

2010 Georgia Code
TITLE 36 - LOCAL GOVERNMENT
PROVISIONS - PROVISIONS APPLICABLE
TO COUNTIES AND MUNICIPAL
CORPORATIONS
CHAPTER 61 - URBAN REDEVELOPMENT
§ 36-61-2 - Definitions

O.C.G.A. 36-61-2 (2010)
36-61-2. Definitions

As used in this chapter, the term:

- (1) "Agency" or "urban redevelopment agency" means a public agency created by Code Section 36-61-18.
- (2) "Area of operation" means the area within the corporate limits of the municipality or county and the area within five miles of such limits, except that it shall not include any area which lies within the territorial boundaries of another incorporated municipality or another county unless a resolution is adopted by the governing body of such other municipality or county declaring a need therefor.
- (3) "Board" or "commission" means a board, commission, department, division, office, body, or other unit of the municipality or county.
- (4) "Bonds" means any bonds (including refunding bonds), notes, interim certificates, certificates of indebtedness, debentures, or other obligations.
- (5) "Clerk" means the clerk or other official of the municipality or county who is the

custodian of the official records of such municipality or county.

(6) "County" means any county in this state.

(7) "Downtown development authority" means an authority created pursuant to Chapter 42 of this title.

(8) "Federal government" means the United States of America or any agency or instrumentality, corporate or otherwise, of the United States of America.

(9) "Housing authority" means a housing authority created by and established pursuant to Article 1 of Chapter 3 of Title 8, the "Housing Authorities Law."

(10) "Local governing body" means the council or other legislative body charged with governing the municipality and the board of commissioners or governing authority of the county.

(11) "Mayor" means the mayor of a municipality or other officer or body having the duties customarily imposed upon the executive head of a municipality.

(12) "Municipality" means any incorporated city or town in the state.

(13) "Obligee" includes any bondholder, agents, or trustees for any bondholders, or any lessor demising to the municipality or county property used in connection with an urban redevelopment project, or any assignee or assignees of such lessor's interest or any part thereof, and the federal government when it is a party to any contract with the municipality or county.

(14) "Person" means any individual, firm, partnership, corporation, company, association, joint-stock association, or body politic and includes any trustee, receiver, assignee, or other person acting in a similar representative capacity.

(15) "Public body" means the state or any municipality, county, board, commission, authority, district, housing authority, urban redevelopment agency, or other subdivision or public body of the state.

(16) "Real property" includes all lands, including improvements and fixtures thereon and property of any nature appurtenant thereto or used in connection therewith, and every estate, interest, right, and use, legal or equitable, therein, including terms for years and liens by way of judgment, mortgage, or otherwise.

(17) "Rehabilitation" or "conservation" may include the restoration and redevelopment of a slum area or portion thereof, in accordance with an urban redevelopment plan, by:

(A) Carrying out plans for a program of voluntary or compulsory repair and rehabilitation of buildings or other improvements;

(B) Acquisition of real property and rehabilitation or demolition and removal of buildings and improvements thereon where necessary to eliminate unhealthful, unsanitary, or unsafe conditions, to lessen density, to reduce traffic hazards, to eliminate obsolete or other uses detrimental to the public welfare, to otherwise remove or prevent the spread of slums or deterioration, or to provide land for needed public facilities;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter; and

(D) The disposition of any property acquired in such urban redevelopment area, including sale, initial leasing or retention by the municipality or county itself, at its fair value for uses in accordance with the urban redevelopment plan.

(18) "Slum area" means an area in which there is a **predominance** of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, or crime and is detrimental to the public health, safety, morals, or welfare. "Slum area" also means an area which by reason of the presence of a substantial number of slum,

deteriorated, or deteriorating structures; predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; by having development impaired by airport or transportation noise or by other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of a municipality or county, retards the provisions of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition and use.

(19) "Slum clearance and redevelopment" may include:

(A) Acquisition of a slum area or portion thereof;

(B) Rehabilitation or demolition and removal of buildings and improvements;

(C) Installation, construction, or reconstruction of streets, utilities, parks, playgrounds, and other improvements necessary for carrying out in the area the urban redevelopment provisions of this chapter in accordance with the urban redevelopment plan; and

(D) Making the land available for development or redevelopment by private enterprise or public agencies (including sale, initial leasing, or retention by the municipality or county itself) at its fair value for uses in accordance with the urban redevelopment plan.

(20) "Urban redevelopment area" means a slum area which the local governing body designates as appropriate for an urban redevelopment project.

(21) "Urban redevelopment plan" means a plan, as it exists from time to time, for an urban redevelopment project, which plan shall:

(A) Conform to the general plan for the municipality or county as a whole; and

(B) Be sufficiently complete to indicate such land acquisition, demolition and removal of structures, redevelopment, improvements, and rehabilitation as may be proposed to be carried out in the urban redevelopment area; zoning and planning changes, if any; land uses; maximum densities; building requirements; and the plan's relationship to definite local objectives respecting appropriate land uses, improved traffic, public transportation, public utilities, recreational and community facilities, and other public improvements.

