



Public Hearing

November 19, 2024 | 5:45 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 Stanley Stewart
Commissioner Mallory Jones
Commissioner Raymond Wilder
Commissioner Bill Howell
Commissioner Virgil Watkins
Commissioner Brendalyn Bailey

1. Call to Order

Mayor Lester M. Miller

2. Abandonment Items

- a. A Resolution Of The Macon-Bibb County Commission To Authorizing The Mayor To Abandon Certain Portions Of Right-Of-Way lying In The City Block Bounded By Mulberry Street, Cherry Street, Seventh Street, And Sixth Street, And Removing Such Paths From The Official Road Map Of Macon-Bibb County (Sponsored by: Lester M. Miller, Mayor)

3. Public Comments on Abandonment of Alleyway

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 BRENDA LYN BAILEY |
-

A RESOLUTION OF THE MACON-BIBB COUNTY COMMISSION TO AUTHORIZING THE MAYOR TO ABANDON CERTAIN PORTIONS OF RIGHT-OF-WAY LYING IN THE CITY BLOCK BOUNDED BY MULBERRY STREET, CHERRY STREET, SEVENTH STREET, AND SIXTH STREET, AND REMOVING SUCH PATHS FROM THE OFFICIAL ROAD MAP OF MACON-BIBB COUNTY; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, Macon-Bibb County is in receipt of a petition to purchase certain alleys and rights-of-ways lying in the block bounded by Mulberry Street, Cherry Street, Sixth Street, and Seventh Street, as more readily shown on the attached Exhibit A, incorporated herein by reference; and

WHEREAS, pursuant to O.C.G.A. § 32-7-2 et seq., prior to the disposal or transfer of any public right-of-way, such public rights-of-way must be properly abandoned, with such finding that the right-of-way in question has ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the system of county roads and rights-of-ways is otherwise in the public interests ; and

WHEREAS, O.C.G.A. § 32-7-2 further provides that a public hearing must be held to prior to the abandonment of any portion of road or right-of-way; and

WHEREAS, a public hearing on the abandonment of the Property on November 19, 2024 at 5:45 p.m. EST in the Commission Chambers of Macon-Bibb County City Hall; and

WHEREAS, the Macon-Bibb County Commission finds that the subject rights-of-ways have ceased to be used by the public and that no public purpose is served by maintaining them as public rights-of-way; and

WHEREAS, upon this finding, the Macon-Bibb County Commission desires to abandon the rights-of-ways shown in the attached Exhibit A; and

WHEREAS, the Macon-Bibb County Commission finds that these alleys and rights-of-way have ceased to be used by the public in a manner such that its removal from the map of public roads and rights-of-ways is no longer in the best interests of Macon-Bibb County and its residents; and

WHEREAS, the Macon-Bibb County Commission desires to offer these parcels for sale at their fair market value to current or future abutting owners in a manner consistent with Georgia law; and

WHEREAS, for these reasons, the Macon-Bibb County Commission desires to abandon the aforesaid alleyway and disclaim any interests it may hold in the space as a public right-of-way; 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 the closure and abandonment of certain portions of right-of-way, more readily shown on the attached Exhibit A and that such portions of right of way shall no longer be part of the road and rights-of-ways system of Macon-Bibb County.

BE IT FURTHER RESOLVED the Macon-Bibb County Commission hereby authorizes the County Attorney's Office to record in the records a standing offer to the current or future owners of properties abutting the portions of former right-of-way at the fair market value at the time of the purchase.

BE IT FURTHER RESOLVED that a copy of this Resolution be forwarded by the Clerk of Commission to the County Engineer.

BE IT FURTHER RESOLVED 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 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 in the event scrivener's errors shall be discovered in this Resolution after the adoption hereof, the Macon-Bibb County 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 except as specifically provided herein, any and all resolutions or parts of 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 that 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. To the extent that this Resolution is construed by any appropriate authority as being substantively an act of ordinance and not an act of resolution, then this Resolution shall operate further to repeal all prior ordinances or parts of ordinances in conflict herewith.

[SIGNATURES TO FOLLOW]

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.

