#3

12-R-1247

(Do Not Write Above This Line)

A RESOLUTION

BY COUNCIL MEMBERS C.T. MARTIN, MICHAEL JULIAN BOND, AARON WATSON & H. LAMAR WILLIS

A RESOLUTION AUTHORIZING THE DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT TO EXPLORE THE USE OF EMINENT DOMAIN, THROUGH USE OF DECLARATIONS OF TAKING, FOR THE ACQUISITION OF RIGHTS OF WAY AND EASEMENTS REQUIRED FOR CONSTRUCTION OF INTERSECTION IMPROVEMENTS AND PASSIVE GREENSPACE AT SOUTHEAST CORNER FAIRBURN ROAD, SW AND BENJAMIN E. MAYS DRIVE, SW; AND FOR OTHER PURPOSES.

ADOPTED BY
SEP 17 2012
COUNCIL

Substitute

- ☐ CONSENT REFER
- ☐ REGULAR REPORT REFER
- ☐ ADVERTISE & REFER
- ☐ 1st ADOPT 2nd READ & REFER
- ☑ PERSONAL PAPER REFER

Date Referred	9/4/12
Referred To:	Finance/Exec
Date Referred	
Refferred To:	
Date Referred	
Referred To:	

First Reading
Committee
Date
Chair
Referred To

Committee	Finance/Executive
Date	9/6/12
Chair	Felicia A. Moore
Action	Fav, Adv, Hold (see rev. side)
Other	As Substituted
Members	
Refer To	

Committee	
Date	
Chair	
Action	Fav, Adv, Hold (see rev. side)
Other	
Members	
Refer To	

Committee	
Date	
Chair	
Action	Fav, Adv, Hold (see rev. side)
Other	
Members	
Refer To	

Committee	
Date	
Chair	
Action	Fav, Adv, Hold (see rev. side)
Other	
Members	
Refer To	

FINAL COUNCIL ACTION
☑ 2nd ☐ 1st & 2nd ☐ 3rd Readings
☑ Consent ☐ V Vote ☑ RC Vote

9/17/2012 CERTIFIED
Removed from Consent by Councilmember Martin

CERTIFIED
SEP 17 2012
COUNCIL PRESIDENT PRO TEM

CERTIFIED
SEP 17 2012
Rhonda Daughtie Johnson
MUNICIPAL CLERK

MAYOR'S ACTION

APPROVED
SEP 26 2012
WITHOUT SIGNATURE
BY OPERATION OF LAW

12-R-1247

CITY COUNCIL
ATLANTA, GEORGIA

A RESOLUTION

RDJ

BY: COUNCILMEMBERS C.T. MARTIN, MICHAEL JULIAN BOND, AARON WATSON AND H. LAMAR WILLIS AS SUBSTITUTED BY FULL COUNCIL 09/17/2012

AUTHORIZING THE CHIEF PROCUREMENT OFFICER IN CONSULTATION WITH THE DEPARTMENT OF PUBLIC WORKS TO EXPLORE THE USE OF EMINENT DOMAIN, THROUGH USE OF DECLARATIONS OF TAKING, FOR THE ACQUISITION OF RIGHTS OF WAY AND EASEMENTS REQUIRED FOR CONSTRUCTION OF INTERSECTION IMPROVEMENTS, PUBLIC TRANSPORATION AND PULIC SAFETY PURPOSES AT SOUTHEAST CORNER FAIRBURN ROAD, SW AND BENJAMIN E. MAYS DRIVE, SW; AND FOR OTHER PURPOSES.

WHEREAS, The intersection of Fairburn Road, SW and Benjamin E. Mays Drive, SW requires drivers to negotiate a dangerous right turn from Fairburn Road, SW on to Benjamin E. Mays Drive, SW to travel east, as well as a dangerous left turn from Benjamin E. Mays Drive, SW on to Fairburn Road, SW to travel south; and

WHEREAS, To preserve and ensure the public health, welfare and safety of those citizens using this much traveled intersection, it is in the best interest of the City of Atlanta to install intersection improvements at the southeast corner of Fairburn Road, SW and Benjamin E. Mays Drive, SW.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

Section 1: That the Department of Planning and Community Development explore the use of the quick take method of
eminent domain to acquire rights of ways and easements for intersection improvements, public transportation and public saftey purposes by improving the visibilty triangle and buffer on land located at the southeast corner of Fairburn Road, SW and Benjamin E. Mays Drive, SW.

Section 2: All resolutions or parts of resolutions in conflict herewith are hereby rescinded.

A true copy,

Deputy Clerk

ADOPTED by the Atlanta City Council SEP 17, 2012
APPROVED as per City Charter Section 2-403 SEP 26, 2012

RCS# 2312
9/17/12
4:00 PM

Atlanta City Council

12-R-1247 CPO AND DPW TO EXPLORE EMINENT DOMAIN

ADOPT ON SUB

YEAS:	12
NAYS:	0
ABSTENTIONS:	0
NOT VOTING:	3
EXCUSED:	0
ABSENT	1

Y Smith	Y Archibong	Y Moore	Y Bond
Y Hall	Y Wan	Y Martin	Y Watson
NV Young	Y Shook	NV Bottoms	NV Willis
Y Winslow	Y Adrean	Y Sheperd	B Mitchell