(22) "Urban redevelopment project" may include undertakings or activities of a municipality or county in an urban redevelopment area for the elimination and for the prevention of the development or spread of slums and may involve slum clearance and redevelopment in an urban redevelopment area, rehabilitation or conservation in an urban redevelopment area, or any combination or part thereof, in accordance with an urban redevelopment plan. Although the power of eminent domain may not be exercised for such purposes, such undertakings or activities may include:

(A) Acquisition, without regard to any requirement that the area be a slum or blighted area, of air rights in an area consisting of lands and highways, railway or subway tracks, bridge or tunnel entrances, or other similar facilities which have a blighting influence on the surrounding area and over which air rights sites are to be developed for the elimination of such blighting influences and for the provision of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income; and

(B) Construction of foundations and platforms necessary for the provision of air rights sites of housing and related facilities and uses designed for, and limited primarily to, families and individuals of low or moderate income or construction of foundations necessary for the provision of air rights sites for development of nonresidential facilities.

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§ 36-61-3 - Legislative findings and
declaration of necessity

O.C.G.A. 36-61-3 (2010)

36-61-3. Legislative findings and declaration of necessity

(a) It is found and declared that there exist in municipalities and counties of this state slum areas, as defined in paragraph (18) of Code Section 36-61-2, which constitute a serious and growing menace, injurious to the public health, safety, morals, and welfare of the residents of this state; that the existence of such areas contributes substantially and increasingly to the spread of disease and crime, constitutes an economic and social liability, substantially impairs or arrests the sound growth of municipalities and counties, retards the provision of housing accommodations, aggravates traffic problems, and substantially impairs or arrests the elimination of traffic hazards and the improvement of traffic facilities; and that the prevention and elimination of slums is a matter of state policy and state concern, in order that the state and its municipalities and counties shall not continue to be endangered by areas which are local centers of disease, promote juvenile delinquency, and, while contributing little to the tax income of the state and its municipalities and counties, consume an excessive proportion of its revenues because of the extra services required for police, fire, accident, hospitalization, and other forms of public protection, services, and facilities.

(b) It is further found and declared that certain slum areas or portions thereof may require acquisition, clearance, and disposition, subject to use restrictions, as provided in this chapter, since the prevailing condition of decay may make impracticable the reclamation of the area by conservation or rehabilitation; that the other areas or portions thereof, through the means provided in this chapter, may be susceptible of conservation or rehabilitation in such a manner that the conditions and evils enumerated in subsection (a) of this Code section may be eliminated, remedied, or prevented and that, to the extent that is feasible, salvable slum areas should be conserved and rehabilitated through voluntary action and the regulatory process.

(c) It is further found and declared that the powers conferred by this chapter are for public uses and purposes for which public money may be expended and the power of eminent domain may be exercised. The necessity, in the public interest, for the provisions enacted in this chapter is declared as a matter of legislative determination.

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§ 36-61-5 - Resolution of necessity
prerequisite to exercise of powers

O.C.G.A. 36-61-5 (2010)

36-61-5. Resolution of necessity prerequisite to exercise of powers

No municipality or county shall exercise any of the powers conferred upon municipalities and counties by this chapter until after its local governing body has adopted a resolution finding that:

- (1) One or more slum areas exist in such municipality or county; and
- (2) The rehabilitation, conservation, or redevelopment, or a combination thereof, of such area or areas is necessary in the interest of the public health, safety, morals, or welfare of the residents of the municipality or county.

Section 36-61-17. Exercise of redevelopment powers by municipalities and counties; delegation to redevelopment agency or housing authority

Latest version.

(a) A municipality or county may itself exercise its "urban redevelopment project powers," as defined in subsection (b) of this Code section, or may, if the local governing body by resolution determines such action to be in the public interest, elect to have such powers exercised by the urban redevelopment agency created by Code Section 36-61-18 or by a housing authority, if one exists or is subsequently established in the community, or by an existing or subsequently established downtown development authority. In the event that the local governing body makes such determination, the urban redevelopment agency or the housing authority or downtown development authority, as the case may be, shall be vested with all of the "urban redevelopment project powers" of the municipality or county conferred in this chapter, in the same manner as though all such powers were conferred on the agency or authority instead of the municipality or county; and any public body may cooperate with the urban redevelopment agency or housing authority or the downtown development authority to the same extent that it could cooperate with the municipality or county itself if the municipality or county were exercising its urban redevelopment project powers. If the local governing body does not elect to make such determination, the municipality or county in its discretion may exercise its urban redevelopment project powers through a board or commissioner or through such officers of the municipality or county as the local governing body may by resolution determine.

