

Georgia Legislative Documents [Search](#) [Help](#)

Content of Act/Resolution

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1977

ACTS AND RESOLUTIONS OF THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA 1977

1977 Vol. 2 -- Page: 3533

Sequential Number: 219

Short Title: DOWNTOWN ATHENS DEVELOPMENT AUTHORITY CREATED.

Law Number: No. 463

Origin: (House Bill No. 898).

Full Title: An Act to create a public corporation to be known as Downtown **Athens** Development Authority, pursuant to an amendment to the Constitution as contained in Ga. L. 1975, p. 1698, and amended by the Ga. L. 1976, p. 1912; to provide for the powers, duties, and responsibilities of said Authority; to provide for the appointment of members of said Authority, and their terms of office; to define and create the Downtown **Athens** Area; to authorize the Authority to issue bonds or revenue certificates, or both; to authorize the Authority to exercise the power of eminent domain; to provide for the levy and collection of taxes in the Downtown **Athens** Area; to exempt residence, church and school property from said tax levies; to provide for other matters relative to the foregoing; to provide an effective date; to repeal conflicting laws; and for other purposes.

Page: 3534

Be it enacted by the General Assembly of Georgia:

Section 1. Pursuant to an amendment to the Constitution authorizing the creation of a public corporation to be known as the Downtown **Athens** Development Authority, having been ratified by the electors at the general election in November, 1976, there is hereby created in and for the City of **Athens**, Clarke County, Georgia, a public corporation to be known as the Downtown **Athens** Development Authority, to be composed of seven (7) members, two (2) of whom shall be owners of an interest of at least a life estate or greater interest in real estate located in the Downtown **Athens** Area as hereinafter defined, and who are active members of the **Athens** Downtown Council so long as such Council exists, and two (2) of whom shall be merchants operating businesses in the Downtown **Athens** Area as hereinafter defined, and who are active members of the **Athens** Downtown Council, so long as such Council exists. Said four (4) members shall be appointed by the Mayor and Council of the City of **Athens**. One (1) member shall be the Mayor of the City of **Athens** by virtue of his office, one (1) member shall be the Chairman of the Board of Commissioners of Clarke County, Georgia, by virtue of his office, and one (1) member shall be the President of **Athens** Area Chamber of Commerce, or its successor, by virtue of his office. The Mayor of the City of **Athens**, the Chairman of the Board of Commissioners of Clarke County, and the President of **Athens** Area Chamber of Commerce shall serve for the term of their offices. One (1) of the Downtown **Athens** Area property owners and one (1) of the merchants shall be appointed for a period of one (1) year and one (1) of each shall be appointed for a period of two (2) years, and thereafter the terms of office for all of said Downtown **Athens** Area property owners and merchants

shall be two (2) years. All appointed members shall hold office until their successors are appointed and qualified.

Section 2. The Downtown **Athens** Area shall consist of that area in the City of **Athens**, Clarke County, Georgia, described as follows:

Beginning at the intersection of Dougherty Street and

Page: 3535

Pulaski Street; running thence east on Dougherty Street to College Avenue; running thence north on College Avenue to Hoyt Street; running thence east on Hoyt Street to The Central of Georgia Railroad; running thence south on The Central of Georgia Railroad to Strong Street; running thence east on Strong Street to Foundry Street; running thence south on Foundry Street to Oconee Street; running thence southeast on Oconee Street to The Central of Georgia Railroad; running thence southwest on the Central of Georgia Railroad 150 feet; running thence northwest on a line of 150 feet southwest of and parallel to the southwesterly right of way line of Oconee Street to the intersection of South Thomas Street and South Street; running thence west on South Street to South Jackson Street; running thence north on South Jackson Street to East Broad Street; running thence west on East Broad Street to Lumpkin Street; running thence south on Lumpkin Street to Wray Street; running thence west on Wray Street to South Hull Street; running thence north on South Hull Street to a point 200 feet south of the southerly right of way line of West Broad Street; running thence west, on a line 200 feet south of and parallel to the southerly right of way line of West Broad Street, to the westerly property line of Dr. B. T. Beasley and the City of **Athens**, said line being located 181 feet east of the easterly right of way line of Florida Avenue, measured perpendicular from Florida Avenue; running thence north on said property line to West Broad Street; running thence west on West Broad Street to Newton Street; thence south to Newton Street to the southerly line of the Ramada Inn property; thence westerly along said property line and continuing westerly in the same direction to the easterly side of Finley Street; thence northerly along Finley Street to Reese Street; thence easterly along Reese Street to Pulaski Street; thence northerly along Pulaski Street to the intersection of Pulaski and Dougherty Streets, the beginning point.

