

**A RESOLUTION AUTHORIZING THE ACQUISITION OF NORTH DEKALB CULTURAL
ARTS CENTER AND LIBRARY FROM DEKALB COUNTY**

- WHEREAS:** DeKalb County has owned and operated certain public park land and cultural properties currently within the boundaries of the City of Dunwoody; and
- WHEREAS:** House Bill 203 of the 2010 Legislative Session, codified as O.C.G.A. §36-31-11.1, as adopted by the Georgia Legislature and signed by the Governor, authorizes the City of Dunwoody, at its election, to purchase park and cultural properties, as defined by HB 203, from DeKalb County at a price of \$100 per acre; and
- WHEREAS:** pursuant to HB 203, the City of Dunwoody desires and elects to purchase the North DeKalb Cultural Arts Center and Library (6.041 acres), Tax Parcel ID 18 366 05 006, 349 Chamblee Dunwoody Road, Dunwoody, Georgia, from DeKalb County; and
- WHEREAS:** HB 203 requires the City to transmit to DeKalb County written notice of at least thirty (30) days specifying the parks and cultural properties to be purchased and the date the City will acquire ownership of same; and
- WHEREAS:** Pursuant to O.C.G.A. § 36-80-18, the City, prior to acquisition of any property intended for park, recreational or cultural use, must conduct a phase 1 environmental assessment to examine the property for contaminants, hidden methane gas, and similar hazards which would be dangerous to public use of such property and receives a report regarding any discovered dangers.

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

- Section 1:** The City Council hereby authorizes the City Manager and City Staff to acquire, pursuant to HB 203, North DeKalb Cultural Arts Center and Library, Tax Parcel ID 18 366 05 006, from DeKalb County, Georgia, subject to the successful completion of a Phase I Environmental Study pursuant to O.C.G.A. § 36-80-18.
- Section 2:** The City Manager is hereby directed to transmit to DeKalb County the 30-day written notice of intent to acquire the North DeKalb Cultural Arts Center and Library.
- Section 3:** The City Manager and City Attorney are hereby authorized to execute all necessary documents and take all necessary actions under law for the acquisition of the North DeKalb Cultural Arts Center and Library from DeKalb County.

SO RESOLVED AND EFFECTIVE, this 26th day of July, 2010.

Approved:

Ken Wright, Mayor

Attest:

Sharon Lowery, City Clerk (Seal)