(b) As used in this Code section, the term "urban redevelopment project powers" shall include all of the rights, powers, functions, duties, privileges, immunities, and exemptions granted to a municipality or county under this chapter, except the following:

- (1) The power to determine an area to be a slum area and to designate such area as appropriate for an urban redevelopment project;
- (2) The power to approve and amend urban redevelopment plans;
- (3) The power to establish a general plan for the locality as a whole;
- (4) The power to formulate a workable program under Code Section 36-61-6;
- (5) The powers, duties, and functions referred to in Code Section 36-61-11;
- (6) The power to make the determinations and findings provided for in Code Section 36-61-4, Code Section 36-61-5, and subsection (d) of Code Section 36-61-7;
- (7) The power to issue general obligation bonds; and
- (8) The power to appropriate funds, to levy taxes and assessments, and to exercise other powers provided for in paragraph (8) of Code Section 36-61-8.

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Exhibit 5

 GEORGIA CODE (Last Updated: August 20, 2013)

■ Title 36. LOCAL GOVERNMENT

■ Provisions PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS

■ Chapter 61. URBAN REDEVELOPMENT

Section 36-61-18. Creation of agency; appointment of board of commissioners; compensation, term, and certificate; annual report; removal of commissioners

Latest version.

(a) There is created in each municipality and in each county a public body corporate and politic to be known as the "urban redevelopment agency" of the municipality or county. Such agency shall not transact any business or exercise its powers under this Code section until or unless the local governing body has made the finding prescribed in Code Section 36-61-5 and has elected to have the urban redevelopment project powers exercised by an urban redevelopment agency as provided in Code Section 36-61-17.

(b) If the urban redevelopment agency is authorized to transact business and exercise powers under this Code section, the mayor, by and with the advice and consent of the local governing body, or the board of commissioners or other governing body of the county shall appoint a board of commissioners of the urban redevelopment agency, which shall consist of such number of commissioners, with such terms of office, as shall be determined by the local governing body. If the governing body of a municipality designates members of a downtown development authority as an urban redevelopment agency, the method of appointment, number of commissioners, and terms of office shall be in conformity with the requirements of Code Section 36-42-4.

(c) A commissioner shall receive no compensation for his services but shall be entitled to the necessary expenses, including traveling expenses, incurred in the discharge of his duties. Each commissioner shall hold office until his successor has been appointed and has qualified. A certificate of the appointment or reappointment of any commissioner shall be filed with the clerk of the municipality or county and such certificate shall be conclusive evidence of the due and proper appointment of such commissioner.

(d) The powers of an urban redevelopment agency shall be exercised by the commissioners thereof. A majority of the commissioners shall constitute a quorum for the purpose of conducting business and exercising the powers of the agency and for all other purposes. Action may be taken by the agency upon a vote of a majority of the commissioners present, unless in any case the bylaws require a larger number. Any person may be appointed as



commissioner if he resides within the area of operation of the agency, which shall be coterminous with the area of operation of the municipality or county, and is otherwise eligible for such appointments under this chapter.

(e) The mayor or the board of commissioners or other governing body of the county shall designate a chairman and vice-chairman from among the commissioners. An agency may employ an executive director, technical experts, and such other agents and employees, permanent and temporary, as it may require and may determine their qualifications, duties, and compensation. For such legal service as it may require, an agency may employ or retain its own counsel and legal staff. An agency authorized to transact business and exercise powers under this chapter shall file with the local governing body, on or before March 31 of each year, a report of its activities for the preceding calendar year, which report shall include a complete financial statement setting forth its assets, liabilities, income, and operating expense as of the end of such calendar year. At the time of filing the report, the agency shall publish in a newspaper of general circulation in the community a notice to the effect that such report has been filed with the municipality or county and that the report is available for inspection during business hours in the office of the city or county clerk and in the office of the agency.

(f) For inefficiency, neglect of duty, or misconduct in office, a commissioner may be removed, but only after a hearing. He shall be given a copy of the charges at least ten days prior to such hearing and shall have an opportunity to be heard in person or by counsel.

Ga. L. 1955, p. 354, § 16; Ga. L. 1992, p. 2533, § 16.



A RESOLUTION

APPROVING AND ADOPTING AN URBAN REDEVELOPMENT PLAN FOR THE EAST POINT CORRIDORS URBAN REDEVELOPMENT AREA PURSUANT TO THE GEORGIA URBAN REDEVELOPMENT LAW (O.C.G.A. § 36-61-1 ET SEQ.), DECLARING THAT THE CONDITIONS EXIST WHICH ARE NECESSARY TO DESIGNATE SUCH AREA AS APPROPRIATE FOR AN URBAN REDEVELOPMENT PROJECT, AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Urban Redevelopment Law (O.C.G.A. § 36-61-1 et seq.) provides for the establishment of redevelopment powers and urban redevelopment project powers and the adoption of urban redevelopment plans by counties and municipalities in the State of Georgia; and

