

R030519

**A RESOLUTION OF THE NEWTON COUNTY BOARD OF COMMISSIONERS
REGARDING REACQUISITION RIGHTS FOR PROPERTY LOCATED AT
12101 HARLAND DRIVE IN THE COVINGTON/NEWTON COUNTY INDUSTRIAL
PARK**

WHEREAS, Newton County, Georgia (“County”) is a Grantor with respect to a Declaration of Protective Covenants for Covington/Newton County Industrial Park recorded August 30, 1984 at Deed Book 233, Page 901, Newton County, Georgia records, as renewed pursuant to the Declaration of Protective Covenants for Covington/Newton County Industrial Park recorded October 12, 2004 at Deed Book 1770, Page 534, Newton County, Georgia records (collectively referred to as “Protective Covenants”); and

WHEREAS, pursuant to the Protective Covenants the County had a right to repurchase property on which construction had not begun within 18 months of the County’s sale of the property, and the County has the right of first refusal on undeveloped property located within the Covington/Newton County Industrial Park that is subsequently offered for sale; and

WHEREAS on February 1, 2019, Gensteel Doors USA, LLC sent notice pursuant to Section 9(B) of the Protective Covenants to the County that it desired to sell certain undeveloped property in the Industrial Park known as parcel C080-076 (the “Property”) to PDC Atlanta, LP, or its designee; and

WHEREAS, the Newton County Board of Commissioners has reviewed information related to the site and the County’s rights pursuant to the Protective Covenants; and

WHEREAS, the Newton County Board of Commissioners believes it appropriate and in the best interest of the health, safety, and welfare of the County not to exercise any right to repurchase the Property pursuant to Section 9(A) of the Protective Covenants (to the extent such right exists), nor to exercise the right of first refusal pursuant to Section 9(B) of the Protective Covenants, for purposes of encouraging long term economic growth and business development;

IT IS THEREFORE RESOLVED that the Newton County Board of Commissioners expresses Newton County’s intent not to exercise any right to repurchase the Property pursuant to Section 9(A) of the Protective Covenants (to the extent such right exists), not to exercise the right of first refusal pursuant to Section 9(B) of the Protective Covenants.

RESOLUTION APPROVED AND ADOPTED, this 5th day of March, 2019.

NEWTON COUNTY, GEORGIA BOARD OF COMMISSIONERS

By: 

Marcello Banes, Chairman

ATTEST:


Jackie Smith, County Clerk

