

SPECIAL MEETING - MAY 16, 1973 (AM)

Let us be prepared to present these to the Board at their next regularly scheduled meeting on May 16, 1973.

Commissioner Cates, Chairman, stated if there were no objections, the revised site plan on Petition Z-72-2 FC for the North Creek Development Company on Lake Forrest Drive would be approved as recommended by the Planning Staff.

Hearing no objections, it was so ordered by the Board.

(7) RE: RESOLUTION -- COM. MILTON G. FARRIS
CREATE DEVELOPMENT AUTHORITY

Commissioner Farris presented a resolution creating a Development Authority in Fulton County which was pursuant with an act passed by the General Assembly authorizing such development authorities. Commissioner Farris stated Mr. E. A. Yates, Jr., was present representing the Georgia Power Company, who was interested in setting up this Development Authority and said resolution is more fully set out as follows:

RESOLUTION

A RESOLUTION TO DECLARE THE NEED FOR THE CREATION OF A DEVELOPMENT AUTHORITY TO FUNCTION IN FULTON COUNTY, GEORGIA, PURSUANT TO THE PROVISIONS OF THE CONSTITUTION AND DEVELOPMENT AUTHORITIES LAW OF THE STATE OF GEORGIA; TO ACTIVATE SUCH DEVELOPMENT AUTHORITY AND APPOINT A BOARD OF DIRECTORS FOR SAID DEVELOPMENT AUTHORITY; TO AUTHORIZE SAID DEVELOPMENT AUTHORITY TO EXERCISE THE POWERS CONTAINED IN SAID DEVELOPMENT AUTHORITIES LAW; TO PROVIDE FOR NOTICE TO THE SECRETARY OF STATE OF THE STATE OF GEORGIA OF THE ADOPTION OF THIS RESOLUTION; TO REPEAL CONFLICTING RESOLUTIONS; TO PROVIDE FOR AN EFFECTIVE DATE AND FOR OTHER PURPOSES:

WHEREAS, an amendment to Article VII, Section VII of the Constitution of the State of Georgia (Ga. Laws 1968, p. 1606 et seq.) permits the General Assembly of Georgia to create Development Authorities for certain purposes and said amendment was ratified at the General Election held on November 5, 1965, and thereafter duly proclaimed by the Governor of Georgia and same now constitutes a part of the Constitution of the State of Georgia; and

WHEREAS, pursuant to authority granted in said constitutional amendment, there was duly enacted by the General Assembly of Georgia the "Development Authorities Law" (Ga. Laws 1969, p. 137 et seq.; amended by Ga. Laws 1971, p. 177 et seq.) which said Development Authorities Law authorizes each county and each municipal corporation in the State of Georgia to activate Development Authorities by appropriate resolution within each such county and municipal corporation to promote and further develop trade, commerce, industry and employment opportunities, the same being a public purpose vital to the welfare of the people of this State; said Development Authorities having been created upon the adoption and approval of the Development Authorities Law; and

WHEREAS, it has been determined by the Board of Commissioners of Fulton County that there exists an urgent need to develop and promote for the public good and general welfare trade, commerce, industry and employment opportunities in Fulton County;

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NOW, THEREFORE, BE IT RESOLVED, by the County Commissioners of Fulton County, Georgia, and it is hereby resolved by the authority of the same, that there be and there is hereby determined and declared an urgent existing and future need for a Development Authority (as more fully described and defined in the Development Authorities Law, Ga. Laws 1969, p. 137 et seq.; amended Ga. Laws 1972, p. 177 et seq.) to function in Fulton County, Georgia, for the purpose of developing and promoting for the public good and general welfare trade, commerce, industry and employment opportunities in said county thereby promoting the general welfare of its citizens.

BE IT FURTHER RESOLVED, that there be and there is hereby activated in Fulton County, Georgia, a public body corporate and politic known as the "Development Authority of Fulton County".