WHEREAS, the powers conferred by the Georgia Urban Redevelopment Law are for public uses and purposes for which public money may be expended; and

WHEREAS, it is in the public interest of the City of East Point, Georgia ("the City") that the enumerated in the Georgia Urban Redevelopment Law be exercised to enable the exercise of the powers established under that law to improve economic and social conditions of the City's traditional commercial corridors in order to abate or eliminate the deleterious effects of their current underdeveloped state; and

WHEREAS, under the Georgia Urban Redevelopment Law, an area in which there is a predominance of buildings or improvements, whether residential or nonresidential, which by reason of dilapidation, deterioration, age, or obsolescence; inadequate provision for ventilation, light, air, sanitation, or open spaces; high density of population and overcrowding; existence of conditions which endanger life or property by fire and other causes; or any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency; or crime and is detrimental to the public health, safety, morals, or welfare qualifies for characterization and treatment as a "slum area;" and

WHEREAS, under the Georgia Urban Redevelopment Law, an area which by reason of the presence of a substantial number of slum, deteriorated or deteriorating structures, predominance of defective or inadequate street layout; faulty lot layout in relation to size, adequacy, accessibility, or usefulness; unsanitary or unsafe conditions; deterioration of site or other improvements; tax or special assessment delinquency exceeding the fair value of the land; the existence of conditions which endanger life or property by fire and other causes; by having development impaired by airport or transportation noise or by other environmental hazards; or any combination of such factors substantially impairs or arrests the sound growth of a municipality or county, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition or use also qualifies for characterization and treatment as a "slum area;" and

WHEREAS, the Mayor and Council on December 20, 2006 adopted and approved a Redevelopment Plan for East Point's traditional commercial corridors pursuant to the Georgia Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.); and

WHEREAS, the Redevelopment Plan approved by the Mayor and Council on December 20, 2006 determined that, in East Point's traditional commercial corridors, there is a predominance buildings or improvements which, by reason of dilapidation, deterioration, age, or obsolescence; there is a substantial number of deteriorated or deteriorating structures, a predominance of defective or inadequate street layout; there is faulty lot layout in relation to size, adequacy, accessibility or usefulness; that the area is economically and socially depressed, with conditions contributing to social ills that have a deleterious effect upon the economic health and safety of the immediate and surrounding communities; and

WHEREAS, the City has caused an Urban Redevelopment Plan for East Point's traditional commercial corridors to be prepared and the Mayor and Council desire to approve

said Urban Redevelopment Plan pursuant to the provisions of the Georgia Urban Redevelopment Law; and

WHEREAS, the Mayor and Council on December 20, 2006 created an area known as the East Point Corridors Redevelopment Area pursuant to the Georgia Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq), and the Mayor and Council now desire to designate that area as an Urban Redevelopment Area pursuant to the Georgia Urban Redevelopment Law; and

WHEREAS, the Mayor and Council on May 3, 2010 held a public hearing on the Urban Redevelopment Plan for the East Point Corridors Urban Redevelopment Area after public notice thereof by publication in a newspaper having general circulation in the City's area of operation, describing the time, place and purpose of the hearing, generally identifying the urban redevelopment area covered by the Plan, and outlying the general scope of the Urban Redevelopment project under consideration;

NOW, THEREFORE, the Mayor and Council of the city of East Point, Georgia hereby resolve as follows:

Section 1. Pursuant to the Georgia Urban Redevelopment Law, the City hereby creates the East Point Corridors Urban Redevelopment Area and designates the boundaries of this area as being in the vicinity of Cleveland Avenue, Main Street and Washington Road and coterminous with the boundaries established for the East Point Corridors Redevelopment Area and approved by the Mayor and Council in the Resolution of December 20, 2006.

Section 2. Because the East Point Corridors Redevelopment Area has a predomination of buildings or improvements which, by reason of dilapidation, deterioration, age, or obsolescence; because includes a substantial number of deteriorated or deteriorating structures; because it includes a predominance of defective or inadequate street layout and faulty lot layout in relation to size, adequacy, accessibility or usefulness; and because the presence of

these factors substantially impairs or arrests the sound growth of the City, retards the provision of housing accommodations, and constitutes an economic and social liability and is a menace to the public health, safety, morals and welfare, the area comprised within the East Point Corridors Redevelopment Area qualifies for characterization and treatment as a "slum area," and the City hereby finds and declares that it is a "slum area" within the meaning of the Georgia Urban Redevelopment Law.

Section 3. The Mayor and Council hereby declare that a feasible method exists for the relocation of such families as will be displaced from the East Point Corridors Urban Redevelopment Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

Section 4. The Mayor and Council hereby declare that the Urban Redevelopment Plan for the East Point Corridors Urban Redevelopment Area conforms to the general plan of the City as a whole.

Section 5. The Mayor and Council hereby find and declare that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the East Point Corridors Urban Redevelopment Area is necessary in the interest of the public health, safety, morals, and welfare of the residents of the City.

