

STATE OF GEORGIA

COUNTY OF HALL

**RESOLUTION DECLARING CERTAIN RIGHT OF WAY ON AND NEAR CHESTNUT MOUNTAIN CIRCLE TO BE UNSERVICEABLE, AND APPROVING THE TRANSFER OF SAID UNSERVICEABLE RIGHT OF WAY WITH CUL-DE-SAC REQUIRMENT**

**WHEREAS**, Hall County, Georgia currently possesses as part of the official County Road System certain real property consisting of right of way on and at the end of Chestnut Mountain Circle, Hall County, Georgia (hereinafter referred to as “the ROW property”), and more specifically described as approximately 0.401 acres of right of way at the end of Chestnut Mountain Circle which borders on property owned by the Lanier Christian Academy, Inc. and which right of way is more particularly described in the survey documents and plats attached hereto as Exhibit “A”; and

**WHEREAS**, the Hall County Board of Commissioners has determined that the ROW property is unserviceable as contemplated by Section 3.10.180 of the Hall County Code of Ordinances; and

**WHEREAS**, the Board of Commissioners desires to dispose of the ROW property pursuant to the requirements of Section 3.10.180 of the Hall County Code of Ordinances and State law; and

**WHEREAS**, the Board of Commissioners has determined that declaring the ROW property to be unserviceable pursuant to Section 3.10.180 of the Hall County Code of Ordinances would support the general welfare of the citizens of Hall County; and

**WHEREAS**, after declaring the said ROW property to be unserviceable, the Board of Commissioners believes that the sole party who can make use of the ROW property is Lanier Christian Academy, Inc. because it owns the surrounding land; and

**WHEREAS**, the Board of Commissioners has determined that a transfer of the ROW property to Lanier Christian Academy, Inc. would support the general welfare of the citizens of Hall County, provided that Lanier Christian Academy, Inc. agrees to keep and maintain a cul-de-sac at the end of Chestnut Mountain Circle and outside the gates of the school as required by County ordinances and as needed for turning around of emergency vehicles; and

**WHEREAS**, the Board of Commissioners of Hall County, Georgia intends to approve the transfer of the said ROW property to Lanier Christian Academy, Inc. with the above cul-de-sac maintenance requirement so as to allow it to be put to productive community use by said organization and intends to authorize the Chairman or the Vice Chairman to execute any documents necessary to effectuate the transfer of the ROW property, subject to the review and approval of the County Attorney.

**NOW THEREFORE**, the Hall County Board of Commissioners determines and declares that the said Chestnut Mountain Circle right of way and cul-de-sac property (being more particularly described in Exhibit "A" hereto) is unserviceable pursuant to Hall County Code Section 3.10.180, cannot be used advantageously by the County, and is incapable of being used independently under applicable County land use regulations and ordinances, and the Board approves the transfer of the said Chestnut Mountain Circle ROW property to Lanier Christian Academy, Inc. provided that Lanier Christian Academy, Inc. agrees to keep and maintain a cul-de-sac at the end of Chestnut Mountain Circle and outside of the school's gates sufficient to comply with County requirements for necessary turning around of emergency vehicles, and provided that

said cul-de sac requirement shall be memorialized by deed. The Board further authorizes the Chairman to sign any and all documents necessary to effectuate the ROW property transfer described herein, subject to the review and approval of the County Attorney.

**SO RESOLVED** this the 10th day of October, 2024.

**HALL COUNTY BOARD OF COMMISSIONERS**

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**Chairman, Richard Higgins**

