

**RESOLUTION 2020-11**

**A RESOLUTION AND ORDER OF THE CITY COUNCIL OF THE CITY OF SMYRNA, GEORGIA RESCINDING WITHDRAWING AND ABANDONING THE DECLARATION OF TAKING PREVIOUSLY ADOPTED CONCERNING A TRACT OF LAND KNOWN AS A PORTION OF 2415 SOUTH COBB DRIVE SMYRNA, GEORGIA AND LOCATED IN LAND LOTS 346 OF THE 17<sup>TH</sup> LAND DISTRICT OF COBB COUNTY, GEORGIA AND RESCIENDING WITHDRAWING AND ABANDONING ANY CONDEMNATION ACTION ASSOCIATED THEREWITH**

**WHEREAS**, on July 20, 2020, the City Council of the City of Smyrna, Georgia (“Council”) adopted a Declaration Of Taking seeking to acquire a temporary construction easement over a small section of property owned by Glennwood Properties, LLC for public road or transportation purposes as a part of the Windy Hill Boulevard project. The Declaration of Taking also closed two of the four access points into the property; and

**WHEREAS**, to accommodate the property owner, engineering has come up with a way to construct the project without this easement and without closing the access points; and

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, by the Council that the Declaration of Taking adopted on July 20, 2020 authorizing the acquisition of a portion of 2415 South Cobb Drive is rescinded, withdrawn and abandoned and the condemnation action associated therewith be dismissed subject to the rights of any party thereto.

**SO RESOLVED** this 5th day of October 2020.

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Derek Norton, Mayor

CITY SEAL:

**ATTEST:**

By: \_\_\_\_\_  
Heather K. Peacon-Corn, City Clerk

Approved as to Form:

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Scott A. Cochran, City Attorney