Section 6. The Mayor and Council hereby declare that the East Point Corridors Urban Redevelopment Plan will afford maximum opportunity for the rehabilitation or redevelopment of the East Point Corridors Urban Redevelopment Area by private enterprise, consistent with the sound needs of the City as a whole.

Section 7. The Mayor and Council hereby approve and adopt the East Point Corridors Urban Redevelopment Plan as presented in the public hearing of May 3, 2010.

Section 8. All ordinances and resolutions and parts thereof, to the extent inconsistent with this resolution, are hereby repealed.

ADOPTED AND APPROVED, this 3rd day of May, 2010.

CITY OF EAST POINT, GEORGIA

By: *Earnestine D. Pittman*
Earnestine D. Pittman, Mayor

Attest:

By: *Agnes Beltran*
Agnes Beltran, City Clerk



A RESOLUTION

APPROVING AND ADOPTING AN URBAN REDEVELOPMENT PLAN FOR THE CAMP CREEK URBAN REDEVELOPMENT AREA PURSUANT TO THE GEORGIA URBAN REDEVELOPMENT LAW (O.C.G.A. § 36-61-1 ET SEQ.), DECLARING THAT THE CONDITIONS EXIST WHICH ARE NECESSARY TO DESIGNATE SUCH AREA AS APPROPRIATE FOR AN URBAN REDEVELOPMENT PROJECT, AND FOR OTHER PURPOSES.

WHEREAS, the Georgia Urban Redevelopment Law (O.C.G.A. § 36-61-1 et seq.) provides for the establishment of redevelopment powers and urban redevelopment project powers and the adoption of urban redevelopment plans by counties and municipalities in the State of Georgia; and

WHEREAS, the powers conferred by the Georgia Urban Redevelopment Law are for public uses and purposes for which public money may be expended; and

WHEREAS, it is in the public interest of the City of East Point, Georgia ("the City") that the enumerated in the Georgia Urban Redevelopment Law be exercised to enable the exercise of the powers established under that law to improve economic and social conditions of the Camp Creek/I-285 area in order to abate or eliminate the deleterious effects of its current underdeveloped state; and

WHEREAS, under the Georgia Urban Development Law, an area having development impaired by airport or transportation noise or by other environmental hazards which substantially impair or arrest the sound growth or a municipality, retards the provision of housing accommodations, or constitutes an economic or social liability and is a menace to the public health, safety, morals, or welfare in its present condition or use qualifies for characterization and treatment as a "slum area;" and

WHEREAS, the Mayor and Council on November 5, 2001 and December 17, 2001 adopted and approved a Redevelopment Plan for the Camp Creek/I-285 Redevelopment Area pursuant to the Georgia Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq.); and

WHEREAS, the Redevelopment Plan approved by the Mayor and Council on November 4, 2001 and December 17, 2001 determined that, because of their proximity to Hartsfield Atlanta International Airport, the land parcels in the Camp Creek/I-285 area cannot be used for residential development without substantial investments in measures to achieve outdoor-indoor noise level reduction over standard home construction; and that the area is difficult to develop for commercial or business park uses due to its location within the Hartsfield Atlanta International Airport noise abatement zone, and due to related environmental degradation; and

WHEREAS, the City has caused an Urban Redevelopment Plan for the Camp Creek/I-285 area to be prepared and the Mayor and Council desire to approve said Urban Redevelopment Plan pursuant to the provisions of the Georgia Urban Redevelopment Law; and

WHEREAS, the Mayor and Council on December 17, 2001 created an area known as the Camp Creek I-285 Redevelopment Area pursuant to the Georgia Redevelopment Powers Law (O.C.G.A. § 36-44-1 et seq), and the Mayor and Council now desire to designate that area as an Urban Redevelopment Area pursuant to the Georgia Urban Redevelopment Law; and

WHEREAS, the Mayor and Council on May 3, 2010 held a public hearing on the Urban Redevelopment Plan for the Camp Creek/I-285 Redevelopment Area after public notice thereof by publication in a newspaper having general circulation in the City's area of operation, describing the time, place and purpose of the hearing, generally identifying the urban redevelopment area covered by the Plan, and outlining the general scope of the Urban Redevelopment project under consideration;

NOW, THEREFORE, the Mayor and Council of the city of East Point, Georgia hereby resolve as follows:

Section 1. Pursuant to the Georgia Urban Redevelopment Law, the City hereby creates the Camp Creek/I-285 Urban Redevelopment Area and designates the boundaries of this area as being coterminous with the boundaries established for the Camp Creek/I-285 Redevelopment Area and approved by the Mayor and Council in the Resolution of December 17, 2001.