BE IT FURTHER RESOLVED, that there be and there are hereby elected as members of the first Board of Directors of the Development Authority of Fulton County the following named persons, each of whom is a tax payer of Fulton County and none of whom is an officer or employee of said County:

Mr. Edward D. Smith two years

Dr. C. Clayton Powell two years

Mr. James H. Aldridge four years

Mr. Howell W. Ragsdale ⁴four years

Mr. E. P. Isakson six years

Mr. Harold Sheate six years

Mr. Walter Baden, Jr. six years

BE IT FURTHER RESOLVED, that commencing with the date of adoption of this resolution each of said persons named as directors above shall serve in such capacity for the number of years set forth opposite their respective names, and if at the end of any term of office of any director a successor thereto shall not have been elected then the director whose term of office shall have expired shall continue to hold office until his successor shall be so elected.

BE IT FURTHER RESOLVED, that the Board of Directors hereinbefore elected shall organize itself, carry out its duties and responsibilities and exercise its powers and prerogatives in accordance with the terms and provisions of the Development Authorities Law as it now exists and as it might hereafter be amended or modified.

BE IT FURTHER RESOLVED, that the Clerk of the County Commissioners of Fulton County is hereby ordered and directed to forthwith furnish to the Secretary of State of the State of Georgia a certified copy of this resolution in compliance with the mandate set forth in Section 2 of the Development Authorities Law.

BE IT FURTHER RESOLVED, that this resolution shall be effective immediately upon its adoption by the County Commissioners of Fulton County, and from and after such adoption the Development Authority of Fulton County shall be deemed to be fully created and activated.

BE IT FURTHER RESOLVED, that any and all resolutions in conflict with this resolution be and the same are hereby repealed.

Commissioner Farris thanked Mr. Yates for appearing before the Board and stated that this authority will not be activated until the members are appointed and procedures put in motion to establish rules and regulations for this authority.

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Commissioner Farris made a motion that the above Resolution be adopted and the seven members appointed at a later date.

Mr. E. A. Yates, Jr., appeared before the Board and expressed appreciation for their adoption of this Resolution.

The above motion was seconded by Commissioner Brown and unanimously adopted by the Board.

(8) OFFER - SHOUKY A. SHAHEEN -- FOE KILLER AND BIG CREEK COUNTY PROPERTY

Mr. Emory Schwall, Attorney, appeared before the Board representing Mr. Shouky A. Shaheen and presented an offer from Mr. Shaheen, which is more fully set out as follows:

Board of Commissioners of
Fulton County
165 Central Avenue, S.W.
Atlanta, Georgia 30303

Re: Foe Killer and Big Creek County Property

Gentlemen:

Recently we purchased Phoenix Investment Company and one of the properties owned by them is adjacent to land owned by Fulton County. (Enclosures).

This property was purchased by Fulton County in 1967, with the plan of building a Sewer Treatment Plant. However, due to a series of events that plan was abandoned in favor of an enlargement of present sewer facilities.

Later it was proposed that this low lying land of about 69 acres be used in conjunction with adjacent properties for a golf course. These adjacent properties to the West, South and East were incorporated into Roswell City limits which now makes this plan unworkable.

We would like to purchase this property from Fulton County so as to protect our property as to its ultimate use, and for recreation purposes by the proposed Apartment dwellers.

The property we are referring to is the property acquired by Deed from Jan R. Smith by Fulton County on March 29, 1967, recorded in Deed Book 4714, page 313, Fulton County Records.

Our net offer is acquisition cost with interest at 8% compounded annually from date of purchase, or \$192,019.00.

We certainly hope that this proposal meets with favorable consideration.

Sincerely,

/s/ Shouky A. Shaheen

Shouky A. Shaheen

Mr. Schwall stated that this tract of property was now in Roswell and was in a flood control area and he asked if consideration can be given to Mr. Shaheen's proposal.

Commissioner Cates stated that a group had met with the Chairman for a proposed layout of this site and therefore he would not entertain a motion to sell this property at this time until the Commissioners dispose of the golf course or hospital.