

A SUBSTITUTE ORDINANCE

03-O-0085

BY TRANSPORTATION COMMITTEE

AN ORDINANCE AUTHORIZING THE CITY ATTORNEY TO INSTITUTE NECESSARY LEGAL ACTION THROUGH CONDEMNATION BY THE DECLARATION OF TAKING METHOD TO OBTAIN FEE SIMPLE TITLE TO THE REAL PROPERTIES DESCRIBED AND IDENTIFIED HEREIN BELOW, SAID PROPERTIES BEING LOCATED IN CLAYTON COUNTY AND NECESSARY FOR PUBLIC USE IN CONNECTION WITH THE FIFTH RUNWAY PROJECT AT HARTSFIELD ATLANTA INTERNATIONAL AIRPORT, WITH THE COSTS THEREOF TO BE CHARGED TO AND PAID FROM FUND ACCOUNT CENTER NO. 2H26 571001 R21E052096AA; AND FOR OTHER PURPOSES.

**WHEREAS**, the City of Atlanta (hereinafter "City"), as owner and operator of the William B. Hartsfield Atlanta International Airport, (hereinafter "Airport") has undertaken the construction of an additional runway, referred to as the Fifth Runway Project, in an area located south of the Airport in the City of College Park and in unincorporated Clayton County; and

**WHEREAS**, it was and continues to be necessary for the City to acquire property located in Clayton County to accommodate the Fifth Runway Project; and

**WHEREAS**, in Section 2.1 of the March 16, 2000 Intergovernmental Agreement between Clayton County and the City of Atlanta, Clayton County gave its consent to the City to acquire by condemnation properties within Clayton County's jurisdiction for the Fifth Runway Project; and

**WHEREAS**, the City has been acquiring real property for the Fifth Runway Project from willing property owners through negotiation, pursuant to Resolution No. 01-R-0185, adopted by the Council on February 19, 2001, and approved by the Mayor on February 24, 2001; and

**WHEREAS**, the City has been acquiring real property for the Fifth Runway Project from unwilling sellers through condemnation pursuant to Ordinance No. 01-O-1867, adopted by the Council on December 3, 2001, and approved by the Mayor on December 11, 2001, said Ordinance being attached hereto as Exhibit A; and