Section 2. Because its development is impaired by airport or transportation noise or other environmental hazards that substantially impair or arrest the sound growth of the City, retards the provision of housing accommodations or constitute an economic or social liability and is a menace to the public health, safety, morals or welfare in its present use, the area comprised within the Camp Creek/I-285 Urban Redevelopment Area qualifies for characterization and treatment as a "slum area," and the City hereby finds and declares that it is a "slum area" within the meaning of the Georgia Urban Redevelopment Law.

Section 3. The Mayor and Council hereby declare that a feasible method exists for the relocation of such families as will be displaced from the Urban Redevelopment Area in decent, safe, and sanitary dwelling accommodations within their means and without undue hardship to such families.

Section 4. The Mayor and Council hereby declare that the Urban Redevelopment Plan for the Camp Creek/I-285 Urban Redevelopment Area conforms to the general plan of the City as a whole.

Section 5. The Mayor and Council hereby find and declare that the rehabilitation, conservation, or redevelopment, or a combination thereof, of the Camp Creek/I-285

Redevelopment Area is necessary in the interest of the public health, safety, orals, or welfare of the residents of the City.

Section 6. The Mayor and Council hereby declare that the Urban Redevelopment Plan will afford maximum opportunity for the rehabilitation or redevelopment of the Urban Redevelopment Area by private enterprise, consistent with the sound needs of the City as a whole.

Section 7. The Mayor and Council hereby approve and adopt the Urban Redevelopment Plan as presented in the public hearing of May 3, 2010.

Section 8. All ordinances and resolutions and parts thereof, to the extent inconsistent with this resolution, are hereby repealed.

ADOPTED AND APPROVED, this 3rd day of May, 2010.

CITY OF EAST POINT, GEORGIA

By: *Earnestine D. Pittman*
Earnestine D. Pittman, Mayor

Attest:

By:

Agnes Beltran
Agnes Beltran, City Clerk



A RESOLUTION

A RESOLUTION OF THE BOARD OF CITY COUNCIL OF THE CITY OF EAST POINT, GEORGIA, FINDING AND DECLARING THE NECESSITY WITHIN THE CITY OF EAST POINT FOR A PLAN OF URBAN REDEVELOPMENT; MODIFYING AND REDEFINING THOSE AREAS OF THE CITY IN WHICH CONDITIONS OF SLUM AND BLIGHT NOW EXIST OR WHICH, IF NOT ADDRESSED, ARE LIKELY TO BECOME AREAS OF SLUM AND BLIGHT; ADOPTING A WORKABLE PROGRAM, AS RECOMMENDED BY THE CITY MANAGER AND HIS STAFF, TO ELIMINATE AND PREVENT THE SPREAD OF SLUMS; TO PROVIDE A GENERAL PLAN FOR URBAN REDEVELOPMENT UPON WHICH MORE SPECIFIC PLANS MAY BE BASED; AND FOR OTHER PURPOSES.

WHEREAS, the this City Council, at its regular meeting held November 19, 2018, adopted a Resolution, pursuant to O.C.G.A. Title 36, Chapter 61 URBAN REDEVELOPMENT, finding and declaring the necessity within the City of East Point for a plan of urban redevelopment, to identify those areas of the city in which conditions of slum and blight, as defined by O.C.G.A. 36-61-2, exist or which, if not addressed would likely to become areas of slum and blight;

WHEREAS, following a duly advertised public hearing, this City Council designated an area, principally being that area of the city hit hard by the Great Recession of 2008 in the communities of River Park, East Washington and Central Park and the DeLowe Connally Estate, as its Urban Redevelopment District;

WHEREAS, subsequent thereto, and after diligent analysis by qualified housing inspectors, urban planners, economic development specialists, and other city staff, including some existing studies such as Livable Centers Initiative, Economic Development Plan and Redevelopment Plan conducted on behalf of the City of East Point. Staff recommend the area illustrated as Appendix A and B be designated as the city's Urban Redevelopment District to include the traditional downtown business district of East Point;

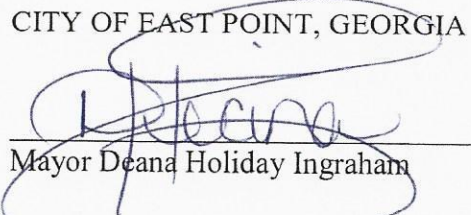
WHEREAS, this Board has conducted a public hearing, duly advertised as required by law, at which citizens and private property owners in the area proposed for district designation have been afforded opportunity for comment on the proposed redesigned area;

NOW, THEREFORE, BE IT RESOLVED BY THIS CITY COUNCIL OF THE CITY OF EAST POINT, GEORGIA:

1. That the proposed URBAN REDEVELOPMENT PROGRAM, be adopted to define these Urban Redevelopment Districts. The City Manager and his staff are hereby directed to recommend specific plans, in accordance with the general plan, to achieve the objectives of this program through future Council actions, including annual funding of such specific plans.
2. That the Urban Redevelopment District, as heretofore designated, include the areas of the East Washington, River Park, DeLowe Connally Estate, Downtown East Point, and Central Park communities within the city limits of East Point.
3. That the Director of Planning and Community Development, in consultation with the City Manager, annually present a proposed program budget, including recommended funding for specific plans and capital improvements to be made within the District in accordance with the implementation, utilizing to the greatest extent possible, available grants, loans, the creation of tax allocation district, enterprise zone and opportunity zones, and private sector investment.


