COUNTY DEPARTMENT AGENDA REQUEST

Department:	County Attorney	Presenter(s):	Scott Bennett, County Attorney
Meeting Date:	Thursday, December 9, 2010	Type of Request:	New Business

Wording for the Agenda:

Consideration of Resolution No. 2010-21 approving conveyance of property along Phase I of the West Fayetteville Bypass.

Background/History/Details:

During construction of the portion of the West Fayetteville By-pass south of Hwy 54, the County determined that it needed additional property for a curb cut and that it had excess property at another location of the project. This conveyance of property is a property swap whereby the County will convey excess property in exchange for receipt of needed property for the curb cut.

What action are you seeking from the Board of Commissioners?

Approval of Resolution 2010-21.

If this item requires funding, please describe:

Has this issue come before the Commissioners in the past?	No	If so, when?	
Do you need audio-visual for the presentation?		Back-up Material Submitted?	Yes

STAFF USE ONLY

Approved by Finance	Not Applicable	Reviewed by Legal	Yes
Approved by Purchasing	Not Applicable	Approved by County Clerk	Yes
Administrator's Approval	Yes		

Staff Notes:

STATE OF GEORGIA

COUNTY OF FAYETTE

RESOLUTION NO.: 2010-21

A RESOLUTION AUTHORIZING FAYETTE COUNTY TO ABANDON A REMNANT PARCEL OF LAND TO TROGGER ENTERPRISES, INC. CONSISTING OF A PORTION OF HUIET ROAD WHICH IS NO LONGER A PART OF THE COUNTY'S SYSTEM OF ROADS AND, IN CONSIDERATION THEREFOR, TO ACQUIRE FROM TROGGER ENTERPRISES, INC. A PARCEL NEEDED TO COMPLETE A PORTION OF THE WEST FAYETTEVILLE BYPASS, PHASE I AT ITS INTERSECTION WITH STATE HIGHWAY 54; TO AUTHORIZE THE CHAIRMAN TO EXECUTE THE DEED OF CONVEYANCE TOGETHER WITH ANY OTHER DOCUMENT NECESSARY TO ACCOMPLISH THE INTENT AND PURPOSE OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, Fayette County (the "County") currently owns the right-of-way of Huiet Road, a portion of which (in close proximity to State Highway 54) is no longer a part of the County's system of roads; and

WHEREAS, the Trogger Enterprises, Inc. ("Trogger")owns a parcel of land located (also in close proximity to State Highway 54) which is needed to complete a portion of the West Fayetteville Bypass, Phase I; and

WHEREAS, the County and Trogger wish to convey to one another the described parcels of land to further their respective interests and otherwise accommodate the completion of the West Fayetteville Bypass, Phase I at the intersection of Huiet Road and State Highway 54.

NOW THEREFORE BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF FAYETTE COUNTY, GEORGIA AND IT IS HEREBY RESOLVED

The Board of Commissioners hereby authorizes Fayette County to convey a remnant parcel of land located in Land Lot 25 of the 7th District of Fayette County, which parcel is in close proximity to State Highway 54, and is no longer a part of the County's system of roads to Trogger for the purpose of furthering its use of the adjoining property. A plat showing the parcel to be conveyed is attached hereto and by reference incorporated herein.

In consideration therefor, the Board of Commissioners hereby authorizes Fayette County to accept the conveyance from Trogger a parcel of land located in Land Lot 25 of the 7th District of Fayette County, which parcel is also in close proximity to State Highway 54, and is needed to complete a portion of the West Fayetteville Bypass, Phase I at the intersection of Huiet Road and State Highway 54. A plat showing the parcel to be acquired is attached hereto and by reference incorporated herein.

The Board of Commissioners hereby authorizes the Chairman to execute the deed of conveyance, upon compliance with all Georgia laws in regard thereto, together with any other document necessary to effectuate the intent of this resolution.

This Resolution shall be effective on the date of its approval by the Board of Commissioners.

SO RESOLVED, this the ____ day of December, 2010.