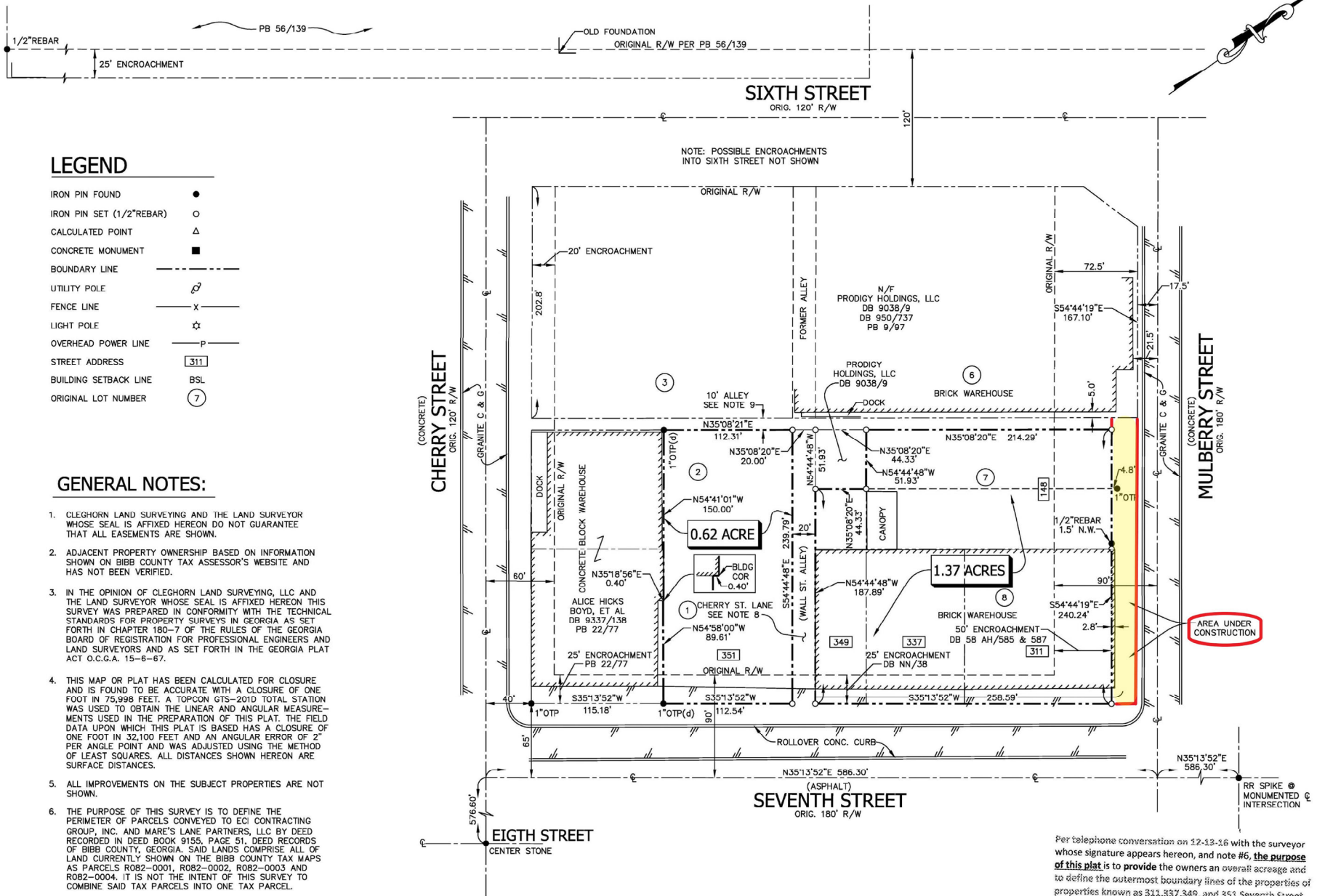
APPROVED AND ADOPTED this _____ day of _____, 2024.

By: _____
LESTER M. MILLER, Mayor

(SEAL) Attest: _____
JANICE S. ROSS, Clerk of the Commission

Q:\RES MACON-BIBB\2024 Miller Authorizing Abandonment for Cherry, Mulberry, Sixth, Seventh Square - 11-15-24.docx

EXHIBIT A

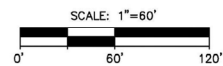


DocID 012898000001 Type PLT
 Recorded 12/13/2016 at 02:55:00 PM
 Fee AMT: \$8.00 Page 1
 Bibb County Georgia
 Erica Woodford, Clerk of Superior Court

Book 94 Page 137

Per telephone conversation on 12-13-16 with the surveyor whose signature appears hereon, and note #6, the purpose of this plat is to provide the owners an overall acreage and to define the outermost boundary lines of the properties of properties known as 311, 337, 349, and 351 Seventh Street and 148 Mulberry Street. Per the surveyor, the land tie (fishhook) shown on an adjacent tract does not indicate the combination of the parcels into one tract but that both parcels were conveyed by the same deed.

PLANNING & ZONING APPROVAL AND RECORDATION
 This plat is not a subdivision as defined in Section 1-2-114 of the Comprehensive Land Development Ordinance for Bibb County, Georgia. It does not require approval pursuant to Chapter 29 of said Ordinance. Approval must be obtained from the Planning & Zoning Department before recording this plat.
 12-13-16 B. S. [Signature]
 Date Zoning Enforcement Officer



CLEGHORN LAND SURVEYING, LLC
 290 Greentree Parkway
 Macon, Georgia 31220
 (478) 733-0786
 C.O.A. LSF001157

REVISION / ISSUE
 NO. DATE DESCRIPTION
 0 10/27/16 FIELD WORK

SURVEY FOR

ECI CONTRACTING GROUP, INC.
 PART OF LOT 1, 2, 7 AND 8, SQUARE 26



PROJECT LOCATION:

STREET: SEVENTH ST
 LAND LOT:
 LAND DISTRICT:
 SECTION: OLD CITY
 CITY: MACON
 COUNTY: BIBB
 STATE: GEORGIA

PROJECT NO.: DRAWN BY:

