



Public Hearing

November 7, 2023 | 5:30 PM

City Hall
700 Poplar Street
Macon, GA 31201

Mayor Lester M. Miller
Mayor Pro Tem Seth Clark
Commissioner Valerie Wynn
Commissioner Paul Bronson
Commissioner Elaine Lucas
Commissioner Mallory Jones
Commissioner Raymond Wilder
Commissioner Bill Howell
Commissioner Virgil Watkins
Commissioner Al Tillman

- 1. Call to Order**
Mayor Lester M. Miller
- 2. Public Comments on Agenda Item**
- 3. Purchase An Unused Right-Of-Way**
 - a. Abandonment an Unused Right-Of-Way on McKinney Drive (Sponsored by:)
- 4. Adjourn**



LEGISLATIVE SPONSORS

- | | |
|---|--|
| ☒ MAYOR LESTER M. MILLER | ☐ MAYOR PRO TEMPORE SETH CLARK |
| ☐ COMMISSIONER VALERIE WYNN | ☐ COMMISSIONER PAUL BRONSON |
| ☐ COMMISSIONER ELAINE LUCAS | ☐ COMMISSIONER MALLORY C. JONES, III |
| ☐ COMMISSIONER RAYMOND WILDER | ☐ COMMISSIONER BILL HOWELL |
| ☐ COMMISSIONER VIRGIL WATKINS, JR. | ☐ COMMISSIONER AL TILLMAN |
-

A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AUTHORIZING THE ABANDONMENT OF THE UNOPENED RIGHT-OF-WAY OF MCKINNEY DRIVE AND THE REMOVAL OF SUCH PATH FROM THE OFFICIAL ROAD MAP OF MACON-BIBB COUNTY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, David Johnson (the “Petitioner”) has petitioned to purchase the unopened right-of-way abutting his real property where such right-of-way intersects with Pine Ridge Drive and then dead ends into 777 McKinney Drive; and

WHEREAS, the petitioned for portion of McKinney Drive was dedicated to Bibb County in 1961 as part of the Wesleyan Estates development, but the aforesaid portion to McKinney Drive itself was never developed into a paved roadway; and

WHEREAS, the Macon-Bibb County Commission desires to formally abandon such parcel so that it may be properly returned to the tax digest and beneficial use; and

WHEREAS, pursuant to Georgia law, prior to the sale of any public road or right-of-way, such public way must be duly abandoned, in a process including notice to abutting owners and a public hearing, where the governing body finds that the roadway has ceased to serve a substantial public purpose; and

WHEREAS the portion of McKinney Drive subject to the Petition, is more readily identified in the survey included in Exhibit A; and

WHEREAS, the property is bordered on three sides by property owned by Petitioner and two other individuals; and

WHEREAS, notice of this petition for closure and abandonment, and the public hearing required to be held regarding such petition was sent to was sent to the abutting neighbors via U.S., Postal Service on October 19, 2023, and published in the Macon Telegraph on October 24, 2023 and October 31, 2023; and

WHEREAS, the Macon-Bibb County Commission has determined that the petitioned for portion McKinney Drive has ceased to be used by the public to the extent that no substantial public purpose is served by it and that its removal from the municipal road system is in the best public interest; and

WHEREAS the Macon-Bibb County Commission finds this Resolution necessary and proper to promote or protect the safety, health, peace, security, and general welfare of Macon-Bibb County and its inhabitants.

NOW, THEREFORE, LET IT BE RESOLVED by the Macon-Bibb County Commission and it is hereby so resolved by the authority of the same that the Macon-Bibb County Commission authorizes that the petitioned-for portion McKinney Drive, running from the intersection of McKinney Drive with Pine Ridge Drive to the dead end of McKinney Drive be closed and abandoned, and that it shall no longer be part of the road system of Macon-Bibb County.

BE IT FURTHER RESOLVED that the Macon-Bibb County Commission hereby declares that the foregoing preamble and whereas provisions set forth hereinabove constitute, and shall be considered to be, substantive provisions of this Resolution and are hereby incorporated by reference into this provision.

BE IT FURTHER RESOLVED That in the event scrivener's errors shall be discovered in this Resolution or in any Exhibits hereto after the adoption hereof, the Commission hereby authorizes and directs that each such scrivener's error shall be corrected in all multiple counterparts of this Resolution.

BE IT FURTHER RESOLVED that the Macon-Bibb County Commission grants the Mayor the authority to take any and all further actions necessary to carry out the intents and purposes of this Resolution.

BE IT FURTHER RESOLVED that except as specifically provided herein, any and all ordinances or resolutions or parts of ordinances or resolutions in conflict with this Resolution shall be and the same hereby are repealed, and this Resolution shall be in full force and effect from and after its adoption.

BE IT FURTHER RESOLVED In the event that this Resolution or part thereof is found by any court of competent jurisdiction to be substantively more appropriately denominated an act of ordinance by the Macon-Bibb County Commission, it is the intent of this Commission that this Resolution or such portion thereof shall be considered to have been adopted as an ordinance of the Macon-Bibb County Commission. Where any law bearing on the subject matter of this Resolution calls for the taking of any legislative action by the governing authority of Macon-Bibb County, and such law specifies for such action to be taken by resolution or by ordinance, it is the intent of this Commission that this Resolution satisfy such requirement, and that this Resolution be construed accordingly.

BE IT FURTHER RESOLVED this Resolution shall become effective immediately upon its approval by the Mayor or upon its adoption into law without such approval.

IT IS SO RESOLVED this ____ day of _____, 2023.

LESTER M. MILLER, MAYOR

ATTEST: _____

JANICE ROSS, CLERK OF COMMISSION

(SEAL)

Exhibit A



This image shows the portion of McKinney Drive to be abandoned pursuant to this Resolution, where McKinney Drive intersects Pine Ridge Drive and then runs in a southward direction to its dead end at the privately-owned parcel of real property known as 777 McKinney Drive.