[Sidenote: Boundaries.]

Section 3. The Downtown **Athens** Development Authority shall be a body corporate and politic, having the power to sue and be sued in its own name, to contract, to acquire, own, hold, lease, sell and convey real and personal property, tangible and intangible, to borrow money, pledge

Page: 3536

and convey property as security therefor and to do all things necessary to the accomplishment of its purposes; and to accept gifts or grants.

Section 4. The purpose of said Authority shall be the redevelopment of the Downtown **Athens** Area, and said Authority shall have the power to employ engineers and planners, and other agents and professional services as it may deem necessary, to contract for the construction, remodeling and altering of buildings, and to contract with the Mayor and Council of the City of **Athens** and others for the construction, reconstruction, altering, changing and closing of streets, sidewalks, passageways and alleys.

[Sidenote: Purpose.]

Section 5. The Downtown **Athens** Area, as now or hereafter defined, shall constitute a special tax district. The Downtown **Athens** Development Authority shall have the power to submit for approval to the Mayor and Council of the City of **Athens** a proposed millage rate to be collected based on values of real property in the Downtown **Athens** Area, (as herein or hereafter defined) fixed from time to time by the tax digest of the City of **Athens**, such millage rate not to exceed one mill, for the operation of said Authority. Upon approval by the Mayor and a two-thirds vote of the Council of the City of **Athens** such taxes shall be levied and collected by the Mayor and Council for the City of **Athens** in the same manner as other City of **Athens** ad valorem taxes

are levied and collected but shall be kept in a special fund or funds restricted to the uses for which such taxes were levied and collected.

Section 6. The Authority shall have the power to borrow money, to issue bonds or revenue certificates, or both, and to pledge revenues and proceeds of tax levies within said district for the retirement of said indebtedness.

Section 7. No taxes shall be levied for said Authority for any purpose against property occupied by the owner exclusively as a residence or property used exclusively for church and educational purposes.

Section 8. The Authority shall have the right and power

Page: 3537

of eminent domain for the purpose of acquiring property for public use in the carrying out of its aims and objectives; provided, however, that no such power shall be exercised as to any specific property until a resolution has been adopted by the Mayor and a two-thirds vote of the Council of the City of **Athens** approving the condemnation of such property.

[Sidenote: Authority to have eminent domain power.]

Section 9. The power to tax and to issue bonds or revenue certificates shall require the approval of the Mayor and a two-thirds vote of the Council of the City of **Athens** as a condition precedent thereto, and with regard to any tax levy recommended to pay any indebtedness evidenced by bonds or revenue certificates issued by the Authority, the approval of the levy shall be mandatory to the extent that the proceeds therefrom are necessary for the payment of current principal and interest requirements and the maintenance of sinking fund requirements therefor.

Section 10. This Act shall become effective upon its approval by the Governor, or upon its becoming law without his approval, but the tax levies provided for herein shall be effective beginning January 1, 1978.

[Sidenote: Effective date.]

Section 11. All laws and parts of laws in conflict with this Act are hereby repealed.

Notice.

Notice is hereby given that The Mayor and Council of the City of **Athens** intends to apply for and seek passage of legislation at the regular 1977 Session of the General Assembly of Georgia which would create a public corporation to be known as Downtown **Athens** Development Authority, pursuant to an amendment to the constitution of 1945, Article VII, Section VII, Par. I; as contained in the Acts of 1975, page 1692, amended by the Acts of 1976, page 1912, and to provide for the powers, duties, and responsibilities of said Authority; to provide for the appointment of members of said Authority, and their terms of office; to define and create the Downtown **Athens** Area; to authorize Authority to issue bonds and or revenue certificates; to authorize the Authority to exercise the power of eminent domain; to provide

Page: 3538

for the levy and collection of taxes in the Downtown **Athens** Area; to exempt residence, church and school property from said tax levies; and for other purposes.