SO RESOLVED, this 7th day of January, 2019.

CITY OF EAST POINT, GEORGIA



Mayor Deana Holiday Ingraham

ATTEST:

APPROVED AS TO FORM:



City Attorney



City Clerk

{SEAL}



PUBLIC NOTICE

The Board of Commissioners of the City of East Point, Georgia will conduct the Public Hearing on Monday, January 7, 2019 at 6:30 p.m. in the City Annex Building located at 3121 Norman Berry Drive to receive public comment and consider the following:

1. Consider the adoption of the Urban Redevelopment Work Program.

Primary objectives of Work Program are:

- To eliminate and prevent the development or spread of slums
- To encourage needed urban rehabilitation, and
- To provide for the redevelopment of slum areas.

Scope of Work Program includes:

- Diligent enforcement of housing, zoning, and occupancy controls and standards
- The rehabilitation or conservation of slum areas or portions thereof by re-planning, removing congestion, providing parks, play grounds, and other public improvements
- Encouraging voluntary rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of slum areas or portions thereof

Description of City of East Point's Urban Redevelopment Area

AREA #1:

Beginning at the intersection of Norman Berry Drive and Cleveland Avenue; running east along Cleveland Ave to the intersection of Cleveland Avenue and Sylvan Road; running south along Sylvan Road to the intersection of Sylvan Road and North Central Avenue; running southwest along North Central Avenue to the intersection of North Central Avenue and Central Avenue; running west along Central Avenue following the official city limits of East Point to Willingham Drive; running west along Willingham Drive to the intersection of Willingham Drive and East Main Street; running along the official City Limits of East Point over to Washington Road; running east; along Washington Road to the intersection of Washington Road and Cheney Street; running north along Cheney Street to the intersection of Cheney Street and West Forrest Avenue; running west along West Forrest Avenue to the intersection of West Forrest Avenue and Norman Berry Drive; running east along Norman Berry Drive to the intersection of Norman Berry and Cleveland Avenue. This urban redevelopment area is shown on a map attached hereto as Appendix "A".

AREA #2:

Beginning at the intersection of DeLowe Drive and DeLowe Stanton Access Road running east along DeLowe Stanton Access Road to the intersection of DeLowe Stanton Access Road and Stanton Road; running south along Stanton Road to the intersection of Stanton Road and Connally Drive; running west along Connally Drive to the intersection of Connally Drive and DeLowe Drive. Also included is the parcel identified by the following address and parcel ID Number: 14 0187LL0296 or 2327 DeLowe Drive.

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A RESOLUTION
CREATING THE EAST POINT URBAN REDEVELOPMENT AGENCY AND
DESIGNATING THE EAST POINT CITY COUNCIL AS THE
EAST POINT URBAN REDEVELOPMENT AGENCY BOARD OF COMMISSIONERS

WHEREAS, the East Point City Council adopted Resolution 118-019 on January 7, 2019 establishing an Urban Redevelopment Plan and Urban Redevelopment District in accordance with O.C.G.A. Title 36, Chapter 61; and

WHEREAS, the Urban Redevelopment Plan A) Establishes the boundaries of the Urban Redevelopment District, B) Structures a viable approach to redevelopment of blighted properties that is consistent with the City's Comprehensive Plan and C) Encourages and promotes revitalization of such structures within the District by private owner(s) and or private corporations; after the City having determined and declared the necessity within the City of East Point for a plan of urban redevelopment, to identify those areas of the city in which conditions of slum and blight, as defined by O.C.G.A. 36-61-2, currently exist, and which, if not addressed would likely to continue, or become areas of slum and blight. The City, in taking this action does so toward rehabilitation, conservation and redevelopment of the identified areas to benefit the public health, safety, morals, and welfare of residents of the City of East Point; and

WHEREAS, the Urban Redevelopment District includes the neighborhoods known as "East Washington", "River Park", "Center Park" and "Delowe-Connally Estates" as shown in Exhibit A; and subsequent thereto, and after diligent analysis by qualified housing inspectors, urban planners, economic development specialists, and other city staff, including some existing studies such as Livable

1 Centers Initiative, Economic Development Plan and Redevelopment Plan conducted on behalf of the
2 City of East Point. Staff recommends the area illustrated as Exhibit A be designated as the city's Urban
3 Redevelopment District to include the traditional downtown business district of East Point; and
4

5
6 **WHEREAS**, O.C.G.A. 36-61-18 allows for the creation of an Urban Redevelopment Agency and
7 the establishment of an Urban Redevelopment Agency Board of Commissioners as determined by the local
8 governing authority.