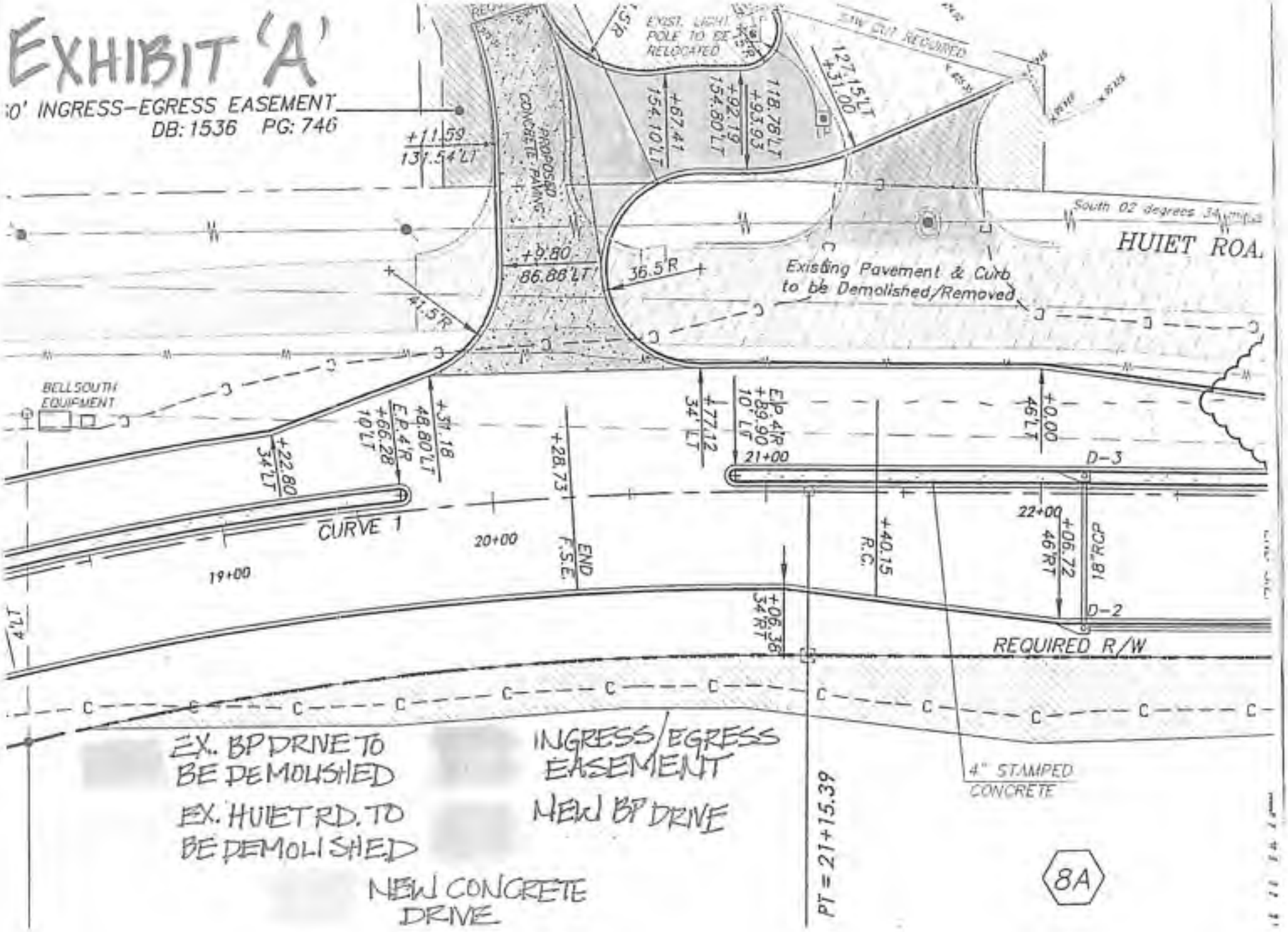
BOARD OF COMMISSIONERS OF
FAYETTE COUNTY

By: _____
Jack R. Smith, Chairman

ATTEST:

_____
Carol Chandler, County Clerk

EXHIBIT 'A'


30' INGRESS-EGRESS EASEMENT
DB: 1536 PG: 746
EXIST. LIGHT POLE TO BE RELOCATED
SAW CUT REQUIRED
PROPOSED CONCRETE PAVING
Existing Pavement & Curb to be Demolished/Removed
South 02 degrees 34
HUIET ROA
BELLSOUTH EQUIPMENT
CURVE 1
19+00
20+00
21+00
22+00
D-3
D-2
REQUIRED R/W
18"RCP
4" STAMPED CONCRETE
PT = 21+15.39
EX. BP DRIVE TO BE DEMOLISHED
EX. HUIET RD. TO BE DEMOLISHED
NEW CONCRETE DRIVE
INGRESS/EGRESS EASEMENT
NEW BP DRIVE
8A