This the day of December, 1976.

The Mayor and Council of the City of **Athens** By: Denny C. Galis City Attorney

Georgia, Clarke County.

Personally before me the undersigned attesting officer, authorized by law to administer oaths, appeared Robert W. Chambers, who being put upon oath, certifies, deposes and swears that he is the Publisher of The Daily News; that The Daily News is the newspaper in which Sheriff's advertisements are published in Clarke County, Georgia, and that the foregoing notice of intention to apply for local legislation was published in The Daily News on Dec. 24, 31, 1976 and Jan. 7, 1977.

/s/ Robert W. Chambers

Sworn to and subscribed before me, this 28th day of January, 1977.

/s/ Frances P. Carter

Notary Public, Clarke County, Georgia.

My Commission Expires Aug. 1, 1977.

(Seal).

Approval Date: Approved March 23, 1977.

House Bill 590 (AS PASSED HOUSE AND SENATE)

By: Representatives Quick of the 117th, Frye of the 118th, and Williams of the 119th

A BILL TO BE ENTITLED
AN ACT

1 To amend an Act creating the Downtown Athens Development Authority, approved
2 March 23, 1977 (Ga. L. 1977, p. 3533), as amended, which authority was created pursuant
3 to an amendment to the Constitution as contained in Ga. L. 1975, p. 1698, and amended by
4 Ga. L. 1976, p. 1912, so as to define and create the Downtown Athens Area; to provide for
5 other matters relative to the foregoing; to provide effective dates; to repeal conflicting laws;
6 and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 An Act creating the Downtown Athens Development Authority, approved March 23, 1977
10 (Ga. L. 1977, p. 3533), as amended, which authority was created pursuant to an amendment
11 to the Constitution as contained in Ga. L. 1975, p. 1698, and amended by Ga. L. 1976, p.
12 1912), is amended by revising Section 2 as follows:

13 "SECTION 2.

14 The Downtown Athens Area shall consist of that area in Athens-Clarke County, Georgia,
15 described as follows:

16 Beginning at the intersection of Reese Street and N. Finley Street, running thence north
17 on N. Finley Street to its intersection with Prince Avenue, continuing across Prince
18 Avenue, thence north on Barber Street 292 feet; running thence east on a line parallel to
19 Prince Avenue 140 feet; running thence south on a line parallel to Barber Street 74 feet;
20 running thence east to Child Street; running thence north on Child Street 463.38 feet;
21 running thence east along a line parallel to Prince Avenue 250.36 feet; running thence
22 south on a line parallel to Child Street 244 feet; running thence east on a line parallel to
23 Prince Avenue 255.42 feet to Pulaski Street; running thence south on Pulaski Street
24 316.04 feet; running thence east on a line parallel to W. Dougherty Street to the
25 intersection with N. Hull Street; running thence north along N. Hull Street to its