9
10 **NOW BE IT RESOLVED BY THE CITY COUNCIL OF EAST POINT** in accordance with O.C.G.A. 36-61-
11 18, that the East Point City Council shall create the East Point Urban Redevelopment Agency and appoint
12 itself and reconvene as the East Point Urban Redevelopment Agency Board of Commissioners for the
13 purpose of exercising its redevelopment powers in accordance with O.C.G.A. 36-61-17.

14
15 **APPROVED** this 21st day of June 2021.

16
17 **SPONSORED BY:**

18 

19 **Deana Holiday Ingraham, Mayor**

20 **APPROVED AS TO FORM:**

21 

22 Brad Bowman (Jun 24, 2021 13:36 EDT)

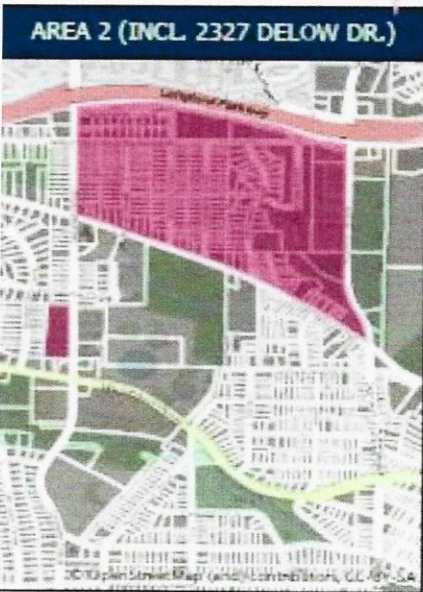
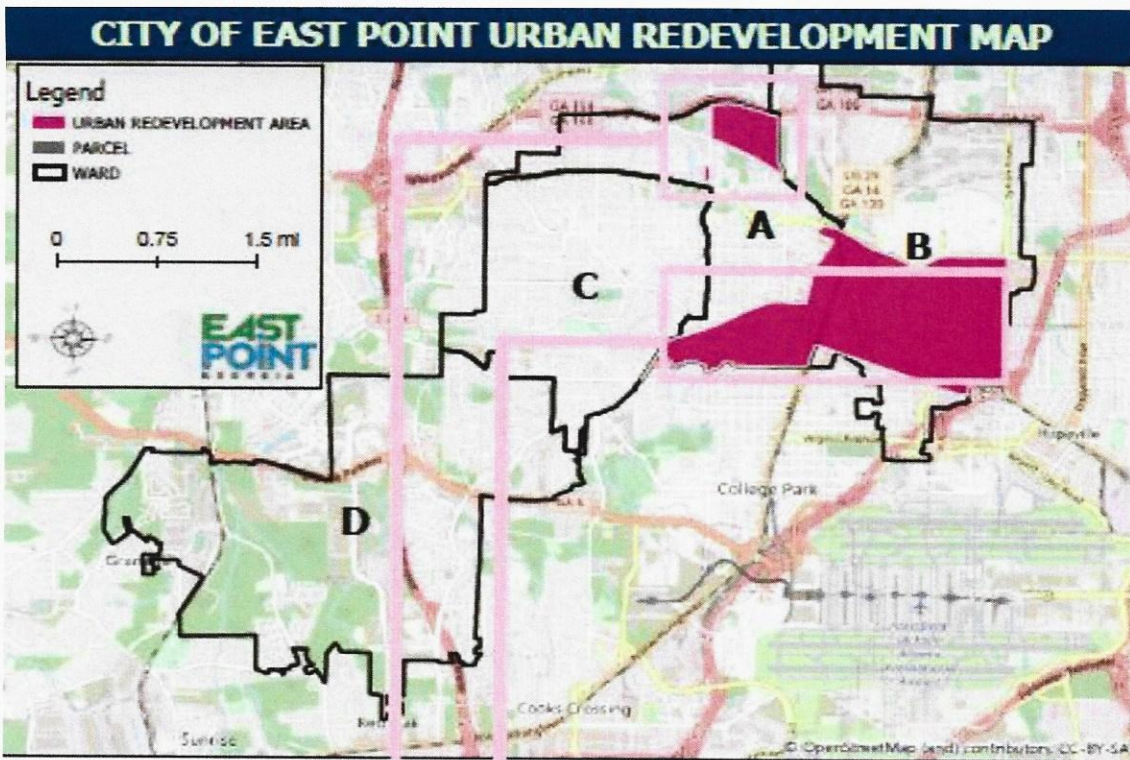
23 **Brad Bowman, City Attorney**

24 **ATTEST:**

25 

26 **Keshia McCullough, City Clerk**

EXHIBIT 'A'
Urban Redevelopment District



Area 1:
2401 parcels
~1062+ acres

Area 2:
236 parcels
~106 acres

