

DEKALB COUNTYITEM NO. **HEARING TYPE**

Preliminary

BOARD OF COMMISSIONERS**BUSINESS AGENDA / MINUTES****MEETING DATE:** November 9, 2004**ACTION TYPE**

Resolution

SUBJECT: Proposed Acceptance of Donation of an Easement located at the rear of 2176 Willivee Place (A portion of Tax Parcel 18-102-02-028)
Commission District 2 & 6

DEPARTMENT: Commissioners / CEO

PUBLIC HEARING: NO

ATTACHMENT: YES

INFORMATION CONTACT: Susan Hood

PAGES:

PHONE NUMBER: 404-371-2270

PURPOSE:

To consider adopting the attached resolution accepting the donation by Mr. Houston Smith of a permanent easement on .007 acres for extension of a multi-use trail at Mason Mill Park.

NEED/IMPACT:

This property is being donated by Mr. Houston Smith and will include a temporary construction easement. All due diligence has been completed. This is part of a project authorized by Board of Commissioners on August 5, 2003 to acquire 5 tracts funded through District 2 Park Bond funds in the amount of \$560,000.

RECOMMENDATION(S):


1. Adopt the attached resolution accepting the donation of an easement for a multi-use trail by Houston Smith identified above.
2. Authorize the Chief Executive Officer to execute all necessary documents to acquire the easement and to accept the donation.

FOR USE BY COMMISSION OFFICE/CLERK ONLY

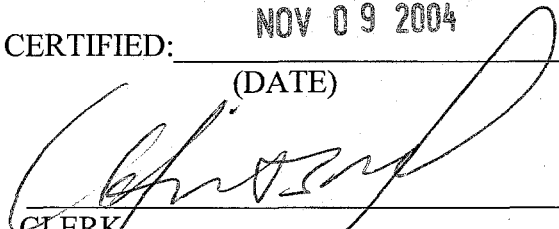
ACTION: D4

MOTION was made by Commissioner Ellis, seconded by Commissioner Yates, and passed 7-0-0-0, to (1) adopt the attached resolution accepting the donation of an easement for a multi-use trail by Houston Smith identified above. (2) Authorize the Chief Executive Officer to execute all necessary documents to acquire the easement and to accept the donation.

ADOPTED: NOV 09 2004
(DATE)

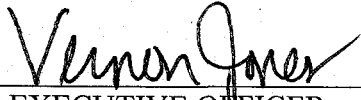

PRESIDING OFFICER
DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: NOV 09 2004
(DATE)


CLERK,
DEKALB COUNTY BOARD
OF COMMISSIONERS

FOR USE BY CHIEF EXECUTIVE OFFICER ONLY

APPROVED: NOV 15 2004


CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETOED: _____

CHIEF EXECUTIVE OFFICER
DEKALB COUNTY

VETO STATEMENT ATTACHED: _____

MINUTES:

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER	X			
DISTRICT 2 - GALE WALLDORFF	X			
DISTRICT 3 - LARRY JOHNSON	X			
DISTRICT 4 - BURRELL ELLIS	X			
DISTRICT 5 - HANK JOHNSON	X			
DISTRICT 6 - JUDY YATES	X			
DISTRICT 7 - CONNIE STOKES	X			

RESOLUTION

A RESOLUTION BY THE BOARD OF COMMISSIONERS OF DEKALB COUNTY, GEORGIA, TO ACCEPT THE DONATION OF AN EASEMENT FOR A MULTI-USE TRAIL KNOWN AS AN EXTENSION OF THE MASON MILL TRAIL (A PORTION OF PARCEL ID 18-102-02-028) AND FOR OTHER PURPOSES

WHEREAS, O.C.G.A § 36-37-1 permits DeKalb County to accept gifts of land and real property for the development, improvement and maintenance of such property in behalf of and for the benefit of the public;

WHEREAS, in consideration of civic pride and responsibility, Mr. Houston Smith, is donating a permanent easement to DeKalb County;

WHEREAS, the donated easement is described as a portion of tax parcel 18-102-02-028, a total of .007 acres located at the rear of 2176 Willivee Place; and

WHEREAS, DeKalb County, by and through its Board of Commissioner, is empowered to accept this easement in behalf of and for the benefit of the public;

NOW THEREFORE, BE IT RESOLVED, that the Board of Commissioners:

1. Accepts the donated easement described as a portion of tax parcel 18-102-02-028, a total of .007 acres located at the rear of 2176 Willivee Place, and
2. Authorizes the Chief Executive Officer to execute all necessary documents to acquire and accept the donation.

ADOPTED, by the DeKalb County Board of Commissioners, this _____ day of _____, 2004.

BURRELL ELLIS
Presiding Officer
Board of Commissioners
DeKalb County, Georgia

APPROVED, by the Chief Executive Officer this ____ day of _____, 2004.

VERNON JONES
Chief Executive Officer
DeKalb County, Georgia

ATTEST:

Michael J. Bell
Ex Officio Clerk of the
Chief Executive Officer and
Board of Commissioners of
DeKalb County, Georgia

APPROVED AS TO SUBSTANCE:

Assistant County Administrator

APPROVED AS TO FORM:

County Attorney Signature

County Attorney Name (Typed or Printed)