MAYOR

ATTEST:



RHONDA A. BLACKMON, CITY CLERK

APPROVED AS TO FORM:



WILLIAM J. LINKOUS, III, CITY ATTORNEY
6898.00001/920193v1

Vantage Point

EXHIBIT "A"

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 61 of the 12th District of Henry County Georgia and being more particularly described on Exhibit "A" attached hereto and made a part of this description herein.

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 61 of the 12th District of Henry County, Georgia and being more particularly described as follows:

BEGINNING at an Iron pin set of the Westerly right of way line of North Lee Street (40 foot right of way) which Iron pin is located North 03 degrees 42 minutes 25 seconds West a distance of 401.18 feet along the Westerly right of way line of North Lee Street and following the curvature thereof from its intersection with the Northerly right of way line of State Highway 42 (90 foot right of way); run thence South 88 degrees 40 minutes 06 seconds West a distance of 158.48 feet to an iron pin set; run thence North 05 degrees 07 minutes 51 seconds West a distance of 90.16 feet to a point; run thence North 34 degrees 20 minutes 36 seconds East a distance of 26.69 feet to a point; run thence North 10 degrees 33 minutes 47 seconds East a distance of 20.05 feet to a point; run thence North 14 degrees 08 minutes 42 seconds West a distance of 18.11 feet to a point; run thence North 30 degrees 41 minutes 23 seconds West a distance of 18.12 feet to a point; run thence North 37 degrees 26 minutes 58 seconds West a distance of 32.67 feet to a point; run thence North 20 degrees 47 minutes 11 seconds West a distance of 11.44 feet to a point; run thence North 24 degrees 10 minutes 04 seconds East a distance of 3.20 feet to a point; run thence North 88 degrees 40 minutes 06 seconds East a distance of 169.84 feet to an iron pin set on the Westerly right of way line of North Lee Street; run thence South 03 degrees 59 minutes 19 seconds East along the Westerly right of way line of North Lee Street and following the curvature thereof a distance 205.00 feet to an iron pin set and the POINT OF BEGINNING.

All as shown on plat of survey prepared by Falcon Design Consultants, L.L.C., Roger L. Owenby (GRS #2763) dated March 22, 2010, which survey indicates said tract contains 0.73 acre.

PARCEL #: S26-02002000

ALSO KNOWN AS: 110 North Lee Street, Stockbridge, GA 30281