

**RESOLUTION FOR THE CONDEMNATION OF
CERTAIN PROPERTY ALONG BROOKE STREET
(Property of Richard Edwards Phillips,
Jane Phillips Self and Helen Phillips Burger)
(70 Brooke Street)**

WHEREAS, the City of Alpharetta, Georgia (the "City") has determined that it is necessary and prudent to acquire certain property and make certain public improvements to facilitate development and construction of a City Center Project, to include transportation, greenspace, park land, public buildings and other public improvements; and

WHEREAS, in order to construct and develop the project it is necessary for the City to acquire, by condemnation or otherwise, fee simple title to the real property (the "Property") and appurtenant property interests known as 70 Brooke Street, which property is more particularly described in the attached Exhibit "A"; and

WHEREAS, the Mayor and Council of the City have determined that the acquisition of the Property is a matter of public necessity, and is for the public good; and

WHEREAS, the Mayor and Council of the City stand ready to pay just and adequate compensation for the Property; and

WHEREAS, the Mayor and Council have determined that there is a necessity for a prompt determination of the just and adequate compensation to be paid the owner or owners of the Property;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City as follows:

Section 1. The City Attorney is authorized to institute condemnation proceedings to acquire the Property, utilizing the special master method of condemnation, the declaration of taking method of condemnation, or such other lawful method of condemnation as the City Attorney deems, in his discretion, appropriate.

Section 2. The condemnation proceedings shall be instituted for the purpose of acquiring the Property.

Section 3. The Mayor and such other officials of the City as may be necessary are authorized to take any and all actions and execute any and all documents reasonably necessary to undertake the condemnation of the Property.

This Resolution shall become effective immediately upon its adoption.

ADOPTED AND APPROVED this _____ day of _____,
2011.

CITY OF ALPHARETTA, GEORGIA

By: _____
Mayor

COUNCILMEMBERS

(SEAL)

Attest:

Clerk

EXHIBIT "A:

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING known as Lots 23 and 24 of the B.F. Summerour Subdivision in the Town of Alpharetta, Georgia recorded in Plat Book No. 6, Page 50, Clerk's Office, Fulton Superior Court. Said lots being in Land Lot 1268, second district, second section, originally Milton now Fulton County, Georgia.

There is located thereon a house now known as 70 Brooke Street, Alpharetta, Georgia.

This is the same property described in deeds of record in Book 12338, Page 123 and Book 18002, Page 233, said Clerk's Office. The deeds and plats referred to herein are incorporated herein by reference in aid of this description.