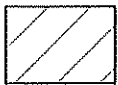
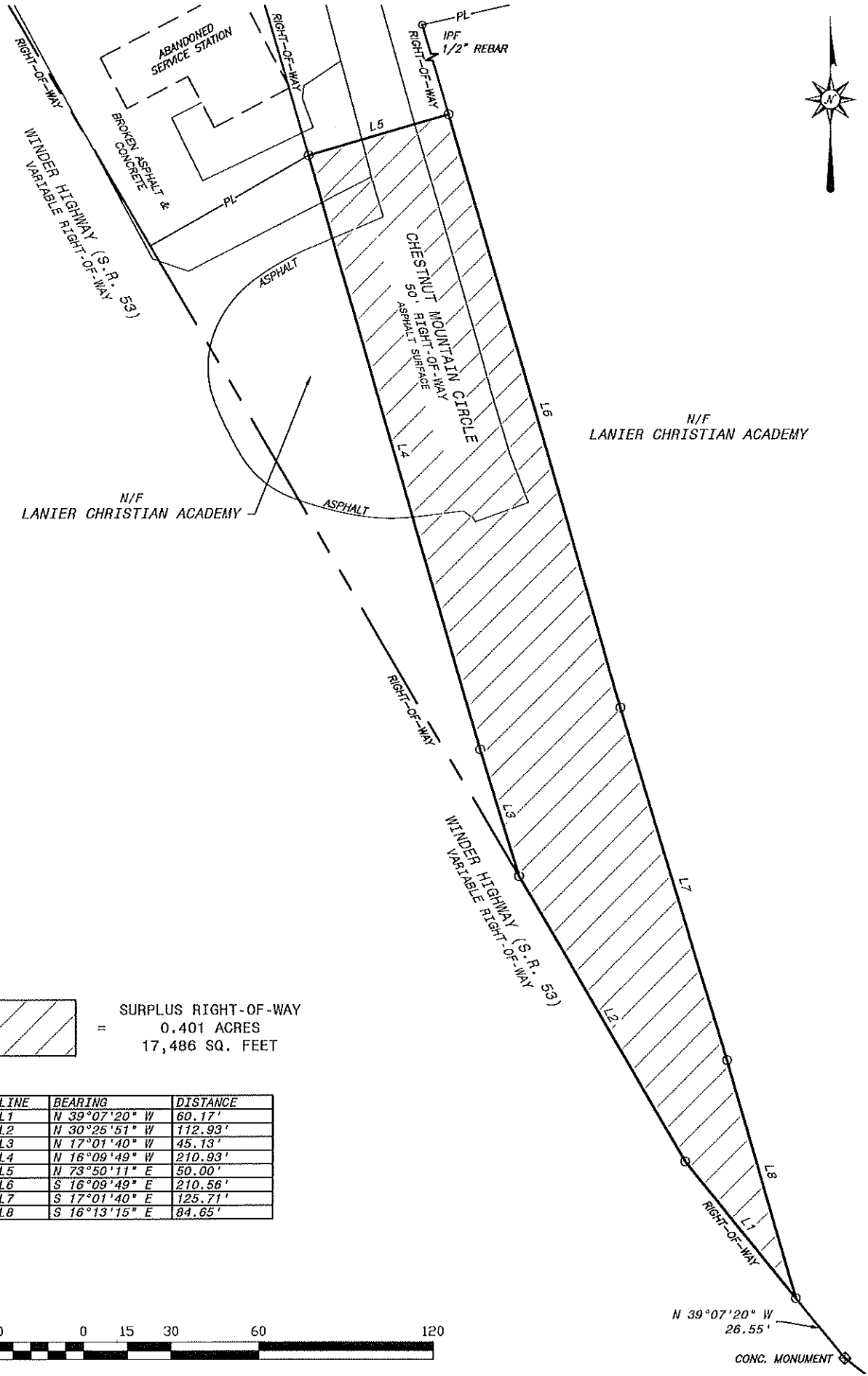
ATTEST:

\_\_\_\_\_  
Jennifer Rivera, County Clerk (SEAL)

APPROVED AS TO FORM:

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William J. Linkous III, County Attorney

Exhibit "A"



= SURPLUS RIGHT-OF-WAY  
 = 0.401 ACRES  
 = 17,486 SQ. FEET

LINE	BEARING	DISTANCE
L1	N 39°07'20" W	60.17'
L2	N 30°25'51" W	112.93'
L3	N 17°01'40" W	45.13'
L4	N 16°09'49" W	210.93'
L5	N 73°50'11" E	50.00'
L6	S 16°09'49" E	210.56'
L7	S 17°01'40" E	125.71'
L8	S 16°13'15" E	84.65'



N 39°07'20" W  
 26.55'  
 CONC. MONUMENT