26 intersection with N. Lumpkin Street; running thence west along the southern boundary
27 of property now owned by Athens Community Council on Aging, Inc.; running thence
28 north along the western boundary of property now owned by Athens Community Council
29 on Aging, Inc. to its intersection with the right-of-way of CSX Transportation Inc.;
30 running thence easterly along the right-of-way of CSX Transportation, Inc. to College
31 Avenue; running thence south along College Avenue to its intersection with Ware Street;
32 running thence west along Ware Street to its dead end; running thence south 150 feet on
33 a line parallel with College Avenue; running thence east 178.1 feet on a line running
34 parallel with Ware Street; running thence north 149.8 feet to Ware Street; running thence
35 east on Ware Street to its intersection with College Avenue; running thence south along
36 College Avenue 722.04 feet; running thence east 144.01 feet on a line parallel with Hoyt
37 Street; running thence north 71.36 feet on a line running parallel to College Avenue;
38 running thence west on a line parallel to Hoyt Street to College Avenue; running thence
39 north along College Avenue to a point on the north right-of-way of CSX Transportation,
40 Inc.; running thence east along the north right-of-way of CSX Transportation, Inc.,
41 formerly known as Seaboard Cost Line Rail Road, to its intersection with Dr. Martin
42 Luther King Jr. Parkway; running thence south along Dr. Martin Luther King, Jr.
43 Parkway to its intersection with First Street and East Broad Street (at this point East
44 Broad Street makes a 90 degree turn to the south); continuing thence southeast on East
45 Broad Street to a point which is the northeastern corner of property owned by the Unified
46 Government of Athens-Clarke County and the northwestern corner of property owned by
47 Dorsey Tabernacle Baptist Church; running thence south along the eastern boundary of
48 property owned by the Unified Government of Athens-Clarke County; continuing thence
49 southwest along the southern boundary of property of the Unified Government of
50 Athens-Clarke County and thence southeast along additional property of the Unified
51 Government of Athens-Clarke County; running thence southwest along the property of
52 the Unified Government of Athens-Clarke County; running thence west across the former
53 right-of-way of the Georgia Rail Road; running thence west and then northwest along the
54 property of the Unified Government of Athens-Clarke County to the north bank of the
55 North Oconee River; running thence northwest along Oconee Street to its intersection
56 with Wilkerson Street; running thence northeasterly on Wilkerson Street to the former
57 right-of-way of the Georgia Rail Road, now property of the Unified Government of
58 Athens-Clarke County; running thence northwesterly along such former railroad
59 right-of-way to East Broad Street; running thence west on East Broad Street to its
60 intersection with the former right-of-way of The Central of Georgia Rail Road; running
61 thence southwest along property owned by The Mark At Athens, LLC to its intersection
62 with Oconee Street; running thence south along Oconee Street to its intersection with

63 Williams Street; running thence southwest on Williams Street to its intersection with
 64 Mitchell Street; running thence northwest along Mitchell Street to its intersection with
 65 the former right-of-way of the Central of Georgia Rail Road; thence running north along
 66 the former right-of-way of the Central of Georgia Rail Road to the southeast corner of
 67 property of James Lamar Laboon, Jr.; running thence northwest 191.4 feet on a line
 68 parallel to Oconee Street; running thence south 37.9 feet on a line parallel with S.
 69 Thomas Street; running thence southwest 160 feet to S. Thomas Street; running thence
 70 northwest along S. Thomas Street to its intersection with South Street; running thence
 71 west on South Street to its intersection with South Jackson Street; running thence north
 72 on South Jackson Street to its intersection with East Broad Street; running thence west
 73 on East Broad Street to its intersection with South Lumpkin Street; running thence south
 74 on South Lumpkin Street to its intersection with Wray Street; running thence west on
 75 Wray Street to its intersection with South Hull Street; running thence north on South Hull
 76 Street to a point where the southeast corner of property of Campus Hotel, LLC intersects
 77 with S. Hull Street; running thence along the southerly boundary of Campus Hotel, LLC
 78 west and then south and then west again to its intersection with the eastern boundary line
 79 of property owned by Athens Housing Authority; running thence south on a line parallel
 80 with S. Newton Street to the south easterly corner of property of Athens Housing
 81 Authority; running thence west and then south and then west and then south again along
 82 property of Athens Housing Authority to a point where the southeastern corner of the
 83 property of Athens Housing Authority intersects with Waddell Street; running thence
 84 west along Waddell Street to its intersection with S. Newton Street; running thence north
 85 on S. Newton Street to the southwest corner of the property of the Athens Motel
 86 Company, Inc.; running thence along the southern boundary of Athens Motel Company,
 87 Inc. property to the southwesterly most corner of the property of Athens Motel Company,
 88 Inc.; running thence north 229.02 feet on a line parallel to Newton Street; running thence
 89 40 feet west on a line parallel with W. Broad Street; running thence north 229.02 feet on
 90 a line parallel with S. Finely Street; running thence 190.5 feet west on a line parallel to
 91 Reese Street to its intersection with N. Finley Street; running thence north along N.
 92 Finley Street to the beginning point at the intersection of N. Finley Street and Reese
 93 Street."

94 **SECTION 2.**

95 This Act shall become effective upon its approval by the Governor or upon its becoming law
 96 without such approval; provided, however, that the tax levies provided for in this Act shall
 97 be effective beginning January 1, 2018.

98

SECTION 3.

99 All laws and parts of laws in conflict with this Act are repealed.