2016-119 VS

SCALE: DATE:
 1"=60' 11/2/16

SHEET TITLE:
BOUNDARY SURVEY

SHEET:

Page 1 of 8
 TOTAL SHEETS: 1

SURVEY FOR
ECI CONTRACTING GROUP, INC.
PART OF LOT 1, 2, 7 AND 8, SQUARE 26



PROJECT LOCATION:

STREET: SEVENTH ST
LAND LOT:
LAND DISTRICT:
SECTION: OLD CITY
CITY: MACON
COUNTY: BIBB
STATE: GEORGIA

PROJECT NO.: 2016-119
DRAWN BY: VS

SCALE: 1"=60'
DATE: 11/2/16

SHEET TITLE:

**BOUNDARY
SURVEY**

SHEET:

1

TOTAL SHEETS: 1

LEGEND

IRON PIN FOUND	●
IRON PIN SET (1/2"REBAR)	○
CALCULATED POINT	△
CONCRETE MONUMENT	■
BOUNDARY LINE	---
UTILITY POLE	⊗
FENCE LINE	-X-
LIGHT POLE	☆
OVERHEAD POWER LINE	-P-
STREET ADDRESS	[311]
BUILDING SETBACK LINE	BSL
ORIGINAL LOT NUMBER	(7)

GENERAL NOTES:

- CLEGHORN LAND SURVEYING AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HEREON DO NOT GUARANTEE THAT ALL EASEMENTS ARE SHOWN.
- ADJACENT PROPERTY OWNERSHIP BASED ON INFORMATION SHOWN ON BIBB COUNTY TAX ASSESSOR'S WEBSITE AND HAS NOT BEEN VERIFIED.
- IN THE OPINION OF CLEGHORN LAND SURVEYING, LLC AND THE LAND SURVEYOR WHOSE SEAL IS AFFIXED HEREON THIS SURVEY WAS PREPARED IN CONFORMITY WITH THE TECHNICAL STANDARDS FOR PROPERTY SURVEYS IN GEORGIA AS SET FORTH IN CHAPTER 180-7 OF THE RULES OF THE GEORGIA BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS AND AS SET FORTH IN THE GEORGIA PLAT ACT O.C.G.A. 15-6-67.
- THIS MAP OR PLAT HAS BEEN CALCULATED FOR CLOSURE AND IS FOUND TO BE ACCURATE WITH A CLOSURE OF ONE FOOT IN 75,998 FEET. A TOPCON GTS-201D TOTAL STATION WAS USED TO OBTAIN THE LINEAR AND ANGULAR MEASUREMENTS USED IN THE PREPARATION OF THIS PLAT. THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF ONE FOOT IN 32,100 FEET AND AN ANGULAR ERROR OF 2" PER ANGLE POINT AND WAS ADJUSTED USING THE METHOD OF LEAST SQUARES. ALL DISTANCES SHOWN HEREON ARE SURFACE DISTANCES.
- ALL IMPROVEMENTS ON THE SUBJECT PROPERTIES ARE NOT SHOWN.
- THE PURPOSE OF THIS SURVEY IS TO DEFINE THE PERIMETER OF PARCELS CONVEYED TO ECI CONTRACTING GROUP, INC. AND MARE'S LANE PARTNERS, LLC BY DEED RECORDED IN DEED BOOK 9155, PAGE 51, DEED RECORDS OF BIBB COUNTY, GEORGIA. SAID LANDS COMPRISE ALL OF LAND CURRENTLY SHOWN ON THE BIBB COUNTY TAX MAPS AS PARCELS R082-0001, R082-0002, R082-0003 AND R082-0004. IT IS NOT THE INTENT OF THIS SURVEY TO COMBINE SAID TAX PARCELS INTO ONE TAX PARCEL.
- ACCORDING TO THE BIBB COUNTY PLANNING AND ZONING DEPARTMENT, PARCEL "A-2" AND PARCEL E-3 SHOWN HEREON ARE CURRENTLY ZONED M-2.
- CHERRY STREET LANE, AKA WALL STREET ALLEY APPEARS TO BE ABANDONED IN FACT. DEEDS TO THE SUBJECT PROPERTY DO NOT INCLUDE THIS ALLEY. POSSIBLE RIGHTS OF OWNERSHIP MAY EXIST. THIS TITLE MATTER SHOULD BE FURTHER INVESTIGATED.
- THE PHYSICAL LOCATION AND THE LOCATION DEFINED BY REFERENCED SURVEYS PLACES THIS 10 FOOT ALLEY APPROXIMATELY 6 FEET NORTHWEST OF THE LOCATION DEFINED BY THE OLD CITY MAPS OF MACON. BASED ON THE IMPROVEMENTS ALONGSIDE SEVENTH STREET AND DIMENSIONS RECITED IN SOURCE DEEDS, IT APPEARS THE LOCATION OF THIS ALLEY WAS ONCE RELIED UPON TO ESTABLISH THE NORTHWEST LINE OF SEVENTH STREET AND THE DIMENSIONAL CALLS OF THE SOURCE DEEDS ALONG SEVENTH STREET.

